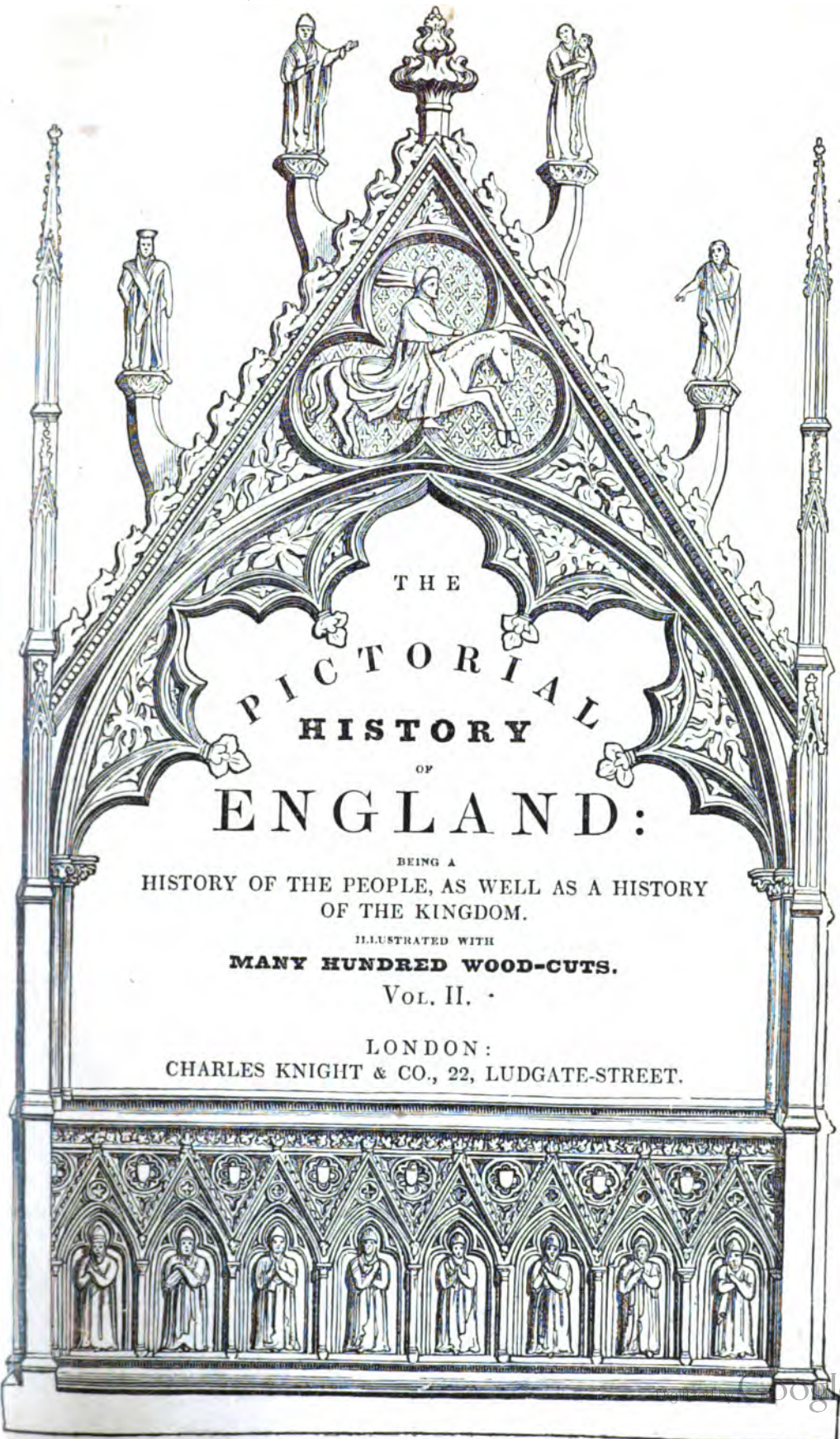


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THE
PICTORIAL
HISTORY
OF
ENGLAND:

BEING A
HISTORY OF THE PEOPLE, AS WELL AS A HISTORY
OF THE KINGDOM.

ILLUSTRATED WITH
MANY HUNDRED WOOD-CUTS.

VOL. II.

LONDON:
CHARLES KNIGHT & CO., 22, LUDGATE-STREET.

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Stamford Street.

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OF

MONUMENTAL RECORDS; COINS; CIVIL AND MILITARY COSTUME; DOMESTIC BUILDINGS, FURNITURE, AND
ORNAMENTS; CATHEDRALS AND OTHER GREAT WORKS OF ARCHITECTURE; SPORTS AND OTHER
ILLUSTRATIONS OF MANNERS; MECHANICAL INVENTIONS; PORTRAITS OF THE KINGS
AND QUEENS; THEIR SIGNATURES AND GREAT SEALS;
AND REMARKABLE HISTORICAL SCENES.

BY

GEORGE L. CRAIK AND CHARLES MACFARLANE,

ASSISTED BY OTHER CONTRIBUTORS.

IN SIX VOLUMES.

VOLUME II.

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CONTENTS.

	Page		Page
<p>BOOK V.—The period from the accession of Henry IV. to the end of the reign of Richard III. A.D. 1399—1485</p> <p>CHAP. I.—Narrative of Civil and Military Transactions</p> <p>CHAP. II.—History of Religion</p> <p>CHAP. III.—History of the Constitution, Government, and Laws</p> <p>CHAP. IV.—History of the National Industry</p> <p>CHAP. V.—History of Literature, Science, and the Fine Arts</p> <p>CHAP. VI.—History of Manners and Customs</p> <p>CHAP. VII.—History of the Condition of the People</p>	<p>3</p> <p>4</p> <p>137</p> <p>155</p> <p>170</p> <p>196</p> <p>236</p> <p>268</p>	<p>BOOK VI.—The period from the accession of Henry VII. to the end of the reign of Elizabeth, A.D. 1485—1603</p> <p>CHAP. I.—Narrative of Civil and Military Transactions</p> <p>CHAP. II.—History of Religion</p> <p>CHAP. III.—History of the Constitution, Government, and Laws</p> <p>CHAP. IV.—History of the National Industry</p> <p>CHAP. V.—History of Literature, Science, and the Fine Arts</p> <p>CHAP. VI.—History of Manners and Customs</p> <p>CHAP. VII.—History of the Condition of the People</p>	<p>280</p> <p>281</p> <p>696</p> <p>750</p> <p>771</p> <p>813</p> <p>855</p> <p>899</p>

LIST OF ILLUSTRATIONS.

	Page		Page
1 Ornamental Title-page	1	50 Law Habits, temp. Richard III. Collected in Strutt's	163
2 Ornamental Border. From Illuminated MS. of the period	3	" Angel-Cynnan" from various contemporary MSS.	163
3 Portrait of Henry IV. From the Tomb at Canterbury	4	51 Criminals conducted to Prison. Harl. MS.	169
4 Queen Joan of Navarre, second wife of Henry IV. From the	4	52 Criminals conducted to Death. Harl. MS.	169
Tomb at Canterbury	4	53 London in the Fifteenth Century. From an Illumination in	170
5 Initial Letter	4	Royal MS., representing the Captivity of the Duke of	170
6 Great Seal of Henry IV.	5	Orleans in the Tower; and exhibiting the Tower, Custom-	170
7 Postscript Castle, as it appeared before its destruction, temp.	8	House, London Bridge, and General View of the City as it	170
Charles II.	8	appeared in the middle of the fifteenth century	170
8 Tomb of Henry IV. and his Queen, at Canterbury	23	54 Initial Letter	171
9 Henry V. in his youth. From an Illumination in the Library	24	55, 56, 57, English Ships of War of the fifteenth century.	177
of Christ Church College, Cambridge	24	Harl. MSS.	177
10 Great Seal of Henry V.	24	58 Wharf of the German Merchants of the Steelyard, in Thames	179
11 Harleir	35	Street. From Hollar's Print in 1641	179
12 Tomb of Henry V. in Westminster Abbey	59	59 Noble of Henry V.	185
13 Henry VI. Drawn from Three Portraits	53	60 Half Noble of Henry V.	185
14 Great Seal of Henry VI.	53	61 Quarter Noble of Henry V.	185
15 The Duke of Bedford before St. George. From Gough's	53	62 Groat of Henry V.	186
Bedford Miscal	53	63 Half Groat of Henry V.	186
16 Monument of Joan of Arc, in the Place de la Pucelle, Rouen	76	64 Penny of Henry V.	186
17 Margaret, Queen of Henry VI. From Portraits in Queen's	81	65 Groat of Henry VI.	186
College, Oxford, and St. Mary's Hall, Coventry	81	66 Half Groat of Henry VI.	186
18 Marriage of Henry VI. After a Copy of a Picture formerly	89	67 Penny of Henry VI.	186
in the possession of Horace Walpole	89	68 Angel of Edward IV.	186
19 Edward IV. From a Painting on a Board formerly preserved	98	69 Half Angel of Edward IV.	186
in the Manor House, Southwick, Northamptonshire	98	70 Groat of Edward IV.	186
20 Great Seal of Edward IV.	99	71 Half Groat of Edward IV.	186
21 Queen Elizabeth Woodville. From an Old Print, Kenrich	102	72 Penny of Edward IV.	187
Collect.	102	73 Groat of Richard III.	187
22 The Sanctuary at Westminster, before its destruction,	110	74 Half Groat of Richard III.	187
in 1775	110	75 Penny of Richard III.	188
23 Tomb of Edward IV. at Windsor	116	76 Two-wheeled Plough. Harl. MS.	188
24 Edward V. From a MS. in the Archbishop's Library at	117	77 River Fishing. Harl. MS.	191
Lambeth	117	78 Spinning with the Distaff. Harl. MS.	193
25 Great Seal of Edward V.	117	79 Group of Artisans. Harl. MS.	195
26 Jane Shore. From Pictures in the Provost's Lodge, King's	120	80 Initial Letter	196
College, and in the Library of Magdalen College, Cam-	120	81 Kton College	196
bridge	120	82 Interior of the Chapel of King's College, Cambridge	197
27 Baynard's Castle, London, as it appeared in the seventeenth	122	83 St. Andrew's, as it appeared about a century ago	199
century	122	84 Specimens of Caxton's Printing—Dedication of Book of Chess	202
28 Richard III. From a Painting on Glass belonging to Trinity	123	85 The Almshouse, Westminster, where Caxton's Printing Office	203
College, Cambridge	123	was	203
29 Great Seal of Richard III.	123	86 Talbot, Earl of Shrewsbury, presenting a Book of Romances	204
30 Anne, Queen of Richard III. From an ancient Painting on	124	to Henry VI. Royal MS.	204
Glass	124	87 Transcriber at Work. Royal MS. 14 E. iii.	205
31 Murder of Edward V. and the Duke of York, in the Tower,	125	88 Earl Rivers presenting Caxton to Edward IV. MS. Lam-	207
—Hildebrandt	125	beth Palace Lib.	207
32 Autograph of Richard II. Cotton MS.	137	89 Lydgate presenting his Poem of "The Pilgrim" to Thomas	210
33 " Henry IV.	137	de Montacute, Earl of Salisbury. Harl. MS.	210
34 " Henry V.	137	90 Nave of Winchester Cathedral	222
35 " Henry VI.	137	91 Perpendicular Door, from the Bishop's Palace, Lincoln	223
36 " Edward IV. From the "Paston Letters"	137	92 Perpendicular Window, from St. Mary's Church, Oxford	223
37 " Edward V. Cotton MS.	137	93 Doorway of King's College Chapel, Cambridge	224
38 " Richard III. From the "Paston Letters"	137	94 The Great Hall of Eltham Palace	225
39 Initial Letter	137	95 Northleach Church, Gloucestershire	226
40 Convocation of Clergy. Harleian MS.	139	96 West Gate, Canterbury	226
41 Lambeth Palace, as it appeared before the recent alterations	147	97 Part of the Great Court of Warwick Castle	227
42 Passage of the Host—Cripples Worshipping. Cotton MS.	149	98 Great Chatfield Manor House, Wilts	228
43 Holy Well at Northampton, dedicated to St. Thomas à Becket	150	99 Carved Timber Gable at Ockwells, Berks	228
44 Richard Beauchamp, Earl of Warwick, as a Pilgrim, wor-	151	100 Heraldic Vane of Oxburgh Hall	229
shipping at the Holy Sepulchre, Jerusalem. Cotton MS.	151	101 Chimney-piece at Tattershall Castle	229
45 Friar preaching from a Moveable Pulpit. Royal MS.	152	102 House of the Fifteenth Century, at Leicester	230
46 Convocation of Henry IV. Harl. MS.	155	103 House at Grantham, Lincolnshire	231
47 Initial Letter	155	104 Front of Henry V.'s Chantry, Westminster	232
48 A Parliament of the Fifteenth Century. Harl. MS.	159	105 Inlaid Brass Monument of Eleanor Bohun, wife to Thomas	232
49 King with his Privy Council. Harl. MS.	160	of Woodstock, Duke of Gloucester. Died 1399	232

	Page		Page
106 Drummers. From the Liber Regalis, Westminster Abbey	233	173 Ruins of Leicester Abbey	354
107 Minstrels. From the Nave of St. Mary's Church, Beverley	235	174 Queen Anne Boleyn. From a Painting by Holbein	373
108 Initial Letter	236	175 Queen Jane Seymour. From a Drawing by Holbein	384
109 Furniture of a Bed-room, temp. Henry VI. Harl. MS.	236	176 Queen Anne of Cleves. From a Painting by Holbein	413
110 A Bed-room, temp. Edward IV. Cotton MS.	237	177 Queen Catherine Howard. From a Painting by Vanderwerff	416
111 Henry IV. and his Court. From a MS. in the Bodleian Library	238	178 Queen Catherine Parr. From a Painting by Holbein	452
112 Male Costume, temp. Henry IV. Harl. MS.	239	179 Edward VI. From a Drawing by Holbein	452
113 Male Costume, temp. Henry V. Royal MS.	239	180 Great Seal of Edward VI.	472
114 Henry V. and his Court. From a MS. in Bennet College Library, Cambridge	289	181 Great Seal of Queen Mary	501
115 Effigy of Lady de Thorpe, in Ashwelthorpe Church, Norfolk	240	182 Queen Mary. From a Painting by Holbein	501
116 Effigy of Beatrice, Countess of Arundel, in Arundel Church	240	183 Philip of England and Spain. From a Painting by Titian	512
117 Female Costume, temp. Henry V. Royal MS.	240	184 State Prison in the Tower of London	516
118 Effigy of Sir Robest Grushill, Haversham Church, Nottinghamshire	241	185 Lady Jane Grey. From an Original Picture in the Collection of the Earl of Stamford and Warrington	517
119 Effigy of Michael de la Pole, Earl of Suffolk, Haversham Church, Notts.	241	186 Calais from the Sea. Drawn from an Old Print	535
120 Robert Chamberlain, Esquire to Henry V. Cotton MS.	241	187 Great Seal of Queen Elizabeth	540
121 Helmet, Shield, and Saddle of Henry V. in Westminster Abbey	241	188 Queen Elizabeth. From a Painting by Zucchero	541
122 Tournament of Tilting Helmets, temp. Henry V., Cobham Church, Kent	242	189 Queen Elizabeth surrounded by her Court, as she appeared in her Progress to Hunsdon House. From a Print by Vertue	541
123 Male Costume, temp. Henry VI. Harleian MS.	242	190 Queen Mary of Scotland. From a Painting by Zucchero	549
124 Henry VI. and Court—John Talbot, Earl of Shrewsbury, receiving a Sword. From Strutt's "Dresses and Habits."	242	191 Holyrood House, the ancient Royal Palace of Edinburgh. From a Drawing made in 1828	557
125 Male Costume, temp. Edward IV. Cotton and Royal MSS.	243	192 The Surrender of Mary, Queen of Scots, at Carberry Hill. From the Old Picture published by the Royal Society of Antiquaries	601
126 Edward IV. and Court	243	193 Lochleven Castle	605
127 Female Costume, temp. Henry VI. Harl. MS.	244	194 Fotheringay as it appeared in 1718. From a Print in "Bridge's Northamptonshire"	653
128 Female Costume, temp. Edward IV. Cotton and Royal MSS.	244	195 Tomb of Mary, Queen of Scots, in the south aisle of Henry VII.'s Chapel, at Westminster Abbey	670
129 Effigy of Lady Peyton, Isleham Church, Cambridgeshire	245	196 Tibbury Fort. From a Picture by Laymaker	671
130 Effigy of Richard Beauchamp, Earl of Warwick. From his monument in the Lady's Chapel, St. Mary's Church, Warwick. Died 1439	245	197 The Spanish Armada attacked by the English Fleet. From the Ancient Tapestry in the House of Lords	675
131 Bleaching Tower. Gross's "Military Antiquities"	246	198 Charge of Irish Chieftains. From MS. Illumination in the Harl. Coll.	683
132 Siege of a Town. Harleian MS.	246	199 Essex House, Strand, London. From Hollar's View of London, 1647	684
133 Effigy of Sir Thomas Peyton, Isleham Church, Cambridgeshire	247	200 Tomb of Queen Elizabeth, in the north aisle of Henry VII.'s Chapel, Westminster Abbey	685
134 Moveable Tower of Archers, Cannon, &c. Royal MS.	248	201 Autograph of Henry VII. Cotton MS.	655
135 Storming a Town. Harl. MS.	248	202 " Henry VIII.	658
136 Tournament. Harl. MS.	250	203 " Edward VI.	658
137 Tournament—The Mêlée. Harleian MS.	251	204 " Queen Mary	613
138 Dining-room and Kitchen of the Fifteenth Century. Harleian MS.	252	205 " Queen Elizabeth. Harl. MS.	659
139 Inviting to the Repast. Royal MS.	254	206 Group of Portraits, including Wolsey, Cranmer, Gardiner, Latimer, and Ridley	696
140 Saying Grace. Royal MS.	254	207 Initial Letter	696
141 Servant, to prevent Treachery, tasting the Wine before serving it at Table. Royal MS.	254	208 Henry VII. delivering the Book of Indenture, or Agreement, to John Islip, Abbot of Westminster. From an Illumination in Harl. MS.	697
142 Court Mummings. Harleian MS.	255	209 Burning Place in Smithfield. From Fox's "Acts and Monuments"	698
143 Dance of Fools. MS. in the Bodleian Collection	257	210 Henry VIII. delivering the Bible to Cranmer and Cromwell	713
144 Bowling Ball. MS. in the Douce Collection	259	211 Bible chained at the Porch of a Church	714
145 Club-Ball. From a MS. in the Bodleian Collection and Royal MS.	259	212 Court-a-Street Chapel, Adlington, Kent. From an Original Drawing	718
146 Trap-Ball. From a MS. in the Douce Collection	260	213 Trial of Lambert before Henry VIII. in Westminster Abbey. From a Drawing in the King's Library and some Old Prints	724
147 Ancient Dice-Box. From Hoole's "Commonwealth"	260	214 Burning of Person, Testwood, and Filmer, before Windoor Castle. Fox's "Acts and Monuments."	729
148 Archers. From various MSS. of the Fourteenth Century	260	215 Stone at Hadleigh to commemorate the martyrdom of Dr. Taylor	734
149 Court Fool and Buffoon. Harl. MS.	262	216 Cranmer, on the morning of his Execution, making the Confession of his Protestantism. From Fox's "Acts and Monuments"	736
150 Hoodman Blind. Bodleian MS.	263	217 Cuthbert Simpson on the Rack. From Fox's "Acts and Monuments"	736
151 Shuttle-Cock. From a MS. in the Douce Collection	263	218 Castle of St. Andrew's	748
152 Leaping through a Hoop. From Strutt's "Sports."	263	219 Group of Portraits, containing Somerset, Burleigh, Leicester, Walsingham, Cromwell, and Earl of Essex	750
153 Tumbling. From Sloane MS.	265	220 Initial Letter	750
154 Golf, or Bandy-Ball. From a MS. in the Douce Collection	267	221 Edward VI. and his Council. From Woodcut on the Title-page to the Acts of Parliament, 1551	761
155 Monks at a Funeral in the Interior of a Convent. From Harl. MS. 4374	267	222 St. Stephen's Chapel, Westminster, from the Thames. From Smith's Westminster	766
156 Initial Letter	268	223 Henry VIII. and his Council. From Hall's Chronicle, 1548	770
157 Ornamental Border. From a Breviary written for Henry VII. Royal MS. in the British Museum	280	224 Group of Portraits, including Gresham, Drake, Frobisher, Cavendish, and Hawkins	771
158 Great Seal of Henry VII.	281	225 Initial Letter	771
159 Initial Letter	281	226 Sir Thomas Gresham's Exchange, London. From a Print in the Guildhall Library	788
160 Henry VII. From the Tomb in his Chapel at Westminster	282	227 The Process of Coining. From a Woodcut by Keiser	786
161 Elizabeth, Queen of Henry VII. From the Tomb in his Chapel at Westminster	285	228 Sovereign of Henry VII.	787
162 Remains of the Monastery at Bermondsey, in which Queen Elizabeth Woodville was confined. From a Drawing made before its recent demolition	291	229 Rose Rial of Henry VII.	787
163 Perkin Warbeck's Groat. From the Original in the British Museum	305	230 Groat of Henry VII.	787
164 Great Brass Screen which encloses the Altar-Tomb of Henry VII. and his Queen in his Chapel at Westminster	316	231 Half-Groat of Henry VII.	787
165 Henry VIII. From a Picture by Holbein, in Trinity College, Cambridge	318	232 Penny of Henry VII.	787
166 Great Seal of Henry VIII.	319	233 George (Gold) Noble of Henry VIII.	789
167 Queen Catherine. From a Miniature by Holbein	319	234 Gold Crown of Henry VIII.	791
168 Battle of the Spurs. From the Ancient Picture in the possession of the Royal Society of Antiquaries	324	235 Gold Half Crown of Henry VIII.	791
169 Sword and Dagger of James IV., preserved in the Herald's College, and two Knight's Banners used at the Battle of Flodden Field, preserved in the Advocates' Library, Edinburgh	330	236 Shilling of Henry VIII.	791
170 Embarkation of Henry VIII. at Dover, May 31, 1520, preparatory to his interview with the French King, Francis I. From the large Print published by the Royal Society of Antiquaries	339	237 Wolsey's Groat	799
171 The Field of the Cloth of Gold—Interview of Henry VIII. and Francis I., between Guisnes and Ardres, June, 1520. From the large Print published by the Royal Society of Antiquaries	342	238 Wolsey's Half Groat	799
172 Trial of Queen Catherine.—Smirke.	370	239 Penny of Henry VIII.	799
		240 Gold Sovereign of Edward VI.	800

	Page		Page
241 Crown of Edward VI.	800	290 Plan of Buckhurst House, Sussex. From the Original Col- lection of Drawings in Sir John Soane's Museum	848
242 Shilling of ditto	800	291 Hardwick Hall, Derbyshire	849
243 Sixpence of ditto	800	292 House formerly standing at the corner of Chancery-lane, Fleet-street, temp. Edward VI. From Smith's Topogra- phy of London	850
244 Groat of ditto	800	293 Initial Letter	855
245 Penny of ditto	800	294 Clock at Hampton Court. Original Drawing	855
246 Gold Sovereign of Queen Mary	801	295 General Costume, temp. Henry VII. Royal and Harl. MSS.	856
247 Gold Rial of ditto	801	296 Suit of Fluted Cap-a-pie Armour, temp. Henry VII. From Meyrick's Armoury	857
248 Shilling of ditto	801	297 Suit of Black Armour of a Knight of St. George, temp. Henry VII. Meyrick	858
249 Sixpence of ditto	801	298 Suit of Demi-Lancer's Armour, temp. Henry VII. Meyrick	858
250 Groat of ditto	801	299 Tilting Helmet, temp. Henry VII. Meyrick	858
251 Penny of ditto	801	300 Glaive Blade, temp. Henry VII. Meyrick	859
252 Gold Rial of Queen Elizabeth	803	301 Sword engraved by Albert Durer before 1528	859
253 Gold Angel of ditto	803	302 Military Costume engraved on ditto	859
254 Crown of ditto	803	303 Halbert Heads, temp. Henry VII. Meyrick	859
255 Shilling of ditto	803	304 General Costume, temp. Henry VII. From Holbein's Dance of Death	859
256 Sixpence of ditto	803	305 Men's Hats, Caps, and Bonnets of the sixteenth century. From Mr. Ady Repton's Tapestry	860
257 Groat of ditto	803	306 General Costume, temp. Edward VI. From the Ancient Picture of his Coronation Procession from the Tower to Westminster	861
258 Penny of ditto	803	307 Ladies' Head-dresses of the sixteenth century. From Mr. A. Repton's Tapestry	862
259 Carpenters and their Tools. From an Old Woodcut pub- lished by Keiser	810	308 Suit of Armour with Limboys, presented by the Emperor Maximilian to Henry VIII. From the Collection in the Tower of London	863
260 Lantern-Maker. From a Print by Schopper	810	309 Breast-plate, temp. Henry VIII. Shaw's Armour	863
261 Keys of Dover Castle. From a Woodcut in the British Museum	810	310 Suit of Puffed and Engraved Armour, 1518. Meyrick	864
262 Miners' Standard Dish, Wirksworth, Derbyshire	811	311 Military Costume, temp. Henry VIII. Cotton MS.	864
263 Leathersellers' Hall, London. From an Old View in Mal- colm's History of London	812	312 Suit of Ribbed and Engraved Armour. Meyrick	865
264 Group of Portraits, containing Lord Surrey, Sir Thomas More, Hans Holbein, Sir Philip Sidney, Buchanan, and Roger Ascham	813	313 Coursing Hat. Meyrick	865
265 Initial Letter	813	314 French, German, and Burgundian Costume of the sixteenth century	866
266 Remains of the Gatehouse of Wolsey's College, Ipswich. From an Original Drawing	814	315 Venetian, Spanish, and French Costume of the sixteenth century	866
267 Old St. Paul's School, as it appeared before the Great Fire	815	316 Suit of very Long-breasted Armour. Meyrick	863
268 King's School, Canterbury, founded in 1542. From an Old Print	816	317 Cross-bow Shooting at Bulst Royal MS.	870
269 Westminster School. From an Old Print	817	318 State Carriage of Queen Elizabeth. From Hoefnagel's Print of Nonsuch Palace	873
270 Merchant Tailors' School—the present building	817	319 Kenilworth Castle, as it appeared in 1620. From the Fresco Painting at Newnham	874
271 Fac-simile from King Edward's Journal	822	320 Performance of a Dramatic Mystery at Coventry. Sharp's, Taylor's, and Shenemen's Pageantry	877
272 Fac-simile from Elizabeth's Translation of a Dialogue in Xenophon, between Hiero and Simouides	823	321 The Globe Theatre. From Vischer's View of London, 1616	878
273 Ancient Dutch Printing Office. From a Design by Strad- anus	824	322 The Fortune Theatre, Golden-lane, Barbican, as it appeared in 1790. From an Old Print	879
274 Mark of Richard Pynson, an early English Printer,—died 1530	825	323 The Paris Garden Theatre, in Southwark. From Vischer's View of London, 1616	880
275 Mark of Robert Copland, printer,—died 1543	825	324 Bringing in the Boar's Head at Christmas, temp. Queen El- izabeth. Design by Buss	833
276 Mark of Wynkyn de Worde, printer,—flourished 1493— 1533	825	325 Earl Ferrer's Hunting Horn. Original Drawing	839
277 Mark of John Day, printer,—died 1584	825	326 Grand Falconer, temp. Queen Elizabeth. French Sculpture	890
278 Mark of Thomas Berthelet, printer,—died 1555	825	327 Plough Monday. Design by Buss	893
279 Mark of Robert Wyer, printer,—flourished 1527—42	825	328 Bringing in the Yule Log. Design by Buss	893
280 Richmond Palace. From an old drawing in the Vetusta Monumenta	841	329 Bringing in the May Pole, temp. Queen Elizabeth. Design by Buss	895
281 Ornamental Brick Chimneys	842	330 The Milk-Maids' Dance, ditto	935
282 Pendants of the Hall at Hampton Court	843	331 Palm Sunday Procession of the Wooden Ass, in the six- teenth century. Design by Buss	898
283 The Palace of Nonsuch. From Speed's Theatre of Great Britain	844	332 Initial Letter	899
284 Sandown Castle, near Deal	844		
285 Somerset House. From the Original Collection of Draw- ings in Sir John Soane's Museum	845		
286 Wollaton, Northamptonshire	845		
287 The Duke's House at Bradford. From Richardson's Eliza- bethan Architecture	846		
288 Scroll Work. From Richardson's Elizabethan Architecture	847		
289 Staircase at Claverton, Somersetshire. From Richardson's Elizabethan Architecture	847		

* * An opportunity has been taken in the above List of correcting a few misprints in the titles or descriptions of the Cuts.



BOOK IV.

THE PERIOD FROM THE ACCESSION OF
HENRY III. TO THE END OF THE
REIGN OF RICHARD II.

A.D. 1216—1399.

CONTEMPORARY PRINCES.

ENGLAND.	
1216 Henry III.	1272 Edward I.
1272 Edward I.	1307 Edward II.
1307 Edward II.	1327 Edward III.
1327 Edward III.	1377 Richard II.
SCOTLAND.	
1249 Alexander III.	1286 Margaret.
1286 Margaret.	1292 John Baliol.
1292 John Baliol.	1296 Interregnum.
1296 Interregnum.	1306 Robert I.
1306 Robert I.	1329 David II.
1329 David II.	1371 Robert II.
1371 Robert II.	1390 Robert III.
FRANCE.	
1223 Louis VIII.	1226 Louis IX.
1226 Louis IX.	1270 Philip III.
1270 Philip III.	1285 Philip IV.
1285 Philip IV.	1314 Louis X.
1314 Louis X.	1316 Philip V.
1316 Philip V.	1322 Charles IV.
1322 Charles IV.	1328 Philip VI.
1328 Philip VI.	1350 John.
1350 John.	1364 Charles V.
1364 Charles V.	1380 Charles VI.
CASTILE AND LEON.	
1230 Ferdinand III.	1252 Alphonso X.
1252 Alphonso X.	1284 Sancho IV.
1284 Sancho IV.	1295 Ferdinand IV.
1295 Ferdinand IV.	1312 Alphonso XI.
1312 Alphonso XI.	1350 Pedro.
1350 Pedro.	1366 Henry II.
1366 Henry II.	1367 Pedro restored.
1367 Pedro restored.	1369 Henry II. re- stored.
1369 Henry II. re- stored.	1379 John I.
1379 John I.	1390 Henry III. and Catherine of Lan- caster.
GERMANY.	
1212 Frederic II.	1251 Conrad IV.
1251 Conrad IV.	1254 Interregnum.
1254 Interregnum.	1273 Rodolph.
1273 Rodolph.	1292 Adolphus.
1292 Adolphus.	1298 Albert I.
1298 Albert I.	1308 Henry VII.
1308 Henry VII.	1314 Louis V.
1314 Louis V.	1347 Charles IV.
1347 Charles IV.	13, 8 Wenceslaus.
POPES.	
1216 Honorius III.	1227 Gregory IX.
1227 Gregory IX.	1241 Celestine IV.
1241 Celestine IV.	1243 Innocent IV.
1243 Innocent IV.	1254 Alexander IV.
1254 Alexander IV.	1261 Urban IV.
1261 Urban IV.	1265 Clement IV.
1265 Clement IV.	1271 Gregory X.
1271 Gregory X.	1276 Innocent V.
1276 Innocent V.	1276 Adrian V.
1276 Adrian V.	1276 John XXI.
1276 John XXI.	1277 Nicolas III.
1277 Nicolas III.	1281 Martin IV.
1281 Martin IV.	1285 Honorius IV.
1285 Honorius IV.	1287 Nicolas IV.
1287 Nicolas IV.	1294 Celestine V.
1294 Celestine V.	1294 Boniface VIII.
1294 Boniface VIII.	1303 Benedict XI.
1303 Benedict XI.	1305 Clement V.
1305 Clement V.	1316 John XXII.
1316 John XXII.	1334 Benedict XII.
1334 Benedict XII.	1342 Clement VI.
1342 Clement VI.	1352 Innocent VI.
1352 Innocent VI.	1362 Urban V.
1362 Urban V.	1370 Gregory XI.
1370 Gregory XI.	1378 Urban VI. and Clement VII.
1378 Urban VI. and Clement VII.	1389 Boniface IX. and Clement VII.
1389 Boniface IX. and Clement VII.	1394 Boniface IX. and Benedict XIII.



GREAT SEAL OF HENRY III.

CHAPTER I.

NARRATIVE OF CIVIL AND MILITARY TRANSACTIONS.

HENRY III., SURNAMED OF WINCHESTER.



AS soon as they had buried John at Worcester, the Earl of Pembroke, the Marshal of England, marched with the royal army and Prince Henry, the deceased king's eldest son, to the city of Gloucester. On the day after their arrival, being the feast of St. Simon and St.

Jude, October 28th, 1216, Henry was crowned in the church of St. Peter, belonging to the Abbey of Gloucester, by Gualo, the pope's legate, whose services in supporting the royal cause were of great value and efficacy. The ceremony was precipitated; no English bishops were present except those of Winchester, Bath, and Worcester; no lay nobles save the earls of Chester, Pembroke, and Ferrers, and four barons. The scanty retinue was completed by a few abbots and priors. The prince took the usual oaths "upon the gospels and relics of saints." The crown had been lost, with the rest of the regalia, in the Wash, and, instead of it, Gualo put a plain ring of gold on his head. Henry was only ten years old when he went through these solemnities,

without understanding them. It required no great force or persuasion to induce him to consent to do homage to the pope for England and Ireland, and to swear to pay the thousand marks a-year which his father had promised. The clergy of Westminster and Canterbury, who considered their rights invaded by this hurried and informal coronation, appealed to Rome for redress: Gualo excommunicated the appellants, who, however, persevered; and this matter occasioned considerable trouble, which did not end till the ceremony was repeated in a more regular manner.

A great council was held at Bristol on the 11th of November following; and there the Earl of Pembroke was chosen Protector, with the title of *Rector Regis et Regni*. His pure character and many eminent qualities,—his temper, prudence, and conciliating manners,—his experience in public affairs and his military skill, all seemed to point him out as the most eligible person; but some jealousies arose on the part of the great Earl of Chester, and Pembroke did not assume the style of "Rector" till the end of the month of November. At the same great council of Bristol Magna Charta was carefully, and, on the whole, skilfully revised, with the view of satisfying the demands of the barons who adhered to Louis, without sacrificing the royal prerogative. These

measures, however, were not considered conclusive, for Pembroke prudently left several clauses open for future discussion, when all the barons of the kingdom should be reconciled, and should meet again in one council. As yet the greater number of the nobles were on the side of Louis, who not only held London and the rich provinces of the south, but was powerful both in the north and the west, where the King of Scotland and the Prince of Wales supported his cause.*

When Louis learned the death of John he fancied that all opposition would presently cease. To take advantage of the consternation which he fancied must prevail among the royal party, he again pressed the siege of Dover Castle with great vigour, and, finding himself still incapable of taking it by force, he skilfully worked upon the fears and misgivings of the garrison, representing to them that they were fighting for a king who no longer existed, and whose death freed them from the obligation of their oaths of fealty. He tempted the governor, the brave Hubert de Burgh, with the most magnificent offers; and, when these failed, he threatened to put Hubert's brother to death. But threats were as ineffectual as promises; and, finding he was losing precious time, the French prince finally raised the siege, and returned to London, where the Tower, which had hitherto held out, was given up to him on the 6th of November. From London Louis marched to Hertford, and laid siege to the castle there, which he took on the 6th of

* Rymcr.—Carte.—M. Paris.

December. He then attacked the castle of Berkhamstead, which he reduced on the 20th of the same month. Both these castles made a stout resistance, costing him many men; and the taking of that of Berkhamstead was a loss rather than a gain, for it led to a quarrel with Robert Fitz-Walter, to whom he refused the custody of the castle. But his mistrust of the English was made every day more evident. From Berkhamstead Louis marched to St. Albans, where he threatened to burn the vast abbey to the ground if the abbot did not come forth and do him homage as legitimate king of England; but the abbot, it is said, escaped on paying a fine of eighty marks of silver. For a long period the carnage of war had been brought to a pause, by unanimous consent, on the seasons of our Saviour's birth and suffering. Christmas was now at hand, and a truce was agreed upon which was to last till a fortnight after the Epiphany. At the expiration of this truce Pembroke willingly agreed to another which did not expire till some days after the festival of Easter. Each party hoped to gain by this long armistice, and both were extremely active during its continuance. Louis, in Lent, went over to France to procure supplies of men and money, and Pembroke recruited in England, and drew off many of the nobles during the absence of the French prince. Louis left the government in the hands of Enguerrand de Coucy, a nobleman of great quality, but of very little discretion, under whose misrule the French became more arrogant than ever, and the English barons were made to feel that, by securing



HENRY III. From his Tomb in Westminster Abbey. Digitized by Google

the throne to a foreign prince, they should impose upon themselves foreign nobles for masters. At the same time the death-bed story of the Viscount de Melun was artfully revived; and the clergy, in obedience to the orders of Gualo the legate, read the sentence of excommunication in the churches every Sunday and holiday against the partisans of Louis. Hubert de Burgh, as constable of Dover Castle and warden of the Cinque Ports, was in constant communication with the best mariners in England, and he kept them true to young Henry. Philip d'Albiny put himself at the head of a popular party in Sussex, where one William de Collingham collected a thousand gallant archers,—rough English yeomen, who would allow of no truce with the French, and cared not for the armistice concluded by the Earl of Pembroke. On his way to the coast Louis came into collision with these sturdy patriots, who treated him very roughly, and would have made him a prisoner but for the opportune arrival of the French fleet, in which he and his attendants embarked in great disorder. On his return from France with reinforcements, the mariners of the Cinque Ports cut off several of his ships at sea, and took them by boarding. On this Louis landed at Sandwich, and burned that town to the ground in spite. He then, after making another unsuccessful attempt on Dover Castle, marched to London, where everything was falling into confusion.

On the expiration of the truce the Earl of Pembroke recommenced hostilities by laying siege to the castle of Mount Sorel, in Leicestershire. Louis sent the Count of Perche with six hundred knights and twenty thousand armed men to relieve it. On their march this mixed army of English, French, Flemings, and all kinds of mercenaries, committed great havoc, plundering the peaceful inhabitants, and wantonly burning the churches and monasteries. They succeeded, however, in their first object, Pembroke's forces raising the siege and retiring before superior numbers. Flushed with this success, the Count of Perche marched away to Lincoln: the town received him, but the castle resisted, and when he laid siege to it, he was foiled by a woman,—Nichola, the widow of Gerard de Camville, who held the custody of Lincoln Castle by hereditary right, and made a brave defence. While the confederates were wholly occupied with this siege, Pembroke suddenly collected a force of four hundred knights, two hundred and fifty crossbowmen, many yeomen on horseback, and a considerable body of foot, and appeared before Lincoln in admirable order. The count for a time would not believe that the English would venture to attack him within a walled town; and though his superiority in cavalry would have given him an advantage in the open country, he rejected the advice of some English barons who were with him, and would not march out of the town. He continued to batter the castle until he found himself engaged in a fatal street contest. To animate Pembroke's force Gualo now excommunicated Prince Louis by

name, and pronounced the curse of the church against all his adherents; dispensing at the same time full absolution, and promises of eternal life, to the other party. The regent took advantage in the most skilful manner of the count's blunder: he threw all his crossbows into the castle by means of a postern. These yeomen made great havoc on the besiegers by firing from the castle walls; and seizing a favourable opportunity they made a sortie, drove the enemy from the inside of the northern gate of the city, and enabled Pembroke to enter with all his host. The French cavalry could not act in the narrow streets and lanes: they were wounded and dismounted, and at last were obliged to surrender in a mass. The victory was complete: as usual, the foot-soldiers were slaughtered, but the "better sort" were allowed quarter; only one knight fell, and that was the commander, the Count of Perche, who threw away his life in mere pride and petulance, swearing that he would not surrender to any English traitor. This battle, facetiously called by the English "the Fair of Lincoln," was fought on Saturday, the 20th of May, 1217.

Without halting or refreshing himself, the Earl of Pembroke rode the same night to Stow, to give his royal pupil an account of his success.* It was indeed a victory worthy of such a courier,—its effect was to keep Louis cooped up within the walls of London, where plots and disturbances soon forced him to propose terms of accommodation. In the middle of June a conference was held at a place between Brentford and Hounslow, but it led to nothing. Philip of France had been so scared by the threats of Rome that he durst not send reinforcements in his own name: but he urged that he could not prevent Blanche of Castile, the wife of his son Louis, from aiding her own husband in his extremity; and under this cover another fleet and army were prepared for England. It was not till the 23rd of August that this fleet could sail from Calais: it consisted of eighty great ships and many smaller vessels, having on board three hundred choice knights and a large body of infantry. On the next day, the great festival of St. Bartholomew, as they were attempting to make the estuary of the Thames, in order to sail up the river to London, they were met by the hero of Dover Castle, the gallant De Burgh. Hubert had only forty vessels great and small, but he gained the weather gage, and by tilting at the French with the iron beaks of his galleys, sunk several of the transports with all on board. He afterwards grappled with the enemy, fastening his ships to theirs by means of hooks and chains, and in the end he took or destroyed the whole fleet with the exception of fifteen vessels. Eustace le Moine, or "the Monk," who had left his monastery in Flanders to adopt the more congenial life of a sea-rover, had his head struck off on his own deck; for he was not considered a true knight entitled to the honours

of war, and he had previously given great offence to the English.*

This decisive naval victory gave the death-blow to the project of Louis. That prince, however, acted generously and nobly in the midst of his difficulties: he would not abandon his friends, but said, when pressed, that he was ready to agree to any terms not inconsistent with his honour or the safety of his English adherents. The prudent regent was glad enough to promise good terms to these barons, who, whatever might be their after errors, had been among the foremost champions of English liberty, and had assisted in obtaining the great charter, which he himself loved as much as any of them. There were also many other nobles, on the same side, equally averse to proceeding to extremities against countrymen, former friends, and relations. The final terms were easily settled in a conference held on the 11th of September on an islet of the Thames near Kingston. It was agreed that the English barons who had continued to adhere to Louis, besides having their estates restored to them, should enjoy the customs and liberties of the kingdom, and all improvements thereof, equally with others. The privileges of London, as of all other cities and boroughs, were to be confirmed, and the prisoners on both sides taken since Louis's first landing were to be released without ransom, unless where previous arrangements had been made between parties. Louis was to give up all the castles he possessed; to order the brothers of Eustace the monk to evacuate the isles they had made themselves masters of; and to write to Alexander, king of Scotland, and Llewellyn, prince of Wales, to induce them to restore all the fortresses and places they had taken, if they would be included in the treaty. He also acquitted the English nobles of their oaths and obligations to him, and promised never to enter again into any confederacy with them to Henry's prejudice; and the barons made a like engagement on their own behalf. The French prince and his adherents swore to observe these articles, and to stand to the judgment of the church, upon which they were all absolved by the legate.† Matthew Paris adds another article, which does not appear to have been committed to writing, though it was frequently urged by Henry in after-times as an existing and sacred engagement. This article imported that Louis would do all in his power to persuade his father to restore all the foreign possessions lost by John; and, failing in this, that he should fairly restore those provinces when he himself became king of France. Such a clause was utterly useless, for it was one which could never be considered binding by the French nation, nor by any other in similar circumstances. Louis was so poor, that he was obliged to borrow money from the citizens of London to defray the expenses of his journey home. On the 14th of September, a safe conduct was granted to him:

* Matt. Par.—Holinshed.—Southey, Nav. Hist.

† Rymer.

he was honourably escorted to the sea-side by the Earl of Pembroke, and he sailed for France with his foreign associates. On the 2nd of October, a few refractory barons, the only remnant of a great party, went to court, and were exceedingly well received there. On the fourth day of the same month, a new charter for the city of London was promulgated; and a few days later, the regent, for the general good of the nation, concluded with Haquin, or Haco, king of Norway, a treaty of free commerce between the two countries. At the same time, this excellent regent's prudence and equity did more than a written treaty in reconciling conflicting parties at home. He was accessible and courteous to all, taking especial care that no man should be oppressed for his past politics. His authority, however, did not extend to the church, and Gualo severely chastised many of the English abbots and monks who had ventured to disregard his excommunications. This circumstance contributed with others to render the new reign unpopular with a large portion of the English church; and, during the struggles between the king and the barons which ensued at a later period, the barons had generally the monks on their side.

In all these transactions no mention had been made of Eleanor, the Maid of Brittany, who still occupied her dungeon or her cell at Bristol, nor was her name ever breathed during the civil wars which followed—a proof how little female right was then regarded; for, by the rules of succession as now recognised, she was the undoubted heiress to the throne. Henry began his reign in leading-strings, and owing to his weak and defective character, he never freed himself from such absolute guidance, but passed his whole life in a state of tutelage and dependence—being now governed by one powerful noble, or by one foreign favourite, and now by another. Nothing, however, could well surpass the wise policy and moral worth of his first guardian, the great Earl of Pembroke, who continued to act as protector to the kingdom, and as a more than father to the boy-king. As for Eleanor, the selfish queen-mother, she abandoned her child in the midst of his troubles, and hurried back to Guienne in search of a new husband. It conveys a strange notion of the delicacy of those times, to find that the Count of La Marche, from whom John had stolen her, consented to take her back, and remarried her with great pomp. England, and probably her son, too, gained by her absence, for she had as little conscience or conduct as her husband John. Gualo, the pope's legate, continued for some time near the young king's person. Every day the peace of the country was made more secure—"the evil will borne to King John seeming to die with him, and to be buried in the same grave."* But the determination to preserve the liberties which had been wrung from him was alive and active, and a second confirmation of Magna Charta was granted by the young king. Besides that the benefits of the charter were now

* Speed, Chron. Google

extended to Ireland, several alterations were made in the deed, and a clause was added, ordering the demolition of every castle built or rebuilt since the beginning of the war between John and the barons. Other clauses were withdrawn, to form a separate charter, called the Charter of Forests. By this instrument, which materially contributed to the comfort and prosperity of the nation, all the forests which had been enclosed since the reign of Henry II., were thrown open; offences in the forests were declared to be no longer capital; and men convicted of the once heinous crime of killing the king's venison, were made punishable only by fine or imprisonment. These famous charters were now brought nearly to the shape in which they have ever since stood, the repeated confirmations of them not being intended to change or modify them, but to strengthen them by fresh guarantees, and increase the reverence of the people for them.

Meanwhile the spirit of insubordination which had arisen out of the civil war was gradually coerced or soothed by the valour and wisdom of the Earl of Pembroke, who was singularly averse to the cruelties and bloodshedding which had formerly disgraced all similar pacifications. But the excellent protector did not long enjoy the happy fruit of his labours; he died in the year 1219, about the middle of May, and was buried in the church of the Knights Templars at London, where his tomb or statue is still to be seen, with an inscription which scarcely exaggerates his virtues as a warrior and statesman. His authority in the state was now shared between Hubert de Burgh, the justiciary, the gallant defender of Dover Castle, and Peter des Roches (a Poitevin by birth), bishop of Winchester. These ministers were jealous of each other: De Burgh was the more popular with the nation; but Des Roches, who had the custody of the royal person, possessed the greater influence at court, and among the many foreigners who, like himself, had obtained settlements and honours in the land. Disensions soon broke out; but dangerous consequences were prevented by the skill of Pandulph, who had resumed the legateship on the departure of Gualo. On the 17th of May, 1220, young Henry was crowned again by Langton, archbishop of Canterbury, whom the pope had permitted to return to the kingdom. In the following year, Joanna, the eldest sister of Henry, was married at York, to Alexander, the king of Scotland; and nearly at the same time, one of the Scottish princesses who had been delivered to John, and who had ever since remained in England, was married to Hubert de Burgh, the justiciary. Pandulph then returned to Rome, having previously demanded, in the name of the pope, that no individual should hold more than two of the royal castles. On his departure, however, little respect was paid to the orders from Rome. Many of the barons—chiefly foreigners imported by John—refused to deliver up the fortresses which they pretended to hold in trust till the young king should be of age. While De

Burgh insisted on their surrender, his rival, Des Roches favoured the recusant chiefs. Plots and conspiracies followed; but in 1223, the justiciary, with the assent of the pope and the great council of the nation, declared Henry of age; and in the course of the following year he succeeded in getting possession of most of the disputed castles, taking some of them by siege and assault. Des Roches then gave up the struggle, under pretence of making a pilgrimage to Jerusalem, and many of the foreign adventurers followed him out of England. Though not a cruel man, Hubert de Burgh was far more severe than the Earl of Pembroke; for at the taking of Bedford Castle he hanged eighty of the foreign garrison, knights and others, who had been in the habit of committing frightful excesses in the country.

A. D. 1225. In the following year, 1225, one of the main springs of the English constitution, which checks the abuse of power, by the mode of allotting money, began its salutary movements. Louis, the French prince, who had now succeeded his father, Philip, on the French throne, unmindful of his promises, not only refused to surrender Normandy and the other states wrested from King John, but overran some parts of Guienne and Poitou, and took the important maritime town of Rochelle. The young king summoned a *parliament* (for that name was now coming into use) to meet at Westminster; and there Hubert de Burgh, having opened the proceedings by an explanatory speech, asked for money to enable the king to recover his own. At first the assembly refused to 'make any grant, but it was finally agreed that a fifteenth of all moveable property should be given, on the express condition, however, that the king should ratify the two charters. Henry, accordingly, gave a third ratification of Magna Charta, together with a ratification of the Charter of Forests, and sent fresh orders to some of his officers, who had hitherto treated them with little respect, to enforce all their provisions.* In the month of April, Richard, earl of Cornwall, the king's brother, was sent to Guienne, under the guidance of the Earl of Salisbury, with an English army. But the French king had taken the cross against the Albigenes, an unfortunate people in the south of France, who were called heretics, and treated more cruelly than Saracens. A papal legate interfered, threatened the English with excommunication if they raised obstacles to Louis in his holy war, and, at last, made both parties agree to a truce for one year. Before the term expired, the French king died at Paris, after a brief reign of three years, and was succeeded by his son Louis IX., who was only in his twelfth year. A stormy minority ensued; and Henry, who was now twenty years of age, might have taken advantage of it, had his character and his own circumstances been somewhat different from what they were. But the English king had little more real manhood than the child on the French throne; his barons were by no means anxious for the foreign war,

and the armistice was subsequently renewed year after year, the English never recovering Rochelle, and the French making no further progress of importance.

Though he ruled with a firm hand, Hubert de Burgh was not always able to cause the government to be respected, and to maintain the tranquillity of the country. The king's brother Richard, earl of Cornwall, who was possessed of immense estates, repeatedly defied his authority, and exacted humiliating concessions. As for the king, he continued a mere puppet, notwithstanding the flattering assurance of the pope, that his manly virtues supplied the defects of his unripe years.

A. D. 1229. It was at length, however, resolved to carry war into France. Henry was twenty-two years old, Louis only fifteen; but Blanche, the mother of the latter prince, and regent of the kingdom, had composed all dissensions, and put the kingdom into a posture of defence. When Henry went to Portsmouth he found that the shipping provided was not sufficient to carry over his army, and after a violent altercation with Hubert de Burgh, who was accused of being the cause of this deficiency, the expedition was given up till the following year. At length the English king, elated by the promises and invitations of the barons of Guienne, Poictou, and even many nobles of Normandy, set sail for the continent, and landed at St. Malo, in Brittany, where he was joined by a host of Bretons. He advanced to Nantes, where, like his father before him, he wasted his time and his means in feasts and pageantries, leaving the malcontents in Normandy and Poictou to curse their folly in committing their fortunes in the cause of so unwarlike a prince. In the meantime young Louis, accompanied by his mother, who shared all the hardships of a campaign which was prolonged through the winter months, took several towns belonging to Henry. In the beginning of October the English king returned home, covered with disgrace; and his ally, the Duke of Brittany, was obliged to appear at the foot of the throne of Louis with a rope round his neck.* De Burgh had accompanied his master on this expedition; and, in spite of his known honour, bravery, and ability, the king, and some favourites with whom he had surrounded himself, attempted to throw all the blame of the miserable failure upon Hubert. The people, however, took a different view of the case, and set Henry down as a trifier and a coward. When he applied to parliament for a further grant of money, and complained of the poverty to which his French expedition had reduced him, they refused the aid, and told him that, through his thoughtlessness and extravagance, his barons were as poor as he was.

A. D. 1232.—Hubert had now been eight years at the head of affairs. He enjoyed the good opinion of the people, whom he had never wantonly oppressed; but many of the nobles envied him his power, and hated him for his zeal in resuming the

castles and other possessions of the crown. But for his tried fidelity, and his courage in the worst of times, that crown in all probability would never have been worn by the helpless Henry. But the proverbial ingratitude of princes was fostered in the present case by other circumstances, the most cogent of all being, that the minister was *rich* and the king wofully in want of money. On a sudden, Hubert saw his old rival Peter des Roches, the Poitevin bishop of Winchester, re-appear at court, and he must have felt from that moment that his ruin was concerted. In fact, very soon after Henry threw off his faithful guardian and able minister, and left him to the persecutions of his enemies. The frivolous charges brought against Hubert almost lead to a conviction that he was guilty of no breach of trust or abuse of authority,—of no real public crime whatever. Among other things, he was accused of winning the affections of the king by means of magic and enchantment.* The fallen minister took refuge in Merton Abbey. His flight gave unwonted courage to the king, who vapoured and stormed, and then commanded the mayor of London to force the asylum, and seize Hubert dead or alive. The mayor, who seems a strange officer to employ on such an occasion, set forth with a multitude of armed men; but the king being reminded by the Archbishop of Dublin of the illegality and sacrilegiousness of such a procedure, despatched messengers in a great hurry and recalled the mayor. In the end, the Archbishop of Dublin, the only one among the great men who did not forsake Hubert, obtained for him a delay of four months, that he might prepare for his defence, the charges against him being daily increased. For the interval, the king gave him a safe conduct. Relying on these letters-patent, De Burgh departed to visit his wife, the Scottish princess, at St. Edmunds-Bury; but he had scarcely begun his journey when the king, notwithstanding his plighted faith, listened to his enemies and sent a knight—one Sir Godfrey de Crancumb—with 300 armed men to surprise and seize him. Hubert was in bed at the little town of Brentwood, in Essex, when this troop fell upon him. He contrived to escape, naked as he was, to a parish church, where, with a crucifix in one hand and the host in the other, he stood firmly near the altar, hoping that his attitude and the sanctity of the place would procure him respect. His furious enemies, however, were not deterred by any considerations, and, bursting into the church with drawn swords, they dragged him forth, and sent for a smith to make shackles for him. The poor artisan, struck with the sad state of the great man, and moved with generous feelings, said he would rather die the worst of deaths than forge fetters for the brave defender of Dover Castle and the conqueror of the French at sea. But Sir Godfrey and his "black band" were not to be moved by any appeal: they placed the earl on horseback, naked as he was, and, tying his feet under the

* Daru, Hist. de Bret.

girths, so conveyed him to the Tower of London. As soon as this violation of sanctuary was known, an outcry was raised by the bishops; and the king was in consequence obliged to order those who had seized him to carry the prisoner back to the parish church; but at the same time he commanded the sheriff of Essex, on the pain of death, to prevent the earl's escape, and to compel him to an unconditional surrender. The sheriff dug a deep trench round the sanctuary,—erected palisades,—and effectually prevented all ingress or egress. Thus cut off from every communication,—unprovided with fuel and proper clothing (the winter was setting in),—and at last left without provisions, Hubert de Burgh came forth, on the fortieth day of his beleaguering, and surrendered to the black band, who again carried him to the Tower of London. A few days after, Henry ordered him to be enlarged, and to appear before the court of his peers; but it is said that this decent measure was not adopted until Hubert surrendered all his ready money, which he had placed for safety in the hands of the Knights Templars. When Hubert appeared in court in the midst of his enemies, he declined pleading: some were urgent for a sentence of death, but the king, who said with perfect sincerity that he was not fond of blood, and would rather be reputed weak and negligent than a cruel tyrant or a bloody man towards one who had long served him and his predecessors, proposed an award which was finally adopted by all parties. Hubert forfeited to the crown all such lands as had been granted him in the time of King John, or been obtained by him, by purchase or otherwise, under Henry. He retained for himself and his heirs the property he had inherited from his family, together with some estates he held in fief of mesne lords. Thus clipped and shorn, the brave Hubert was committed to the castle of Devezes, there to abide, in "free prison," under the custody of four knights appointed by four great earls. Within these walls, which had been built by the famous Roger, bishop of Sarum, whose adventures in some respects resembled his own, Hubert remained for nearly a year, when he was induced to adopt a desperate mode of escape by learning that the custody of the castle had just been given to a dependent of his bitter enemy the Poictevin bishop of Winchester. In a dark night he climbed over the battlements, and dropped from the high wall into the moat, which was probably in part filled with water. From the moat he made his way to a country church; but there he was presently surrounded by an armed band, led on by the sheriff. Circumstances, however, were materially altered: several of the barons who had before been intent on the destruction of the minister were now at open war with the king, and anxious to secure the co-operation of so able a man as De Burgh. A strong body of horse came down, released him from the hands of his captors, and carried him off into Wales, where the insurgent nobles were then assembled. Some eighteen months later, when peace was

restored, Hubert received back his estates and honours: he was even re-admitted into the king's council; but he had the wisdom never again to aspire to the dangerous post of chief minister or favourite. At a subsequent period the king again fell upon him, but, it appears, merely to enrich himself at his expense, for the quarrel was made up on Hubert's presenting Henry with four castles.*

The Poictevin bishop, who succeeded to power on the first displacement and captivity of Hubert, soon rendered himself extremely odious to all classes of the nation. He encouraged the king's growing antipathy to the English barons, and to Magna Charta; he taught him to rely on the friendship and fidelity of foreign adventurers rather than on the inconstant affection of his own subjects; and he crowded the court, the offices of government, the royal fortresses, with hosts of hungry Poictevins, Gascons, and other Frenchmen, who exhausted the revenues of the already impoverished crown, derided the national charters, invaded the rights of the people, and provoked the nobles by their insolence and their grasping at every place or honour in the state that fell vacant. The business of politics was as yet in its infancy: the nature of an opposition, constitutional and legal in all its operations, was as yet a discovery to be made; nor could men in their times and circumstances be expected to understand such things. The barons withdrew from parliament, where they were surrounded by armed foreigners, and took up arms themselves. When again summoned, they answered that unless the king dismissed his Poictevins and the other foreigners, they would drive both them and him out of the kingdom. Peter des Roches averted his ruin for the present by sowing dissensions among the English nobles. Several battles or skirmishes, which defy anything like a clear narration, were fought in the heart of England and on the Welsh borders. Richard, Earl of Pembroke, the son of the virtuous Protector, to whom King Henry was so deeply indebted, was treacherously and most barbarously murdered, and, following up his temporary success, the Poictevin bishop confiscated the estates of several of the English nobles without any legal trial, and bestowed them on adventurers from his own land. The last sting was given to revenge by the bishop's declaring, in his place at court, that the barons of England were inferior in rank and condition to those of France, and must not pretend to put themselves on the same footing. Edmund, the new Archbishop of Canterbury, who had succeeded Langton, and who was, like that great churchman, a patriot and a statesman, took up the national cause, and threatened the king with excommunication if he did not instantly dismiss Des Roches and his associates. Henry trembled and complied: the foreigners were banished, and the archbishop for a short time governed the land with great prudence, and according to the charters. But Henry's dislike both of his native nobles and

* Matt. Par.—M. West.—Wyke—Chron. Danst.—Hollusbed.

of the charters increased with his years. The barons evidently took little pains to remove his prejudices or conciliate his affections, and he continued to repose all his confidence in foreigners.

A. D. 1236.—Henry now married Eleanor, daughter of the Count of Provence, who came to England with a numerous retinue, and was soon followed by a swarm of foreigners. These were mostly persons of higher rank than their precursors; they were Gascons and Provençals instead of Poitevins, but they were equally odious to the English nobility and people, equally insolent and quite as grasping. The Bishop of Valence, the queen's maternal uncle, was made chief minister. Boniface, another uncle, was promoted to the see of Canterbury; and Peter, a third uncle, was invested with the earldom of Richmond, and received the profitable wardship of the Earl Warenne. The queen invited over damsels from Provence, and the king married them to the young nobles of England of whom he had the wardship. This was bad enough, but it was not all; the queen mother, Isabella, whom the nation detested, had now four sons by the Count of la Marche, and she sent them over all four, Guy, William, Geoffrey, and Aymer, to be provided for in England. The king heaped honours and riches upon these half-brothers, who were soon followed by new herds of adventurers from Guienne. Henry had resumed, with the pope's permission, nearly all the grants of estates he had made to his native subjects; but even the resources thus obtained were soon exhausted, and he found himself without money and without credit. When he asked aids from the parliament, the parliament told him that he must dismiss the foreigners who devoured the substance of the land, and they several times voted him small supplies, on the express condition that he should so do, and also redress other grievances; but he forgot his promises as soon as he got the money. The barons then bound him by oath, and Henry took the oaths, broke them, and acted just as before. The great charter had provided for the banishment of unjust favourites without any process of law, and the king was frequently reminded of the clauses relating to this subject; but the Poitevins and Gascons, who were in the habit of breaking every part of that charter, said with effrontery, "What signify these English laws to us?"*

A. D. 1242.—Isabella, the queen mother, added alike to the odium in which she was held by the English, and to the embarrassments and unpopularity of her son, by hurrying him into a war with France. Other grounds were publicly assigned; but it appears that that woman's offended vanity was the chief cause of hostilities, which ended in a manner disgraceful to the English king. Louis was now in the prime of manhood, and immeasurably superior in all eminent qualities to his rival. He was loved and respected by his subjects; whereas Henry was despised by his. When the English parliament was called upon for a supply

of men and money, they resolutely refused both, telling the king that he ought to observe the truce which had been continually renewed with France, and never broken (so at least they asserted) by Louis. By means not recorded, but which were probably not very legal or very honourable, Henry contrived to fill thirty hogsheads with silver, and, sailing from Portsmouth with his queen, his brother Richard, and 300 knights, he made for the river Garonne. Soon after his landing, he was joined by nearly 20,000 men, some his own acknowledged vassals, some the followers of nobles who had once been the vassals of his predecessors, and who were now anxious, not to re-establish the supremacy of the English king in the south, but to render themselves independent of the crown of France by his means or at his expense.* Louis met Henry with a superior force on the banks of the river Charente, in Saintonge, and defeated him in a pitched battle near the castle of Taillebourg. The English king, after being saved from capture by the presence of mind and address of his brother Richard, retreated down the river to the town of Saintes, where he was beaten in a second battle, which was fought on the very next day. His mother's husband, the Count of La Marche, who had led him into this disastrous campaign, then abandoned him, and made his own terms with the French king. Henry fled from Saintes right across Saintonge, to Blaye, leaving his military chest, the sacred vessels and the ornaments of his moveable chapel royal, in the hands of the enemy. A terrible dysentery which broke out in his army, some scruples of conscience, and the singular moderation of his own views, prevented Louis from following up his successes, and induced him to agree to a truce for five years. Although their ardour for foreign wars and conquests was marvellously cooled for a season, the pride of the English was much hurt by these defeats.

A. D. 1244.—When Henry met his parliament this year, he found it more refractory than it had ever been. In reply to his demands for money, they taxed him with extravagance,—with his frequent breaches of the great charter: they told him, in short, that they would no longer trust him, and that they must have in their own hands the appointment of the chief judiciary, the chancellor, and other great officers. The king would consent to nothing more than another ratification of Magna Charta, and therefore the parliament would only vote him twenty shillings on each knight's fee for the marriage of his eldest daughter to the Scottish king. After this he looked to a meeting of parliament as a meeting of his personal enemies, and to avoid it he raised money by stretching his prerogative in respect to fines, benevolences, purveyances, and the other undefinable branches of the ancient revenue. He also tormented and ransacked the Jews, acting with regard to that unhappy people like a very robber; and he begged, besides, from town to town,—from castle

* Matt. Par.—Chron. Dunst.—Ann. Waverl.

to castle,—until he obtained the reputation of being the sturdiest beggar in all England. But all this would not suffice, and, in the year 1248, he was again obliged to meet his barons in parliament. They now told him that he ought to blush to ask aid from his people whom he professed to hate, and whom he shunned for the society of aliens; they reproached him with disparaging the nobles of England by forcing them into mean marriages with foreigners. They enlarged upon the abuse of the right of purveyance, telling him that the victuals and wine consumed by himself and his un-English household,—that the very clothes on their backs were all taken by force and violence from the English people, who never received any compensation; that foreign merchants, knowing the dangers to which their goods were exposed, shunned the ports of England as if they were in possession of pirates; that the poor fishermen of the coast, finding they could not escape his hungry purveyors and courtiers, were frequently obliged to carry their fish to the other side of the Channel; and they added other accusations still more minute and humiliating.* It has generally been conceived that there entered no small share of spite and exaggeration into this remarkable list of grievances; but if we consider the small sums doled out by parliament to Henry, who received less money in the way of grants than any of his immediate predecessors,—if we bear in mind that many sources of profit were narrowed or stopped altogether by the provisions of the national charter, and that the revenue formerly derived from the continental dominions of the crown had in great part ceased, it will not appear improbable that this king and his rapacious ministers, who were retained by no national sympathy,—by no sense of shame,—should have tried to make up these deficiencies in mean and irregular ways; and that the peaceful trader, the mass of the people, who had no arms wherewith to defend themselves, and no towers or castles wherein to take refuge, should have been sorely harried and oppressed. Another argument in support of this supposition may be derived from the well-known and lasting unpopularity of the king in London and the other great trading towns. Our old historians talk vaguely about the insubordination,—the mutinous spirit,—the proneness to rioting,—of the Londoners; but, judging of those citizens, not by later epochs when they were more civilized, but by their conduct in earlier and still ruder times, we cannot believe that the excesses complained of could have arisen under any other than a vile and oppressive system of government. In reply to the remonstrance of his barons, Henry gave nothing but fair promises which could no longer deceive, and he got nothing save the cutting reproof to which he had been obliged to listen.

The king now racked his imagination in devising pretexts on which to obtain what he wanted. At one time he said he was resolved to reconquer all the continental dominions of the crown; but, un-

fortunately, all men knew that Louis had departed for the East, and that Henry, who had not shone in the field, had contracted the most solemn obligations not to make war upon him during his crusade. He next took the cross himself, pretending to be anxious to sail for Palestine forthwith; but here again it was well known he had no such intention, and only wanted money to pay his debts and satisfy his foreign favourites. At a moment of urgent necessity he was advised to sell all his plate and jewels. "Who will buy them?" said he; his advisers answered,—“The citizens of London, of course.” He rejoined bitterly,—“By my troth, if the treasures of Augustus were put up to sale, the citizens would be the purchasers! These clowns, who assume the style of barons, abound in all things, while we are wanting in common necessaries.”* This curious anecdote throws light upon more than one subject, and it is said that the king was thenceforth more inimical and rapacious towards the Londoners than he had been before. To annoy them and touch them in a sensitive part, he established a new fair at Westminster, to last fifteen days, during which all trading was prohibited in London. He went to keep his Christmas in the city, and let loose his purveyors among the inhabitants: he made them offer new-year's gifts, and shortly after, in spite of remonstrances, he compelled them to pay him the sum of 2000*l.* by the most open violation of law and right.

In A. D. 1253, Henry was again obliged to meet his parliament, and this he did, averring to all men that he only wanted a proper Christian aid that he might go and recover the tomb of Christ. If he thought that this old pretence would gain unlimited confidence he was deceived. The barons, who had been duped so often, treated his application with coldness and contempt; but they at last held out the hope of a liberal grant on condition of his consenting to a fresh and most solemn confirmation of their liberties. On the 3rd day of May, the king went to Westminster Hall, where the barons, prelates, and abbots were assembled. The bishops and abbots were apparelled in their canonical robes, and every one of them held a burning taper in his hand. A taper was offered to the king, but he refused it, saying he was no priest. Then the Archbishop of Canterbury stood up before the people and denounced sentence of excommunication against all those who should, either directly or indirectly, infringe the charters of the kingdom. Every striking, every terrific part of this ceremony was performed: the prelates and abbots dashed their tapers to the ground, and as the lights went out in smoke, they exclaimed,—“May the soul of every one who incurs this sentence so stink and be extinguished in hell!” The king subjoined, on his own behalf,—“So help me God! I will keep these charters inviolate, as I am a man, as I am a Christian, as I am a knight, and as I am a king crowned and anointed!” His outward behaviour during this awful performance was exem-

* Matt. Par.—Matt. West.—Chron. Dunst.

plary; he held his hand on his heart, and made his countenance express a devout acquiescence; but the ceremony was scarcely over when, following the impulse given him by his foreign favourites, he returned to his old courses, and thus utterly uprooted whatever confidence the nation yet had in him.*

With the money he thus obtained, he went to Guienne, where Alphonso, the king of Castile, had set up a claim to the earldom, and induced many of the fickle nobles to revolt against the English crown. This expedition was less dishonourable than the former ones; indeed it was successful on the whole, and led to a friendly alliance between England and Castile—Prince Edward marrying Eleanor, the daughter of Alphonso. But no cunning was too mean or low for Henry, who concealed these arrangements for some time, in order to obtain a fresh grant from the parliament, under colour of carrying on the war. During part of this expedition, in spite of the money he had carried with him, he had not wherewithal to feed his troops; and he despatched the prior of Newburgh with others into England, to cause provisions to be sent to him into Gascony; “and so,” says an old historian, “there was a great quantity of grain and powdered flesh, taken up, and sent away, with all convenient speed.” Henry returned penniless; for the partial re-establishment of his authority in the south of France seems never to have benefited his exchequer. The expedients to which he had recourse in England, rendered him more and more odious and contemptible. When his fortunes were at this low ebb, he blindly embarked in a project which immensely increased his embarrassments. This project was no other than to raise one of his sons to the throne of the Two Sicilies. Frederick II., the son of Constance of Sicily, had died in the year 1250, after a reign which had been disturbed from its commencement to its close by the inveterate hostility of the court of Rome. He left a legitimate son, Prince Conrad; but Frederick had died in a state of excommunication, and Pope Innocent IV. claimed the southern kingdom as forfeited to its feudal superior, the holy see. Conrad maintained his rights with an army, and as he was supported by the Neapolitan and Sicilian people, the pope had no chance of succeeding, unless he invited some new foreign host into the heart of Italy. He offered the kingdom to be held as a fief of the church to a variety of princes in succession, who all found some good reason for declining his proposals. After the pope had thus hawked the Sicilian crown through the continent of Europe, he turned his eyes towards England, where Richard, earl of Cornwall, the king’s brother, attracted attention by his great wealth, which (it was reasoned at Rome), would enable him to bribe the Sicilian barons, and engage mercenaries of all nations. Accordingly, the crown was offered to

Richard, but he wisely saw the difficulties that stood in his way, and declined the proffered kingdom, observing, that those who made the offer of it might just as well say, “I make you a present of the moon—step up to the sky and take it down.” Soon after this, Innocent offered the crown to Henry himself, for his second son, Prince Edmund; and the beggared and incapable king joyfully closed with the proposal, agreeing to march presently with a powerful army into the south of Italy, accepting an advance of money from the pope to enable him to commence the enterprise, and proposing also to raise what more it might be necessary to borrow on the pope’s security. Had the energy and the means of the English king at all corresponded with the activity and cunning policy of the Roman priest, there is little doubt that the prince might have obtained a dependent and precarious throne; but Henry was placed in circumstances in which he could do little—and, wavering and timid, he did nothing at all, except giving his son the empty title of “King of Sicily.” The pope ordered the English clergy to lend money for the expedition, and even to pawn the property of their church to obtain it. The clergy of England were not very obedient; but whatever sums were raised were dissipated by the king or the Roman legate, and, in the end, the pope brought a claim of debt against Henry, to the amount of more than 100,000*l.*, which, it was alleged, had been borrowed on the continent, chiefly from the rich merchants of Venice and Florence. Henry, it appears, had never been consulted about the borrowing or spending of this money; but the pope was an imperative accountant—a creditor that could enforce payment by excommunication, interdict, and dethronement; and Henry was obliged to promise that he would pay, and to rack his weak wits in devising the means. Backed by the pope, he levied enormous contributions on the churches of England and Ireland. The native clergy were already disaffected, but these proceedings made them as openly hostile to the king as were the lay barons. The wholesale spoliation of the church had also the effect of lessening the clergy’s reverence for the pope, and of shaking that power which had already attained its highest pitch, and which was thenceforward gradually to decline. When called upon to take up some of the pope’s bills, the bishop of Worcester told Rustan, the legate, that he would rather die than comply; and the Bishop of London said, that the pope and king were, indeed, more powerful than he, but if they took his mitre from his head, he would clap on a warrior’s helmet. The legate moderated his demands, and withdrew, fully convinced that a storm was approaching, and that the Sicilian speculation had completed the ruin of the bankrupt king.* As long as his brother Richard, the great Earl of Cornwall, remained in England, and in possession of the treasures he had hoarded, there was a powerful check upon insurrection; for

* Matt. Par.—Matt. West.—W. Hemingford.

† Holinsbed.

though the earl's abilities in public affairs seem hardly to have been equal to his wealth, still the influence he possessed in the nation was most extensive. He had repeatedly opposed the illegal courses of the king, and had even been out in arms with the barons more than once; but he was averse to extreme measures, and, from his position, not likely to permit any invasion of the just prerogative of the crown. He had rejected one dazzling temptation, yet was he not proof against a second. The Germans were setting up their empire for sale, and Richard's vanity and ambition induced him to become a purchaser. Having spent immense sums, he was elected in the beginning of 1256 as "king of the Romans," which was considered the sure step to the dignity of emperor. But there was a schism among the electors, part of whom a few weeks later gave their suffrages to Alphonso, king of Castile. Richard, however, went over to the continent, was crowned at Aix-la-Chapelle, and left the crown of England to be dragged through the mire.

A.D. 1258. A scarcity of provisions disposed the people to desperate measures. On the 2nd of May, Henry called a parliament at Westminster. The barons, who had formed a new confederacy, went to the hall in complete armour. As the king entered, there was a rattling of swords: his eye glanced timidly along the mailed ranks; and he said, with a faltering voice, "What means this? am I a prisoner?" "Not so," replied Roger Bigod, "but your foreign favourites and your own extravagance have involved this realm in great wretchedness; wherefore we demand that the powers of government be entrusted and made over to a committee of bishops and barons, that the same may root up abuses and enact good laws." One of the king's foreign half-brothers vapoured and talked loudly, but as for himself, he could do nothing else than give an unconditional assent to the demands of the barons, who thereupon promised, that if he proved sincere, they would help him to pay his debts, and prosecute the claims of his son in Italy. The parliament then dissolved, appointing an early day to meet again at Oxford, where the committee of government should be appointed, and the affairs of the state finally adjusted.*

The present leader of the barons, and in all respects the most remarkable man among them, was the Earl of Leicester. It is evident that the monkish chroniclers were incapable of understanding or properly appreciating the extraordinary character of this foreign champion for English liberties; and those writers have scarcely left materials to enable us to form an accurate judgment. Simon de Montfort was the youngest son of the Count de Montfort in France, who had gained an unhappy celebrity in the barbarous crusades against the Albigenses. In right of his mother, Amicia, he had succeeded to the earldom of Leicester; but he appears to have been little known in England until the year 1238, when he came

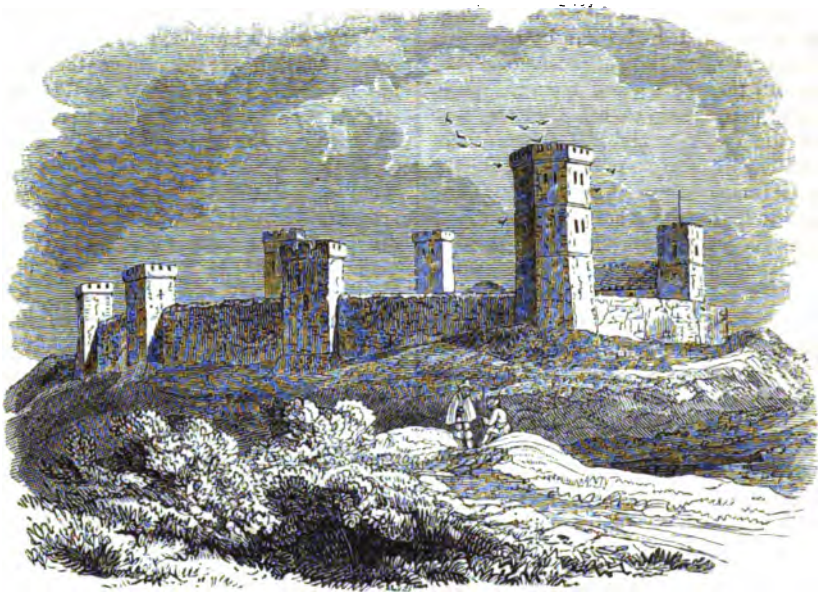
* Matt. Par.—Wyles.—Rymer.

over from his native country, and married Eleanor, the countess dowager of Pembroke, a sister of king Henry. This match was carried by the royal favour and authority; for Richard, earl of Cornwall, the king's brother, and many of the English barons, tried to prevent it, on the ground that it was not fitting a princess should be married to a foreign subject. But the earl had no sooner secured his marriage, and made himself known in the country, than he set himself forward as the decided opponent of foreign encroachment and foreign favourites of all kinds; and such was his ability, that he caused people to overlook the anomaly of his position, and to forget that he himself was a foreigner. He not only captivated the good-will of the English nobles, but endeared himself in an extraordinary degree to the English people, whose worth and importance in the state he certainly seems to have been one of the first to discover and count upon. His devotional feelings—which upon no ground, that we can discover, have been regarded as hypocritical—gained him the favour of the clergy; his literary acquirements, so unusual in those times, increased his influence and reputation. There seems to be no good reason for refusing him the merits of a skilful politician; and he was a master of the art of war as it was then understood and practised.

The favour of the king was soon turned into a hatred as bitter as Henry's supine and not cruel nature was capable of: it seemed monstrous that a foreigner should be, not a courtier, but the popular idol—and Leicester was banished the court. He was afterwards entrusted with the government of Guienne, where, if he did not achieve the impossibility of giving entire satisfaction to the turbulent and intriguing nobles, he did good service to the king, his master, and acquitted himself with ability and honour. Henry, however, was weak enough to listen to the complaints of some of his southern vassals, who did not relish the firm rule of the earl. Leicester was hastily recalled, and his master called him traitor to his face. Thus insulted by a man he despised, the earl gave the lie to his sovereign, and told him, that, but for his kingly rank, he would make him repent the wrong he had done him.* This happened in 1252. Leicester withdrew for a season into France, but Henry was soon reconciled, in appearance, and the earl returned to England, where his popularity increased in proportion to the growing weakness and misgovernment of the king. He was one of the armed barons that met in Westminster-hall, and now he was ready to follow up those demonstrations at Oxford. It cannot be denied that measures beyond the ordinary course of the constitution were necessary to control so prodigal and injudicious a sovereign. The legal course of the constitution, moreover, was not yet ascertained and defined—all was experiment—a groping in the dark, and men, for the present, saw no impropriety in abridging the prerogative of a king who had constantly

* Matt. Par. by Google

abused it, and who had so repeatedly broken his promises, his most solemn vows, that it would have | looked like fatuity to place the smallest trust in him.



OXFORD CASTLE, as it appeared in the Fifteenth Century.

On the 11th of June the parliament, which the Royalists called the "Mad Parliament," met at Oxford. Having no reliance on the king, the great barons summoned all who owed them military service to attend in arms on the occasion. Thus secured from the attack of the foreigners in the king's pay, they proceeded to their object with great vigour and determination. The committee of government was appointed without a murmur on the part of the timid Henry: it consisted of twenty-four members, twelve of whom were chosen by the barons and twelve by the king. The king's choice fell upon his nephew Henry, the son of Richard, the titular king of the Romans, upon Guy and William, his own half-brothers, the bishops of London and Winchester, the earls of Warwick and Warenne, the abbots of Westminster and St. Martin's, London, on John Mansel, a friar, and Peter of Savoy, a relation of the queen's. The members appointed by the barons were the bishop of Worcester, the earls Simon of Leicester, Richard of Gloucester, Humphrey of Hereford, Roger of Norfolk, earl marshal; the lords Roger Mortimer, John Fitz-Geoffrey, Hugh Bigod, Richard de Gray, William Bardolf, Peter de Montfort, and Hugh Despencer. The Earl of Leicester was at the head of this supreme council, to the maintenance of whose ordinances the king, and afterwards his son Edward, took a solemn oath. The parliament then proceeded to enact that four knights should be chosen by the votes of the freeholders in each county, to lay before the parliament all breaches of law and justice that might occur; that a new sheriff should be annually chosen by the freeholders in each county; and that

three sessions of parliament should be held regularly every year; the first, eight days after Michaelmas; the second, the morrow after Candlemass-day; and the third, on the first day of June.

The benefits derived from the acts of this parliament were prospective rather than immediate, for the first consequences were seven or eight years of anarchy and confusion, the fruits of insincerity and discontent on the part of the court, and of ambition and intrigue on the part of the great barons. Prince Edward, the heir to the throne, the Earl of Warenne, and others, took the oaths to the statutes or provisions of Oxford with unconcealed reluctance and ill-humour. Prince Henry openly protested that they were of no force till his absent father, the king of the Romans, should consent to them. "Let your father look to himself," cried Leicester; "if he refuse to join the barons of the kingdom in these provisions he shall not enjoy a foot of ground in England." Though their leaders were liberally included among the twenty-four guardians of the kingdom, the foreign faction was excessively dissatisfied with the recent changes, and said openly, and wherever they went, that the Acts of Oxford ought to be set aside as illegal and degrading to the king's majesty; which indeed they would have been had Henry had any character to degrade, and had it not been indispensable to adopt extreme precautions against the sovereign's well-known faithlessness and perfidy, or fatal facility of disposition. Irritated by their opposition and their secret intrigues, Leicester and his party scared the four half-brothers of the king and a herd of their relations and retainers out of the kingdom. The

departure of these foreigners increased the popularity of the barons with the English people; but they were seduced by the temptations of ambition and an easy triumph over all opposition; they filled up the posts vacated in the committee of government with their own adherents, leaving scarcely a member in it to represent the king; and they finally lodged the whole authority of government in the hands of their council of state and a standing committee of twelve persons. This great power was abused, as all unlimited power, whether held by a king or an oligarchy, ever will be, and the barons soon disagreed among themselves.*

A.D. 1259.—About six months after the meeting at Oxford, Richard, king of the Romans, having spent all his money among the Germans, was anxious to return to England that he might get more. At St. Omer he was met by a messenger from Leicester, who told him that he must not set foot in the kingdom unless he swore beforehand to observe the provisions of Oxford. Richard finally gave an ungracious and most unwilling assent: he took the oath, joined his brother, and immediately commenced organizing an opposition to the committee of government.† Soon after his arrival it was seen that the barons disagreed more than ever. The Earl of Gloucester started up as a rival to Leicester, and a violent quarrel—the first of many—broke out between these two powerful lords. Then there was presented a petition from the knights of shires or counties, complaining that the barons had held possession of the sovereign authority for eighteen months, and had done no good in the way of reform. A few improvements, chiefly regarding the administration of justice, were then enacted; but their slender amount did not satisfy the nation, and most of the barons were more anxious for the prolongation of their own powers and profits than for anything else. By degrees two factions were formed in the committee: when that of Gloucester obtained the ascendancy, Leicester withdrew into France. Then Gloucester would have reconciled himself with the king; but as soon as Prince Edward saw this he declared for Leicester, who returned. The manoeuvres and intrigues of party now become almost as unintelligible as they are uninteresting—reconciliations and breaches between the Leicester and Gloucester factions, and then between the barons generally and the court—a changing and a changing again of sides and principles, perplex and disgrace a scene where nothing seems fixed except Leicester's dislike and distrust of the king, and a general but somewhat vague affection among the barons of both parties for the provisions of Magna Charta.

A.D. 1261.—Henry, who had long rejoiced at the division among the barons, now thought the moment was come for escaping from their authority. He had a papal dispensation in his pocket for the oaths he had taken at Oxford, and this set

his conscience quite at ease. On the 2nd of February he ventured to tell the committee of government that, seeing the abuse they had made of their authority, he should henceforward govern without them. He then hastened to the Tower, which had recently been repaired and strengthened, and seized all the money in the Mint. From behind those strong walls he ordered that the gates of London should be closed, and that all the citizens should swear fresh fealty to him. At these unexpected proceedings the barons called out their vassals and marched upon the capital. Prince Edward was amusing himself in France at a tournament, and it was agreed by both parties to await his arrival. He came in haste, and, instead of joining his father in the Tower, joined the barons. In spite of this junction, or perhaps we ought rather to say, in consequence of it, many of the nobles went over and joined the king, who published the pope's bull of dispensation, together with a manifesto in which he set forth that he had reigned forty-five years in peace and according to justice, never committing such deeds of wrong and violence as the barons had recently committed. For a time he met with success, and Leicester returned once more to France, vowing that he would never trust the faith of a perjured king.*

A.D. 1263.—Another change and shifting of parts now took place in this troubled drama: the Earl of Gloucester was dead, and his son, a very young man, instead of being the rival, became for a while the bosom friend of Leicester. Prince Edward, on the other hand, veered round to the court, and had made himself unpopular by calling in a foreign guard. In the month of March young Gloucester called his retainers and confederates together at Oxford, and the Earl of Leicester returned to England in the month of April, and put himself at their head. The great earl at once raised the banner of war, and after taking several royal castles and towns, marched rapidly upon London, where the mayor and the common people declared for him. The king was safe in the Tower; Prince Edward fled to Windsor Castle, and the queen, his mother, attempted to escape by water in the same direction; but, when she approached London-bridge, a cry ran among the populace, who hated her, of "Drown the witch!" and filth and stones were thrown at the barge. The mayor took pity on her, and carried her for safety to St. Paul's.†

The king of the Romans, who, though his hoarded treasures were exhausted, still possessed considerable influence, contrived to effect a hollow reconciliation between the barons and his unwarlike brother, who yielded everything,—only reserving to himself the usual resource of breaking his compact as soon as circumstances should seem favourable. It is true his subjects had repeatedly exacted too much; but it is equally certain that he never made the smallest concession to them

* Bymer.—Annal. Bert.—Matt. West.

† Bymer.

* M. West.—Wykes.—Carte.
† Wykes.—West.—Trivet.—Chron. Dunst.

in good faith, and with a determination of respecting it. Foreigners were once more banished the kingdom, and the custody of the royal castles was again entrusted to Leicester and his associates. This was done, and peace and amity were sworn in July, but by the month of October the king was in arms against the barons, and nearly succeeded in taking Leicester a prisoner. This new crisis was mainly attributable to a condition exacted by that great earl, that the authority of the committee of government should not only last for the lifetime of the king, but be prolonged during the reign of his successor. Up to this point Prince Edward had pretended a great respect for his oath, professing to doubt whether an absolution from Rome could excuse perjury; and he had frequently protested that, having sworn to the provisions of Oxford, he would religiously keep that vow; but this last measure removed all his scruples, and denouncing the barons as rebels, traitors, and usurpers, he openly declared against them and all their statutes.

A. D. 1264.—To stop the horrors of a civil war some of the bishops induced both parties to refer their differences to the arbitration of the French king. The conscientious and justice-loving Louis IX. pronounced his award in the beginning of February: he insisted on the observance of the great charter; but otherwise his decision was in favour of the king, as he set aside the provisions of Oxford, ordered that the royal castles should be restored, and that the sovereign should have full power of choosing his own ministers and officers, whether from among foreigners or natives. The barons, who were better acquainted than Louis with the character of their king, well knew

that if the securities they had exacted (with too grasping a hand, perhaps) were all given up, the provisions of the national charters would be despised, as they were previously to the parliament of Oxford, and they therefore resolved not to be bound by the award, which they insisted had been obtained through the unfair influence of the wife of Louis, who was sister-in-law to King Henry. The civil war was therefore renewed with more fury than ever. The strength of the royalists lay in the counties of the north and the extreme west,—that of the barons in the midland counties, the south-east, the Cinque Ports, and, above all, in the city of London and its neighbourhood. At the tolling of the great bell of St. Paul's, the citizens of London assembled as an armed host, animated by one daring spirit. In the midst of this excitement they fell upon the unfortunate Jews, and, after plundering them, massacred above 500, men, women, and children, in cold blood. In other parts of the kingdom the royalists robbed and murdered the Jews under pretext of their being friends to the barons, and the barons' party did the like, alleging that they were allied with the king, and that they kept Greek fire hid in their houses in order to destroy the friends of liberty.*

The opening of the campaign was in favour of the royalists, but their fortunes changed when they advanced to the southern coast and endeavoured to win over the powerful Cinque Ports. Leicester, who had remained quietly in London organising his forces, at length marched from the capital with the resolution of fighting a decisive battle. He found the king at Lewes, in Sussex,—a bad position, in a hollow,—which Henry, relying on his

* Wykes.—West.—Dunst.



LEWES PRIORY.

superiority of numbers, did not quit on the earl's approach. Leicester encamped on the downs about two miles from Lewes. Whether in war or peace, he had always been an exact observer of the rites of religion: he now endeavoured (and, it should appear, with full success) to impress his followers with the belief that the cause in which they were engaged was the cause of Heaven, as well as that of liberty: the king, he said, was obnoxious to God by reason of his many perjuries: he ordered his men to wear a white cross on the breast as if they were crusaders engaged in a holy war; and his friend, the Bishop of Chichester, gave a general absolution to the army, together with assurances that all those who fell in battle would be welcomed in Heaven as martyrs. On the following morning, the 14th of May, leaving a strong reserve on the downs, he descended into the hollow. The two armies soon joined battle: on the king's side were the great houses of Bigod and Bohun, all the foreigners in the kingdom, the Percys with their warlike borders, and from beyond the borders, John Comyn, John Baliol, and Robert Bruce,—names that were soon to appear in a very different drama. On the Earl's side were Gloucester, Derby, Warenne, the Despencers, Robert de Roos, William Marmion, Richard Grey, John Fitz-John, Nicholas Seagrave, Godfrey de Lucy, John de Vescy, and others of noble lineage and great estates. Prince Edward, who was destined to acquire the rudiments of war in the slaughter of his own subjects, began the battle by falling desperately upon a body of Londoners, who had gladly followed Leicester to the field. This burgher militia could not stand against the trained cavalry of the prince, who chased and slew them by heaps. Eager to take a bloody vengeance for the insults the Londoners had offered his mother, Edward spurred forward, regardless of the manoeuvres of the other divisions of the royalist army. He was as yet a young soldier, and the experienced and skilful leader of the barons made him pay dearly for his mistake. Leicester made a concentrated attack on the king, beat him most completely, and took him prisoner, with his brother the king of the Romans, John Comyn, and Robert Bruce, before the prince returned from his headlong pursuit. When Edward arrived at the field of battle, he saw it covered with the slain of his own party, and learned that his father, with many nobles besides those just mentioned, were in Leicester's hands, and shut up in the priory of Lewes. Before he could recover himself, he was charged by a body of horse, and made prisoner. The Earl Warenne, with the king's half-brothers who were again in England, fled to Pevensey, whence they escaped to the continent.* The victory of the barons does not seem to have been disgraced by cruelty, but it is said to have cost the lives of more than 5000 Englishmen, who fell on the field. On the following morning, a treaty, or the "*Mise of Lewes*," as it was called, was concluded. It was agreed that Edward and his cousin Henry, the son of the king of the Romans,

should remain as hostages for their fathers, and that the whole quarrel should be again submitted to a peaceful arbitration. But Leicester, who had now the right of the strongest, kept both the king and his brother prisoners as well as their sons, and, feeling his own greatness, began to be less tractable. Although the pope excommunicated him and his party, the people regarded the sentence with indifference; and many of the native clergy, who had long been disgusted both with pope and king, praised him in their sermons as the reformer of abuses, the protector of the oppressed, the father of the poor, the saviour of his country, the avenger of the church. Thus supported, and indeed carried forward by a boundless popularity, he soon forced all such barons as held out for the king to surrender their castles and submit to the judgment of their peers. These men were condemned merely to short periods of exile in Ireland: not one suffered death, or chains, or forfeiture, and the age was not so generally improved in humanity as to have enforced this mildness, had the earl himself not been averse to cruelty. Every act of government was still performed in the name of the king, whose captivity was made so light as to be scarcely apparent, and who was treated with every outward demonstration of respect. The queen had retired to the continent before the battle of Lewes, and having busied herself in collecting a host of foreign mercenaries, in which she was greatly assisted by the active sympathies of foreign princes, who saw in the proceedings of the English barons nothing but the degradation of a crowned head, she now lay at Damme, in Flanders, almost ready to cross over and renew the civil war. The steps taken by Leicester show at once his entire confidence in the good-will of the nation, and his personal bravery and activity: he summoned the whole force of the country, from castles and towns, cities, and boroughs, to meet in arms on Barham Downs, and, having encamped them there, he threw himself among the mariners of England, and, taking the command of a fleet, cruised between the English and Flemish coasts to meet the invaders at sea. But the queen's fleet never ventured out of port; her land forces disbanded, and that enterprise fell to the ground.

The ruin of Leicester was effected by very different means: confident in his talents and popularity, he ventured to display too marked a superiority above his fellows in the same cause: this excited hostile feelings in several of the barons, whose jealousies and pretensions were skilfully worked upon by Prince Edward, who had by this time been removed from Dover Castle, into which he had been thrown after the battle of Lewes, and placed with his father, in the enjoyment of considerable personal liberty, by the order of a parliament which Leicester had summoned expressly to consider his case in the beginning of the present year (1265), and which is memorable in the history of the constitution as the first in which we have certain evidence of the appearance of representatives from

* Matt. Par.—Wykes.—West.—Chron. Dunst.

the cities and boroughs. The Earl of Derby opened a correspondence with the prince, and the Earl of Gloucester set himself up as a rival to Montfort, and then, by means of his brother, Thomas de Clare, who had been placed about the prince's person, concerted a plan for releasing Edward. This plan was successful; and on Thursday in Whitsun week the prince escaped on a fleet horse which had been conveyed to him, and joined the Earl of Gloucester at Ludlow, where the royal banner was raised. The prince was made to swear that he would respect the charters, govern according to law, and expel foreigners; and it was upon these express conditions that Gloucester surrendered to him the command of the troops. This earl was a vain, weak, young man, but his jealous fury against Leicester could not blind him to the obvious fact that but few of the nobility would make any sacrifices for the royal cause unless their attachment to constitutional liberty were gratified by such pledges.

About the same time Earl Warenne, who had escaped from the battle of Lewes, landed in

South Wales with one hundred and twenty knights and a troop of archers; and other royalist chiefs rose in different parts of the country, according to a plan which seems to have been suggested by the military sagacity of Prince Edward. The Earl of Leicester, keeping good hold of the king, remained at Hereford, while his eldest son, Simon de Montfort, with a part of his army, was in Sussex. The object of the prince was to prevent the junction of these separated forces, and to keep the earl on the right bank of the Severn. Edward destroyed all the bridges and boats on that river, and secured the fords; but, after some skilful manœuvres, the earl crossed the Severn, and encamped near Worcester, where he expected his son would join him. But Simon's conduct in war was not equal to his father's, for he allowed himself to be surprised by night near Kenilworth, where Edward took his horses and treasure, and most of his knights, and forced him to take refuge, almost naked, in the castle there, the principal residence of the De Montfort family. The earl, still hoping to meet his son's forces, advanced to Evesham, on



EVESHAM.

the river Avon: on the morning of the 4th of August, as he looked towards the hills in the direction of Kenilworth, he saw his own standards advancing:—his joy, however, was but momentary, for he discovered, when too late to retreat, that they were his son's banners in the hands of his enemies, and nearly at the same time he saw the heads of columns showing themselves on either flank and in his rear. These well-conceived combined movements had been executed with unusual

precision,—the earl was surrounded,—every road was blocked up. As he observed the skilful way in which the hostile forces were disposed, he uttered the complaint so often used by old generals,—“They have learned from me the art of war,” he exclaimed; and then, it is said, he added, “The Lord have mercy on our souls, for I see our bodies are Prince Edward's.” He did not, however, neglect the duties of the commander, but marshalled his men in the best manner. He then spent a

short time in prayer, and took the sacrament, as was his wont, before going into battle. Having failed in an attempt to force the road to Kenilworth, he formed in a solid circle on the summit of a hill, and several times repulsed the charges of his foes, who gradually closed round him, attacking at all points. The king being in the earl's camp when the royalists appeared, was encased in armour which concealed his features, and was put upon a war-horse. In one of the charges the imbecile old man was dismounted and in danger of being slain, but he cried out, "Hold your hand, I am Harry of Winchester," and the prince, who happened to be near, ran to his rescue, and carried him out of the *melée*. Leicester's horse was killed under him, but the earl rose unhurt from his fall, and fought bravely on foot: a body of Welsh were broken and fled, and the number of his enemies still seemed to increase on all sides. He then asked the royalists if they gave quarter? and was told that there was no quarter for traitors: his gallant son Henry was killed before his eyes, the bravest and best of his friends fell in heaps around him, and at last the great earl himself died with his sword in his hand.*

The hatred of the royalists was too much inflamed to admit of the humanities and usages of chivalry: no prisoners were taken; the slaughter, usually confined to the "meaner sort," who could not pay ransom, was extended to the noblest and wealthiest; and all the barons and knights of Leicester's party, to the number of one hundred and eighty, were despatched. † The historians who praise the *clemency* of the royal party, by whom "no blood was shed on the scaffold," seem to overlook the fact that all their dangerous enemies were butchered at Evesham, and that little blood was left to be shed by the executioner. Not even death could save Leicester from their barbarous vengeance: they mutilated his body in a manner too brutal and disgusting to be described, and so presented it, as an acceptable spectacle, to a *noble lady*, the wife of the Lord Roger Mortimer, one of the earl's deadly enemies. "The people of England," says Holinshed cautiously, "conceived an opinion that the earl being thus slain fighting in defence of the liberties of the realm and performance of his oath, as they took it, died a martyr; which, by the bruited holiness of his past life, and the miracles ascribed to him after his death, was greatly confirmed in the next age: but the fear of the king's displeasure stayed the people from hastily honouring him as a saint at this time, where otherwise they were inclined greatly thereto, reputed him for no less in their conscience, as in secret talk they did not hesitate to say." This popular reverence was not evanescent; for many years after, when men could speak out without danger, they called the earl "Sir Simon

the Righteous," and complained of the church because it would not canonise him.

After the decisive victory of Evesham, the king, resuming the sceptre, went to Warwick, where he was joined by his brother the king of the Romans, who, with many other prisoners taken by Leicester at Lewes, now first recovered his liberty. Early in the next month, on the "Feast of the Translation of St. Edward," a parliament assembled at Winchester. Here it was seen that, even in the moment of success, the king could not venture to revoke any part of the great charter. His victory had been achieved by the arms of English barons, who, generally speaking, had concurred in the former measures against his faithless government, and whose opposition to the Earl of Leicester's too great power, had in no sense weakened their love of constitutional safeguards, or their hatred of an absolute king. Led away, however, by personal animosities, the parliament of Winchester passed some severe sentences against the family and partisans of the late earl, and deprived the citizens of London of their charter.

A desperate resistance was thus provoked, and successive insurrections broke out in different parts of the kingdom. Simon de Montfort and his associates maintained themselves for a long time in the isles of Ely and Axholm; the Cinque Ports refused to submit; the castle of Kenilworth defied several royal armies; and Adam Gourdon, a most warlike baron, maintained himself in the forests of Hampshire. Prince Edward's valour and ability had full occupation for nearly two years, and at last it was found necessary to relax the severity of government, and grant easier terms to the vanquished, in order to obtain the restoration of internal tranquillity. With this view, a committee was appointed of twelve bishops and barons, and their award, called the "Dictum de Kenilworth," was confirmed by the king and parliament. The Earl of Gloucester, whose personal quarrel with Leicester had been the chief cause of the overthrow of the baronial oligarchy, and the restoration of Henry, quarrelled with the king, and once more took up arms, alleging, that even the Dictum de Kenilworth was too harsh, and that the court was seeking to infringe the provisions of Oxford, and breaking the promises given on the field of Evesham. The dissatisfied Londoners made common cause with him, and received him within their walls, but losing heart at the approach of the king's army, Gloucester opened negotiations, and submitted, on condition of receiving a full pardon for himself. At the same time, the Londoners compounded for a fine of 25,000 marks. The pope most laudably endeavoured to diffuse the spirit of mercy and moderation: he told the king, who was not naturally inclined to that, or to any other strong passions, that revenge was unworthy of a Christian, and that clemency was the best support of a throne. All this, with the determined aspect of the people, whenever harsh measures were threatened, produced a salutary effect; and

* Contin. Matt. Par.—M. West.—Chron. Mailros.—Chron. Danst.

† Some ten or a dozen knights who were found breathing, after the carnage, were permitted to live, or, at least, to have that chance of living which their wounds allowed.

the gallantry and generosity shown by Prince Edward, on one occasion, did more in subduing opposition than a hundred executions on the scaffold could have done. In a battle fought in a wood near Alton, the prince engaged Adam Gourdon hand to hand, and vanquished that redoubtable knight in fair single combat. When Adam was brought to the ground instead of despatching him, he generously gave him his life: on that very night he introduced him to the queen at Guilford, procured him his pardon, received him into his own especial favour, and was from that time forward most faithfully served by Sir Adam.*

A.D. 1267. On the 18th of November, two years and three months after the battle of Evesham, the king, in parliament at Marlborough, adopted some of the most valuable of the provisions of the Earl of Leicester, and enacted other good laws. Thus all resistance was disarmed, and the patriots or the outlaws in the Isle of Ely, who were the last to submit, threw down their arms, and accepted the conditions of the Dictum of Kenilworth, which they saw had been faithfully observed with respect to others. As soon as the country was thoroughly tranquillised, Prince Edward and his cousin Henry, the son of the king of the Romans, took the cross; in which they were followed by nearly one hundred and fifty English lords and knights. Exhortation and example urged them to this step. Ottoboni, the pope's legate, who had been very instrumental in restoring peace in the land, had earnestly and eloquently recommended the crusade; and Louis IX., who was soon to be called "Saint Louis," had departed a second time for the East.

Having taken many precautionary measures in case his father should die during his absence, and having most wisely obtained the grant of a new charter, with the restoration of their liberties, to the citizens of London, and a free pardon to a few nobles who still lay under the king's ban, Edward departed with his wife Eleanor, his cousin Henry, and his knights, in the month of July, 1270. Many of the choicest chivalry of England left their bones to bleach on the Syrian shore; but the fate of Henry d'Almaine, as they called the son of the king of the Romans, was more tragical as well as much more unusual. Being despatched back to England on a secret mission by his cousin Edward, he took the road through Italy, and loitered in the city of Viterbo, to witness the election of a new pope. One morning, at an early hour, as he was at his prayers in a church, he heard a well-known voice exclaiming, "Thou traitor, Henry!—thou shalt not escape!" Turning round, he saw his two cousins, Simon and Guy de Montfort, who, with their mother, the Countess of Leicester, King Henry's own sister, had been driven out of England, and who considered the king of the Romans as the bitterest enemy of their house. They were in complete armour, and waved their naked swords over their defenceless victim. He clung to the

* Contin. Matt. Par.

holy altar before which he was kneeling, and two priests threw themselves between him and them. But nothing could save him from the fury of his cousins: the two priests lost their lives in their generous endeavours to protect him; and, pierced with many wounds, he was dragged out of the church, when the murderers mutilated his body in horrid revenge for the treatment of their father's corpse at Evesham. They then mounted their horses and rode away, being protected, it is said, by Count Aldobrandini, whose daughter had been married to Guy, one of the assassins.* That vain old man, the king of the Romans, was rejoicing in the possession or display of a young German bride he had just married, and was still flattering himself with the hopes of the imperial crown, which had now deluded his imagination for fifteen long years, when the melancholy catastrophe of his son reminded him of the vanity of human wishes. He did not long survive the shock: he died in the month of December, 1271; and in the following winter his brother, the king of England, followed him to the grave, expiring at Westminster, after a long illness and great demonstrations of piety, on the feast of St. Edmund, the 16th of November, 1272. He had rebuilt the abbey church of St. Peter's from the foundation, and he had removed the bones of Edward the Confessor into a golden shrine. According to his wish, they therefore carried his body to that stately church, and laid it in the very grave which the remains of his saintly predecessor had once occupied. Before his body was lowered to its last resting-place, the Earl of Gloucester, putting his bare hand upon it, swore fealty to the absent Edward; and the rest of the barons present followed his example. Henry had lived sixty-eight years, and had been fifty-six years a king—at least in name.

EDWARD I. SURNAMED LONGSHANKS.

FROM the Abbey Church of Westminster the barons, who had attended his father's funeral, went to the new Temple and proclaimed the absent Edward by the style of "King of England, Lord of Ireland, and Duke of Aquitaine." This was on Sunday, the 20th of November, four days after the demise of Henry. A new great seal was made; Walter de Merton was appointed chancellor; Walter Gifford, archbishop of York, the Earl of Cornwall, a surviving son of Richard, king of the Romans, and the Earl of Gloucester, assumed conjointly the office of guardians or regents of the kingdom, and such wise measures were taken that the public peace was in no way disturbed; and the accession of Edward, though he was far away, and exposed to the chances of war and shipwreck, was more tranquil than that of any preceding king since the Conquest.

When Edward departed on the crusade he found that the French king, instead of sailing for

* Rymer.—Wykes.—Muratori, Annali.



GREAT SEAL OF EDWARD I.

Syria or Palestine, had turned aside to attack the Mussulman king or bey of Tunis. The kings of Sicily had some old claims to tribute from this African state, and the Italian crown, after hovering over the heads of so many princes, had at last settled on that of Charles of Anjou, who, with the assistance of the pope, won it from Manfred, the illegitimate Suabian, at the battle of the Grandella, fought near Benevento, in the year 1266. This Charles was the ferocious, unworthy

brother of the amiable Louis IX.; and it is generally supposed that, for his own selfish ambition and interests, he craftily induced the French king to turn his arms against Tunis; though it is also probable that the exaggerated accounts of the wealth of that city acted as a strong temptation with the crusaders in general. Louis landed on the African shore in the midst of summer, and took the camp and town of Carthage; but the excessive heat of the climate, the want of



EDWARD I. From a Statue in the Choir of York Minster.

provisions, and even of wholesome water, and pestilential miasmata from bogs and swamps, soon caused dreadful maladies among his host. The king himself was attacked by a fatal dysentery, and he laid himself down to die among the ruins and fragments of ancient Carthage. The superstition of this excellent man was the fault of the age in which he lived; but the better part of his devotion, his resignation, and magnanimity, will have a claim to reverence in all ages. As long as he could act he submitted to every privation, encountered every risk, in order to alleviate the sufferings of his poorest followers, who died round him by hundreds. When he could no longer move, and when he was himself suffering agonies, he incessantly occupied his still unclouded intellect in devising means for mitigating the pains of others: with his dying breath he endeavoured to reanimate the courage of his family and of his officers, who were weeping about his bed. "My friends," said he, "I have finished my course,—grieve not for me. It is natural that I, as your chief, should march off first. You must all follow me in time,—keep yourselves ready for the journey."*

When Prince Edward arrived he found that Louis was dead, and that more than half of his army had perished by disease. The survivors had, however, made advantageous terms with the Bey of Tunis, and showed little inclination to leave that country and encounter fresh dangers in Palestine. The English then re-crossed the Mediterranean to Sicily (a short voyage of 150 miles); but Edward would not renounce his project, or return home. He passed the winter at Trapani, vowing that, though all his soldiers should desert him, he would go to Acre attended only by Fowen, his groom. Early in the following spring he set sail from Sicily, and he landed at Acre, which was now almost the only residue of the crusaders' conquests in the East, with a force which did not exceed a thousand men. But the fame of Richard was still bright on those shores; and, while the Mahomedans trembled, the Christians gathered round the standard of the successor of Lion-heart, to whom Edward was scarcely inferior in physical strength and courage, while he was his superior in coolness and policy, and probably also in military science. Bondocar, the sultan of Babylon, who had prepared to take that city by assault, immediately retreated from the vicinity of Acre, and, crossing the Desert, went into Egypt. Edward advanced, and obtained temporary possession of Nazareth, which was taken by storm. Eighty years had elapsed since Richard's massacres of Acre, and nearly two hundred since the first capture of Jerusalem by the Christians of the West; but the crusaders had made little progress in humanity, and the slaughter committed on the Moslems, under the eye of Edward at Nazareth, was only less atrocious than the butchery at Jerusalem, because the scene was more confined, and the

* *Le Sire de Joinville,*

place had fewer Turkish inhabitants. The prince, and many of the English with him, were soon after attacked with sickness, and returned to Acre, where they lingered some fifteen months, doing little or nothing; for the first enthusiasm among the Latin Christians had subsided upon seeing that Edward had scarcely any money, and received no reinforcements. He had never been able to collect more than seven thousand armed men, and this mixed force could not be kept together for any length of time. The English chivalry distinguished itself by many feats of arms, and revived the glory of the national name; but, after all, the only other solid advantages gained were the capture of two castles and the surprise and partial plunder of a caravan. The Mahomedans were not strong enough to attack Acre, which, chiefly by Edward's means, was so strengthened as to be enabled to defy them for twenty years longer, when the Mamelukes of Egypt took it and drove the crusaders and their descendants from every part of the Holy Land. Edward on his side was always too weak to attempt any extensive operations. His presence, however, both annoyed and distressed the Turks, and an attempt was made to get rid of him by assassination. The emir of Jaffa, under pretence of embracing the Christian religion, opened a correspondence with the English prince, and gradually gained his confidence. The emir sent letters and presents, till his messengers were allowed to pass and repass without examination or suspicion. On the Friday of Whitsun week, about the hour of vespers, as Edward was reclining on a couch with nothing on him but a loose robe, the emir's messenger made his usual salam at the door of his apartment: he was admitted; and as he knelt and presented a letter with one hand, he drew a concealed dagger with the other, and aimed a blow at the prince's heart. Edward, though wounded, caught the murderer in his iron grasp, threw him to the ground, and despatched him with his own weapon. The prince's wound was not deep, but the dagger had been smeared with poison: when he learned this fact, he made his will, and gave himself up as lost. The English soldiers would have taken a horrid vengeance upon the poor Turks in their power, but he restrained their fury, and made them reflect on what might befall the helpless Christian pilgrims then at Jerusalem. Fortunately there was at Acre an English surgeon with skill and nerve enough to pare away the sides of the wound; and the grand master of the Templars sent some precious drugs to stop the progress of the venom. The piety, the affectionate attentions of his loving wife Eleanor may have contributed very effectually to his cure, but there is no good ground for believing that she sucked the poison from her husband's wound.*

Henry had already implored his son to return

* Hemingford.—Chron. Pepini in Muratori.—Matt. West.—Wykes. The story of Eleanor's sucking the wound is not mentioned by any chronicler living near the time. It seems to be of Spanish origin, and to have been first mentioned a century or two after the time.

to England, and now Edward gladly listened to proposals of peace made by the sultan, who was so much engaged with other wars in the interior as to have little time to spare for the prosecution of hostilities on the coast. A truce was therefore concluded for ten years, and then Edward sailed again for Sicily. Theobald, Archdeacon of Liege, who had accompanied the prince to Palestine, had been recalled some months before from Acre to fill the vacant chair of St. Peter. At Trapani, Edward received an earnest invitation from his old companion and steadfast friend, now Gregory X., to visit him at Rome. The prince crossed the Faro of Messina to travel by land through the Italian peninsula. At a mountain village in Calabria he met messengers, by whom he was informed, for the first time, of the death of his father. He had recently lost an infant son whom Eleanor had borne him in Syria; and Charles of Anjou, who had now returned from Tunis, and had little tenderness for any one, expressed his surprise that he should grieve more for the death of his old father than for that of his own offspring. "The loss of my child," said Edward, "is a loss which I may hope to repair, but the death of a father is a loss irreparable!"* By the month of February, 1273, he was at Rome, but his friend the pope being absent, he staid only two days in the Eternal City, and then turned aside to Civita Vecchia, where the pope received him with honour and affection. Edward demanded justice on the assassins of Henry d'Almaine; but Simon de Montfort, one of them, had gone to account for his crimes before a higher tribunal; Aldobrandini was too powerful to be rigorously examined, and was not a principal in the murder; and as Guy de Montfort had absconded, the king of England was obliged to be satisfied with a very imperfect vengeance. Leaving the pontiff, he continued his journey through Italy, and he was received in triumph at every town. The admiring Milanese presented him with some fine horses and purple mantles. His exploits in Palestine, limited as they had been, had gained him the reputation of being the Champion of the Cross; the dangerous wound he had received (if he had died of it he would have been enrolled among saints and martyrs) created an additional sympathy in his favour, and, as if people knew he would be the last king to embark in the crusades, he was hailed with extraordinary enthusiasm. It was the bright, broad flash of the flame about to sink into the socket. In a few years the passion for the crusades, which had animated all Europe for more than two centuries, was utterly extinct. On crossing the Alps, Edward was met by a deputation from England. He travelled on to Paris, where he was courteously received by his cousin, Philip le Hardi, and did homage to that king for the lands which he held of him in France.

Notwithstanding the tranquil state of the country, and the loyal disposition of his subjects, it must excite some surprise to see, that after so

long an absence, Edward had no anxiety to reach England.* Instead of crossing the Channel, he turned back from Paris, where he had staid a fortnight, and went to Guienne. The motives generally assigned for his protracted stay on the continent are, his wish to await the decisions of a general council of the church, which the pope had summoned to meet at Lyons, and the distracted state of Guienne, which province seems never to have been tranquil for a year at a time. But it is pretty evident that the English king entertained suspicions of Philip, who was a far less conscientious sovereign than his father, Louis IX., who had been severely blamed by the French, for not taking advantage of the weakness of Henry to drive the English out of all their continental possessions. The dark shadows of some deep and disgraceful intrigues are visible; and it seems to us, that when the pope warned Edward against the swords of assassins, he did not apprehend danger from the ruined and fugitive Guy de Montfort, so much as from more prosperous and more powerful agents. In the month of May, 1274, while the English king was in Guienne, he received a challenge, couched in all the nice terms and circumlocutions of chivalry, from the Count of Chalons, to meet him lance to lance in a tournament. This fashion was then at its height, and knights and nobles of high renown and princes royal were accustomed to defy each other in the name of God, of the blessed Virgin Mary, and of their respective saints and mistresses, and to invite one another out of love and reverence, to joustings and tiltings, which often terminated in blood and death or fractured limbs. Edward considered himself bound in honour as a true knight to accept the count's challenge, and, on the appointed day he entered the lists, as stalwart and fearless a combatant as ever sat in saddle. He was attended by a thousand champions; but the Count of Chalons rode to the spot with nearly two thousand. Whispers of bad faith on the part of the count had already been heard, and the sight of this unfair advantage probably confirmed the worst suspicions of the English. The image of war was converted into its stern reality—a sanguinary battle ensued, in which the foot-soldiers took part as well as the knights. The English crossbowmen drove the French infantry from the field, and then mixing with the English horse, who were far outnumbered by their opponents, they overthrew many of the count's knights by stabbing their horses or cutting their saddle-girths—two operations against all rule, and deemed infamous in the code of chivalry. The count himself, a man renowned for his physical strength, after charging Edward several times with his lance, rode in, and grasping the king round the neck, endeavoured to

* He had written letters expressing some fear of the Londoners, and had several times commanded the "mayor, sheriffs, and commons" most carefully to keep the peace of the city. The measures adopted in consequence were more vigorous than legal. All persons suspected of having been partisans of the Earl of Leicester were hunted down in every ward, and, without form of trial or examination, thrown into prison till Edward's return.

unseated him. Edward sat like a rock, and gave the proper touch with the spur;—his war-horse sprang forward, the count was pulled out of his saddle, and hurled to the ground with a dreadful shock. He was remounted by some of his knights; but, sorely bruised and stupified by his fall, he cried out for quarter. Edward was so enraged, that he kept hammering on the iron armour of his suppliant foe for some time, and at last rejected his sword, and made him surrender to a common foot-soldier—an extremity of disgrace which the count, had he been a true knight, would have avoided at the cost of life. The English had the best of the affray, taking many knights, who were obliged to ransom their persons, their arms, and their horses (where any were left alive), and *slaying* many of the French footmen—"because they were but rascals, and no great account was made of them." The whole affair was so fierce and sanguinary, that it afterwards went by the name of the little war of Chalons.*

A.D. 1274. Edward now turned his thoughts towards England, and sent orders to prepare for his coronation. If these orders were obeyed, the coronation-feast must have been a sublime specimen of a well-loaded table; for 380 head of cattle, 430 sheep, 450 pigs, 18 wild boars, 278 fitches of bacon, and 19,660 capons and fowls were ordered by the king for this solemn occasion.† As he travelled through France, Edward stopped at the pleasant town of Montreuil, to settle some differences which had long existed between the English

* Hemings.—West.—Trivet.—Hollinshed.

† Rymer.

and Flemings, and which had curiously committed the commercial interests of both countries. For several reigns the counts of Flanders had been accustomed to let upon hire certain bands or troops of foot-soldiers to the kings of England. These contracts ceased altogether during the reign of Henry III.; but, some time before the death of that sovereign, Margaret, the reigning countess, claimed payment of a large sum as arrears, and pressed her claim so rudely, that she seized all the English wool—then our great article of export—that could be found in her dominions. Henry retaliated, by seizing all the manufactured Flemish cloths in England, and strictly forbade all trade between the two countries. He enticed over some Flemish clothiers, but their number was insufficient; and it is said, that as the English were unskilled in the arts of dyeing cloths, they for some time wore their coats of the natural colour of the fleece. The Flemings stood in still greater need of our wool, wanting which their looms remained idle, and their artisans were beggared. The countess, who lost immensely by this stoppage of trade, now offered a public apology to Edward, and entreated that the commercial relations of the country might be renewed. The king, who, much to his credit, took the advice of some London merchants of good repute, immediately made up the quarrel; the countess agreed to certain reparations, and the trade was renewed.

On the 2nd of August, 1274, after an absence of more than four years, Edward landed at Dover, and on the 19th of the same month, "after the



QUEEN ELEANOR. From her Tomb in Westminster Abbey.

feast of the Assumption," he was crowned, together with his high-minded wife, in Westminster Abbey. On their entrance into London they were "received with all joy that might be devised: the streets were hung with rich cloths of silk, arras, and tapestry; the aldermen and burgesses of the city threw out of their windows handfulls of gold and silver, to signify the great gladness which they had conceived of his safe return; the conduits ran plentifully with white wine and red, that each creature might drink his fill."* The nation was proud of the valour and fame of their king, who was now in the prime of mature manhood, being in his thirty-sixth year; and the king had good reason to be proud of the affection, loyalty, and prosperity of the nation.

The government, however, was poor and embarrassed, and, in spite of all pretexts, this circumstance seems to have been the real whetstone of the animosity which Edward showed immediately after his accession to one class of his subjects,—the unhappy Jews. The rest of the nation were now tolerably well protected from arbitrary spoliation by the great charter and the power of parliaments; but the miserable Israelites, considered unworthy of a participation in the laws and rights of a Christian people, were left naked to oppression, no hand or tongue being raised in their defence, and the mass of the people rejoicing in their ruin. As a zealous crusader, Edward detested all unbelievers, and his religious antipathies went hand-in-hand with his rapacity, and probably justified its excesses in his own eyes. The coin had been clipped and adulterated for many years, and the king chose to consider the Jews as the sole or chief authors of this crime.† To bring a Jew before a Christian tribunal was almost the same thing as to sign his death-warrant. Two hundred and eighty of both sexes were hanged in London alone, and many victims also suffered in every other town where they resided. As it was so common, clipped money might be found upon every person in the kingdom; but once discovered in the possession of an Israelite, it was taken as an irrefragable proof of guilt. The houses and the whole property of every Jew that suffered went to the crown, which thus had an interest in multiplying the number of convictions. Even before these judicial proceedings, the king prohibited the Jews from taking interest for money lent, from building synagogues, and buying lands or any free tenements. He put a capitation or poll-tax upon them, similar to the kharatch which the grand-signior exacts from his Christian subjects: he set a distinctive and odious badge upon their dress, that they might be known from all others,—another Turkish custom, which in its time has been the cause of infinite suffering. Thirteen years later, when Edward was engaged in expensive foreign wars, and the parliament, in ill humour thereat, stinted his supplies, he ordered the seizure of every

Jew in England; and on an appointed day, men, women, and children,—every living creature in whose veins the ancient blood of the tribes was known or supposed to flow,—were brutally arrested and cast into loathsome dungeons. There seems to have been no parity of justice on this occasion, and the Jews purchased their enlargement by a direct payment of the sum of 12,000*l.* to the king. Edward might have continued to make good use of them from time to time in this manner, as most of his predecessors had done, but his fanaticism overcame his avidity for money, or, probably, he wanted a large sum at once, for he was now in the midst of his scheme for the subjugation of Scotland, and had just married two of his daughters. It was in the year 1290, soon after the sitting of a parliament at Westminster, that his proclamation went forth commanding all the Jews, under the penalty of death, to quit the kingdom for ever, within the space of two months. Their total number was considerable, for though long robbed and persecuted in England, they had, notwithstanding, increased and multiplied, and their condition in the other countries of Christendom being still worse than here, the stream of emigration had set pretty constantly from the opposite side of the Channel. Sixteen thousand five hundred and eleven individuals received the king's pass, with the gracious permission to carry with them as much of their ready money as would pay the immediate expenses of their voyage. Houses, lands, merchandise, treasures, debts owing to them, with their bonds, their tallies and obligations, were all seized by the king. The mariners of London, and the inhabitants of the Cinque Ports generally, who were as bigoted as the king, and thought it no sin to be as rapacious towards the accursed Jews, robbed many of them of the small pittance left them, and drowned not a few during their passage. To help to keep alive a wholesome abhorrence of these detestable cruelties, we will mention one particular case, as recorded by Holinshed on the credit of a contemporary chronicle:—"Some of the richest of the Jews being shipped in a mighty tall ship which they had hired, when the same was under sail, and had got down the Thames towards the mouth of the river, the master mariner bethought him of a wile, and caused his men to cast anchor, and so rode at the same, till the ship, by ebbing of the stream, remained on the dry sands. The master then enticed the Jews to walk out with him for recreation. And at length, when the Jews were on the sands, and he understood the tide to be coming in, he gat him back to the ship, whither he was drawn by a rope. The Jews made not so much haste, because they were not aware of the danger; but when they perceived how the matter stood, they cried to the master for help. He, however, told them that they ought to cry rather upon Moses, by whose guidance their fathers had passed through the Red Sea. They cried, indeed, but no succour appeared, and so they were swallowed up by the water." Some few mariners were convicted

* Holinshed.

† A few Christians were afterwards punished for the same offence.

and suffered capital punishment; for the king, to use the keen sarcasm of Humc, was determined to be the sole plunderer in his dominions.

Contemporaneously with these shameful proceedings against the Jews, Edward enacted many just and wise laws for his Christian subjects; and the additions and improvements which he made in the laws and the practices of the courts will be noticed in their proper place. The nature of his reforms shows the extent of the evil that had existed: in 1299, all the judges of the land were indicted for bribery, and only two of the number were acquitted; the chief justice of the Court of King's Bench was convicted of instigating his servants to commit murder, and of protecting them against the law after the offence; the chief baron of the Exchequer was imprisoned and heavily fined, and so was Sir Ralph de Hengham, the grand justiciary. But perhaps in some of these cases we shall not greatly err if we deduct from the delinquency of the accused, and allow something for the arbitrary

will of the accuser. It is known that the king, who had just returned from a costly sojourn of nearly three years in France, was in great want of money, when, as the consequence of their condemnation, he exacted about 80,000 marks from the judges. In recovering, or attempting to recover, such parts of the royal domain as had been encroached upon, and in examining the titles by which some of the great barons held their estates, he roused a spirit which might have proved fatal to him had he not prudently stopped in time. When his commissioners asked Earl Warenne to show his titles, the Earl drew his sword and said,—“By this instrument do I hold my lands, and by the same I intend to defend them! Our ancestors, coming into this realm with William the Bastard, acquired their possessions by their good swords. William did not make a conquest alone, or for himself solely; our ancestors were helpers and participants with him!” Such title-deeds were not to be disputed; but there were other cases



EARL WARRENNE JUSTIFYING HIS TITLE TO HIS ESTATES.

where men wore less powerful swords, and where written deeds and grants from the crown had been lost or destroyed during the convulsions of the country; and Edward seized some manors and estates, and made their owners redeem them by large sums of money. There was much bad faith in these proceedings, but as the king chose his victims with much prudence, no insurrection was excited.

We must now retrace our steps, to take a regular view of this king's great operations in war. Edward was to the full as ambitious and fond of conquest as any prince of the Norman or Plantagenet line; but, instead of expending his power in foreign wars, he husbanded it for the grand plan of reducing the whole of the island of Great Britain under his immediate and undivided sway. He employed the claim of feudal superiority—a right most difficult to define, even if its existence had been admitted—with final success against Wales; and though, with regard to Scotland, it eventually failed, the ruin of his scheme there did not happen until after his death, and he felt for a time the proud certainty of having defeated every opponent. If the acknowledgment of the paramount authority of the English kings, extracted from unsuccessful princes, justified a forcible seizure of territory against the wishes of the people, Edward may be acknowledged to have had that right over Wales. Setting aside the somewhat doubtful vassalage of the Welsh principalities to our Saxon kings, on which the Norman conquerors impudently founded a pretension, as being the lawful heirs to those kings, we have repeated instances of a seeming submission, when the princes purchased peace by engaging to pay certain tributes, and to recognise the suzerainty of the English throne. This feudal superiority, however, was liable to all sorts of variation, and was never really fixed by the written or understood law of the feudal system, though, in certain cases, the forms of that law could be applied in regard to it with an appearance of regularity and justice. When a weak state stood in this relation with a strong one, the feudal supremacy implied an almost unlimited right of interference and control; but when the relation existed between two states of equal power, it meant little or nothing beyond a mere ceremony. Thus the kings of England, as vassals to the sovereigns of France for their territories on the continent, had for a long time defied the authority of their liege lords, after making them tremble in Paris, their own capital. Those other nominal vassals, the great dukes of Burgundy, although they had no separate sovereignty like the Normans and Plantagenets, repeatedly followed the same course. The forfeiture pronounced against John was generally considered as an unjustifiable stretch of the rights of supremacy, but it was well timed—it was directed against one who had made himself universally odious, and whose continental subjects, for the most part, at this crisis, preferred a union

with France to their old connexion with England. The nature of Edward's right is scarcely deserving of a further examination—had no such claims existed he would have invented others—for he was determined on the conquest of the country, and internal dissensions and other circumstances favoured the enterprise. The expediency of the measure, and the advantages that have resulted from it, ought not to make us indifferent to the fate of a brave people who were fighting for their independence. The Anglo-Normans, who had been gradually encroaching on their territory for two hundred years, accused the poor Welsh of cruelty and perfidy—forgetting that they were themselves the aggressors, and had been guilty of treachery the most manifold, and of cruelties the most atrocious. Since the beginning of the reign of Henry II. civilization had advanced in the rich champaign of England, and had, from the circumstances in which the country was placed, retrograded in Wales; but there are writers of the time who trace in that land the most interesting picture of an hospitable and generous race of men, full of the elements of poetry, and passionately fond of their wild native music. According to their countryman, Giraldus Cambrensis, no people could well be more gentle and courteous in times of peace: notwithstanding the injuries constantly inflicted upon them by their neighbours, whenever an Anglo-Norman or Englishman visited them in their mountains without arms, and as a quiet guest, he was received with the greatest kindness, and feasted at every house where he chose to stop. Such as arrived in the morning hours were entertained till the evening by the young women with the harp and songs. In every house there was a harp; and the company, seated in a circle round the harper, sang verses alternately—the verses being sometimes improvised. At times, a challenge to improvisation was sent from man to man, or from a whole village to another village. Though chiefly a pastoral people, they were not rude or clownish. "All the Welsh," says Giraldus, "without any exception, from the highest to the lowest, are ready and free in speech, and have great confidence in replying even to princes and magnates." The mass of the nation, however, notwithstanding this partial refinement, was poor, and but rudely clad, as compared with their English contemporaries. One day, as Henry II. rode through part of their country attended by his splendid chivalry, he looked with a contemptuous eye on the Welsh gentlemen riding on their rough ponies, and on the poorer sort who were clad in sheep or goats' skins. A mountaineer approached the great king, and said, with a noble pride, "Thou seest this poor people—but such as they are thou never shalt subdue them—that is reserved alone for God in his wrath." And though this wrath may have been manifested, and their country reduced by Henry's great grandson, seldom has even a race of mountaineers made a longer or more gallant stand for liberty. When

the sword of slaughter had passed over them to smite no more,—when better times and better feelings came, though, as less numerous and far more exposed, they had been less fortunate than the Scots, their valour entitled them to the same admiration and sympathy; and perhaps the high national character of the united kingdom of Great Britain may be in part owing to the fact, that no one portion of it fell an easy or degraded conquest to the other.

At the time of Edward's aggression, the principality of North Wales, called by the Welsh the principality of Aberfraw, or Snauden, was still almost untouched by English arms; but the conquerors had established themselves in Monmouthshire, and held a somewhat uncertain and frequently disturbed possession of a good part of South Wales. This occupation had been effected very gradually by the great barons who had made incursions at their own expense, and with their own retainers. These lords were rewarded with the lands they gained from the Welsh, and which they defended by erecting strong castles. As they advanced, they raised chains of fortifications, building their castles sufficiently near to communicate with, and support each other. Thus, in Monmouthshire, a regular chain of fortresses was occupied on the banks of the Monnow, the Wye, and the Severn: these were Scenfreth, Grosmont, Monmouth, Trelech, perhaps Tintern, Chepstow, and Caldecot. A second line stretched diagonally from Grosmont on the Monnow to the banks of the Rumney; these were Whitecastle, Tregaer, Usk, Langibby, Caerleon, and Newport; this diagonal line, with the strong castle of Abergavenny to the north of it, was intended to curb the mountaineers, who made perpetual incursions on their invaders.* In addition to these strong fortresses, many smaller castles were constructed for the purpose of keeping the natives in awe. The more advanced posts were often re-taken, and the day when one of these castles was destroyed was held by the Welsh, who foresaw the consequences of this gradual advance, as a day of universal joy, on which the father, who had just lost his only son, should forget his misfortune. But still the chains were drawn more and more closely around them by the persevering invaders; and, since the conquest of Ireland, extraordinary pains had been taken to secure the whole of the line through South Wales to Milford Haven, the usual place of embarkation for the sister island. In the wilderness of the Tivy, and in many of the more inaccessible moors, marshes, and mountains, the invaders were still defied; and, except in Pembrokeshire, where the Flemish colony had been settled by Henry I., and in the lower part of Monmouthshire, the English were scarcely safe beyond the walls of their castles, so fierce was the recollection of past wrongs, and so enduring the hope of the southern Welsh to recover all that they had lost. But the jealousies of their petty princes, and the rancorous feuds of the clans, defeated all

* Coze's Monmouthshire.

their greater projects; and, at the critical moment which was to seal the fate of the whole country, Rees-up-Meredith, the prince of South Wales, was induced to join Edward and fight against Llewellyn, the ruler of the northern principality, and the representative of a rival family. Llewellyn, moreover, was opposed by his own brother David, who also rallied, with his vassals, round the standard of the English king.

In the wars between Henry III. and the barons, the prince of North Wales had taken part with the latter, and had shown himself the steady friend of De Montfort. A body of northern Welsh had fought for that great earl against Edward at the battle of Evesham; and when De Montfort was dead, and his family ruined and scattered, Llewellyn still retained his old affection for the house, and agreed upon a marriage with Elinor de Montfort, daughter to the deceased earl. As that young lady was on her voyage from France to Wales, with Emeric her youngest brother, she was taken by four ships of Bristol, and was sent to King Edward's court, where both brother and sister were detained as prisoners. Angry feelings had existed before, but this seizure of his bride transported Llewellyn with wrath, and, bitterly complaining of the wrong and insult which had been done to him in a time of peace, he prepared for war. According to some accounts, he began hostilities by falling upon the English on his borders, killing the people, and burning their towns; but this is not quite certain, and, at all events, Edward had long been employed in making preparations for conquest, and, what was equally notorious, and still more irritating to the unfortunate prince, he had been intriguing with Llewellyn's subjects and corrupting the Welsh chiefs with bribes and promises. As to the ground of quarrel chosen by Edward, it was quite true that Llewellyn had not obeyed the summons to do homage as one of the great vassals of the crown; but he had acknowledged the duties of his vassalage, and excused his non-attendance, which he said had solely arisen out of Edward's violation of a solemn treaty which had been concluded by the mediation of the pope.

One of the clauses of this recent treaty had provided that neither party should harbour the enemies or revolted subjects of the other; and Edward, it was well known, had given shelter and encouragement to all the enemies of Llewellyn, and continued to receive the rebellious Welsh as personal friends. Llewellyn said, that under these circumstances, his life would be in danger if he ventured to the king of England's court, and he demanded a safe conduct, which was refused. After the seizure of his bride his demands naturally rose: he asked for hostages and for the previous liberation of Elinor de Montfort, and then, he said, he would go to court. But Edward did not want him there: that resolute king had now matured his measures for the subjugation of Wales. He had levied a fine army,—his parliament had pronounced the sentence

of forfeiture against Llewellyn as a rebel,—it had also voted a large supply,—and the church had excommunicated the Welsh prince.*

In A. D. 1277, after the feast of Easter, Edward departed from Westminster, and with a mighty force, which increased as he advanced, marched towards Chester. At Midsummer he crossed the Dee, and, keeping between the mountains and the sea, took the two castles of Flint and Rhuddlan. Cautious in the extreme, he made no further progress until he had repaired these fortresses and strengthened their defences. At the same time his fleet, which was skilfully managed by the mariners of the Cinque Ports, co-operated along the devoted coast, blockading every port, and cutting off the supplies which Llewellyn had counted upon receiving from the Isle of Anglesey. On the land side every outlet was strongly guarded, and the Welsh prince, driven to the mountains, was soon in want of provisions. Edward prudently avoided a battle with desperate men, and, girding in the barren mountains, waited the effects of a surer and more dreadful destroyer than the sword. When winter made its approach the condition of Llewellyn was horrible, and it finally obliged him to throw himself on the generosity of his enemy. On the 10th of November Edward dictated his harsh terms at Rhuddlan Castle. The treaty stipulated that Llewellyn should pay fifty thousand pounds,—that he should cede the whole of his principality as far as the river Conway,—that he should do homage, and deliver hostages. He was to retain the Isle of Anglesey; but even that remnant was to revert to the English crown in case of his dying without issue male; and during his possession he was to pay for it an annual tribute or rent of one thousand marks.† The English king afterwards remitted the tremendous fine, which so poor a country could never have paid, and resigned his claim to the rent of Anglesey; but he showed no great alacrity in making these concessions, and he let nearly a year elapse before he performed his promise of releasing Llewellyn's bride.

Such treaties as that imposed on this occasion upon the Welsh are never kept, and all Edward's art could not reconcile either the prince or people to the sense of degradation. He gratified Llewellyn's brother David, who had fought for him, by marrying him to the daughter of an English earl, and making him an English baron; but, when David stood among his native mountains, he forgot this and other honours; he cursed his own folly, which had brought ruin upon his country, and had excluded him from the hope of succeeding, either in his own person or in that of his children, to the principality.‡ The English conquerors were not sufficiently refined to exercise their power with moderation; they derided the national usages, and insulted the prejudices of a susceptible and brave people. The invasion of their own demesnes, and the cutting down of the wood on the lands reserved

to them by treaty, exasperated both Llewellyn and David; but it is perfectly clear that had these princes been converted into subservient vassals, or won by the kindest treatment to be solicitous for the preservation of the peace, they would still have been forced into war by the unanimous feeling of the Welsh people. Superstition allied itself with patriotism, and, in order to increase the popular confidence, certain old prophecies of bards and seers were revived under a happy coincidence of circumstances which seemed to denote a speedy accomplishment. One of these mystic predictions imported nothing less than that the ancient race should recover its traditional supremacy in the island, and that the Prince of Wales should be crowned king in London. On the night of Palm Sunday, March the 22nd, of the year 1282, David surprised and took the strong castle of Hawardine, belonging to Roger Clifford, the justiciary, "a right worthy and famous knight," according to the English;—a cruel tyrant, according to the Welsh. Several men who made resistance were killed, but the lord, who was caught in his bed, was only wounded, and then carried off as a prisoner. A general insurrection ensued: the Welsh rushed in arms from their mountains, and Llewellyn, joining his brother, laid siege to the castles of Flint and Rhuddlan. These strong places held out, but many of the new castles were taken and destroyed, and the English intruders were in some places driven across the marches. Forgetting their own cruelties and oppressions of all kinds, the English accused the Welsh of great barbarity in this brief moment of success. When the news was carried to Edward, he affected surprise; but it has been suspected that he was not displeased with the opportunity, afforded by what had taken place, of making his conquest final and absolute. He was in want of money, and had no time to assemble a parliament; he therefore had recourse to the very unconstitutional means of a forced loan, which was levied, not only on towns and religious establishments, but also on private individuals who were known to possess money. He then sent out commissioners to raise an army, and despatched such troops as he had in readiness to the relief of Flint and Rhuddlan. He soon followed in person, and having assembled nearly all his military tenants and 1000 pioneers, he advanced into North Wales, leaving his fleet, which was still more formidable than in the preceding war, to act upon the coast, and reduce the Isle of Anglesey. His pioneers cut down woods, and opened roads into the very fastnesses of Snowdon, whither the natives were again forced to retire. Some entrenched positions were carried, but not without a great loss; and in one affair, which appears to have been a regular battle, Edward was completely checked, if not defeated. But the means at his disposal made the struggle too unequal; reinforcements continually crossed the Dee, or came up from the coast, and he procured the services of foreign mercenaries, who were particularly well suited for mountain warfare.

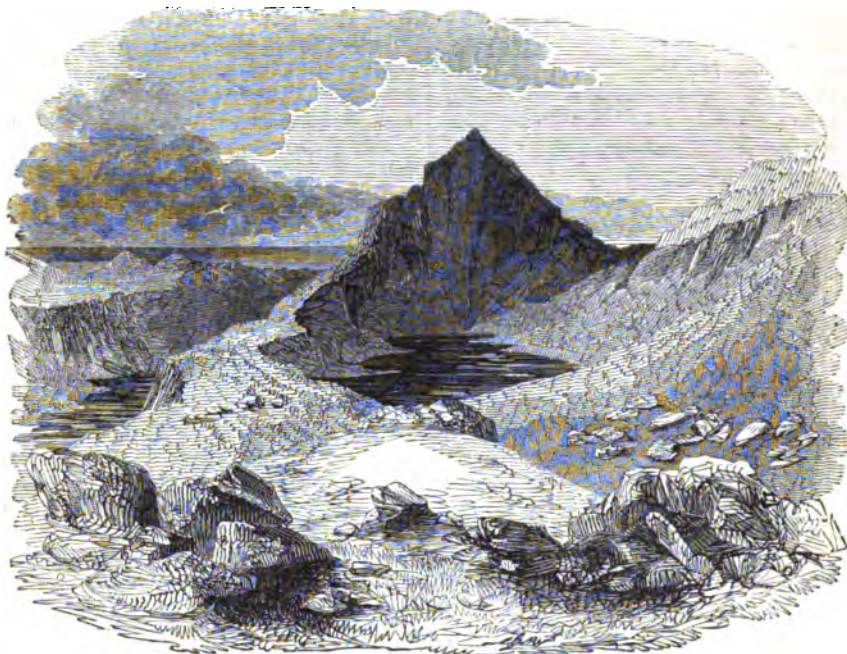
* Rymet.—Wykes.—Chron. Danst.—Trivet.

† Rymet.—Hemling.—Trivet.

‡ Llewellyn, it appears, had no children.

These were bands of Basques from the Pyrenees, whose method of fighting, and whose general habits and manners differed little from those of the Welsh people, whom they were employed to hunt down

like blood-hounds. These foreign hordes acted where the regular troops of the English king could not;—accustomed in their own country to mountains far more rugged, they penetrated into every



SUMMIT OF SNOWDON.

part of Snowdon, and the last bulwark of Welsh independence was forced. Edward, chiefly by means of his fleet (the Welsh seem to have had no ships to oppose it), occupied Anglesey; but, in passing from that island to the main, a detachment of his forces sustained a severe loss. They had laid down a bridge of boats across the Menai Strait, at or near to the place where Telford's suspension-bridge, hanging in air, now affords a commodious communication between the opposite shores; and in the absence of Edward, who was at Aberconway, a party of English, with some Gascon lords and a body of Basques, crossed over before it was finished, making part of their way by wading through the water when the tide was out. The Welsh, who had thrown up some intrenchments near the spot, permitted them to land, and even to reconnoitre their works; but when the tide rolled in, and made deep water between them and the unfinished bridge of boats, they rushed down upon them, and drove them into the sea, where, loaded as they were with armour, many of them were drowned. Between the sword and the waves there perished thirteen knights, seventeen esquires, and several hundred foot-soldiers. When Edward learned this sad disaster, he vowed he would build a stone bridge at the place; but such an undertaking was soon found to be impracticable. This reverse at the Menai Strait happened on St. Leonard's day, the 6th of Novem-

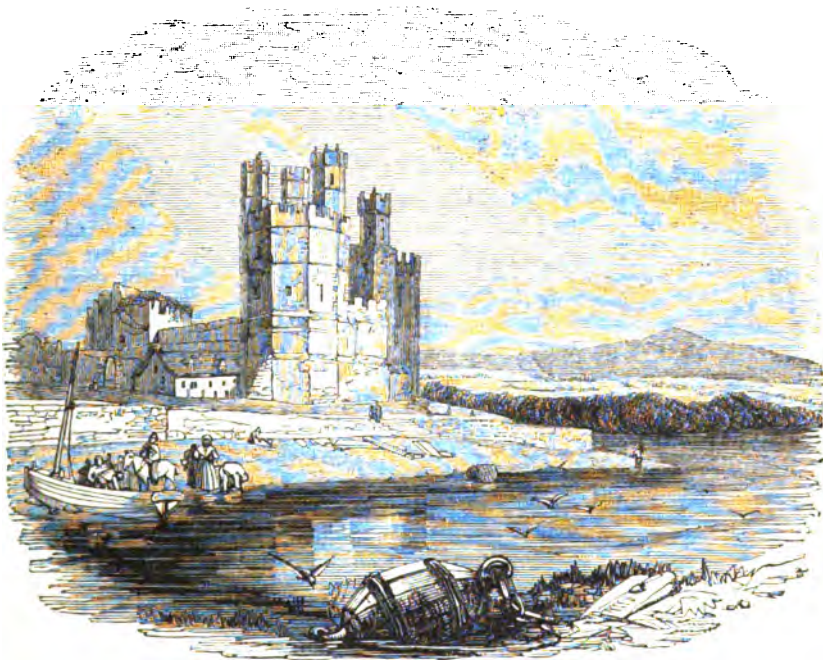
ber. In another battle, Edward himself was worsted, being obliged to fly for protection to one of his castles, leaving the Lords Audley and Clifford dead on the field. Llewellyn was elated by these successes, and he fondly hoped that the severity of winter would force the English to retire; but Edward had collected a strong force in Pembrokeshire and Carmarthen, and he now sent it orders to advance through South Wales, and attack his enemy in the rear. Leaving his brother David to carry on the war in North Wales, his own principality, Llewellyn boldly turned his steps to the south, to meet the new invaders. This movement may possibly have been recommended by false friends; and there certainly is an appearance of treachery in what followed. He had reached Bualth, in the valley of the Wye, when the English, under the savage Earl of Mortimer, appeared suddenly on the opposite side of the river. A Welsh force was on the neighbouring heights; but the prince had been left with only a few followers. The English crossed the river and surprised him before he had time to put on his armour; he was murdered, rather than slain in battle. They cut off his head and sent it to Edward, who forwarded it to London, there to be placed on the Tower, with a crown of willow, in mockery of the prophecy of his coronation.

The struggle for liberty did not, however, end with this unfortunate prince. In spite of the sub-

mission of most of the Welsh chiefs, his brother David still kept his sword in his hand, and for six months he wandered a free man over his native wilds. At last he was betrayed by some unpatriotic Welshmen, and with his wife and children carried in chains to the castle of Rhuddlan. In the month of September following, an English parliament assembled by Edward at Shrewsbury, pronounced the doom—not of the last champion of Welsh independence (for Madoc and others soon followed)—but of the last sovereign prince of one of the most ancient ruling families of Europe. He was sentenced—1st. To be dragged by a horse to the place of execution, because he was a traitor to the king, who had made him a knight. 2ndly. To be hanged, because he had murdered the knights in Hawardine castle. 3rdly. To have his bowels burned, because he had done the deed on Palm Sunday, the season of Christ's passion. 4thly. To be quartered, and have his limbs hung up in different places, because he had conspired the death of his lord the king in various parts. The sentence was executed to the letter, and it remained for many ages a revolting precedent in cases of high treason.*

* Hemingf.—Chron. Dunst.—Rymer.—Carta.

Edward had far more patience and prudence than was common to the warriors and conquerors of his time; and he devised wise means for retaining possession of what he had gained by force. He did not move from Wales until more than a year after the death of Llewellyn, and he spent the greater part of that time in dividing the country into shires and hundreds, after the manner of England, and restoring order and tranquillity. Immediately after the affair of Bualth, he published a proclamation, offering peace to all the inhabitants, giving them at the same time assurances that they should continue to enjoy all their lands, liberties, and properties as they had done before. He seems even to have lightened the taxes they paid to their native princes. Some of the ancient usages of the country were respected, but, generally speaking, the laws of England were introduced and enforced. He gave charters with great privileges to various trading companies in Rhuddlan, Caernarvon, Aberystwith, and other towns, with the view of encouraging trade and tempting the Welsh from their mountains, and their wild, free way of living, to a more social and submissive state. When his wife Eleanor bore him a son in the castle of Caernarvon,



CAERNARVON CASTLE.

he adroitly availed himself of that circumstance, by presenting the infant Edward to the people as their countryman, and telling them that he who was born among them should be their prince. The Welsh chiefs expected that this "Prince of Wales" would have the separate government of their country, for Alphonso, an

elder brother of the infant Edward, was then alive, and the acknowledged heir to the English crown. For some time they indulged in this dream of a restored independence, and professed, and probably felt, a great attachment to the young Edward; but Prince Alphonso died; the illusion was also dissipated by other circumstances, and, in the

sequel, the Welsh-born prince came to be regarded by his countrymen with very different feelings from either pride or affection.

King Edward strongly fortified the two castles of Caernarvon and Conway, and built some other fortresses, all which places he supplied with good garrisons and stores of provisions. To secure his conquest from the incursions of the people of Snowdon, he divided most of the lands at the foot of that mountain among his great English barons, and they again subdivided them among their officers and vassals, who held them in fief, and built other castles and towers for their defence. But these tyrannical lords and greedy retainers could not follow the example of the king's moderation; and their cruel excesses and their insulting demeanour towards the Welsh, continually provoked hostilities, and kept alive feelings which frequently vented themselves in deeds of a savage enough character, though scarcely more lawless than the oppressions out of which they arose.

After the subjugation of Wales, Edward's ambition rested for about four years—three of which he passed almost wholly on the continent, where he was honourably engaged as umpire to settle a fresh dispute which had arisen between the kings of France, Arragon, and the house of Anjou, respecting the island of Sicily. His ability and conduct in this matter gained him a great increase of reputation among foreign princes;* but the affairs of his own kingdom fell into disorder; the English people complained that he neglected their interests to take charge of what did not concern them; and the parliament at last refused him a supply which he had asked. The king then returned in haste, and, almost immediately after, he involved himself in the affairs of Scotland, which, with a few short intervals, entirely occupied him all the rest of his reign.

Before proceeding, however, to this part of the story of the English king, it will be most convenient to resume our Scottish narrative from the point to which we brought it down in the last Book.†

The reign of Alexander II., who succeeded to the throne in 1214, will not detain us long. After the death of John, the king of Scots continued to co-operate with Prince Louis of France and the confederated English barons; and he himself, his whole army, and kingdom were, in consequence, excommunicated by the legate Gualo; but the sentence seems to have been very little minded either by the people or their clergy. It was not even published by the latter till almost a twelvemonth had passed. In the mean time Louis made peace with Henry, without giving himself any concern about his ally. On this, Alexander, who was on his march into England, returned home. He soon after, however, effected his reconciliation both with the pope and the new king of England. On the

1st of December, 1217, he received absolution from the delegates of Gualo at Tweedmouth; and at the same time he surrendered to Henry the town of Carlisle, of which, although not of the castle, he had made himself master, and did homage for the earldom of Huntingdon and his other honours and possessions in England. On the 25th of June, 1221, Alexander married the Princess Joan, Henry's eldest sister. A long period of uninterrupted peace and amity between the two countries was the consequence of these arrangements. Some insurrections or disturbances in the as yet only half-subdued provinces of Argyle, Caithness, Moray, and Galloway, all of which were successively suppressed, are almost the only events that mark the history of the northern kingdom for the next twelve or thirteen years. The most serious of these provincial commotions was the last, which broke out in Galloway in 1233, upon the death of Alan, constable of Scotland, the lord of that district, leaving three daughters, but no male heir. This Alan of Galloway occupies an important place in Scottish history, in consequence of his marriage with Margaret, the eldest of the three daughters, and eventual heiresses, of David, Earl of Huntingdon, the brother of William the Lion; a connexion through which Dervorguil, his eldest daughter by that marriage, transmitted, as we shall presently find, to her descendants the lineal right of succession to the throne. On the death of their lord, the Gallowegians rose in resistance to the partition of their country among his legitimate heirs; and, placing at their head Thomas, a bastard son of Alan, who was aided by an Irish chief named Gildroth (or Gilderoy), they did not even wait to be attacked by the Scottish king, who was marching against them, but rushed forth from their mountains with Celtic fury, and proceeded to ravage the adjacent country. They even contrived to surround Alexander, when he had got entangled among morasses, and he was in imminent danger till the Earl of Ross came to his assistance, and, assaulting the rebels in the rear, discomfited them with great slaughter. This victory put an end to the insurrection for the present. The following year, however, Thomas and Gildroth, who had both escaped to Ireland, returned with a fresh force, and renewed the war. But this second attempt was soon checked: the two leaders were pardoned on their surrender; their Irish followers, crowding towards the Clyde, in the hope of being able to find a passage to their own country, fell into the hands of a band of the citizens of Glasgow, who are said to have beheaded them all, with the exception only of two, whom they sent to Edinburgh to be hanged and quartered there.

Notwithstanding the alliance that connected Alexander and Henry, and the friendship and frequent intercourse in which they lived,—for the King of Scots made repeated visits to the English coast,—no final settlement of their claims upon each other had yet taken place. It was not till

* Rymer.—Mezeray, Hist. Franc.—Glaunone, Storia del Regno di Napoli.

† See ante, p. 546.

September, 1237, that at a conference, held at York, it was agreed that Alexander, who, among other things, laid claim, by right of inheritance, to the counties of Northumberland, Cumberland, and Westmoreland, should receive lands in the two former of the yearly value of two hundred pounds in full satisfaction of all his demands. The following year (4th March, 1238) Queen Joan, who had been long in a declining state, died at Canterbury. She had left no issue, and within little more than a year (15th May, 1239) Alexander married again: his new queen was Mary, daughter of Ingelram de Couci, a great lord of Picardy. The chief bond that had attached the two kings was thus snapped; and Mary de Couci, whose family had been distinguished for its opposition to the English interests, is, besides, supposed to have exercised an unfavourable influence over the mind of her husband. It was some years, however, before the old friendship that had subsisted between him and Henry wholly gave way; even in 1242 we find Henry, when about to set out on his expedition to France, confiding to Alexander the care of the northern borders. But in this same year an event occurred which is especially memorable for the consequences attributed to it. An old feud had existed between the Bissets, a powerful family in the north of Scotland, and the House of Athole. At a tournament held at Haddington, Patrick, Earl of Athole, a youth distinguished for his knightly accomplishments, chanced to overthrow Walter Bisset. Within a day or two after the Earl of Athole was found murdered in the house where he lodged, which was also set on fire. Suspicion immediately fell upon the Bissets: the nobility, headed by the Earl of March, immediately raised an armed force, and demanded the life both of Walter and of his uncle William Bisset, the chief of the family. It appears pretty certain that the latter at least was innocent of any participation in the murder: he urged, what seems to have been the fact, that he was not within fifty miles of Haddington when it was committed: he offered to maintain his innocence by the wager of battle; and, still further to clear himself, he had sentence of excommunication against the murderers published both in his own chapel and in all the churches of the kingdom. It seems to have been against him, nevertheless, that the rage both of the connexions of Athole and of the people generally was chiefly turned; the savage notions of the period could not view what had taken place in any other light than as a ground for hunting to death the whole kindred of the supposed criminal; and the head of his family, as higher game, was naturally, in the spirit of this mode of considering the matter, pursued even with more eagerness than himself. The king, however, seems to have felt the injustice of the popular clamour; he interposed for Bisset's protection; and even the queen, according to Fordun, offered to make oath that he had no part in devising the crime; that is to say, she was so convinced of his innocence that she

was willing to come forward as one of his compurgators, if the case should be submitted to that mode of trial. The opposite party, however, seem to have declined submitting the question to decision either by compurgation or by combat: they insisted that it should be brought before a jury; so that this affair is remarkable, in addition to its other points of interest, as a memorial of all the three great forms of judicial procedure in criminal cases which were then in use. Bisset refused the trial by jury, "on account of the malevolence of the people, and the implacable resentment of his enemies." At last, by the exertions of the king, it was agreed that he should be allowed to escape with his life on condition of forfeiting his estates and leaving the country. But he was still, notwithstanding, in the greatest danger from the secret determination of his enemies to have his blood; and it was only by remaining in concealment under the royal protection for about three months that he was at last enabled to make his escape to England. Whatever may have been his injuries, he now certainly showed little nobleness of character. Stung, possibly, with an indignant sense of the injustice he had experienced, he sought to avenge himself on his enemies at the expense not only of his country but of its king, to whose zealous and energetic interposition in his favour he owed his life. It is said that he made his appeal to the king of England against the judgment that had been passed on him, on the plea that "Alexander, being the vassal of Henry, had no right to inflict such punishment on his nobles without the permission of his liege lord;" and that, at the same time, he further endeavoured to excite Henry against the Scottish king by describing the latter as devoted to the interests of France, and quoting instances in which, as he affirmed, English traitors who had escaped from prison were received and harboured at the northern court.*

These insidious representations may not improbably have had some part, along with other causes, in fomenting the hostile disposition which Henry not long after openly showed. At length, having fully arranged his plans, he proclaimed war against Alexander in 1244, and assembling a numerous army at Newcastle, prepared to invade Scotland. Some troops, which had been sent to the assistance of Alexander by his brother-in-law, John de Couci, had been intercepted by Henry, who had also organised a confederacy of Irish chiefs to aid him in his enterprise, by making a descent upon the Scottish coast; but the country, nevertheless, prepared to make a vigorous resistance. The contemporary English historian, Matthew Paris, has given us a description of the force with which Alexander marched to oppose the invasion. "His army," he says, "was numerous and brave; he had 1000 horsemen, tolerably mounted, though not, indeed, on Spanish or Italian horses; his infantry approached to 100,000, all

* Hailes, Ann. of Scot. l. 168.

.—Tyler, Hist. of Scot. l. 4—6.

unanimous, all animated, by the exhortations of their clergy, and by confession, courageously to fight and resolutely to die in the just defence of their native land." The sword, however, was not drawn, after all; a negotiation took place between the two kings, and a peace was concluded at Newcastle (13th August), by which Alexander agreed always to bear good faith and love to his dear and liege lord, Henry King of England, and never to enter into alliance with the enemies of Henry or of his heirs, unless they should unjustly aggrieve him.*

The only event of the reign of Alexander which remains to be noticed, is a contest into which he entered, in 1248, with Angus, Lord of Argyll, with the view of compelling that chief to transfer to the Scottish crown the homage which he had been wont to render for certain of the western islands to the king of Norway. The position of Angus was a very difficult one; he was the vassal of both sovereigns, for different parts of his possessions; and if he consented to the demand of Alexander, he was as sure to draw down upon himself the vengeance of the Norwegian king as he was to incur Alexander's hostility if he refused. In these circumstances he seems to have considered it the most expedient, perhaps also the fairest and most reasonable course, to decline moving from his existing engagements. Alexander's first expedition against him seems to have proved unsuccessful; but he renewed the attempt the following year. He was engaged in this war when he was taken ill, and died in the island of Kerarry, near the Sound of Mull, on the 8th of July, 1249, in the fifty-first year of his age and thirty-fifth of his reign. "Alexander," says Matthew Paris, "was a devout, upright, and courteous person, justly beloved by all the English nation, no less than by his own subjects." It seems to have been to this general regard entertained for him by the English nobility and people that Henry's abandonment of his scheme of invading Scotland a few years before was in part owing; for it is said that the peace of Newcastle was brought about by the mediation of the Earl of Cornwall and other noblemen. Henry's barons could feel little pride or interest in supporting the projects of their own imbecile sovereign against the Scottish king; and some of them also, no doubt, still remembered their old association of arms with Alexander against Henry and the tyrant, his father. Alexander, like most of the other Scottish kings of those times, stood up throughout his reign for the independence of the national church with great spirit. Although a favourer of the clergy, however, he does not appear to have gone into any extravagant expenditure for the aggrandizement of their order. He founded, in-

deed, no fewer than eight monasteries for the Dominican or Black Friars; and Boece supposes that his partiality to these mendicants may have been occasioned by his having seen their founder, St. Dominic, in France, about the year 1217. "The sight of a living saint," observes Lord Hailes, "may have made an impression on his young mind; but perhaps he considered the mendicant friars as the cheapest ecclesiastics: his revenues could not supply the costly institution of Cisterians and canons regular, in which his great-grandfather, David I., took delight."

Alexander was succeeded on the throne by his only son, Alexander III., who was born at Roxburgh on the 4th of September, 1241, and was now consequently only in his ninth year. There was reason to apprehend that the King of England might endeavour to take advantage of this occasion to renew his attempt against the independence of the kingdom; and, therefore, by the patriotic advice of William Comyn, Earl of Menteith, no time was lost in proceeding to the coronation of the young king. The ceremony took place at Scone on the 13th of July, the Bishop of St. Andrew's knighting the king as well as placing the crown on his head. Some of the other forms that were observed are curiously illustrative of the chequered intermixture of the two opposite colours of nationality now contending with one another in Scotland—the old Celtic spirit and usages, and the recently imported Anglo-Norman civilization. After the coronation oath, for instance, had been administered to the king both in Latin and in French, the language of the nobility, he was placed upon the sacred stone of destiny, which stood before the cross in the eastern end of the church, and while he there sat, with the crown on his head and the sceptre in his hand, a grey-headed Highland bard, stepping forth from the crowd, addressed to him a long genealogical recitation in the Gaelic tongue, in which, beginning, "Hail Alexander, king of Albion, son of Alexander, son of William, son of David," &c., he carried up the royal pedigree through all its generations to the legendary Gathelus, who married Scota, the daughter of Pharaoh, and was the contemporary of Moses. It may be doubted if Alexander understood a word of this savage pæan, but he is recorded to have expressed his gratification by liberally rewarding the venerable rhapsodist.

It would serve no useful end to load our pages with any detail of the intricate, and in great part very imperfectly intelligible struggles of adverse factions that make up the history of the kingdom during this as during every other minority in those times. It is sufficient to state that at the head of one of the two great contending parties was the powerful family of the Comyns, of which name it is said there were at this time in Scotland no fewer than thirty-two knights, several of whom were barons; the Baliols, among others, were adherents of this party; among their most distinguished opponents were the Earl of March and Dunbar, the Earl of Strathern, the Earl of Carrick, the

* Nisi nos injuste gravent. Dr. Lingard describes this treaty as "an arrangement by which, though he eluded the express recognition of feudal dependence, he (Alexander) seems to have conceded to Henry the substance of his demand." In fact, "the express recognition of feudal dependence" was not at all eluded by Alexander; it was made in the most distinct terms, but it was not made for the kingdom of Scotland, and therefore it was Henry, not Alexander, who conceded the point in dispute.

Bruce, the Steward of Scotland, and Alan Durward, who held the office of Great Justiciary, and was also one of the most distinguished soldiers of the age. But many of the nobility were constantly changing sides, according to the course and apparent chances of the contest. The king of England also soon found a fair pretence for interfering in Scottish affairs by giving his daughter Margaret in marriage to Alexander, according to an agreement which had been entered into soon after the births of the prince and the princess. Although neither party was yet quite eleven years old, the nuptials were celebrated at York with great magnificence on the 26th of December, 1251. Matthew Paris assures us that six hundred oxen, given by the Archbishop of York to furnish part of the marriage feast, were all consumed upon the first course! Men were heroic eaters in those days, certainly; but it will probably be admitted that a historian has judged prudently in not entering into further particulars, lest, as he says, his narrative "might become hyperbolic, and produce irony in the hearts of the absent."

On this occasion Alexander, according to custom, did homage to Henry for his English possessions; but when the latter demanded homage also for the kingdom of Scotland, the young Scottish sovereign, with a spirit and firmness remarkable for his years, said, "that he had been invited to York to marry the princess of England, not to treat of affairs of state; and that he could not take a step so important without the knowledge and approbation of his parliament." It was agreed, however, that Henry, in consideration apparently of his natural interest in the welfare of his son-in-law, should send a person in whom he placed confidence to Scotland, who might act in concert with the Scottish guardians of the young king. He sent, accordingly, Geoffrey of Langley, keeper of the royal forests, a man who had already acquired the worst reputation in England by the severity with which he exercised the powers of his odious office; but the Scottish barons, finding his insolence intolerable, soon compelled him to leave the country.

In 1255, we find the English king despatching a new mission to Scotland, under pretence of inquiring into certain grievances complained of by the queen, his daughter. At this time Robert de Ros and John de Baliol, two noblemen of the Comyn party, appear to have been at the head of the government under the name of Regents. Queen Margaret complained that she was confined in the castle of Edinburgh,—a sad and solitary place,—without verdure, and, by reason of its vicinity to the sea, unwholesome; that she was not permitted to make excursions through the kingdom, nor to choose her female attendants; and that, although both she and her husband had by this time completed their fourteenth year, they were still excluded from each other's society. By a scheme concerted between Henry and the party opposed to the Comyns, the Earl of March, Durward, and other

leaders of that party soon after this contrived to surprise the castle of Edinburgh, and to get possession of the king and queen. They were immediately conveyed to the north of England, where Henry was with an army; and at last, in a meeting of the two kings at Roxburgh (20th September, 1255), a new plan of government was settled, to subsist for seven years, that is, till Alexander should have attained the age of twenty-one, by which all the Comyns were deprived of office, and the Earls of Fife, Dunbar, Strathern, and Carrick, Alexander the Steward of Scotland, Robert de Bruce, Alan Durward, and other principal persons of the same faction, were appointed regents of the kingdom and guardians of the king and queen.

This settlement appears to have been maintained for about two years; but, in 1257, a counter-revolution was effected through the junction with the Comyns of Mary de Couci, Alexander's mother, who had married John de Brienne, son of the titular king of Jerusalem, and had lately returned from abroad, animated with all her old hereditary hatred of the English influence, and strengthened both by her new alliance and by the favour and countenance of the pope. The lately expelled faction now suddenly rose in arms, seized the king and queen at Kinross, and so completely carried every thing before them that the principal adherents of the English interest all found it necessary to save themselves by instant flight. There can be no doubt that, with whatever justice or by whatever means, the Comyns contrived to make theirs appear to be the patriotic cause, and to gain, at least for the moment, the popular voice. They probably made use of the old cry of independence, and worked upon the sensitive national jealousy of England with good effect. Even the king, now that he was in their hands, was of course compelled to act along with them, and to submit to be their instrument. They put him at the head of their forces, and marched towards the English border, where it would appear that the adherents of the late government had rallied and collected their strength. No contest of arms, however, took place; the dispute was eventually settled by negotiation; and it was agreed that while the chief power should remain in the hands of the Comyns and the queen-dowager, to six regents of this party should be added four of the members of the late government. Mary de Couci and her husband were placed at the head of this new regency.

The coalition thus formed seems to have substantially subsisted till the king came of age, and took the management of affairs into his own hands although, shortly after the new government was established, the Comyns lost their great leader, Walter, Earl of Menteith, poisoned, as was suspected, by his countess: the unhappy woman was believed to have been instigated to the commission of this crime by a passion she had formed for one John Russell, an Englishman of obscure birth according to Boece, whom she soon afterwards married. In 1260, on the Queen of Scots becoming pregnant, she and her

husband were permitted to go to her father in London, Henry engaging that neither the king nor his attendants should be required to treat of state affairs during their visit, and also making oath that he would not detain either the queen or her child if her delivery should take place in England. In the event of the death of Alexander, certain of the Scottish bishops and nobles were appointed to receive the child from the hands of Henry, and to convey it to Scotland; and in the list of these appear the names of the principal persons of both the great national parties. In February, 1261, the Queen of Scots was delivered at Windsor of a daughter, who was named Margaret, and through whom, as she was her father's first-born, his short line was destined to have its latest prolongation.

The year 1263 is the most memorable in the reign of Alexander. The Earl of Ross and other northern chiefs had, at the instigation of the Scottish king, invaded the Hebrides, or Western Islands, which were under the dominion of Norway, and had signalled their descent, according to the Norwegian chroniclers, by the most frightful excesses of savage warfare. Haco, the Norwegian king, immediately prepared for vengeance. Having collected a great fleet, he sailed from Herlover in the beginning of July. The Orkney Islands, which although formerly belonging to Norway, had been lately compelled to acknowledge the sovereignty of Scotland, were his first destination. Anchoring in the bay of Ronaldsvoe (now Ronaldsay), the formidable armament remained there for some weeks, during which the inhabitants both of the islands and of the opposite main-land were compelled to supply it with provisions and to pay tribute. It is recorded in the Norse chronicle of the expedition, that while the fleet lay at Ronaldsvoe "a great darkness drew over the sun, so that only a little ring was bright round his orb;" and it is found that the remarkable phenomenon of an annular eclipse must have been seen at Ronaldsvoe this year on the 5th of August. Such confirmations seem to revivify the long-buried past, and make its history read like a narrative of events of our own day. Haco now sailed for the south, and being joined as he proceeded by his allies, Magnus, the Lord of Man, and various Hebridean chiefs, he found himself at the head of a fleet of above a hundred sail, most of them vessels of considerable size. Dividing his force, he sent one powerful squadron to ravage the Mull of Cantyre; another, to make a descent on the Isle of Bute. The latter soon compelled the Scottish garrison of the castle of Rothsay, in that island, to surrender. In the mean time Haco himself entered the Frith of Clyde, and anchored in the Sound of Kilbrannan, between the main-land and the Isle of Arran. Additional accessions had by this time increased his fleet to a hundred and sixty sail. The Scottish government now attempted to avert the danger by negotiation: the abandonment of all claim to the Hebrides was offered by Alexander; but to these

terms Haco would not listen. Some time however was thus gained, which was in various ways advantageous to the Scots and detrimental to their invaders. It allowed the former to improve their preparations for defence; it embarrassed the latter by a growing difficulty in obtaining provisions, and it exposed their fleet, upon a strange coast, to the hazards of the stormy season of the year that was fast approaching. Many of the inhabitants of the neighbouring country meanwhile had retreated for safety to the islets in Loch-Lomond. There, however, they were soon attacked by a division of the invading force under the command of the King of Man, who, first sailing to the head of Loch-Long, and plundering the shores as they passed, then dragged their boats across the neck of land that divides the two lakes. "The persevering shielded warriors of the thrower of the whizzing spear," sings a Norwegian celebrator of the exploit, "drew their boats across the broad isthmus. Our fearless troops, the exactors of contribution, with flaming brands, wasted the populous islands in the lake and the mansions around its winding bays." A devastating expedition into Stirlingshire followed under another chief. But now the heavens began to fight against them. One gale destroyed ten of their ships that lay in Loch-Long; and soon after, on Monday, the 1st of October, a tempest of tremendous violence from the south-west attacked the main squadron lying under the command of Haco in the Clyde, and tearing nearly every ship from its moorings, after casting several of them on shore, drove the rest, mostly dimasted or otherwise disabled, up the channel. The Scottish forces collected in the neighbourhood immediately fell upon the crews of the vessels that were stranded; but the Norwegians defended themselves with great valour; and assistance having been sent to them by Haco, when the wind had somewhat abated, they succeeded in driving off their assailants. As soon as daylight appeared, Haco, who had collected his shattered ships off the village of Largs, landed at the head of a strong force for the protection of two transports that had been among the vessels cast ashore the preceding afternoon, and which the Scots had attempted to plunder during the night. This movement may be said to have commenced what is called the battle of Largs. The Scottish army, led by Alexander, the Steward of Scotland, now came down from the surrounding high grounds; it consisted of a numerous body of foot, together with a troop of 1500 cavalry, who are described as being armed from head to heel, and as mounted on Spanish horses, which were also clothed in complete armour. The handful of Norwegians, drawn up in three divisions, one of which occupied a small hill, while the other two were stationed on the shore, were greatly outnumbered by this force; and Haco, as the engagement was about to commence, was, although with much difficulty, prevailed upon by his officers to row back to the ships for further aid. But he had scarcely got on board when another furious storm

came on, and rendered the landing of more men for the present impossible. In the mean time, the Scots had attacked the most advanced body of the Norwegians, who were soon obliged to fly in confusion. The rout immediately became general; numbers of the Norwegians threw themselves into their boats and attempted to regain their ships; the rest were driven along the shore amid showers of arrows from their pursuing enemy. Still they repeatedly rallied, and, turning round upon their pursuers, made an obstinate stand at every point where the ground favoured them. In this way, although still galled by the Scots hovering on their rear, they seem to have at length converted their flight into a slow and comparatively orderly retreat. Towards night, a re-enforcement from the ships having, notwithstanding the storm, which still continued, effected a landing by extraordinary efforts, the foreigners, if we may trust to their own account, even made a general attack upon the Scottish army, and, after a short resistance, succeeded in driving them back. They then re-embarked in their boats and regained the ships. But on the water the elements had been doing their destructive work even with more effect than human rage on land. Haco's magnificent navy was now reduced to a few shattered vessels; most of those which the wrath of the former tempests had spared, that of this disastrous day had dashed to pieces, and their fragments covered the beach. The Norwegian king sailed away to the island of Arran, and from thence through a course of stormy weather to Orkney, which he did not reach till the 29th of October. He proceeded no farther on his homeward voyage. An illness seized upon him, brought on probably by mental agony as much as by bodily exposure and fatigue, under which he lingered for some weeks, and at last expired on the 15th of December.*

The battle of Largs is the great event of the reign of Alexander. The Scottish historians make 24,000 Norwegians to have fallen in the slaughter of that day; and although there can be no doubt that this is an enormous exaggeration, still the overthrow sustained by the foreigners was complete, and the victory was among the most important the Scots ever won. It was their last conflict with the pirate kings. After negotiations which lasted for nearly three years, a peace was concluded with Norway, by which both the Hebrides and the Isle of Man, and all other islands in the western and southern seas of which that power might have hitherto held or claimed the dominion, were made over in full sovereignty to Scotland. The Western Islands were never afterwards withdrawn from the Scottish rule.

There is little more to relate under the reign of Alexander. In some transactions relating to eccle-

* See "The Norwegian Account of Haco's Expedition against Scotland," in *Islandic and English*, with notes; by the Rev. James Johnstone, A.M.; 12mo., 1792; and "Observations on the Norwegian Expedition against Scotland, in the year 1263, and on some previous events which gave occasion to that War," by John Dillon, Esq. in "Transactions of the Society of the Antiquaries of Scotland," vol. ii., 4to. Edin. 1823, pp. 350—407.

siastical affairs in his later years, he maintained the independence of the national church with great firmness, and at the same time, with equal spirit and prudence, kept in check the encroaching ambition of the clergy. He was present with his queen and many of his nobility at the coronation of Edward I., in 1274, and on that occasion did homage, according to custom, for his English possessions. In 1278, he performed this ceremony a second time, declaring, according to the record preserved in the Close Rolls, that he became the liegeman of his lord, King Edward of England, against all people. This was substantially the same acknowledgment that Alexander II. had made to Henry III. in 1244. It was no admission of Edward's claim of feudal superiority over Scotland, as is conclusively proved, if there could be any doubt on the subject, by the sequel of the record, which expressly states that Edward "received it, saving his right and claim to homage for the kingdom of Scotland, when it shall please him to bring it forward."

The slight notice taken by history of the course of events in Scotland for twenty years after the battle of Largs, is the best evidence of the tranquillity and happiness of the country. We can collect little more than the general fact that the government of Alexander, after he took the management of affairs into his own hands, made him universally beloved by his people, and that peace and plenty blessed the land in his time. No foreign enemy assailed or threatened it; and the turbulence of its domestic factions seems also to have given way under the firm and judicious rule of the king. The friendly relations, too, that were maintained with England, and the intercourse that subsisted between the two countries, must have been highly favourable both to the increase of wealth and the general improvement of the useful arts and the habits of social life in Scotland. But clouds and storms were soon to succeed this sunshine.

Alexander had lost his queen, Margaret of England, in 1275; but, besides the daughter already mentioned, she had left him a son, named Alexander, born at Jedburgh on the 21st of January, 1264: David, a younger son, had died in his boyhood. In 1281 the Princess Margaret was married to Eric, king of Norway; and the following year the Prince of Scotland, now a youth of eighteen, was united to Margaret, daughter of Guy, Earl of Flanders. At this time the king himself, as yet only in his forty-first year, might reasonably have counted on a much longer reign; the alliances which he had formed for his children promised to enable him to transmit his sceptre to a line of descendants; and the people seemed entitled to look forward to the continuance of the present peace and prosperity of the country for many years. By a singular succession of calamities all these fair hopes were, one after the other, rapidly extinguished. First, in the latter part of the year 1283, died the Queen of Norway, leaving only an infant daughter. The death of Queen

tinctly announced that he proposed to regulate the succession to the throne of Scotland as superior and lord paramount of that kingdom, and insisted upon their recognition of his title as such before any other business should be proceeded with. Little doubt can be entertained that many of the persons present were perfectly prepared for all this; but it took a part of the assembly by surprise; and at length one voice ventured to respond, that no answer could be made to the demand that had been addressed to them while the throne was vacant. "By holy Edward!" cried the English king, "By holy Edward! whose crown I wear, I will vindicate my just rights or perish in the attempt!" At last the meeting was adjourned till the morrow, and from that day, on the Scots requesting a longer delay, it was further adjourned to the 2nd of June. Edward had already issued writs to his barons and other military tenants in the northern counties, commanding them to assemble at Norham on the 3rd of the same month with horses, arms, and all their powers.

The meeting of the 2nd of June took place on a green plain called Holywell Haugh, near Upsettlington, on the north bank of the Tweed, opposite to Norham Castle, and within the territory of Scotland. Among those present were no fewer than eight persons who, under various titles, laid claim to the crown. One of these was Robert Bruce, Lord of Annandale. Turning first to him, Robert Burnel, Bishop of Bath and Chancellor of England, demanded "Whether he acknowledged Edward as Lord Paramount of Scotland? and whether he was willing to ask and receive judgment from him in that character?" Bruce, says the official record of the proceedings, definitively, expressly, publicly, and openly, declared his assent. The other seven competitors afterwards did the same. Next day, John Baliol and another competitor, making ten in all, appeared, and followed their example. "The whole form of this business," as Lord Hailes remarks, "appears to have been preconcerted." There were probably few of the assembled nobility and clergy that were not the sworn adherents of one or other of the competitors; they were divided into the Bruce party and the Baliol party; and they were of course severally ready to follow in whatever direction their chiefs might lead them. With regard, again, to the two great claimants of the crown themselves, if either consented to submit to the arbitration of Edward, it is obvious that his rival had no alternative but to acquiesce in the same mode of deciding the question, unless he were prepared to resign all hope and chance of success. The true explanation, however, of Baliol's absence on the first day of the meeting probably is, that he sought by this piece of management, perhaps in concert with Edward, to throw upon his opponent the odium of taking the first step in the unpopular course of thus surrendering the national independence. There is reason to believe that, whether swayed by his view of the justice of the case or by other considerations, Edward had, from the first,

determined that Baliol should have the crown, and that all the anxious and protracted deliberation he affected to give to the subject was merely so much hollow and hypocritical formality. Of the other claimants who presented themselves along with Baliol and Bruce, most seem to have been brought forward only to throw a greater air of perplexity over the case, and to give some chance of dividing any opposition that might eventually be made to the successful candidate, or even, it may be, with the object of leaving the question of the succession to the Scottish crown still open, if any casualty should remove either of the two principal competitors before Edward's designs for the complete subjection of the country should be matured; for Edward's ultimate aim certainly went far beyond the assertion and maintenance of a mere feudal superiority over Scotland. The whole course of his conduct leaves no room to doubt that he intended to treat Scotland as he had treated Wales, that is to say, to make it, to all intents and purposes, a part of the dominions of the English crown. This union of the whole island under one sceptre was evidently the grand scheme upon which he had set his heart, and which inspired and directed his whole policy. At first he hoped to accomplish his object, in so far as Scotland was concerned, by the marriage of his eldest son with the queen of that country; when the death of Margaret defeated this arrangement, he could not for the present proceed to the attainment of his end by so direct a path; but that end was still the same, and was never lost sight of for a moment. At this very meeting at Norham, the English chancellor protested, in the name and in the presence of the king his master, "that, although he now asserted his right of *superiority* with the view of giving judgment to the competitors, yet that he meant not to relinquish his right of *property* in the kingdom of Scotland, acclamable hereafter in fit manner and time convenient."* And the manner in which he treated Baliol after he had set him upon the throne as clearly indicates the same purpose, and indeed is only intelligible on that supposition. All this has been very strangely overlooked by some of the writers of this part of our history.

The proceedings at Norham, on the 3rd of June, were terminated by an unanimous agreement that a body of 104 commissioners should be appointed to examine the cause and report to Edward; forty being named by Baliol, the same number by Bruce, and the remainder by Edward himself, who was, moreover, empowered to add to the commission as many more persons as he chose. On the 11th of the same month, the regents of Scotland made a solemn surrender of the kingdom into the hands of the English king, and the keepers of castles made a like surrender of their trusts; in both cases, however, on the condition that Edward should make full restitution in two months from the date of his award in the cause of the succession.

Gilbert de Umfraville, Earl of Angus, alone



BALIOL SURRENDERING THE CROWN TO EDWARD. Opie.

refused to deliver the castles of Dundee and Forfar, which he held, without an obligation to indemnify him from Edward and all the competitors. It was found expedient to comply with the terms thus insisted upon by "the only Scotsman," observes Lord Hailes, "who acted with integrity and spirit on this trial of national integrity and spirit." On the 15th of the same month Bruce and his son, Baliol, and many of the principal Scottish barons, swore fealty to Edward. One churchman only, the Bishop of Sodor, presented himself to perform the disgraceful ceremony. The peace of the King of England, as Lord Paramount of Scotland, was then proclaimed, and the assembly finally adjourned to the 2nd of August.* Edward himself, in the mean time, made a progress through Scotland, in the course of which he visited Edinburgh, Dunfermline, St. Andrew's, Kinghorn, Linlithgow, and Stirling; wherever he appeared, calling upon persons of all ranks, from bishops and earls to bur-

* Hailes, i. 242-252.

gesses, to sign the rolls of homage as his vassals. Elsewhere officers were appointed to receive the oaths; whoever refused to take them being ordered to be seized and imprisoned.

When the commissioners met at Berwick, and proceeded to business in the presence of Edward, on the 3rd of August, twelve claimants of the crown in all presented themselves. Soon afterwards a thirteenth was added, in the person of King Eric of Norway. All of them, however, with the exception of Baliol, Bruce, and Hastings, withdrew their pretensions before any decision was pronounced. The rest, in fact,—some of them descendants from illegitimate daughters of William the Lion, others alleging a descent from some earlier king,—had none of them any ground whatever on which to come in before the posterity of David, Earl of Huntingdon.

The final decision of the cause did not take place till the following year. On the 2nd of June, 1292, the Commissioners reported that there ap-

peared to be a diversity of opinion among the fourscore Scottish members of their body, by whose advice, if unanimous, it would have been the duty of the king to have regulated his conduct; and they therefore declined to give any advice without hearing the better judgment of the prelates, nobility, and other wise men of England. On this, the further consideration of the question was appointed by Edward to take place in a parliament which he summoned to meet at Berwick on the 15th of October. Here Baliol and Bruce were fully heard in defence of their respective claims; upon which the assembly came unanimously to the conclusion "that by the laws and usages of both kingdoms, in every heritable succession, the more remote in one degree lineally descended from the eldest sister, was preferable to the nearer in degree issuing from the second sister;"—thus declaring, by implication, against the claim of Bruce as opposed to that of Baliol. In another meeting, on the 6th of November, Edward formally pronounced his decision "that Bruce should take nothing in the competition with Baliol." Bruce and Hastings now demanded each a third of the kingdom, on the ground that it was a divisible inheritance; but this doctrine the assembly unanimously rejected. Finally, on the 17th of the same month, in the great hall of the castle of Berwick, Edward gave judgment, "that John Baliol should have seisin of the kingdom of Scotland." But, again, at this, the termination, as a year and a half before, at the commencement of these proceedings, the English king solemnly protested "that the judgment he had thus given should not impair his claim to the *property* of Scotland." On the 19th the regents of Scotland and the governors of castles were ordered to surrender their respective trusts to the new king; and the same day the great seal that had been used by the regency was broken into four parts, and the pieces deposited in the Treasury of England, "in testimony, to future ages, of England's right of superiority over Scotland." The next day Baliol swore fealty to Edward at Norham. On the 30th (St. Andrew's day) he was solemnly crowned at Scone. Soon after he passed into England, and on the 26th of December did homage to Edward for his kingdom at Newcastle: and thus finished the first act of this extraordinary drama.

Events that unexpectedly arose now called away the English king to another scene. Edward's progress at home had not been viewed without serious alarm abroad. The subjugation of Wales and Scotland, by leaving him master of the whole island of Great Britain, rendered him most formidable to all his continental neighbours, and to none so dangerous as to France, where there was a source of dissension ever open, and where the English had a footing that enabled them at all times to carry the war into the heart of the country. On former occasions, several of the French kings had given countenance and encouragement,—if little or nothing more,—to both Scots and Welsh

when up in arms against the Anglo-Norman sovereigns; but now Philip le Bel thought that the best thing to do was to exert all his strength and drive the English from what was left of their continental dominion. The moment seemed favourable; Edward was absorbed by his great project; and as for the justice of the undertaking, had not Philip as good a right to gather up the scattered fragments of France, and to make of them a respectable whole,—a united and powerful kingdom,—as Edward had to seize and consolidate the ancient independent states of Great Britain in the same view?

The English sovereign, however, was too politic not to see and provide for these schemes: he had long watched Philip with a jealous eye, and while he wisely kept his own armies at home, he had courted alliances abroad, and laboured to raise barriers against Philip's ambition. In the south, by means of presents and flattering assurances, he had won over the powerful Count of Savoy; in the north, he had a good understanding with the Emperor, whom he afterwards subsidized; he had married his daughter Margaret to Henry Count of Bar, whose territories gave an easy access into France on the east; and, at a later period, he made an alliance with Guy Earl of Flanders. The French, moreover, accuse him of opening and maintaining a correspondence in the interior of France with the disaffected subjects of Philip, an accusation which Edward retorted. Matters were in this state when a paltry broil gave rise to sanguinary hostilities. Some English and some Norman sailors met at a watering-place, in or near to the Port of Bayonne, and quarrelled about which party should fill their casks first. An English mariner struck a Norman with his fist; the Norman drew his knife; his adversary closed with him, and, after a scuffle, threw him: in the fall the Norman, it was said, fell upon his own knife and was killed. The English sailor's comrades saved him from the fury of the opposite party, and, according to the French account, the authorities of Bayonne, which city belonged to the English, refused the Normans proper satisfaction. Burning with revenge, for they maintained that their companion had been foully murdered, the Normans put to sea, and, lying in wait, they seized the first English ship of inferior force they encountered, and taking from it a merchant of Bayonne, they hanged him at the yard-arm, with a dog hung to his feet. Reprisals soon followed, and the mariners of the Cinque Ports pursued their vengeance with relentless fury, hanging nearly every Norman they could take upon the seas. The Normans called in the assistance of the Genoese and the French, for France was now beginning to have a considerable mercantile navy, and even a royal fleet, one of the immense advantages derived from expelling the English and clearing her sea-board. Our mariners at the same time procured the aid of those of Ireland, and Gascony, and Holland. Wherever these opposite parties met, they fought with deadly

rancour, carrying on a war on their own account; without any commission from their respective governments; for though it was known or suspected that Philip encouraged the French, he, as well as Edward, seemed for a time to remain indifferent spectators. A Norman fleet of 200 or more vessels, of all sizes, swept the English Channel, plundered the sea-coast of Gascony, hanging many mariners, and then returned with their booty and the cargoes of wine they had been to purchase to the port of St. Mahe, in Brittany. They had scarcely cast anchor when an English fleet appeared. The mariners of the Cinque Ports, still acting under their own commission, had got ready some stout ships: they were only eighty in number, but they were of superior size, and manned with picked seamen. In an evil hour for themselves, the Normans accepted the challenge to a pitched battle, which was fought round a ship anchored near the coast, on a spot agreed upon by both parties. After a desperate conflict, where every man fought as in a personal quarrel, the English gained a complete victory, taking every one of the Norman ships, and killing or drowning nearly every mariner on board, for no quarter was given in this savage war. Thus the most vindictive feelings were excited between the two nations before the kings took any open part in the hostilities that were carried on.*

But now Philip, enraged himself and borne forward to the accomplishment of his favourite project by the universal wrath of the nation, declared his determined enmity. By certainly a strained and exaggerated interpretation of his feudal rights and jurisdiction, he pretended that he could punish Edward as Duke of Aquitaine, in which character he was a vassal of the French crown. He sent officers to seize some of Edward's estates, but these were driven back by John St. John, an English officer: he then caused a summons to be issued by his judges ordering the "Duke of Aquitaine" to appear at Paris after the feast of Christmas, and answer for his offences against his suzerain. Edward sent a bishop, and then his own brother Edmund, to negotiate. This Edmund appears to have been a very believing, simple personage; for, crediting Philip's assertion that he wanted no acquisition of territory, but merely a striking show of satisfaction to his own injured honour, he consented to surrender Gascony for forty days, at the end of which it was to be faithfully restored to the English king. Upon this surrender, which in some cases gave Philip a military possession of the province, the summons against Edward was withdrawn, and the French king declared himself satisfied. When the forty days had elapsed, Edward demanded repossession, which, as a matter of course, was refused to him. Philip pleaded very triumphantly, in his own court, against some English advocates, and, with a bold contempt of appearances and of the recent agreement, pronounced a judgment of forfeiture because Edward

had not presented himself as a vassal ought. De Nesle, the Constable of France, was sent to seize some of Edward's cities and towns, and he succeeded in several instances because the nobles declared against the English. Soon after the feast of Easter, Philip again summoned Edward to plead as Duke of Aquitaine before his peers of France, and, upon his non-attendance, he declared him contumacious and dis-seised of all his lands in France.*

Edward now prepared to plead, but it was with the sword. Having formally renounced the homage of the French king, he got ready a powerful fleet and army; but he was detained for several weeks by contrary winds, and, while he lay at Portsmouth, the Welsh, who thought he was gone, broke out in a general insurrection, to which it seems probable that Philip was no stranger. Detained at home by this circumstance, Edward dispatched a small force to Gascony, and gave commission to his ships to plunder the French coast, upon which a number of fierce sea-battles were fought, the victory falling almost invariably to the English, who were principally commanded by the lord John Botetourt, Sir William de Leyborne, and a "valiant knight of Ireland," whose name is not mentioned. As for Edward himself, he turned with his usual rapidity and vigour against the Welsh, who had taken many castles and towns, and driven the English across the marshes with dreadful loss. It took him some months to suppress this bold struggle for independence: he carried on the war through all the severities of winter, suffering great hardships, and encountering many personal dangers; but in the following spring the Welsh once more fell beneath the mighty weight of his arms and policy: Madoc, their brave leader, surrendered to the conqueror; the most dangerous of the chieftains were thrown into dungeons for life; and after the sacred summits of Snowdon had been again invaded, and the country again wasted with fire and sword, a mournful peace was restored. In none of the old accounts either of this or of the preceding conquest do we find any mention of Edward's hanging the Welsh bards; the circumstance seems to have been first mentioned by a writer who lived some three centuries after.† The "ruthless king," however, though not wantonly cruel, was still not a man to hesitate at such an execution if he deemed it useful to his state views; and it is at least probable that many of the bards, who must have been hateful to him, as they cherished and gave enthusiasm to the people's love of independence, may have felt his rigour, and that popular tradition has only exaggerated and generalized a real fact.‡

When Edward rode a conqueror from the mountains of Wales, he thought that he should at last

* Rymer.

† Sir John Wynne, Hist. of the Gwydir family.

‡ We find the Welsh minstrels in very bad odour with the English government about a century later. A statute of Henry IV. provides that "no waster, rhymer, minstrel, or vagabond shall be suffered in Wales."

be allowed to proceed to France, and punish what he considered the execrable perfidy of Philip; but the spirit of liberty was again awake in the mountains of Scotland, and he was once more compelled to forego his continental expedition. He, however, sent his brother Edmund with a small force to Guienne, where the barons, who could never remain satisfied for a year with either the English or the French, were already tired of Philip. Edmund died soon after landing; but the Earl of Lincoln, who succeeded to his command, drove the French from most of the towns they had occupied. These successes, however, were not lasting: Charles de Valois, Philip's brother, recovered those places; and the Count d'Artois, the king uncle, taking the command of a numerous and excellent army, beat the English in several encounters, and finally expelled them from nearly all the country, with the exception of a few maritime towns. Edward's continental allies did nothing at the time in his defence. A little later the Duke of Brittany raised an insignificant force, and joined a body of English that landed in his country; but this prince was as volatile as the Gascons, and changed sides three or four times in the course of as many years. His people paid dearly for his vacillating policy, being harried at each change either by the soldiers of Philip or the sailors of Edward. On one occasion an English fleet ravaged the whole coast of Brittany from Vannes to St. Malo, inflicting great mischief on the defenceless inhabitants, but in no way contributing to the recovery of Edward's lost dominions. Several attempts were made by Normans, Bretons, and French, to avenge these injuries by attacks and surprises on the English coast, and on one occasion the town and priory of Dover were sacked and partially burnt. As the men were absent, *only* the women and children were butchered; but, before the invaders could get back to their ships with their plunder, the men of Dover returned, and slew some hundreds of them. But we must turn from this most savage yet desultory warfare on the English coast, to the interior of Scotland.

Scarcely had Baliol been fairly seated on his vassal throne when he was made to feel all the dependence and degradation of his position. Even before the year had expired, on one of the last days of which, as related above, he had done homage for his kingdom to his English lord paramount, Edward, in an angry altercation that arose out of an appeal brought by a citizen of Berwick against a judgment of the Scottish courts, to defend which he had compelled Baliol to appear with his principal prelates and nobles in the royal chamber at Newcastle, frankly informed him that he should persist in hearing in England every cause regularly brought before him from Scotland, and that he would summon the king of Scotland to appear personally at the hearing of every such cause in which he should think his presence necessary. Nor did this prove an empty threat. In the course of the following year Baliol was repeatedly called upon

to submit to the annoyance and intolerable indignity of thus appearing in the English courts to answer as a defendant in all sorts of causes. Such treatment could only have had one object, and, if it had been tamely acquiesced in, one effect,—to make the menial king utterly contemptible in the eyes of his subjects. A generous reluctance to join with the crowd in bearing hard upon one otherwise unfortunate, has prompted some modern writers to dispute the justice of the popular odium that rests on the memory of John Baliol, and to contend that he was by no means deficient in eminent and estimable qualities. Lord Hailes attributes to him a high spirit, and speaks of him as having erred only in enterprising beyond his strength. After all, however, the estimate that seems to have been formed of him in his own day is perhaps most consonant with the entire course of his life, both while he sat on a throne, and after he descended from that elevation; on the whole, the name of *Toom* (that is, empty) *Tabard*, which he used to receive among his countrymen, seems to have aptly enough expressed his unmagnanimous, inefficient character. At the commencement of Edward's rough usage he bore it with all submission. Immediately after the declaration of the English king that has just been mentioned, he gave Edward a solemn discharge from all the obligations he had contracted by the treaty of Budgeham in 1290, which treaty was now the sole remaining security to his country for the possession of any national rights, and by which, in particular, provision was made against the very grievance, the galling humiliation, under which he was now made to smart, by one of the clauses which declared that no native of Scotland should be compelled to answer out of the kingdom in any legal cause, either civil or criminal. But the tyranny was so unrelentingly persisted in, and carried so far, that if he had the spirit of a worm it must have roused him at last. An appeal respecting the succession to some lands in Fife was the case in which his patience gave way. In the first instance he ventured to take no notice of the usual order to present himself at the hearing of the cause. But he did not persist in this bold course. On receiving a second summons, he yielded obedience so far as to make his appearance in the English parliament on the day named, the 15th of October, 1293. When asked what defence he had to make to the appeal, he said,—“I am king of Scotland. To the complaint of the appellant, or to aught else respecting my kingdom, I dare not make answer without the advice of my people.”—“What means this?” cried Edward: “You are *my* liegeman; you have done homage to *me*; you are here in consequence of *my* summons.” Baliol, however, would only repeat his first answer. He declined even to ask an adjournment of the cause. The parliament then resolved that the king of Scots had offered no defence; that in his answer he had been guilty of a manifest contempt of the court, and of open disobedience; that the appellant should have damages of the king of Scots; and,

finally, "because it is consonant to law that every one be punished in that which emboldens him to offend, that the three principal castles of Scotland, with the towns wherein they are situated, and the royal jurisdiction thereof, be taken immediately into the custody of the king, and there remain until the king of Scots shall make satisfaction for his contempt and disobedience." On the prayer of Baliol, however, Edward, before this sentence was publicly intimated, consented to stay all proceedings till the day after the Feast of the Trinity in the following year. Before that day arrived, war between England and France broke out on the seizure of Guienne by Philip; and in the new position of his affairs, Edward had his hands for the present too full of work in defending himself against his own liege lord to have leisure for the further humiliation and oppression of the king of Scots.

The opportunity, however, was too tempting a one not to be seized by the latter for a strenuous effort to cast off the yoke. Hitherto the nation, struck down by the irresistible course of events, and deserted by its natural leaders, had lain, as it were, stunned and in despair. Its old spirit now began to awaken as a new dawn of hope appeared. The nobles themselves,—they whose selfish or factious ambition had laid their country at the feet of the English king,—had many of them by this time been roused to a sense of the bondage into which they had fallen. Their first measures, however, were cautiously taken. A parliament, which met at Scone in the latter part of the year 1294, on pretence of lightening the public burdens, directed that all the Englishmen maintained at the court should be dismissed; and then appointed a council of four bishops, four earls, and four barons, without whose advice the king was restricted from performing any public act. These arrangements may have been made with Baliol's full concurrence; but it is more probable that they were dictated by a distrust of him. It is asserted indeed by English writers that Baliol was at this time kept by his subjects in a state very closely resembling captivity.

The suspicions of Edward were naturally enough excited by these proceedings. He required that Berwick, Roxburgh, and Jedburgh should be delivered to the Bishop of Carlisle, to remain in his hands during the war between England and France. With this demand the Scottish government deemed it prudent to comply, although they were at the moment negotiating an alliance with the French king. This treaty,—“the groundwork,” observes Lord Hailes, “of many more, equally honourable and ruinous to Scotland,” was signed at Paris on the 23rd of October, 1295. By it the King of Scots, “grievously offended at the undutiful behaviour of Edward to the King of France, his liege lord,” engaged to assist Philip in his wars with his whole power, and at his own charges. Towards the end of March, 1296, accordingly, a Scottish army, consisting of 40,000 foot soldiers

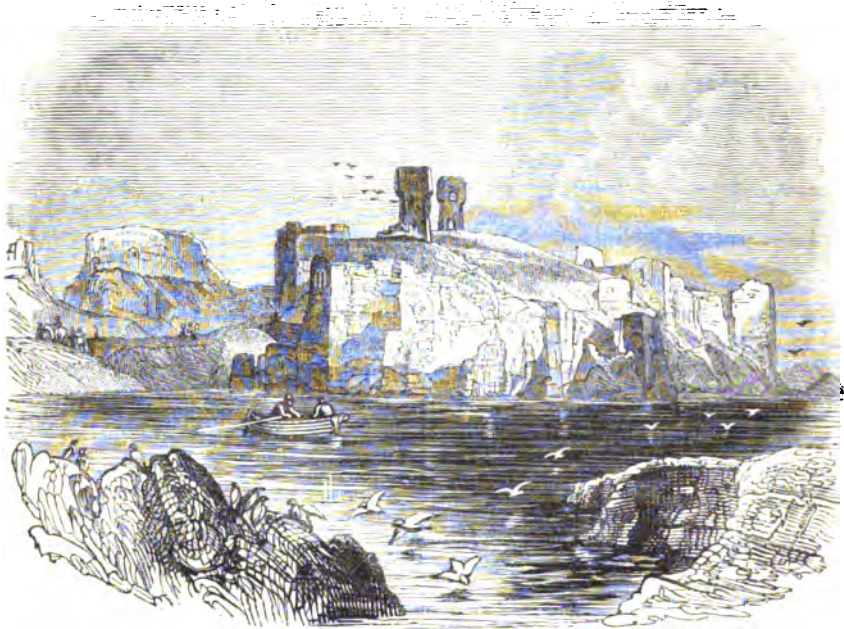
and 500 cavalry, invaded Cumberland, and, laying waste the country as they proceeded, marched to Carlisle, and attacked that place. Here, however, they were repulsed, and that with circumstances of unusual disgrace, if we may credit the English historians, who assert that the town having been set on fire, and the citizens having left their posts to extinguish the flames, the women flew to the walls and compelled the besiegers to retire. Another inroad, which they made a few days after into Northumberland, was not more successful. Meanwhile Edward himself, at the head of a great army, was already at the borders. A pardon had been proclaimed for all outlaws and malefactors who should join the expedition; and the force which now rolled on to pour upon the Scottish rebels the vengeance of their English master, consisted of 30,000 foot and 4000 horse. Its numbers were farther swelled on its arrival in the north by a body of 1000 foot and 700 horse, brought by Anthony Beck, the warlike Bishop of Durham. Crossing the Tweed, the royal army marched direct upon the town of Berwick, which either had never been delivered by the Scots to the Bishop of Carlisle, according to their late promise, or had freed itself again from his authority. A strong garrison, composed of the men of Fife, now defended the town, besides a smaller force that held the castle. The English king commenced the attack at once by sea and land; of his ships, three were burnt, and the rest compelled to retire; but all resistance soon gave way before the impetuous onset of the soldiery; Edward himself, mounted on his horse Bayard, was the first who leaped over the dike that defended the town. In the devastation and carnage that followed no quarter was given; no pity, no human feeling, turned aside the sword from infancy, or womanhood, or grey hairs; the inhabitants, with the garrison, were indiscriminately butchered. The numbers that perished are variously stated, but they undoubtedly amounted to many thousands: the massacre was continued for two days, during which no one escaped whom the infuriated victors could reach. A party of thirty Flemings had posted themselves in a building called the Red Hall, which the resident merchants of their nation held by the tenure of defending it at all times against the English. They stood out gallantly till the evening of the first day; the building, which they would not surrender, was then set fire to, and they perished, every man of them, in the flames.

Berwick was taken on the 30th of March. On the 5th of April, a bold ecclesiastic, Henry, Abbot of Aberbrothock (otherwise Arbroath), arrived in the town a messenger from the Scottish king, and delivered to Edward Baliol's solemn renunciation of his allegiance and fealty. “What a piece of madness in the foolish traitor!” exclaimed Edward, when the message had been delivered; “since he will not come to us, we will go to him.”* A pause of a few weeks, to make the blow the surer, did not prevent

* Ha, ce fol felon tel folie faict! s'il ne voutt venir à nous, nous viendrons à lui.

this threat from being both speedily and effectually executed. Earl Warenne was first sent forward with a chosen body of troops to recover the castle of Dunbar, which the Countess of March had delivered to the Scots, while her husband, by whom it was held, served in the army of Edward. The

Scottish army, in full strength, advanced to its relief, when they were engaged by Warenne, and completely routed, with the loss of 10,000 men. This action was fought on the 28th of April. The castle then surrendered at discretion. On the 18th of May that of Roxburgh was given up by James



RUINS OF THE CASTLE OF DUNBAR.

the Stewart of Scotland, who at the same time swore fealty to Edward and abjured the French alliance. The castles of Dunbarton and Jedburgh soon after surrendered. That of Edinburgh stood a short siege, but it also soon capitulated: no attempt was made to defend that of Stirling. Thus, in the space of about two months, all the principal strongholds of the kingdom were in Edward's hand, and the conquest of the country was complete. A message (very different from his last) now arrived from Baliol, offering submission and imploring peace. Edward, in reply, desired him to repair to the castle of Brechin, where the Bishop of Durham would announce to him the terms on which his surrender would be accepted. Soon after, Baliol laid down his kingly state in a ceremonial of the last degree of baseness and humiliation. Divested of every ensign of royalty, he presented himself before the Bishop of Durham and an assembly of English barons, and standing with a white rod in his hand, went through a detailed confession of all the offences which, misled by evil and false counsel, as he affirmed, and through his own simplicity, he had committed against his liege lord—concluding the recital by an acknowledgment of the justice of the English invasion and conquest, and by therefore freely resigning to

the English king his kingdom, its people, and their homage. The old accounts differ as to the exact date, and also as to the scene of this penance; but it was most probably performed on the 7th of July, and, as the tradition of the neighbourhood still reports, in the churchyard of Strathkathro, in Angus.* Edward was at this time at Montrose.† He proceeded northward as far as Elgin—the nobility, wherever he passed, crowding in to swear fealty, and to abjure the French alliance. It was on his return from this triumphant progress that he ordered the famous stone on which the Scottish kings had been wont to be crowned, to be removed from the abbey of Scone, and conveyed to Westminster, in testimony, says an English contemporary chronicler, of the conquest and surrender of the kingdom.‡ He appears to have been at St. Johnstone's, or Perth, on Wednesday, the 8th of August. By the 22nd, he was once more at Berwick; and on the 28th he held a parliament in that town, at which great numbers both of the Scottish laity and clergy presented themselves to take the oaths of fealty. He then pro-

* See Hailes, l. 293; Tytler l. 429, 430; and Chambers's *Picture of Scotland*, ii. 255.

† See a curious *Diary of Edward's progress*, published with explanatory remarks, by Sir N. H. Nicolas, from a MS. in the British Museum, in the 31st vol. of the *Archæologia*, pp. 478—498.

‡ Hemingford.

ceeded to finish his work, by settling the government of the conquered country. Here his measures were characterized by great prudence and moderation. He ordered the forfeited estates of the clergy to be restored. He even allowed most of the subordinate civil functionaries who had held office under Baliol, to retain possession of their places. He left the various jurisdictions of the country in general in the same hands as before. The chief castles in the southern part of the kingdom, however, he intrusted to English captains; and he also placed some of his English subjects in command over certain of the more important districts. Finally, he appointed John de Warenne, Earl of Surrey, under the name of governor, Hugh de Cressingham as treasurer, and William Ormesby as justiciary, to exercise the supreme authority. A royal exchequer, on the model of the English, was established at Berwick. Thus ended in the utter extinction, for the present, of the national independence of Scotland, the most miserably abortive attempt ever made by any people for the preservation or recovery of that first and most indispensable of national blessings.

But although Edward had put down the rebellion of the Scots, he had not subdued their spirit of resistance. Within a few months after this settlement of the country it was again in insurrection. The last and all preceding attempts to throw off the foreign yoke under which the kingdom groaned had been made under the direction of the government; there was no longer any native government; but a great leader of the people had now stepped forth from their own ranks. This was the renowned William Wallace, the second son of a knight of ancient family, Sir Malcolm Wallace, of Ellerslie, in Renfrewshire. Wallace had all the qualities of a popular hero—a strength and stature corresponding to his daring courage, and also, it cannot be doubted from the known history of his career, as well as from his traditional fame, many intellectual endowments of a high order,—decision, military genius, the talent of command, a stirring though rude eloquence, and in every way a wonderful power of reaching the hearts of men, and drawing them along with him. Above all, an enthusiastic patriotism, and a fierce and unextinguishable hatred of the English dominion, were passions so strong in Wallace, that while he lived, be the hour as dark as it might, all felt that the cause of the national independence never could be wholly lost. It is his glorious distinction that, while all others despaired of that cause, he did not despair—that when all others submitted to the conqueror, he betook himself to the woods, and remained a free-man—that when there was no other to renew the struggle, he started up in that time of universal dismay and prostration, and showed, by an example precious to all time, that even in the worst circumstances nothing is really gone for ever where the spirit of hope and effort is not gone.

Wallace is first mentioned in the month of May, 1297. At this time he was merely the captain of

a small band of marauders, most of them probably outlaws like himself, who were accustomed to infest the English quarters by predatory attacks. Their numbers, however, rapidly grew as reports of their successful exploits were spread abroad. Suddenly we find the robber-chief transformed into the national champion, joined by some of the chief persons in the land, and heading an armed revolt against the government. The first person of note who joined Wallace was Sir William Douglas. He had commanded in the castle of Berwick when it was taken the preceding year by Edward; and after his surrender had been liberated upon swearing fealty to the English king. Disregarding this oath, he now armed his vassals, and openly went over to Wallace. The united chiefs immediately marched upon Scone, the seat of the government. Earl Warenne was at this time absent in England, and Ormesby, the justiciary, was acting as his lieutenant. That functionary, with difficulty, saved his life by flight; but much booty and many prisoners fell into the hands of the insurgents, and the English government was, in fact, by this bold and brilliant exploit, for the moment overthrown. For some time the neighbouring country was wholly at the mercy of the insurgents, who roved over it, assailing every place of strength that refused them admission, and massacring every Englishman who fell into their hands.

Many persons of note and distinguished rank now crowded to the once more uplifted standard of freedom and independence; the Stewart of Scotland and his brother, Robert Wisheart, Bishop of Glasgow, Alexander de Lindsay, Sir Richard Lundin, and Sir Andrew Moray of Bothwell, are especially mentioned. But no accession was more important, or more gladly welcomed, than that of the young Robert Bruce, the son of Robert Bruce who had married the countess of Carrick, and the grandson of him who had been a competitor with Baliol for the crown. A few years before this, Bruce's father had resigned the earldom of Carrick, which he held in right of his wife, to his son; and the latter, by the possession of this lordship, now commanded a territory reaching from the Frith of Clyde to the Solway. The course taken by Baliol had hitherto naturally determined the conduct and position of the rival family. So long as Baliol stood even nominally at the head of the patriotic cause, the Bruces were almost necessarily on the other side. In the last days of Baliol's reign the Scottish government issued an order confiscating the estates of all partisans of England and of all neutrals, which was principally aimed at the house of Bruce; and a grant of their estate of Annandale was made to Comyn, Earl of Buchan, who actually took possession, in consequence, of the family castle of Lochmaben. This of course he did not long retain; but the wrong was not the less one, which in that fierce age never could be forgiven. Allowance must be made for these personal resentments and rivalries, and the opposition into which men were thereby

thrown, in passing judgment upon the conduct of many of the actors in this turbulent and bewildering drama. Bruce, eventually the great liberator of his country and restorer of the Scottish monarchy, makes his first appearance on the scene, soon after the fatal fight of Dunbar, in the unpatriotic part of a commissioner empowered by the conqueror to receive into favour the people of Carrick.* He was at this time only in his twenty-second year. His heart, however, was probably already drawing him, through doubts and misgivings, to the cause which he was at a future day so gloriously to illustrate. Now that Baliol was removed, the time for Bruce to show himself seemed to have come. Edward, it would appear, was not without some suspicion of what his inclinations were. He, therefore, had summoned him to Carlisle, and made him renew, on the sword of Becket, his oaths of allegiance and fidelity. In the national enthusiasm, however, excited by the first success of Wallace, he could restrain himself no longer. "I trust," he said, "that the pope will absolve me from oaths extorted by force;" and so, breaking from his bonds, he joined the army of the patriots.

But, in that camp, jealousies and dissensions were already actively at work, and disorganizing everything. Edward was embarking for Flanders when he received intelligence of the new Scottish revolt. The military force of the kingdom to the north of the Trent was instantly called into array by the Earl of Surrey; and as soon as the men could be collected, Sir Henry Percy and Sir Robert Clifford were sent forward to meet the insurgents at the head of an army of forty thousand foot and three hundred horse. They found the Scots, in nearly equal numbers, posted in a strong position in the neighbourhood of the town of Irvine, in Ayrshire. But no acknowledged leader controlled the irregular congregation of chiefs who had crowded with their retainers to the standard that Wallace had raised; his authority was disowned, or but reluctantly submitted to, by many of the proud knights and barons, who never before had obeyed a plebeian general; and there were probably as many conflicting plans of operation as there were competitors for the supreme command. In this miserable state of affairs, it appeared to all who had anything to lose, that the wisest plan was to make their peace with the government before it should be too late. All the chief associates of Wallace accordingly, including Bruce, the Stewart of Scotland, the Bishop of Glasgow, Sir Alexander Lindesay, Sir Richard Lundin, and even Sir William Douglas, the first who had joined him, laid down their arms after a short negotiation, and, for themselves and their adherents, made submission to Edward. The instrument in which they acknowledged their offences, and agreed to make every reparation and atonement that should be required by their sovereign lord, is dated at Irvine, the 9th of July.† Only one baron, Sir Andrew

Moray of Bothwell, continued to adhere to Wallace. Many of the vassals, however, even of the lords and knights that had deserted him remained among his followers; and he withdrew to the north at the head of a force that was still numerous and formidable.

No farther effort seems to have been made by the government to put down the insurrection for several months. In the meanwhile, the army of Wallace was continually receiving accessions of numbers. The English historian, Knighton, affirms that the whole of the lower orders had attached themselves to him, and that, although their persons were with the king of England, the hearts of many of the nobility also were with Wallace, whose army, it is added, now grew to so immense a multitude that the community of the land obeyed him as their leader and prince. By the beginning of September, it appears that he had driven the English from the castles of Brechin, Forfar, Montrose, and most of the other strongholds to the north of the Forth, and was now engaged in besieging the castle of Dundee. While there, he received information that an English army was marching upon Stirling. Leaving the siege to be continued by the citizens of Dundee, he led his whole force, amounting to forty thousand foot and a hundred and eighty horse, towards Stirling, and succeeded, by rapid marches, in reaching the banks of the Forth opposite to that town before the English had arrived. He immediately drew up his army so as to be partly concealed behind the neighbouring high grounds. Brian Fitzalan had by this time been appointed by Edward chief governor of Scotland; but the Earl of Surrey still commanded the forces. The English army soon appeared on the other side of the river; it is said by Hemingford to have consisted of one thousand horsemen and fifty thousand foot. On its being perceived how Wallace was posted, it was resolved to offer him terms before risking an engagement; but he refused to enter into any negotiation. "Return," he said to those who came to him, "and tell your masters that we come not here to treat, but to assert our rights, and to set Scotland free; let them advance; they will find us prepared." That night, however, no movement was made. But Surrey's men impatiently called upon him to accept of Wallace's defiance; Cressingham, the treasurer, protested against the waste of the king's money in keeping up an army if it was not to fight; and to this passionate importunity the English commander weakly yielded his own better judgment, and suffered his army to throw itself, not into a snare, for, if the common accounts of the affair may be relied upon, no stratagem or deception of any kind was employed by Wallace, but into obvious and certain destruction. Early the following morning (the 11th of September) the English began to pass over by the bridge,—a narrow wooden structure, along which, even with no impediment or chance of interruption of any kind to

* Hailes, i. 292.

† Rymer, ii. 774.

retard them, so numerous a force could not have been led in many hours. The issue was what it is unaccountable should not have been foreseen. Wallace waited till about half the English were passed over; then, detaching a part of his forces to take possession of the extremity of the bridge, as soon as he perceived the communication by this means effectually cut off, he rushed down upon the portion of the enemy who had thus put themselves in his power, as they were still forming, and in a moment threw them into inextricable confusion. Many thousands of the English were slain or driven into the water; Cressingham himself, who had led the van, was one of those who fell; he had, by the severity of his administration, made himself particularly hateful to the Scots, who now stripping

the skin from his dead body, cut it into small pieces to be preserved, not as relics, says Hemingford, but for spite.* Wallace himself, it is affirmed, had a sword-belt made of part of it. No prisoners, indeed, seem to have been taken; and nearly all the English that had crossed the river must therefore have been destroyed. One knight, however, Sir Marmaduke Twenge, putting spurs to his horse, gallantly cut his way back through the force that guarded the bridge, and regained the opposite side in safety. Surrey himself had not passed over; but, after the fortune of the day became clearly irrecoverable, charging Twenge to occupy the castle of Stirling with what remains of

* Non quidem ad reliquias, sed in contumelias.



STIRLING CASTLE.

the army he could collect, he mounted his horse, and rode, without stopping, to Berwick. Even the portion of the army that had remained on the south side of the river seems to have been in great part dispersed. The loss of the Scots was trifling; the only man of note that fell was Sir Andrew Moray. A large quantity of spoil was taken. But the great result of the victory was nothing less than the almost complete liberation of the country once more from the English dominion. The castles of Edinburgh, Dundee, Roxburgh, and Berwick, all immediately surrendered; and in a short time there was not a fortress, from one end of Scotland to the other, in the possession of the English king. Wallace soon after even invaded England, and for some time maintained his army in Cumberland,—a movement to which he was partly induced by a severe famine that now arose in Scotland, where

unfavourable seasons had conspired with the waste of war to afflict the soil. He returned from this expedition about the end of the year; and it is said to have been then that, in an assembly of the principal nobility, held at the Forest Kirk in Selkirkshire, he was invested with the title of Guardian or Governor of the kingdom, and commander-in-chief of the armies of Scotland (*Custos regni Scotiæ, et ductor exercituum ejusdem*), in the name of King John. The Scottish patriots, it is to be observed, had all along professed to act in the name of Baliol,—so general, notwithstanding all that had taken place, was the conviction that his was the legitimate right to the crown, or so strong the aversion to re-open the question of the succession, from which all the calamities of the country had sprung.

Thus was Scotland again lost by Edward even

more suddenly than it had been won. He was still detained in Flanders by the war in which he had engaged with the French king for the recovery of Guienne, while his conquest nearer home was thus wrested out of his hands. It appears that strenuous efforts were made by Philip to have the Scots included in the benefit of the treaty of peace, the truce preliminary to which was agreed upon in October of this year.* But Edward would hear of no terms for those whom he called revolted subjects and traitors. By letters addressed to all the earls and barons of England, he commanded that a general muster of the military force of the kingdom should take place at York on the 14th of January. A week after that day a mighty army, of a hundred thousand foot and four thousand cavalry, was on its march, under the command of Surrey, across the Scottish border. After this force, however, had proceeded as far as Berwick, of which they took possession, letters arrived from the king ordering them not to continue their advance till he should himself join them. On this Surrey sent home the greater part of the immense multitude, retaining only a body of twenty thousand foot and fifteen hundred horse.

Edward returned to England about the middle of March, 1298, and instantly summoned the barons and other military tenants to reassemble with their powers at York on the Feast of Pentecost. A still more numerous army than the last gathered at this new call, at the head of which Edward proceeded in the first instance to Roxburgh. From this point he advanced, in the beginning of June, along the east coast, a fleet with supplies for the army having been sent forward to the Frith of Forth; but for several weeks no enemy, scarcely even any inhabitants, were to be seen, and the invaders could only take a useless revenge in wasting an already deserted country. The Scots meanwhile, under the direction of Wallace, had been collecting their strength in the interior; and many of the chief nobility, including Bruce, were now assembled again around the great national leader. The plan of Wallace, however, was to avoid for the present a general engagement, and only to watch, out of sight, the movements of the enemy, and hang upon his line of march, in readiness to take advantage of such favourable circumstances as might arise. Edward soon became involved in very serious difficulties: his ships were detained by contrary winds; and while he was waiting at Templeliston (now Kirkliston), a small town between Edinburgh and Linlithgow, till he should receive some intelligence of them before proceeding upon his design of penetrating into the west, an alarming mutiny broke out in the camp, originating in a quarrel between the English and the Welsh soldiers, the latter of whom, amounting in number to 40,000, were at one time on the point of withdrawing and joining the Scots. "I care not," said Edward, with his usual lofty spirit, when their intention was reported to him; "let my enemies go and

join my enemies; I trust that in one day I shall chastise them all." No news of the ships arriving, however, the scarcity of provisions soon became so distressing that a retreat to Edinburgh was resolved upon, when information was received that the Scottish army was encamped not far off in the wood of Falkirk. It is said that two noblemen serving in the Scottish camp, the Earls of Dunbar and Angus, came privately at day-break to the quarters of the Bishop of Durham, and communicated this intelligence. "Thanks be to God!" exclaimed Edward, "who hitherto hath delivered me from every danger; they shall not need to follow me; I will forthwith go and meet them!" That night the army lay in the fields, the king himself sleeping on the ground. A kick from his horse, which stood beside him in the night, broke two of his ribs, and in the first confusion occasioned by the accident, a cry arose that the king was seriously wounded or killed,—that there was treason in the camp. Edward immediately, disregarding the pain he suffered, mounted his horse, and, as it was now dawn, gave orders to continue the march. The advanced guard of the enemy was first seen on the ridge of a hill in front, after they had passed Linlithgow. Soon after, the whole army was descried, forming, on a stony field, at the side of a small eminence in the neighbourhood of Falkirk.* Wallace divided the infantry of his army, which was greatly inferior in numbers to that of the English, into four circular bodies, armed with lances, which the men protruded obliquely, as they knelt with their backs against each other; the archers were placed in the intermediate spaces: the horse, of which there were only 1000, were drawn up at some distance in the rear. Edward's cavalry were ranged in the front of his battle, in three lines. The attack was made at the same time by the first of these, led by Bigot, Earl Marshal, and the Earls of Hereford and Lincoln; and by the second, under the leading of the bold Bishop of Durham. The shock was gallantly met by the Scottish infantry, and for some time they stood their ground firmly. The cavalry, however, whether dismayed by the immense disparity between the numbers of the enemy and their own, or, as has been conjectured, from treason on the part of their commanders, fled without striking a blow; and, thus left without support against the repeated charges of the English horse, the lancers and archers also at length gave way, and the rout became complete. The battle of Falkirk was fought on the 22nd of July, 1298. It is said that 15,000 of the Scots fell on this fatal day. On the English side the loss was inconsiderable. Wallace retreated with the remains of his army to Stirling, whither he was pursued by the English; but when they arrived, he was gone, and the town was found reduced to ashes. The victorious invaders now carried fire and sword through the country in all directions. The whole of Fifeshire was laid waste and given up to military execution. The city of

* See Rymer, new edit., i. 861; and Tytler, i. 178 and 425.

St. Andrews, which was found deserted, was set on fire and burnt to the ground. Perth was burnt by the inhabitants themselves on the approach of the English. Edward, however, was speedily obliged to leave the country from the impossibility of finding the means of subsisting his troops. He appears to have returned to England about the middle of September,—having, indeed, regained possession of the principal places of strength in the south of Scotland, but leaving the whole of the country to the north of the Forth still unsubdued.

The expensive wars of Wales, Scotland, and Guienne, had caused Edward to oppress the English people with levies and taxes, in the raising of which he had not always respected the constitutional charter; while on some occasions he had recourse to artifices similar to those which had succeeded so badly with his father, Henry III. At one time, he pretended that he had again taken the cross, and thus obtained the tenth of all church benefices for six years. A few years after this, he seized the monies deposited in the churches and monasteries, and kept the greater part for his own uses, promising, however, to pay it back some time or other. His financial proceedings with the church show that times were materially altered—for the main weight of taxation was thrown upon that body. After obtaining a reluctant grant from the lords and knights of the shire of a tenth on lay property, he demanded from the clergy a *half* on their entire incomes. Here, for the first time, he encountered a stern opposition on the part of the bishops, abbots, and common clergy; but they were bullied into compliance, being told, among other harsh things, that every “reverend father” who dared to oppose the king would be noticed as one who had broken the peace. This was in 1294. In the following year, having obtained a very liberal grant from Parliament, he exacted a fourth from the churchmen, who again were obstinate, and obliged him, in the end, to be satisfied with a tenth. Besides these heavy burdens, the church was sorely racked by the king’s purveyors and commissaries, who, particularly during the more active parts of the Scotch war, continually emptied the store-houses, granaries, farm-yards, and larders, and carried off all the vehicles, horses, and other animals for the transport of army stores, in so much that the poor abbots and priors complained that they had scarcely a mule left in their stables upon which to go their spiritual rounds. At last they applied to the pope for protection, and Boniface VIII. granted them a bull, ordaining that the clergy should not vote away their revenues without the express permission of the holy see. But the pope was engaged in many troubles; the bull, which applied equally to all Christian countries, was strenuously opposed in France by Philip le Bel; and in the following year, 1297, he found himself obliged to publish a second bull, which explained away and stultified the first; for it provided, that whenever the safety of the king-

dom required it, churchmen must pay their aids; and it left to the king and his council the right of deciding on the necessity. Before this second bull arrived, the English clergy, fancying that they were well supported by the previous document, met, and boldly refused some of Edward’s demands; upon which he outlawed the whole body, both regular and secular, and seized their goods and chattels, not leaving bishop, parish priest, abbot, or monk, so much as bread to eat, or a bed to lie upon. As there were no Becketts in the land, these measures produced a general submission to the king’s arbitrary will, even before the arrival of the explanatory bull. A few recusants were supported for a season by the charity of their relatives and of the common people, but no popular movement took place in their favour, nor does their hard treatment appear to have created any great excitement.*

It was far otherwise when the king laid his greedy hand on the trading classes: they had borne a great deal in the way of tallages and increased export duties; but when he seized all the wool and hides that were ready for shipping, and sold them for his own profit, a universal and loud outcry was raised, notwithstanding his assurances that he would faithfully pay back the amount. The merchants assembled, the rich burghers, the landed proprietors of all classes consulted together; and their consultations were encouraged by some of the greatest of the nobles, who were not so blinded by the career of conquest and glory in which the king was leading them, as to be neglectful of their more immediate interests, or indifferent to those violent inroads on the national rights. Towards the end of February, 1297, Edward felt the effect of these deliberations. He had collected two armies, one of which was to go to Guienne, the other into Flanders; when the Earl of Hereford, the constable, and the Earl of Norfolk, the marshal of England, both refused to quit the country. Turning to the marshal, the king exclaimed, “By the everlasting God, Sir Earl, you shall go or hang.” “By the everlasting God, Sir King, I will neither go nor hang;” and, so saying, Norfolk withdrew with Hereford. Thirty bannerets and 1500 knights immediately followed the marshal and the constable, and the king was left almost alone.† An incautious step at this moment might have cost him his crown or his life, but Edward was a wonderful master of his passions when necessary, and his craft and policy were fully equal to his merits as a warrior. He knew that the Archbishop of Canterbury and the clergy gave great weight to the present opposition, and these he detached by blandishments and promises. He knew that his brilliant exploits in war had endeared him to the unthinking multitude, and he also knew how to touch their hearts. The measure he adopted was singularly dramatic: he stood forth before the people of London, mounted on a platform in front

* Rymer.—Brady.—Wykes.—Knight.—Heming.

† Heming.—by Google

of Westminster Hall, nobody being near him save his son Edward, the Archbishop of Canterbury, and the Earl of Warwick: he told them that nobody grieved more than he did for the burdensome taxes laid upon his dear subjects, but this burden was one of absolute necessity to preserve, not only his crown, but their blood from the Welsh, the Scots, and the French.* Then, in the proper place falling into the pathetic, he said, "I am going to expose myself to all the dangers of war for your sakes. If I return alive I will make you amends for the past; but if I fall, here is my dear son, place him on my throne, his gratitude will be the rewarder of your fidelity!" Here he stopped, and let a few tears roll down his iron cheek. The archbishop wept; the spectators were tenderly affected; and, after a brief pause, the air was rent with shouts of applause and loyalty.† This display of enthusiasm gave the king great encouragement, and having issued writs for the protection of church property, and appointed his former opponent, the Archbishop of Canterbury, chief of the council of regency under Prince Edward, he went to embark for Flanders with such troops as he had kept together. But a few days after, on August 12th, he was brought to a halt at Winchester, by reports of the hostile spirit of the nobles; and while in that city, a remonstrance, in the name of the archbishops, bishops, abbots, and priors, the earls, barons, and commons of England, was presented to him. After stating in broad terms that they were not bound to accompany the king to Flanders,—a country where neither they nor any of their ancestors had ever done service for the kings of England; and that even if they were inclined to take part in that expedition, the poverty to which he had reduced them rendered them unable to do so: they went on to tell him, in their bold remonstrance, that he had repeatedly violated their charters and liberties; that his "evil toll" (so they called the export duty on wool) was excessive and intolerable, and that his present expedition to the continent was ill-advised, seeing that his absence would leave the country open to the incursions of the Scots and Welsh. The king evaded any very direct answer, and relying on the favourable disposition of the common people, and the vigilance of his officers, he had the courage to depart in the very midst of these discontents.‡ He landed near Sluys in the end of August: his plans were concerted with his usual sagacity; but coalitions are faithless and uncertain things, and he had in Philip le Bel an opponent as crafty and, at the least, as unscrupulous as himself. These great kings had long struggled for possession of a young lady,—Philippa, daughter of Guy Count of Flanders. As early as the year 1294, Edward had concluded a treaty of marriage, which was to unite the fair Fleming to the Prince of Wales; but it was Philip's interest to prevent

any close union between England and Flanders, and he resolved that the marriage should not take place. After many secret intrigues,—which failed, as both the young lady and her father were bent on the English union,—the French king invited Count Guy to meet him at Corbeil that he might consult him on matters of great importance. The Count, who was a frank, honest old man, went, and took his countess with him: he was no sooner in his power than Philip harshly reproached him with the English treaty,—told him that no *vassal* of the French crown, however great, could marry any of his children without the king's license,—and then sent him and his wife prisoners to the tower in the Louvre.

This arbitrary and treacherous measure excited great disgust, and the better feeling of the French peers, and the remonstrances of a papal legate, forced Philip to liberate the old count and his countess. Before letting go his hold, however, he made Guy swear he would think no more of his English alliance. The count contracted the forced obligation; but this was not enough for the French king, who had broken too many oaths himself to have much reliance on those of other people: he demanded that Philippa should be placed in his hands as a hostage; and when that young lady was brought to Paris—and not before—her parents were liberated. Their parting was sad and tender. As soon as the count reached his own dominions, he made an affecting appeal to the pope; the church entered with some zeal into the case; but notwithstanding repeated threats of excommunication, Philip le Bel persisted in keeping his innocent hostage, who was not more than twelve years of age. At last, the old count formally renounced his allegiance, defied his suzerain, and entered heart and soul into a league with the English king, whose notion was, that France would be found more vulnerable on the side of Flanders than on that of Guienne. It was in consequence of this treaty, which was sworn to in the most solemn manner, that Edward went to Flanders, after preparing a formidable alliance. The other chief members of the coalition were, the emperor, the Duke of Austria—who had both been subsidized by Edward—and the Duke of Brabant and Count of Bar, who were his own sons-in-law by their marriage with the princesses Margaret and Eleanor of England. When the hired allies got Edward's money, they seem to have considered their part of the business as done; and no member of the coalition was very faithful or strenuous, except the unhappy Count Guy, whose cruel wrongs bound him firmly to Edward. But the whole expedition became a series of misadventures, some of which were sufficiently disgraceful to the English conqueror. He had scarcely landed at Sluys, when the mariners of the Cinque Ports, and those of Yarmouth and other ports—between whom there were many rancorous old jealousies—quarrelled, and then fought, as if they had been national enemies ranged under two opposite flags. On the Yar-

* The descent at Dover had greatly inflamed the people against the French; and in the popular accounts of the savage warfare by sea, the atrocities of the enemy alone were dwelt upon.

† Heming.—Knyghton.—Rymer.

‡ Heming.—Wals.—Knyght.—Rymer.

mouth side, five-and-twenty ships were burnt and destroyed in this wild conflict. One fact which the chroniclers mention looks almost as if the fight had been for the money on board, and most of the mariners little better than pirates; "and also three of their greatest ships—part of the king's treasure being in one of them—were tolled forth into the high sea, and quite conveyed away."* The king's land-forces were scarcely in a better state of discipline, owing probably to the absence of most of the great officers whom they had been accustomed to obey. The disorders they committed did not tend to produce unanimity in the country, which was already in "evil state, by reason that the good towns were not all of one mind." The rich and populous cities of Flanders were, in fact, as jealous of each other, and split into almost as many factions as the little Italian republics of the middle ages. Philip had a strong party among them, and that active sovereign had greatly increased it, and weakened his enemies, by marching into the Low Countries at the head of 60,000 men, and gaining a great victory at Furnes, before Edward could arrive. The French occupied many of the towns; and Lille, Courtrai, Ypres, Bruges, and Damme were either taken or given up to them soon after the landing of the English. Edward drove them with great loss out of Damme, and might have done the same at Bruges, had it not been that his English and the Flemings, who were serving with them, fell into strife, and fought about the division of the spoils of the town, which they had not yet taken. Soon after this, he went into winter-quarters at Ghent, and there deadly feuds broke out between the townspeople and his troops: seven hundred of the latter were killed in a tumult, in which Edward's own life was endangered. The English foot-soldiers, on their side, sacked the town of Damme, and killed some two hundred Flemings. It was not likely that such tender allies should do much against the common enemy; and all the efforts made by the king and Count Guy failed to reconcile these animosities.

A.D. 1298. Spring approached, but it brought no news of the inactive members of the coalition; and as Edward's presence was much wanted at home, he eagerly listened to overtures from Philip, concluded a truce for two years, and, leaving Count Guy to shift for himself, sailed for England.

It could not be denied that, after throwing away immense sums of money, he returned humbled and disgraced. But his English subjects had not waited for this moment of humiliation to curb his arbitrary power. As soon as he set sail for Flanders the preceding year, the Constable and Earl Marshal, with many other nobles, in presence of the Lord Treasurer and of the judges, forbade the officers of the Exchequer, in the name of the whole baronage of England, to exact payment of certain taxes which had been laid on without proper consent of parliament. The citizens of London and of the

*Hollinshed.

other great trading towns made common cause with the barons; and, after issuing some orders which the Exchequer durst not obey, and making some fruitless attempts at deception and evasion, Edward was obliged to send over from Ghent instructions to his son and the council of regency^a to bend before a storm which there was no opposing; and, in the month of December, from the same city of Ghent, he was fain to grant, under the great seal, another confirmation of the two charters, together with a full confirmation of the important statute called "De Tallagio non Concedendo," declaring that henceforth no tallage or aid should be levied without assent of the peers spiritual and temporal, the knights, burgesses, and other freemen of the realm, which had been passed in a parliament held by Prince Edward in the preceding September. For many years parliament had exercised a salutary control in such matters, but this statute, for the first time, formally invested the representatives of the nation with the sole right of raising the supplies. Edward felt this as a painful state of dependence; he knew it would check his ambition, and probably prevent his foreign wars; and he had scarcely set foot in England when he betrayed his irritation and disgust. It is said that, among his confidential friends, he laughed at the restrictions attempted to be imposed upon him; but his subjects were resolute, and soon made him feel that the matter was neither to be treated as of light consequence nor set aside by subterfuges.† In full parliament, which met at York in the month of May, some six weeks after his return, the Earl of Hereford, the Constable, and the Earl of Norfolk, the Marshal, demanded of him that he would ratify in person, and with proper solemnities, his recent confirmation of the charters. Edward, as if the ceremony could not have been performed in a few hours, or even *then*, at the moment, said, that it could not be now, as he must hasten to chastise the Scottish rebels; but he promised to do what was asked of him on his return from the North, and he pledged solemn oaths, *vicariously*, the Bishop of Durham and three lay lords swearing, by the soul of the king, that he should keep his promise.‡

It will prevent confusion to bring these transactions to one point, without regard to the strict chronological order in which they occurred. In March, 1299, about ten months after the meeting at York, Edward met his parliament again at Westminster. The bloody laurels of Falkirk were fresh on his brow: he had all the prestige of recent success; but, undaunted by his glory and might, the barons required the fulfilment of his promises. He was "nothing contented that this matter should be so earnestly pressed, for loth he was to grant their full request." He therefore endeavoured to gain time, putting off the question, and giving no direct answer one way or the other. When the lords

^a Several members of this council, with the Archbishop of Canterbury at their head, were known to be favourable to the cause of reform.

† He pretended that the confirmation was not binding, as he had put his seal to it in a foreign country.

‡ Fleming.—Walsing.

urged him, he withdrew from parliament and got out of London, secretly, and as if by stealth; but these earnest men would not be evaded: they followed him; and then the proud conqueror was compelled to make mean and debasing excuses, throwing the blame of his departure on the air of London, which, he said, did not agree with his constitution. At last he granted the ratification so firmly demanded; but, with singular bad faith, he took parliament by surprise, and added a clause at the end of the document,—a saving of the right of the crown,—which utterly destroyed the value of the concession, and went to shake the very foundations of the Great Charter itself. Upon this the Earls of Hereford and Norfolk, with the mass of the barons, returned sullenly to their homes. Edward was alarmed at their hostile countenance, but fancying he could delude the plain citizens, he ordered the sheriffs of London to call a public meeting, and to read the new confirmation of the charters. The citizens met in St. Paul's Churchyard, and listened with anxious ears: at every clause, except the last, they gave many blessings to the king for his noble grants, but when that last clause was read, the London burghers understood its effect as well as the noble lords had done, and they cursed as loud and as fast as they had blessed before. Edward took warning: he summoned the parliament to meet again shortly after Easter, and then he struck out the detested clause, and granted all that was asked of him in the forms prescribed.* One of the immediate benefits of these enactments was a proper definition of the limits of the royal forests, which, it was decreed, should never again be enlarged by encroachments on the subjects' lands.† But still Edward only considered these concessions as temporary sacrifices of his high prerogative, and, from the moment of granting them, he occupied the leisure which the Scottish war and his intrigues on the continent allowed him, in devising means to overthrow the power of parliament. Hereford, the Constable, died shortly after the ratification, but his principles had taken too deep and wide a root to be much injured by the death of any one man, however great. In the course of three years, the king artfully contrived to punish, on other charges, and impoverish many of the barons who had most firmly opposed him; but this measure only convinced men more than ever of the vital necessity of restricting his power. In 1304, when he had triumphed, for the moment, over all opposition in Scotland, Edward arbitrarily sent to raise a tallage on all the cities and boroughs of his demesne; and in the following year he despatched secret envoys to the pope, to represent that the concessions he had made had been forced from him by a traitorous conspiracy of his barons, and to ask an absolution from his oaths and the engagements he had so repeatedly and solemnly contracted with his subjects. Notwithstanding Edward's instancing the case of his father, Henry III., who was

* Hemingford.—Knyghton.

† Brady.

absolved of his oaths to the Earl of Leicester, the answer of Clement V. was rather an evasive one. Thus, but slightly encouraged to perjury on the one hand,—awed by the unanimity of the barons on the other,—and then, once more embarrassed by a rising of the patriots in Scotland, who never left him long in tranquil enjoyment of his usurpation, the mighty Edward was compelled to respect his engagements and the will of the nation, and to leave, as a part of the law of the land, those limitations on the power of future rulers which had been wrung from him, one of the most powerful, warlike, and skilful of kings. It required, indeed, an "intrepid patriotism" to contend* with and finally control such a sovereign, and England never has produced any patriots to whom she owes more gratitude than to Humphrey Bohun, Earl of Hereford, and Roger Bigod, Earl of Norfolk. But English historians have not borne sufficiently in mind the indirect obligation to the hardy patriots of Scotland who divided and weakened the strength of the tyrant, and, on more than one occasion, served the cause of liberty in England by distracting his attention at a critical moment, and giving full employment to his arms and resources in the North. If the Scots had been mean-spirited and submissive, the "Confirmation of the Charters" might have been annulled; and if the English had succeeded in enslaving the Scots, they might have found that they had been forging fetters for themselves.

The vision of the splendid inheritance of Eleanor of Aquitaine still haunted Edward's imagination. With such an opponent as Philip le Bel he could scarcely hope to recover all those states which the divorced wife of Louis VII. conveyed to Henry II. of England; but he was resolved to get back at least the country of Guienne, the loss of which preyed on his mind and irritated his self-esteem, for Edward prided himself as much on his policy as on his military prowess, and in that particular Philip had fairly, or rather foully, outwitted him. In the transactions which now took place, the two sovereigns ran a pretty equal career of baseness. Having experienced the expensiveness and uncertainty of foreign coalitions, and having no great army of his own to spare for continental warfare, Edward determined to obtain his end by treating diplomatically with the French king, and sacrificing his faithful ally, the Count of Flanders. In this he had more in view than the recovery of Guienne, for, as a price of his own treachery to Count Guy, he expected that Philip would be equally false to his treaty with the Scots, whom he had hurried into hostilities for his own purposes, swearing, however, that he would never abandon them. Since Edward's unfortunate campaign in Flanders, the arrogance and exactions of the French had almost destroyed their party in that country; and though they made a temporary conquest of it, the burghers of Ghent, Lille, Bruges, and the other free cities, gave them a signal defeat in the battle of Courtrai, which was fought in the year 1302.

* Hallam, Midd. Ages.

Philip's cousin, the Count of Artois, commanded the French on this occasion; and after his disgraceful defeat, all the Flemish towns threw off the French yoke, and elected John of Namur to be their governor-general, for Count Guy had been once more entrapped by Philip, who kept him a close prisoner. The French king was as anxious to recover Flanders as Edward was to keep Scotland, and to get back Guienne; and all the chivalry of France longed to wipe out the disgrace their arms had sustained at Courtrai from the "canaille of Flemings."*

It appears that the pope, who had been appealed to as mediator, first suggested, as a proper means of reconciling the two kings, that Edward, who had been for some years a widower, should marry Margaret the sister of Philip; and that his eldest son, the Prince of Wales, should be affianced to Isabeau, or Isabella, the daughter of that sovereign. This double marriage had been for some time under discussion, and had given scope to much mutual deception. Each of the kings impudently affected a delicacy of conscience about abandoning his allies, and Edward stated (what was perfectly true) that he had pledged his soul and honour to the marriage between the Prince of Wales and Philippa, the daughter of the unfortunate Earl of Flanders, and had stipulated that in case of that union being frustrated by the young lady's continued detention, or by her death, then the young prince should marry her sister;—that he, King Edward, had sworn upon the Gospels to make neither peace nor truce with France unless it were conjointly with his ally the Earl of Flanders, not even though the pope should demand it. Philip le Bel, on his side, spoke of his allies, the brave, the unfortunate Scots, and of the solemn obligations he had contracted with them; but each gracious king must have laughed at the other, and probably at himself, too, in making this interchange of scruples of conscience. Edward married Margaret of France, in September, 1299; and at the same time his son, who was thirteen years old, was privately contracted by proxy to Isabella, who was about six years old. A sort of congress, held at Montreuil, which preceded this marriage, had settled that there should be peace between the French and English crowns, that the King of England should make satisfaction for the many French ships which his mariners had illegally taken at the beginning of the war, and that the King of France should place sundry towns in Gascony in the custody of the pope, to be by him held till the Guienne question should be adjusted by peaceful negotiation. This treaty, however, had not been properly ratified; Philip le Bel quarrelled with the arbiter, and even instigated Sciarra Colonna to arrest and ill-treat Pope Boniface. Other circumstances, besides the national antipathies of the English and French people, which were already very strong, had prevented the accommodation;

but at last, on the 20th of May, 1303, the treaty of Montreuil was ratified, a treaty of commerce was concluded between the two countries, and Edward recovered Guienne, for which the Earl of Lincoln swore fealty and did homage in his name. In this treaty the Scots were not even mentioned: their envoys at the French court complained of this dishonourable abandonment, and Philip solemnly promised to plead their cause like a warm and sincere friend in an interview which he was shortly to have with the English king. This personal application, he said, would have more effect than the discussing of clauses and provisos with ambassadors; and so it might; but Philip never made it, having, indeed, bargained with Edward to abandon Scotland if he would abandon Flanders. In part through inability to prevent it, Edward had permitted Philip to have his way with the Flemings ever since his unfortunate campaign and the truce of 1297, and now he wholly gave them up, by treaty, to their enraged enemies the French, who, a few months after, avenged their defeat at Courtrai by a frightful massacre of the burghers and peasants of Flanders in the battle of Monts-en-Puelle, which was fought at a place so named, between Lille and Douai. The fate of Count Guy and of his innocent daughter was sad in the extreme. After keeping him four years in close prison, Philip le Bel liberated the count in a moment of great difficulty, and sent him into Flanders to induce his own subjects to convert a truce they then had with the French into a lasting peace. The count went, and not succeeding in his mission,—for the Flemish citizens hoped to be able to cope with the French single-handed,—he honourably returned, as he had promised to do in that case, to Philip, who again committed him to prison, and caused him to be treated with infamous severity. The poor old man died soon after at Compeigne, in the eighty-first year of his age. But neither the battle of Monts-en-Puelle, nor a series of bloody engagements which followed it, could break the spirit of the free citizens of Flanders, whose wealth, the fruit of commerce, gave them many advantages over the miserably poor aristocracy of France, and whose numbers, considering the limited extent of the country they occupied, were truly prodigious. After each reverse they rallied again, and the carnage of many battles left no perceptible diminution in their ranks. "By St. Denis," cried Philip, "I believe it rains Flemings!" At last he condescended to treat on moderate terms with the trading and manufacturing citizens whom he had once despised as incapable of "high deeds of arms;" and, about a year after the ratification of the treaty with Edward, he agreed to a truce for ten years, on condition that the Flemings, while they preserved all their ancient liberties, should acknowledge his feudal suzerainty, pay him one hundred thousand francs for the expenses of the war, and leave him in undisturbed possession of the cities of Lille, Douai, Orchies, and Bethune.

* The nobles of France seldom condescended to give the industrious burghers of Flanders a better title.

Robert, the eldest son of Count Guy, was then liberated, and entered on possession of Flanders; the body of the octogenarian state-prisoner, which had been embalmed, was delivered up; and his younger son and many Flemish gentlemen recovered their liberty. But in this general enlargement the fair Philippa,—the, at one time, affianced bride of Prince Edward of England,—was excepted; and she died of grief and captivity not long after, about two years before Edward of Caernarvon completed his marriage with Isabella of France. The events which rose out of this ill-fated marriage might have satisfied the manes of the most revengeful; and it could hardly happen otherwise than that they should be interpreted into a direct judgment of Heaven provoked by political perfidy. If she did not positively command the atrocious deed herself, Isabella was at least a main cause of the murder of her husband, and from her union with the Plantagenet were derived those English claims to the French crown, in the prosecuting of which her native land was repeatedly wasted with fire and sword from one extremity to the other, and the spirit of enmity and hatred between the two countries—already a prevalent feeling—became so envenomed and deep-rooted that five hundred years have scarcely sufficed to remove it.*

All this while Edward had never ceased to be occupied with his design of completing the subjugation of Scotland; but so long as he was embarrassed by having the French war on his hands at the same time, his operations in the north of Britain had been comparatively cramped and inefficient. Accordingly, the four years that followed the battle of Falkirk were productive of no important results, although during the whole time the hostilities between the two countries never were suspended except occasionally by a truce for a few months. Wallace disappears from the scene after his great defeat. In his room, the barons appointed William Lamberton, Bishop of St. Andrews, John de Soulis, John Comyn the younger, and Robert Bruce Earl of Carrick, Guardians of the kingdom in the name of Baliol. This was indeed a strange union of all the great factions, Bruce acting in the name of Baliol, and associated in the same commission with Comyn, the only person who stood between him and the throne if Baliol should be set aside; for Comyn was the son of Baliol's sister Marjory, and, failing King John and his issue, the heir of right to the crown. John Baliol, who had remained a prisoner in the Tower since his abdication in 1296, was liberated by Edward on the intercession of Pope Boniface, in July, 1299, and conveyed to his ancestral estate of Bailleul in Normandy, where, forgetting that he had ever been a king, he lived in quiet till his death in 1314. Edward Baliol, who had been his father's fellow-prisoner, accompanied him to France; but of him we shall hear more in the sequel. It was not till November, 1299, that the English king found

leisure from his other affairs to set about preparations for the prosecution of the Scottish war, and the effort he then made ended in nothing; for after an army had been assembled at Berwick in November, his barons, alleging his continued evasion of the charters, peremptorily refused to advance, and he was obliged to return home. The consequence was the capitulation of the castle of Stirling to a Scottish force that had been for some time besieging it. In the summer of 1300, Edward made an incursion into Annandale and Galloway; but it was attended with no result except the devastation of the former of these districts, and the formal and useless submission of the latter. On the 30th of October, a truce with the Scots was concluded at Dumfries, to last till Whitsunday in the following year. It was during this interval that Pope Boniface VIII., in a letter to Edward, advanced the singular claim that the kingdom of Scotland belonged of right to the holy see. "But," added his holiness, "should you have any pretensions to the whole or any part of Scotland, send your proctors to me within six months: I will hear and determine according to justice. I take the cause under my own peculiar cognizance." To this impudent demand, a parliament, which met at Lincoln in February, 1301, returned a short and spirited answer. "At no time," said the English barons, "has the kingdom of Scotland belonged to the church. In temporal affairs, the kings of England are not amenable to the see of Rome. We have with one voice resolved that, as to temporal affairs, the king of England is independent of Rome; that he shall not suffer his independency to be questioned; and therefore that he shall not send commissioners to Rome. Such is, and such, we trust in God, will ever be our opinion!" A longer and more deferential epistle from Edward himself, a few months afterwards, entered into an elaborate examination of the question; and, in the end, Boniface found it expedient to profess himself convinced, or at least to act as if he had no longer any doubt of the English supremacy. He soon after addressed the Scottish clergy in terms of violent reproof for their opposition to Edward his "dearly-beloved son in Christ," and enjoined them to strive, by repentance and by most earnestly pressing the submission of their countrymen, to obtain forgiveness of God and man. Meanwhile, the truce having expired, Edward, in the summer of 1301, again marched into Scotland. This campaign, however, was still more unproductive than the last; the Scots, adhering to the course that had hitherto proved most effective in ridding them of their invaders, as the English king advanced, laid the country waste before him, till at last, an early and severe winter coming on, he was compelled to retire into the town of Linlithgow. Here he built a castle, and kept his Christmas. In January, 1302, by the mediation of France, he was induced to conclude another truce with the Scots, to endure till the 30th of November (St. Andrew's Day). It is observable that the Scottish commissioners on

* Rymer.—Sueyro and Bzovius, as quoted in Southey's *Naval Hist.*—Meseray.

this occasion still professed to act in the name of Baliol, against whose title to be called a king, however, Edward protested. As soon as the truce had expired, he prepared to renew the war. This time, however, instead of proceeding to Scotland in person, he sent thither John de Segrave, upon whom he had lately bestowed the appointment of governor, at the head of an army of 20,000 men, mostly cavalry. The issue of this expedition was eminently disastrous. Segrave, advancing towards Edinburgh, was suddenly attacked early in the morning of the 24th of February, 1303, in the neighbourhood of Roslin, by the Scottish forces under the command of Comyn, the guardian, and Sir Simon Fraser, and sustained a total defeat. He had arranged his forces in three divisions, which appear to have been successively fallen upon by the Scots, and one after the other completely put to the rout. In the first fight, Segrave himself, after being dangerously wounded, was made prisoner, along with sixteen knights and thirty esquires: his brother and son were afterwards taken; and it is said that the victors, on coming up with the second and third divisions of the English, were each time compelled to disencumber themselves for the fresh encounter by the slaughter of all their prisoners. Much spoil was also taken; and the affair once more for the moment cleared the country of its invaders.

But the termination of the dispute with France now left Edward free to turn with his whole power to the Scottish war. The treaty of Montreuil was ratified at Paris, as above related, on the 20th of May; on the 21st of that month, the English king was with his army at Roxburgh, and, on the 4th of June, he had reached Edinburgh, his progress, in which he had encountered no opposition, having been marked at every step by fields laid waste and towns and villages set on fire. From Edinburgh he appears to have pursued his unresisted and destructive course by Linlithgow and Clackmannan to Perth, and thence to Aberdeen and Kinloss in Moray. At the strong and extensive fortress of Lochendorb, built on an islet in the midst of a lake in the heart of Morayshire, he established his quarters for some time, while he received the homage and oaths of fealty of the northern barons. The tradition of the neighbourhood, after the lapse of more than 500 years, still connects the ruins of Lochendorb with the name of the great English king.* From this remote point he returned southwards in the latter part of October. Of all the places of strength to which he came, the castle of Brechin alone shut its gates against him. It was commanded by Sir Thomas Maule, who, while the English were battering the fortresses with their engines, is said to have exhibited himself in defiance on the ramparts, with a towel in his hand, with which he contemptuously wiped off the dust and rubbish that fell upon him. The valiant knight, however, was at last struck by a missile; but even while expiring of his mortal

wound, he inveighed against his men as cowards when they asked him if they might now surrender the castle. The garrison, however, capitulated the day after their commander ceased to breathe. Edward took up his winter-quarters in Dunfermline in the beginning of December. Here, according to the History attributed to Matthew of Westminster, the English soldiers levelled with the ground the magnificent abbey of the Benedictines, a building so spacious, says this writer, that three kings with all their attendants might have been lodged conveniently within its walls; but "the Scots," he adds, by way of apology, "had converted the house of the Lord into a den of thieves, by holding their rebellious parliaments there." The last remnant of the Scottish forces that kept the field now assembled in the neighbourhood of Stirling, with the view of protecting that fortress, the only place in the country that still held out. But the advance of Edward and his cavalry at once dispersed this little army. Shortly after, on the 9th of February, 1304, Comyn, by whom it had been commanded, and some other noblemen, made their submission to the commissioners of the English king at Strathorde,* in Fifeshire. It was agreed that they should retain their lives, liberties, and lands, subject only to such fines as Edward might impose. The capitulation was to include all other persons who might choose to take advantage of it, with the exception only of Wisheart, Bishop of Glasgow, the Steward, and Sir John Soulis, who were to remain in exile for two years, and not to pass to the north of the Trent; of David de Graham and Alexander de Lindesay, who were to be banished from Scotland for six months; of Simon Fraser and Thomas Bois, who were to be banished for three years from all the dominions of Edward, and also to be prohibited from passing into France; and, closing the honourable list, the illustrious Wallace, to whom it was significantly accorded that, if he chose, he might render himself up to the will and mercy of Edward. Not long after, about the middle of Lent, a parliament was assembled at St. Andrew's, in which sentence of outlawry was pronounced against Wallace, Fraser, and the garrison of Stirling, on their being summoned and failing to appear. All the persons above named eventually surrendered themselves on the terms offered to them; even Fraser at length gave himself up: Wallace alone stood out. The rhyming chronicler, Langtoft, relates that, from his hiding place in the forest of Dunfermline, the outlaw sent some of his friends to Edward, with a proposal to surrender himself on a written and sealed assurance of his life and heritage. But "full grim" was Edward, it is added, when this was reported to him: he cursed Wallace and all who supported him as traitors, and set a reward of 300 marks upon his head. On hearing this, Wallace, flying again to the moors and marshes, betook himself for subsistence to his old occupation of plunder,—“in mores and mareis with robberie him fedis.”

* See T; Uer, l. 200 and 433.

* This place, we believe, is now known

Scotland, however, was not yet completely subdued so long as its chief place of strength, the castle of Stirling, remained un-reduced. To the siege of this fortress, therefore, Edward now addressed himself. The operations commenced on the 22nd of April. Sir William Oliphant, the governor, had offered, if a cessation of hostilities were granted, to repair to France and there take the commands of Sir John Soulis, from whom he had received his charge. "Am I to wait for his orders?" exclaimed Edward; "defend the castle if you will!" Thirteen warlike engines, according to Langtoft, the best in the kingdom, were brought to be used against the devoted walls; and the ample leaden roof of the cathedral of St. Andrew's, Fordun tells us, was torn off to assist in the construction of these formidable machines. Some of them, Hemingford says, threw stones of two and three hundred weight. Another species of engine that was used was the espringal, or springal, by which darts were projected, sometimes winged with brass instead of feathers. Edward himself directed every thing that was done, and "though far advanced in years," to borrow the expression of Lord Hailes, "exposed his person with the fire and temerity of a young soldier." He was several times struck by stones and javelins thrown from the castle, and once an arrow shot at him from a sort of cross-bow stuck in his armour. After the siege had continued nearly a month, without much progress having been made, the sheriffs of York, Lincoln, and London were commanded to purchase all the bows, quarrels, and other warlike weapons that could be procured within their districts, and to send them to Stirling; and the governor of the Tower was also desired to send down immediately a supply from those under his charge. All the efforts of these assailants, however, were repelled for two months longer by Sir William Oliphant and his handful of gallant associates. They held out till their provisions were exhausted and the castle was reduced almost to a heap of ruins. Then, on the 20th of July, when Edward would listen to no other terms, they surrendered at discretion. The governor and twenty-four of his companions of rank, all, except two of them who were ecclesiastics, stripped to their shirts and under garments, were led forth from the castle, and presenting themselves before Edward on their bent knees, with their hair dishevelled and their hands joined in supplication, acknowledged their guilt with trembling and the semblance of shedding tears,* and gave themselves up to his mercy. Such was the ungenerous price exacted from them for a chance of life. Their lives were spared, and they were sent to the Tower of London and other English prisons. Besides the twenty-five gentlemen, thirteen ladies, their wives, and sisters, had shared along with them the dangers and privations of their obstinate defence. The garrison, which had so long defied the whole power of the English army, was found to have

consisted of no more than a hundred and forty soldiers.

A few months after the fall of Stirling, the last enemy that Edward had to dread, and the last hope of Scottish independence, seemed to be cut off by the capture of Wallace. It appears that Edward had anxiously sought to discover his retreat, and that, tempted by the prospect of the rewards his baseness might earn for him, Ralph de Haliburton, one of the prisoners lately taken at Stirling, had proffered his services for that purpose. It is not clear, however, that it was by Haliburton's exertions that Wallace was actually taken; all that is certainly known is, that, upon being seized, he was conveyed to the castle of Dunbarton, then held under a commission from the English king, by Sir John Menteith. Menteith has been represented as the betrayer of Wallace, whose friend or intimate associate, moreover, to make his treachery the blacker, he is said to have been; but his part in the transaction seems to have gone no farther than the performance of the duty to which his trust bound him—of receiving the prisoner, and having him conveyed to England.* He was brought to London, "with great numbers of men and women," says Stow, "wondering upon him. He was lodged in the house of William Delect, a citizen of London, in Fenchurch-street. On the morrow, being the eve of St. Bartholomew, he was brought on horseback to Westminster, John Segrave and Geoffrey, knights, the mayor, sheriffs, and aldermen, of London, and many others, both on horseback and on foot, accompanying him; and in the great hall at Westminster, he being placed on the south bench, crowned with laurel—for that he had said in times past that he ought to bear a crown in that hall, as it was commonly reported—and being approached for a traitor by Sir Peter Malorie, the king's justice, he answered, that he was never traitor to the king of England; but for other things whereof he was accused, he confessed them." These circumstantial and minute details, inartificially as they are put together, and homely or trivial as some of them may be thought, are yet full of interest for all who would call up a living picture of the scene. Wallace was put to death as a traitor, on the 23rd of August, 1305, at the usual place of execution—the Elms in West Smithfield. He was dragged thither at the tails of horses, and there hanged on a high gallows, after which, while he yet breathed, his bowels were taken out and burnt before his face. The barbarous butchery was then completed by the head being struck off, and the body being divided into quarters. The head was afterwards placed on a pole on London Bridge; the right arm was sent to be set up at Newcastle, the left arm to Berwick, the right foot and limb to Perth, and the left to Aberdeen.

* There is a very able and spirited vindication of Sir John Menteith in Mr. Mark Napier's late "Memoirs of John Napier of Merchiston," 4to. Edin. 1834, pp. 577, &c. See also "Tracts Legal and Historical," by J. Riddell, Esq. 8vo. Edin. 1835, pp. 145-149. The admirable Hailes first pointed out the improbabilities and unfounded assumptions of the vulgar account, *Annals*, l. 343, 344.

* Quasi cum lacrimis.—Rym. ii. 951.

A few weeks after the execution of Wallace, ten commissioners, elected by a council of the Scottish nation, which Edward had summoned to meet at Perth—namely, two bishops, two abbots, two earls, two barons, and two representatives of the boroughs, assembled in London, and there, in concert with twenty commissioners from the English parliament, proceeded to settle a plan of government for the conquered country. The alterations made were not greater than might seem to be called for to secure the dependence of Scotland upon the English crown; but as was to be expected, a controlling power over all offices and appointments was left in the hands of the king. The whole arrangement, however, was suddenly overthrown ere it had been well established. Within six months from the death of Wallace, the Scots were again up in arms, around a new champion.

This was Robert Bruce. Bruce had again made

his peace with England some time before the capitulation of Comyn and his friends at Strathorde, which he was enabled the more easily to effect, inasmuch as he had not been present at the battle of Falkirk, having previously shut himself up in the castle of Ayr, and refused to join the Scottish army. Edward had since sought to secure his adherence, by treating him with especial favour and confidence. When his father, who had all along continued attached to the English interests, died, in the latter part of the year 1304, young Bruce was immediately permitted to take possession of the whole of his estates both in England and Scotland. At the settlement of the latter kingdom, in the following year, while his great rival, Comyn, was fined in three years' rent of his lands, Bruce was entrusted with the charge of the important fortress of Kildrummie, in Aberdeenshire, by commission from the English king. It is never to be forgotten that, up to this time, whatever his aver-



RUINS OF KILDRUMMIE CASTLE.

sion to the English domination may have been, there had been repelling circumstances of the strongest nature to prevent Bruce from taking part cordially and steadily with the patriotic party in his native land, who, although they were contending against England, acted in the name and chiefly under the conduct of the enemies of his house and person—of the family which he looked upon as having come between him and his splendid birth-right, and by which also he must have been regarded as a natural rival and object of suspicion. Wallace might fight for Baliol; Bruce scarcely could. And as little, after Baliol might be considered to be set aside, could he ally himself with

Comyn, the near connexion of Baliol and the inheritor of his pretensions. Bruce, indeed, if he still retained a hope of seating himself on the disputed throne, must now have looked upon Comyn as the man of all others of whom it was most necessary for him to clear his path; and the same also no doubt were the feelings of Comyn in regard to Bruce. If either, by whatever means, could put down the other, the strong necessity of self-preservation would banish many scruples—for the one was scarcely safe while the other lived. It is probable enough that the favour of Edward was courted by each with the object of depressing or destroying his rival. The circumstances, how-

ever, that led to the fatal explosion of the inflammable elements which only required to be brought together to produce such a catastrophe, are involved in much uncertainty; the real facts were probably never very generally known, and tradition naturally busied itself in embellishing so remarkable an event. It appears, that in June, 1305, after his last submission to Edward, Bruce had entered into a secret league with William de Lamberton, bishop of St. Andrew's, by which the parties mutually bound themselves to stand by each other against all persons whatsoever. This curious instrument is still preserved.* There can be no doubt that what it chiefly contemplated was the assertion, at some future day, of Bruce's claim to the crown. It is supposed that Comyn had obtained a knowledge of this agreement, and that thereupon a conference on the subject of their pretensions took place between him and Bruce, when Bruce is said to have proposed either that he should have the crown and Comyn his estates, or that he should have Comyn's estates and Comyn the crown. It was agreed that Bruce's title to the crown should be supported by both. With whatever views Comyn may have entered into this negotiation, he eventually (so proceeds the story) communicated all that had taken place to Edward. Bruce received the first intimation of his danger from Edward's son-in-law, the Earl of Gloucester, who, by way of warning him to take instant flight, sent a messenger to him with twelve pence and a pair of spurs, under the show of restoring what he had borrowed. Early the next morning, Bruce set out for Scotland, taking the precaution to make his horse's shoes be reversed, that he might not be tracked in the snow, which had fallen heavily during the night. On his way he met a person on foot, whom he found to be the bearer of letters from Comyn to Edward, urging his death or immediate imprisonment. He slew this man, and, with the letters in his possession, pressed forward to his castle of Lochmaben, where he arrived on the seventh day after his departure from London. The most of this, it must be confessed, is more like fiction than fact. It is certain, however, that on the 10th of February, 1306, Bruce and Comyn met alone in the convent of the Minorites at Dumfries, and that there a passionate altercation having arisen between them, Bruce drew his dagger, and stabbed Comyn as they stood together beside the high altar. Hurrying from the sanctuary, he called "to horse!" and when his attendants, Alexander Lindsay of Crawford, and Roger Kirkpatrick of Closeburn, seeing him pale and violently agitated, inquired the cause, "I doubt," he replied, "I have slain Comyn." "You doubt?" exclaimed Kirkpatrick; "I'll make sure." And, with these words, he rushed into the church, and gave the wounded man his death-stroke, despatching also his kinsman, Sir Robert Comyn, who tried to defend him. In memory of this deed, the descendants of Kirkpatrick still bear as their crest

* See it printed in *Halles*, i. 342.

a hand grasping a dagger distilling drops of blood, with the words "I make sicker," (that is, sure), as a motto.

Whatever might have been Bruce's previous plans, there was no room for doubt or hesitation now. The boldest course afforded the only chance of safety. He immediately called his friends around him—they were few in number; but, desperate as the hazard looked, there were some gallant spirits that did not shrink from setting their lives (which many of them lost) upon another cast for the freedom of their country. The Bishops of St. Andrew's and Glasgow, the Abbot of Scone, Bruce's four brothers, Edward, Nigel, Thomas, and Alexander, his nephew, Thomas Randolph, his brother-in-law, Christopher Seton, and some ten or twelve others, mostly young men, gathered at the summons. They met at Glasgow, and from thence rode to Scone, where Bruce was solemnly crowned on the 27th of March.

Edward was at Winchester when the news of this revolution was brought to him. He immediately sent forward the Earl of Pembroke, with the title of Guardian of Scotland, at the head of a small army to check the insurgents; and, advanced in years as he now was, proceeded to make ready, if it should become necessary, to follow in person. In preparation for the expedition, proclamation was made that the Prince of Wales would be knighted on the feast of Pentecost; and all the young nobility of the kingdom were summoned to appear at Westminster to receive that honour along with him. On the eve of the appointed day (the 22nd of May) two hundred and seventy noble youths, with their pages and retainers, assembled in the gardens of the Temple, in which the trees were cut down that they might pitch their tents; they watched their arms all night, according to the usage of chivalry, the prince and some of those of highest rank in the abbey of Westminster, the others in the Temple church. On the morrow Prince Edward was knighted by his father in the hall of the palace, and then proceeding to the abbey, conferred that honour on his companions. A magnificent feast followed, at which two swans covered with nets of gold being set on the table by the minstrels, the king rose and made a solemn vow to God and to the swans, that he would avenge the death of Comyn, and punish the perfidy of the Scottish rebels; and then addressing his son and the rest of the company, he conjured them, in the event of his death, to keep his body unburied until his successor should have accomplished this vow. The next morning the prince with his companions departed for the borders; Edward himself followed by slow journeys, being only able to travel in a litter.

Meanwhile Bruce's adherents had been increasing in number, and he had already acquired such strength, that in several parts of the country the officers of Edward and the other English had fled in terror. He now marched upon Perth,

where the Earl of Pembroke lay. It is affirmed, that when the Scots challenged the English commander to come forth and give them battle, Pembroke answered that he would fight them on the morrow; on which Bruce retired to the neighbouring wood of Methven; but that same evening (19th of June) the English fell upon them: it was rather a rout than a battle; Bruce himself was in the greatest danger, having been three times unhorsed; Randolph and others of his friends were taken; and he with difficulty made good his retreat into the fastnesses of Atholl, with about five hundred followers, the broken and dispirited remnant of his force. For many months after this, he and his friends were houseless fugitives; a price was set upon their heads: to make their difficulties and sufferings the greater, they were joined after some time by a party of their wives and daughters; and as they penetrated farther and farther into the depths of the Highlands, to avoid the English troops that scoured the country in search of them, their miseries, both from want of shelter and frequent want of food, as well as from the increasing danger, became daily more pressing. On reaching the borders of Argyle, Bruce and his little band were set upon in a narrow defile by the Lord of Lorn, who had married an aunt of Comyn, at the head of a thousand followers, and after a sharp but unequal encounter, with difficulty escaped with their lives. At last Bruce's queen and the other ladies were conducted by his brother Nigel to the castle of Kildrummie; and Bruce himself soon after found means to pass over to the little isle of Rachrin on the northern coast of Ireland.

While the Scottish king lay concealed here, ruin fell upon almost all the connexions and adherents he had left behind. The Bishops of St. Andrews and Glasgow, and the Abbot of Scone, had fallen into the hands of the English soon after the battle of Methven: they were taken clad in armour, and were immediately sent, so attired and in fetters, to England, and there consigned to different prisons. Their sacred character alone saved their lives. Bruce's queen and his daughter Marjory having left Kildrummie, and taken refuge in the sanctuary of St. Duthac, at Tain, in Ross-shire, were seized there by the Earl of Ross. The knights who were with them were put to death; and they themselves were sent to England, where they endured an imprisonment of eight years. The youthful Nigel Bruce, much beloved by the people for his gallantry and the graces of his person, was compelled to surrender the castle of Kildrummie, and, being sent in irons to Berwick, was there hanged, and afterwards beheaded, along with divers other knights and gallant men. Christopher Seton suffered a similar death at Dumfries, the Earl of Atholl and Sir Simon Fraser in London, and many others there and elsewhere. Thus did Edward make the best blood of Scotland flow in torrents in expiation of what he called the rebellion and breach of faith of the

people of that country. "It is remarkable," as is well observed by Hailes, "that in the preceding year he himself procured a papal bull, absolving him from the oath which he had taken for maintaining the privileges of his people. But the Scots, without papal authority, violated their oaths, and were punished as perjured men. It is a truth not to be disguised, that in those times the common notions of right and wrong were, in some sort, obliterated. Conscience, intoxicated with indulgences, or stupified by frequent absolution, was no longer a faithful monitor, amidst the temptations of interest, ambition, and national animosities."

Bruce, however, had not been idle in his winter retreat; and early in the spring of 1307 he passed over from Rachrin to the isle of Arran, with a company of about three hundred men, embarked in thirty-three galleys, which, according to Fordun, he had been enabled to raise by the aid of a chieftainess, called Christiana of the Isles. Before venturing to the opposite coast, he despatched one of his followers to ascertain what were the dispositions of the people, with instructions, if he found appearances favourable, to light a fire on a certain day, on an eminence near the castle of Turnberry. This had been one of the chief seats of his own family, and the surrounding district was his ancestral territory of Carrick. When the appointed day arrived, Bruce looked anxiously for the expected signal: at length, when it was already past noon, he saw the fire; on which he quickly embarked with his associates, and they steered their course during the darkness by its light. When they approached the landing-place, Bruce's emissary stood on the shore. He told them that the English were in complete possession of Carrick; that Lord Percy, with a numerous garrison, held the castle of Turnberry; and that there was no hope of a rising in favour of Bruce. "Traitor!" cried Bruce; "why did you make the signal?" "I made no signal," replied the man; "but, observing a fire on the hill, I feared that it might deceive you, and I hastened hither to warn you from the coast." Bruce hesitated what to do; but his brother Edward boldly declared for pursuing their enterprise at all hazards. They immediately attacked a body of the English that lay close at hand, and succeeded in putting most of them to the sword. Percy, who heard the tumult, did not dare, in his ignorance of the numbers of the enemy, to come forth from the castle. After this exploit, Bruce sought shelter, in the first instance, in the mountainous parts of the surrounding country. But the bold blow he had struck sufficed to rekindle the war, and it soon raged in different quarters. In the beginning of February, Bruce's brothers, Thomas and Alexander, as they were bringing over a band of eleven hundred adventurers to his assistance from Ireland, were routed at Lochrian, in Galloway, by Duncan Mac Dowal, a chief of that region, who immediately carried the two brothers, who had fallen into his hands severely

wounded, to the English king at Carlisle. Edward ordered both to instant execution. Some weeks after this, Douglas Castle, which was held by Lord Clifford, was gallantly surprised by its former owner, Sir James Douglas, one of Bruce's most distinguished followers. On this occasion he behaved with distinguished ferocity; for, not contented with the numbers of the garrison that had fallen in the encounter, he piled together the malt and corn and wine-casks, and whatever else he found in the castle that he could not carry away, and then setting fire to the heap, slew his prisoners, and threw their dead bodies among the flames, which soon enveloped the whole building, and reduced it to a blackened ruin. The tradition of the neighbourhood still remembers this horrible revenge under the name of the Douglas Larder.* It was some time, however, before Bruce was strong enough to show himself openly in the field; and he was frequently again in great personal danger as he skulked from one hiding-place to another in the wilds of Galloway, while his enemies in all directions were hunting him for his life. But at length he ventured to encounter the Earl of Pembroke at Loudon Hill; when, through the skilful disposition of his force, notwithstanding a great inferiority of numbers, he obtained a complete victory. This action was fought on the 10th of May. Three days after, he attacked another English force under the command of the Earl of Gloucester; and this, too, he succeeded in routing with great slaughter. Pembroke and Gloucester having both thrown themselves into the castle of Ayr, Bruce immediately laid siege to that fortress.

But here we must break off our account of events in Scotland for the present. King Edward all this while had advanced no farther than to Carlisle, having been detained all the winter at Lanercost, by a serious attack of illness. He had directed all the late operations of the war from his sick-bed; but now, incensed at the continued progress of the insurrection, he offered up the litter on which he had thus far been carried in the cathedral church of Carlisle, and again mounting on horseback, gave orders to proceed towards the borders. It was the effort of a dying man. In four days he advanced about six miles, when, having reached the village of Burgh-upon-Sands, he there stopped once more for the night; and on the morning of the next day, the 7th of July, expired, in the sixty-ninth year of his age, and thirty-fifth of his reign. His last breath was spent in enjoining upon those who should succeed him the prosecution of the great design of his life—the complete subjugation of that country, the hated sight of which, again, after all his efforts, in revolt against him, was thus fated to be the last on which his eyes should rest.

Prince Edward was not present when his father died, having returned to London a short time before. Froissart relates that the old king, before his

death, made his son be called, and, in the presence of his barons, made him swear upon the saints, that as soon as he should have expired, he would cause him to be boiled in a cauldron, till the flesh should fall from his bones, and afterwards bury the flesh, and keep the bones, and that every time the Scots rebelled, he would lead an army against them, and carry along with him these dead relics of his father. If this singular oath ever was exacted, it must have been not when Edward was at the point of death, but before he set out from Carlisle; and as at this time he imagined himself to be recovering, it is most probable that the incident never took place at all.

EDWARD II.—SURNAMED OF CAERNARVON.

A.D. 1307.—The death of Edward I. was cautiously concealed in the capital for many days, and Ralph de Baldoc, bishop of London and chancellor of the kingdom, continued to put his great seal to writs till the 25th of July. Edward II., however, had been peacefully recognised at Carlisle by the unanimous consent of the peers and magnates present with the army there, on Saturday, the 8th of July, the day after his father's death.* This prince had the outward appearance of many advantages: he was young, of an agreeable person, and cheerful disposition; and the fame and greatness of his father endeared him to the English people, and caused him to be respected abroad; but he had already betrayed weaknesses that would overthrow the strongest throne, and had incurred the suspicion of vices which, when once proclaimed, were sure singularly to irritate a manly nation. On his death-bed his father had implored him to eschew the company of favourites and parasites, and had forbidden him, under pain of his curse, to recal his chief minion, Gaveston, to England. Piers Gaveston was a remarkably handsome youth of Gascony, who had been brought up with the prince, over whose heart he obtained a disgraceful ascendancy. The stern old king had driven him from England; but, forgetful of his dying injunctions, and his own solemn oaths, Edward's first thoughts on his accession were to recal this favourite, and confer upon him the earldom of Cornwall, with other honours and immense estates. He was obliged, however, to make a semblance of prosecuting the war in Scotland: he hastened from London; he marched as far north as Cumnock, on the borders of Ayrshire; but at this point he turned round, and made his way back to England, without having performed anything. Meanwhile, Gaveston, who had hastily arrived from the continent, joined him in Scotland, and had scarcely made his appearance when the whole body of the government was changed. The chancellor, the treasurer, the barons of the Exchequer, the judges,—all the officers who had been appointed by the deceased king, were at once deprived of their

* Tyler, i. 356.

* Walsingham says he succeeded to the crown, "non tam jure hereditario, quam unanimi assensu procerum et magnatum."



EDWARD II. Drawn from the Tomb at Gloucester.



GREAT SEAL OF EDWARD II.

places, and in some instances stripped of their property and thrown into prison. This fate particularly befel the lord treasurer, Walter de Langton, bishop of Lichfield, and it was said for no other reason than his having reprov'd the prince, and refus'd him money for his extravagance during his father's life-time. In no case does any legal procedure appear to have been resorted to. Instead of fulfilling his father's solemn behest, Edward buried his bones in Westminster Abbey, at the head of Henry III., on the 27th day of October; and soon after he gave the money which the old

king had set apart for the Holy War to his insatiable favourite. Indeed, the whole of Edward's care seems to have been to disgust every feeling and prejudice of his barons, and to enrich and aggrandise Gaveston with a rapidity and to an amount unprecedented even in the shameful annals of favouritism. The great earldom of Cornwall, which had been appanage enough for princes of the blood, was not deemed sufficient for this Gascon knight. Edward married him to his own niece, Margaret de Clare, made him lord chamberlain, and gave him an extensive grant of lands

in Guienne. In travelling through England nothing was so frequently seen as the manors, the retinues, and houses of this overgrown minion. Nothing was granted without his consent; and it was reported, among many other things, that the king had said that he would leave him his kingdom if he could.*

When the infatuated Edward sailed for France, in January, 1308, to marry the Princess Isabella, to whom he had long been contracted, he left Gaveston regent of the kingdom during his absence, and intrusted him with more absolute powers than had ever been conferred in such cases. The Princess Isabella, daughter to Philip le Bel, was reputed the most beautiful woman in Europe, — *une des plus belles dames du monde*, according to Froissart. But Edward from the first was rather indifferent to her person. They were married with great pomp in “our Lady Church of Boulogne,” on the 25th of January; no fewer than four kings and three queens being present at the ceremony. Edward showed the greatest impatience to return to England: the usual rejoicings were cut short, and he embarked with his bride and a numerous company of French nobles whom he had invited to the coronation. Soon after their landing they were met by Gaveston and by the flower of the English nobility, who came to salute their young and beautiful queen. At this moment, paying no attention to his wife, or his guests, or to the rest of his subjects, Edward threw himself into the arms of his favourite, hugged and kissed him, and called him brother. The whole court was disgusted at this exhibition, and two of the queen’s uncles, who had accompanied her into England, could not conceal their displeasure. At the coronation, which was celebrated with great magnificence at Westminster on the 24th of February, nearly all the honours were allotted to the favourite, without any regard to the hereditary offices of the great barons. “None,” says an old writer, “came near to Piers in bravery of apparel or delicacy of fashion.” He carried the crown, and walked in procession before the king and queen; which things greatly increased the anger of the lords against him. Four days after the coronation the barons petitioned the king, and, without any ceremonious phrases, requested him to banish Sir Piers Gaveston immediately. Edward promised to give them an answer in parliament, which was to meet after the festival of Easter, and in the mean while he did all he could to disarm their resentment. But the favourite himself had no discretion; he continued to outshine all the nobles of the land, and being well skilled in those martial sports, he frequented all tournaments, and carried away many prizes. He unhorsed at different times the earls of Lancaster, Hereford, Pembroke, and Warrenne; and these triumphs are supposed to have given a fresh edge to their hatred. When the parliament met Edward was obliged to part with his minion. Gaveston took an oath that he

would never return to England, and the bishops bound him to his oath by threats of excommunication. The king accompanied him to Bristol, where he embarked; but a few weeks after it was ascertained that the exile had been appointed governor of all Ireland, and that he had established himself in that island with almost royal magnificence. From the time of his departure till that of his return,—a space of thirteen months,—the whole soul of the king seems to have been absorbed by this one subject: he employed every expedient to mitigate the animosity of his barons; he granted offices to his cousin the Earl of Lancaster; he made great concessions to Earl Warrenne and others; he wrote to Rome for a dispensation for Gaveston from his oath; and having, as he fancied, removed all dangerous opposition to the measure, he sent to recal the favourite from Ireland. They met at Chester, with a wonderful display of tenderness on the part of the king. The parliament assembled at Stamford, and the promises of the king, and the affected humility of Gaveston, obtained a formal consent to his re-establishment in England.

The king was now happy; his court was filled with buffoons, parasites, and such like pernicious instruments; and nothing was seen there but feasting and revelry. At the same time the upstart favourite became much more arrogant and insolent than he had ever been before. The English people, who despised him, would call him nothing but Piers Gaveston; upon which he caused the king to put forth a ridiculous proclamation ordering all men to give him the title of the Earl of Cornwall whenever they mentioned him. He indulged in rude witticisms and sarcasms at the expense of the English nobles, and he presumed to give contemptuous nicknames to some of the greatest barons of the kingdom. Thus, he called the Earl of Lancaster the “old hog,” or the “stage-player:” the Earl of Pembroke, because he was pale and tall, “Joseph the Jew:” the Earl of Gloucester “the cuckold’s bird:” and the Earl of Warwick “the black dog of Ardenne.”* The silly king laughed at this wretched wit, which was sure to travel beyond the applauding walls of the court. When the stern Earl of Warwick heard it, he vowed a terrible vow that he would make the minion feel “the black dog’s teeth.” Even the queen was so disgusted with this man’s predominancy, that she sent complaints to the king her father, and conceived an aversion to her husband, which, though sometimes suppressed or concealed, was never afterwards removed. The grants voted by parliament were dissipated, and Edward was continually in great straits for money. The barons, before voting supplies, had several times made him promise a redress of grievances; but when he summoned a parliament to meet at York, in October, 1309, three months after the favourite’s return from Ireland, most of the barons refused to attend, alleging that they stood in fear of the power and

* De la More.—Walsing.—Trivet.

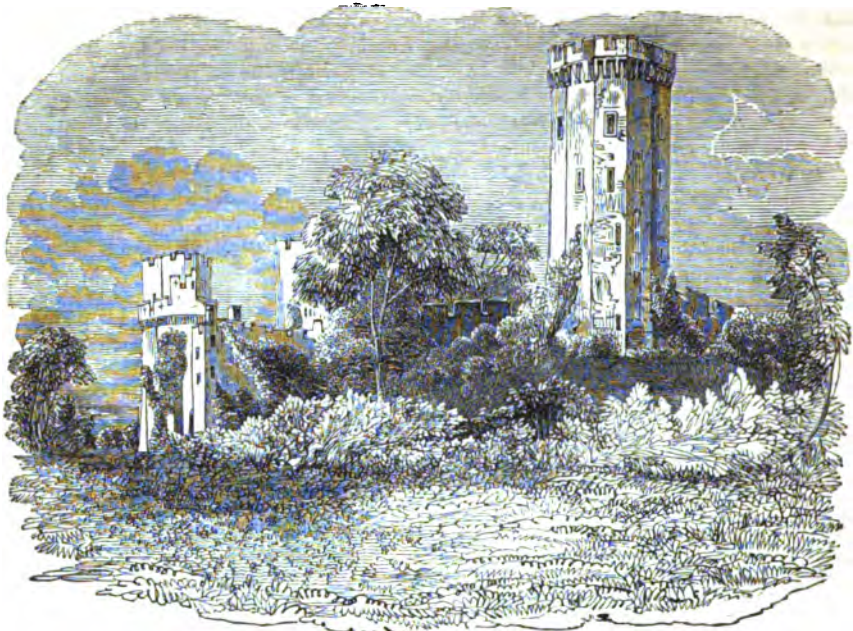
* Packington, in Leland’s Collect.—Walsing.

malice of Gaveston. The urgency of the king's wants obliged him to repeat his summons, but still they came not. The favourite then withdrew for a time; and at last the barons announced that they would assemble at Westminster. They met accordingly in the month of March, 1310; but every baron came in arms, and Edward was completely in their power. As they would no longer be amused by promises, he was obliged to consent to the immediate appointment of a committee of peers, who should have power to reform not only the state, but also the king's household. The committee was appointed by the primate, seven bishops, eight earls, and thirteen barons, who acknowledged under their signatures that this grant proceeded from the king's free will; that it was not to be considered as a precedent for trenching on the royal prerogative; and that the functions of the committee should cease at the feast of St. Michael in the following year. The committee, called "ordainers," sate in London. The king, who considered them in the light of censors and harsh schoolmasters, hurried away to the north, preferring even the toils of a campaign to a residence under their shadow. He was scarcely out of their sight when he was once more joined by Gaveston, upon whom he heaped fresh gifts, honours, and employments. The two passed the winter and the following summer at Berwick and the country about the Scotch borders, doing little or nothing, while the cautious Bruce was preparing his measures for a final expulsion of the English.

In the month of August, 1311, Edward was obliged to meet his parliament at Westminster. The barons were in a worse humour than ever: they recalled all grants made by the king to his favourite; they decreed that all made thereafter, without consent of parliament, should be invalid; that Gaveston should be banished, on pain of death in case of return; that the king should not leave the kingdom or make war without the consent of the baronage; that the baronage, in parliament assembled, should appoint a guardian or regent during the royal absence; and that all the great officers of the crown, and the governors of foreign possessions, should at all times be chosen by the baronage, or with their advice and assent in parliament. In later times these conditions were softened into the important principle that the confidence of parliament is required to render the choice of public officers agreeable to the constitution.* The king had once more confirmed the great charter, the preceding year, before going to the north, but now a new and important provision was introduced respecting the meeting of parliament:—"Forasmuch as many people be aggrieved by the king's ministers against right, in respect to which grievances no one can recover without a common parliament, we do ordain that the king shall hold a parliament once a year, or twice if need be." More for the sake of his

* Sir James Mackintosh.

favourite, than from any other motive, Edward made a show of resistance to several of these ordinances, but he was compelled to yield, and he affixed his signature to them all in the beginning of October. On the 1st of November following, after many tears, he took leave of Gaveston, who retired to Flanders, with royal letters warmly recommending him to the duke and duchess. The king, who was not incapable of a certain cunning, then dissolved the parliament, and, without betraying his intentions, cautiously retired to the north, where he hoped to collect an army that would stand for him. At York, in less than two months from his last departure, Gaveston was again with his royal master, who made him a new grant of all his estates and honours. But the career of the favourite was now drawing to its close. The barons, headed by the great Earl of Lancaster, the king's cousin, fell suddenly upon the royal party at Newcastle. Edward had time to escape, and he sailed away on board a vessel with Gaveston, leaving his beautiful wife behind him with the greatest indifference. Lancaster caused the queen to be treated with all respect, and then marched to lay siege to Scarborough Castle, into which the favourite had thrown himself, trusting to be able to hold out until the king, who had gone from thence to York, should return to his relief with an army. The castle was not tenable, and the favourite surrendered on capitulation on the 19th of May, 1312, to "Joseph the Jew," the Earl of Pembroke, who, with Lord Henry Percy, pledged his faith that no harm should happen to him, and that he should be confined in his own castle of Wallingford. From Scarborough he travelled, under the escort of Pembroke, as far as Dedington, near Banbury, and here the earl left him for a night to pay a visit to his countess, who was in that neighbourhood. Gaveston appears to have had no foreboding of his fate: on the following morning he was ordered to dress speedily: he obeyed, and descended to the court-yard, where, to his confusion, he found himself in the presence of the "black dog of Ardenne,"—the grim Earl of Warwick,—who was attended by a large force. They put him on a mule, and carried him, with shouts of triumph, to Warwick Castle, where his entrance was announced by a crash of martial music. In the castle-hall a hurried council, composed of the earls of Lancaster, Hereford, and Arundel, and other chiefs, sate upon the prisoner. A proposal was made, or a hint was offered, that no blood should be shed; but a voice rung through the hall,—“You have caught the fox; if you let him go you will have to hunt him again.” This death-note had its effect; the capitulation of Scarborough was foully disregarded, and it was resolved to put an end to the unhappy man in conformity with the ordinance passed by parliament for his last exile. He threw himself at the feet of the "old hog,"—the Earl of Lancaster,—whom he now called "gentle lord;" but there was no mercy there. They hurried him



WARWICK CASTLE; GUY'S TOWER.*

at once to Blacklow-hill, a gentle knoll a mile or two from the castle, on the edge of the road that leads from Warwick to Coventry, and there, in view of the beautiful windings of the placid river Avon, they struck off his head.†

This tragedy, unusual in England even in those turbulent times, threw the king into an agony of grief; but when he dried his tears he thought of revenge. For six months Edward and his barons were in arms against each other, but no battle took place, and a temporary reconciliation was effected at the end of the year, the king postponing the gratification of his vengeance to a more suitable opportunity. Two meetings of parliament (A.D. 1313) confirmed and completed this treaty. The barons knelt before the king in Westminster Hall, amnesties were published, and the plate and jewels of the deceased favorite were surrendered to Edward. But when they asked him to declare Gaveston a traitor, he resolutely refused.‡ This year Edward took the field in something like earnest, but he only marched to Scotland to add the disgrace of a defeat in regular war to the other reverses of his inglorious reign. While he had been occupied in England with a vain struggle to maintain his obnoxious favourite, the Scottish patriots had entirely undermined the fabric of his able father's ambition.

Ever since the death of Edward I., the English dominion in the greater part of Scotland had been little more than nominal. The progress of Bruce in liberating the country had been continued and steady; and, although something had on dif-

ferent occasions been attempted, little or nothing had been done by the indolent and incapable prince who now occupied the English throne to counteract his able and persevering efforts for the establishment and consolidation of his authority. We must content ourselves with noticing briefly the principal events that had marked the contest up to the time at which we are now arrived. Edward, on returning home, in the autumn of 1307, had left the war to be conducted by the Earl of Richmond, upon whom he conferred the office of Guardian of Scotland, and who was supported by that part of the nation which was opposed to Bruce's assumption of the crown. The latter, therefore, had both an English and a Scottish, both a foreign and a domestic enemy, to contend with. The great body of his countrymen soon became warmly attached to his cause; but in some districts even the popular feeling was hostile, and a powerful faction of the nobility was arrayed in determined resistance to his pretensions. For the present at least, and until they should have attained their immediate object of putting him down, this party professed to be in the English interest, and acted in concert with Edward's officers. Most of the places of strength throughout the kingdom were also in the hands of the English. In these circumstances the course which Bruce appears to have laid down for himself was to avoid a general action as long as possible, to keep his enemies divided by constantly occupying their attention at various points at the same moment, and so to give himself the chance of cutting them off in detail, while in the mean time he overran and ravaged in succession those parts of the country that refused to submit to his authority, and seized every favourable opportunity of reducing the castles and other strongholds. Most

* So called after the ninth earl, "The Black Dog of Ardenne," of the history; though there was also a famous Guy, Earl of Warwick, of another family, in the Saxon times.

† Rymer.—Walsing.—Knyghton.

‡ Rymer.—Walsing.—Statutes 7th Ed. II.

of these that he recovered he immediately dismantled: they were of no use, and would only have been an incumbrance to him, with the national feeling in his favour, and it was by their occupation chiefly that the English had ever been enabled to maintain their power for any length of time in the country.

The severe bodily exertion and fatigue, and the still more trying accumulation of mental distresses to which he had been subjected since the commencement of his great enterprise, had been too much even for his heroic heart and iron frame, and had reduced Bruce by the spring of 1308 to a state of debility from which it had begun to be feared that he would not recover. On the 22nd of May the royal force was encountered near Inverury, in Aberdeenshire, by a numerous force under the command of Mowbray, an Englishman, and John Comyn, the Earl of Buchan. At this time Bruce, it is affirmed, was not able to rise without assistance from his couch, but he nevertheless desired to be set on horseback, though he was only enabled to keep his seat by being supported on each side. In this state he led his men to the charge; the enemy was put to flight, and pursued with great slaughter for many miles; and if we may believe Bruce's poetical historian, Barbour, the king was restored to health by the excitement of this day. There is nothing in the story to entitle us to reject it as incredible.

Soon after this the people of Aberdeen rose and stormed the castle there, put the English garrison to the sword, and razed the fortress to the ground. An English force immediately marched against the town, but the citizens finished their exploit by likewise encountering and defeating this new enemy. With the savage spirit which the character of the war had engendered, the victors gave no quarter, but slew every man who fell into their hands. Edward I., indeed, had already set the example of executing his prisoners, and it was not to be expected that the other side would fail to follow the same course. The capture of the castle of Aberdeen was speedily followed by that of the castle of Forfar; it was surprised by escalade during the night; and here also the English by whom it was garrisoned, and of whom the number was considerable, were all massacred, and the fortifications destroyed.

There were two districts of the kingdom where the opposition to Bruce was especially strong—that of Galloway, the turbulent inhabitants of which had never yet been thoroughly reconciled to the dominion of the Scottish kings, and were besides attached by a sort of national connexion to the Baliol family through their ancient lords; and the country of Lorn in Argyleshire, the chief of which, Allaster (or Alexander) Mac Dougal (often called Allaster of Argyle) had, as mentioned above, married an aunt of Comyn, whom Bruce had slain, and was consequently one of the fiercest enemies of the latter. In the course of this summer both these districts were overrun, and for the present reduced

to subjection, the former by Bruce's brother Edward, the latter by the king himself.

Meanwhile the measures of the English government were characterised by all the evidences of distracted councils, and of the decay of the national spirit and power under the inefficient rule of the new king. Almost every quarter of a year saw the substitution of a new guardian or chief governor for Scotland; but none of these changes brought any change of fortune to the English arms. The country generally was under subjection to Bruce; and whenever he encountered any military force, whether composed of Scots or of English, he was sure to put them to flight. At last, in the spring of 1309, a truce was arranged by the mediation of the king of France. Hostilities, however, were not long suspended. The English charged the Scots with having violated the truce; but it is probable that, in the embittered state of feeling between the two parties, irregular aggressions were soon made by individuals on both sides. In the end of the year, by a second intervention of the French king, the negotiations were renewed, and another truce appears to have been concluded in the year 1310. But this also was soon broken by one party or by both. In the state to which affairs were reduced, which threatened to sweep away the last vestiges of the English authority if some great effort were not made, Edward II. at last prepared to proceed to Scotland, and take the field in person against the insurgents. Probably, however, his principal motive, as has been hinted above, for this apparent exertion of vigour was, that he might escape along with his favourite out of the observation of the Committee of Ordainers, which the parliament had recently set over him. He entered Scotland about the end of September, but, after leading his army about from place to place over the border counties for some weeks without achieving anything, he returned to Berwick, and, taking up his quarters there, remained inactive for nearly nine months. Bruce and his adherents, he afterwards boasted in a letter to the pope, lay lurking in their coverts, all the time he was in the country, after the manner of foxes.* He certainly, at any rate, did not set about unkennelling them with much ardour. Edward returned to England in the end of July, 1311; and, as soon as he was gone, Bruce made an irruption into Durham, and suffered his soldiers to wreak their vengeance on that unfortunate district by a week of unrestrained plunder and the most merciless devastation. Bringing them back loaded with spoil, he next led them to attack the castle of Perth, one of the most important of the fortresses which the English still held. After a siege of six weeks, it was taken in the beginning of January, 1312, by an assault during the night, gallantly led by the king himself. He was, Barbour says, the second person that mounted the wall. Edward now attempted, but without success, to negotiate another truce, and even solicited the intervention of the pope. But,

* Ad lascar vulpium.

instead of listening to these overtures, Bruce again invaded England, burned the towns of Hexham and Corbridge, and a great part of the city of Durham, afterwards penetrated to Chester, and, although he was repulsed in an assault upon Carlisle, only consented to return across the border upon the four northern counties purchasing a truce from him by a payment of two thousand pounds each. Not long after he succeeded in making himself master of the castle of Dumfries, and of those of Butel and Dalswinton in Galloway,—the former a seat of the Baliols, the latter of the Comyns. On the 7th of March, 1313, the important castle of Roxburgh was suddenly taken by assault; a party under the command of Bruce's friend Douglas having scaled the wall while the English garrison were enjoying the revelry of the carnival. On the 14th of the same month that of Edinburgh, which had for some time been blockaded by Bruce's nephew Randolph, now created earl of Moray, was taken in a similar manner by a party of thirty men, whom Randolph headed, and who made their way at midnight up the precipitous rock, on which the castle stands, by a secret path, along which they were guided by a man who had resided in the fortress in his youth, and had been wont to descend by that intricate and perilous access to visit a girl with whom he was in love. When the assailants had by this means reached the foot of the castle wall, and had sat down to take breath, a soldier on the ramparts, calling out "Away! I see you well!" threw down a stone to the spot where they were; but they remained motionless; and the man walked away. In a few minutes Randolph and his men, having fixed their ladder of rope, were on the top of the wall. A desperate conflict ensued; but the superior numbers of the garrison did not compensate for the confusion into which they were thrown by so sudden a surprise, and, after the governor himself had fallen in the *melee*, they surrendered at discretion. The castle was afterwards demolished. It appears to have been likewise about this time, although the event is placed earlier in the common accounts, that the castle of Linlithgow was surprised by a stratagem, which might almost be supposed to have been suggested by the classic tale of the Trojan horse, but of which the contrivance as well as the conduct is attributed to a poor countryman named William Binnock or Binny. A party of Scottish soldiers having been previously placed in ambush near the gate, Binny introduced eight men into the fort by concealing them in a waggon-load of hay which he had been employed to bring in: as soon as the waggon had reached the middle of the gateway he cut the traces by which the oxen were fastened to it, when the men immediately leaped out; in an instant, while the position of the waggon prevented the portcullis from being let down, the guard was overpowered, and the drawbridge, which had been raised, was again lowered; the party of soldiers then rushing in, easily mastered the garrison, and put them to the

sword. This same year Cumberland was again ravaged by Bruce, who then crossing over to Man, defeated a force which the governor brought out to oppose him, took the castle of Russin by storm, and effected the complete reduction of the island.

While the king was absent on this expedition, Edward Bruce had made himself master of the castles of Dundee and Rutherglen, and he had been for some weeks engaged in besieging that of Stirling, always of chief importance as the key to the whole northern part of the kingdom, and now almost the only considerable place of strength which the English still held in Scotland. After a gallant defence the governor, Philip de Mowbray, offered to surrender if not relieved by the Feast of St. John the Baptist (the 24th of June) in the following year; and this proposal Edward Bruce, without consulting his brother, accepted. It was an agreement, all the advantages of which seem to have been on one side; for it imposed an inaction of many months upon the Scots, during the whole of which time the castle would be in security, and the king of England would have abundant leisure to make the most efficient arrangements for its relief. Bruce expressed the highest displeasure when the treaty was made known to him; but he resolved, nevertheless, to abide by it. Every effort was now made on both sides in preparation for a crisis which it was felt would be decisive. King Edward, besides ordering a fleet to be fitted out to act in concert with the land forces, summoned all the military power of England to meet him at Berwick on the 11th of June, and also called to his aid both his English subjects in Ireland and many of the native Irish chiefs. That day, accordingly, saw assembled at the place of rendezvous perhaps the most magnificent army that our warlike land had ever yet sent forth; its numbers are asserted by the best authorities to have exceeded a hundred thousand men, including a body of forty thousand cavalry, of whom three thousand were clad in complete armour, both man and horse. At the head of this mighty array Edward took his course into Scotland, advancing by the east coast to Edinburgh, from which, turning his face westward, he proceeded along the right bank of the Forth towards Stirling. Bruce, meanwhile, had collected his forces in the forest called the Torwood, midway between that place and Falkirk; they amounted to scarce forty thousand fighting men, nearly all of whom were on foot. When the English approached, the king of Scots drew up his little army immediately to the south of Stirling, in a field then known by the name of the New Park, which, partly broken with wood, was in some parts encompassed by a marsh, and had running along one side of it the rivulet of Bannockburn, between woody banks of considerable depth and steepness. He arranged his men in four divisions, three of which formed a front line facing the south-east, from which direction the enemy was approaching, so that the right wing rested on the brook of Bannock, and the left

extended towards the town of Stirling. It was a position chosen with consummate skill; for while obstacles, partly natural, partly artificial, secured either flank from being turned, the space in front was at the same time so narrow and impeded as to be calculated in a great measure to deprive a very numerous hostile force of the advantage of its numerical superiority. On his most assailable quarter, his left wing, or the north-eastern extremity of his line of battle, Bruce had caused a great many pits to be dug, about three feet in depth, and then to be covered over with brushwood and sod, so as not to be easily perceptible; they might, says Barbour, be likened to a honeycomb; according to another account, sharp stakes were also fixed in the pits. Of the three divisions thus drawn up, Bruce gave the command of that forming the right wing to his brother Edward; of that forming the left to Randolph, Earl of Moray; of the centre to Sir James Douglas and Walter the Steward; the fourth division, composed of the men of Argyle, the islanders, and his own vassals of Carrick, formed a reserve, which was stationed in the rear, and of which he himself took charge.

On Sunday, the 23rd of June, intelligence was received that the English were at hand. Barbour has painted the day as one bright with sunshine, which, falling upon the burnished armour of King Edward's troops, made the land seem all in a glow, while banners right fairly floating, and pennons waving in the wind, added to the splendour of the scene. When he came within sight of the Scots, and perceived how they were planted, Edward, detaching eight hundred horse, sent them forward under the command of Sir Robert Clifford to endeavour to gain the castle by making a circuit on the other side of some rising grounds to the north-east of Bruce's left wing. Thus sheltered from observation, they had already passed the Scottish line, when Bruce himself was the first to perceive them. "Randolph!" he cried, riding up to his nephew, "a rose has fallen from your chaplet,—you have suffered the enemy to pass!" It was still possible to intercept Clifford and his horse. Randolph instantly set out to throw himself at every hazard between them and the castle: to prevent this the English wheeled round and charged him; but he had drawn up his men in a circle, with their backs to each other, and their long spears protruded all round, and they not only stood the onset firmly, but repelled it with the slaughter of many of their assailants. Still they contended against fearful odds, for the English were not only mounted, but greatly superior to them in number; and, seeing the jeopardy of his friend, Douglas requested to be allowed to go and succour him. "You shall not move from your ground," replied Bruce; "let Randolph extricate himself as he best may." But at length Douglas could no longer restrain himself: "In truth, my liege," he cried, "I cannot stand by and see Randolph perish; with your leave, I must aid him;" and so, extorting from the king a re-

luctant consent, he hastened forward. But, as he drew near, he perceived that the English were already giving way: "Halt!" he cried to his followers; "let us not diminish the glory of these brave men!"—and he did not go up to his friend till the latter had, alone and unaided, compelled the English captain to retire in confusion with his shattered force, and relinquish his attempt. Meanwhile, before this affair had yet been decided, a brilliant achievement of Bruce himself, performed in full view of both armies, had raised the hopes of his countrymen with another good omen. He was riding in front of his troops on a little palfrey, but with his battle-axe in his hand and a crown of gold over his steel helmet, when an English knight, Henry de Bohun, or Boone, mounted on a heavy war-horse, and armed at all points, recognising the Scottish king, galloped forward to attack him. Instead of retiring from the unequal encounter, Bruce turned to meet his assailant, and, dexterously parrying his spear, in the next instant, with one blow of his battle-axe, cleft his skull and laid him dead at his feet.

Although the two armies were so near, the English did not venture upon the attack that night. But next morning, soon after break of day, their van, led by the earls of Gloucester and Hereford, advanced at full gallop upon the right wing of the Scots, while the main body of the army, which had been drawn up in nine divisions, followed in a long close column under the conduct of Edward himself. The shock did not break the Scottish line; and successive repetitions of the charge were more disastrous to the assailants than to the firm phalanx against which their impetuous squadron was broken at every collision. From the advantages of their position, also, the other divisions of the Scots were soon enabled to take part in the contest. Randolph pushed forward with his men, till, as Barbour expresses it, their comparatively small body was surrounded and lost amidst the English, as if it had plunged into the sea; Douglas and the Steward also came up; and thus the battle became general along the whole length of the Scottish front line. Of the English army, on the other hand, the greater part appears never to have been engaged. A strong body of archers, however, by whom the attack of the cavalry was supported, did great execution, till Bruce directed Sir Robert Keith, the marshal, at the head of a small detachment of horse, to make a circuit by the right, and come upon them in flank. The bowmen, who had no weapons by which they could maintain a fight at close quarters, gave way before this sudden assault like an unarmed rabble, and spread confusion in all directions. Bruce now advanced with his reserve, and all the four divisions of the Scots pressed upon the confused and already wavering multitude of the English. The latter, however, still stood their ground; and the fortune of the day yet hung in a doubtful balance, when suddenly, on a hill behind the Scottish battle, appeared what seemed to be a new army. It was merely the crowd of sutlers

and unarmed attendants on the camp; but it is probable that their sudden apparition was not made without the design of producing some such effect as it did, since they are said to have advanced with banners waving and all the show of military array. The sight spread instant alarm among the English: at the same moment Bruce, raising his war-cry, pressed with new fury upon their failing ranks: his onset, vigorously supported by the other divisions of the Scottish army, was scarcely resisted by the unwieldy and now completely panic-struck mass against which it was directed: horse and foot, in spite of the most energetic exertions of their leaders to rally them, alike gave way, and fled in the wildest disorder. Many, trying to escape across the river, were driven into its waters and drowned; many more fell under the battle-axes of their pursuers. Among the slain were twenty-seven of the rank of barons and bannerets, including the king's nephew, the Earl of Gloucester, and others of the chief nobility of England. Of knights there fell two hundred, of esquires seven hundred, and of persons of inferior rank, according to some accounts, not fewer than thirty thousand. The slaughter in the fight and the pursuit together was undoubtedly very great. A vast amount of booty and many prisoners also fell into the hands of the victors. Edward himself with difficulty escaped, having been hotly pursued as far as Dunbar, a place sixty miles from the field of battle, where he found refuge in the castle. But twenty-two barons and bannerets and sixty knights were taken; and according to one English historian, the chariots, waggons, and other carriages, loaded with baggage and military stores, that were obtained by the Scots would, if drawn up in a line, have extended for sixty leagues. On their side the loss of life, which was the only loss, was comparatively inconsiderable, and included only one or two names of any note.

This great victory, in effect, liberated Scotland. The castle of Stirling immediately surrendered according to agreement. Bothwell Castle, in which the Earl of Hereford had shut himself up, capitulated soon after to Edward Bruce, when the Earl was exchanged for the wife, sister, and daughter of the king of Scots, who had been detained in England for the last seven years, and also for the Bishop of Glasgow and the Earl of Mar. Edward Bruce and Douglas, then entering England, ravaged Northumberland, exacted tribute from Durham, and, after penetrating as far as Appleby, returned home laden with plunder. "At this time," says Walsingham, "the English were so bereaved of their wonted intrepidity, that a hundred of that nation would have fled from two or three Scotsmen." Two other destructive incursions by the Scots into the northern counties of England followed in the autumn of 1314 and the summer of 1315. On the latter occasion, they assaulted both Carlisle and Berwick, but were defeated in both attempts.

Meanwhile, however, a still bolder enterprise

had been undertaken and entered upon by the ardent and ambitious brother of the Scottish king. On the 25th of May, 1315, Edward Bruce landed at Carrickfergus with no less a design than that of winning himself a crown by the conquest of Ireland. The force which he brought with him consisted of only six thousand men; but he was joined, on landing, by a number of the native chiefs of Ulster, with whom he had had a previous understanding. The invaders and their allies immediately began to ravage the possessions of the English settlers; and no attempt to oppose them seems to have been made for nearly two months, in the course of which time they plundered and burnt Dundalk and other towns, and wasted the surrounding country with merciless barbarity. At length, about the end of July, Richard de Burgh, Earl of Ulster, assisted by some of the Connaught chiefs, marched against them. The Scots at first retreated, but suddenly halting near Coyners, (on the 10th of September,) they turned round upon their pursuers and put them completely to the rout, taking Lord William Burk, and many other persons of distinction, prisoners. Soon after this, a small reinforcement of five hundred men arrived from Scotland; and the invaders now proceeded to penetrate into the heart of the country. They advanced through Meath into Kildare, and there (on the 26th of January, 1316), encountering the English army commanded by Edmund Butler, the Justiciary of Ireland, gained another brilliant victory over an enemy greatly superior to them in numerical strength. A severe famine, however, now compelled them to return to the North. On their way they were met at Kenlis, in Meath, by Roger Lord Mortimer, who thought to cut off their retreat; but this numerous force also was defeated and dispersed, and Mortimer himself, with a few attendants, was glad to take refuge in Dublin. The Scottish prince now assumed the government of Ulster. On the 2nd of May, 1316, at Carrickfergus, he was solemnly crowned King of Ireland; and from this time he actually reigned in full and undisputed sovereignty over the greater portion of the northern province. The castle of Carrickfergus, after a long siege, at last capitulated in the beginning of winter. By this time the King of Scots himself had come over to take part in the war: the force which he brought with him is said to have raised the entire numbers of the Scottish army to twenty thousand men. Thus strengthened the invaders again set out for the South, advancing right upon the capital. They failed, however, in their attempt to reduce Dublin: the citizens, after setting fire to the suburbs, which might have sheltered their assailants, set about their defence with such determination, that after some weeks the Scots raised the siege. It is probable that the want of provisions compelled them to remove. As they had already, however, wasted the country behind them, they proceeded in their course southwards, till at length, plundering and destroying as they proceeded, they had penetrated as far as the

town of Limerick. Perhaps they hoped that they might here be joined by some of the chiefs of Munster and Connaught; but if they entertained any such expectation, it does not appear to have been gratified. The difficulties of their position must now have been very serious: they were a handful of foreigners, with many miles of a hostile country between them and the nearest spot on which they could take up a secure station: famine was staring them in the face; indeed they were reduced to feed upon their horses, and want and disease were already beginning to thin their ranks. Notwithstanding, however, that an English army of thirty thousand men was assembled at Kilkenny to oppose their passage, they contrived to extricate themselves from all these perils and embarrassments, and, by the beginning of May, 1317, the two brothers had made their way back to Ulster, after having thus overrun the country from nearly one extremity to the other, without encountering any effective opposition either from the native Irish or their English masters.

The English, however, had taken advantage of the absence of the King of Scots from his own dominions to make several attempts to renew the war there. In the South, the Earl of Arundel, a Gascon knight, named Edmond de Cailand, who was governor of Berwick, and Sir Ralph Neville, were successively defeated by Sir James Douglas. Soon after, a force, which had made a descent at Inverkeithing, on the coast of Fife, was driven back by the gallantry of Sinclair, Bishop of Dunkeld, "the King's Bishop," as he used afterwards to be called, in memory of Bruce's expression when he was told of the exploit, "Sinclair shall be my bishop." The pope now interfered, and attempted to compel a truce between the two countries; but as he evaded giving Bruce the title of king, the latter would enter into no negotiation; and when the papal truce was proclaimed, he declined paying any regard to it. On the 28th of March, 1318, the important town of Berwick fell into the hands of the Scots: they were admitted into the place by the treachery of one of the English guards. The castle, also, soon after surrendered to Bruce, who followed up these successes by two invasions of England, in the first of which his army took the castles of Werk, Harbottle, and Mitford, in Northumberland; and, in the second, penetrated into Yorkshire, burnt Northallerton, Boroughbridge, Scarborough, and Skipton, and forced the people of Rippon to buy them off by a payment of a thousand marks. They then returned home laden with booty, and, as the chronicle of Lanercost expresses it, "driving their prisoners before them like flocks of sheep."

In the latter part of this year, however, the career of Edward Bruce in Ireland was suddenly brought to a close. Scarcely anything is known of the course of events for a period of about a year and a half; but on the 5th of October, 1318, the Scottish prince engaged the English at Fagher, near Dundalk, and sustained a complete defeat.

He himself was one of two thousand Scots that were left dead upon the field. Only a small remnant, consisting principally of the men of Carrick, made good their escape to Scotland. This is said to have been the nineteenth battle which Edward Bruce fought in the country, and till now, according to Barbour, he had been always victorious; but one hour sufficed to destroy all that three years had set up: the fabric of the Scottish dominion in Ireland passed away wholly and for ever, leaving scarce a trace that it had ever been.

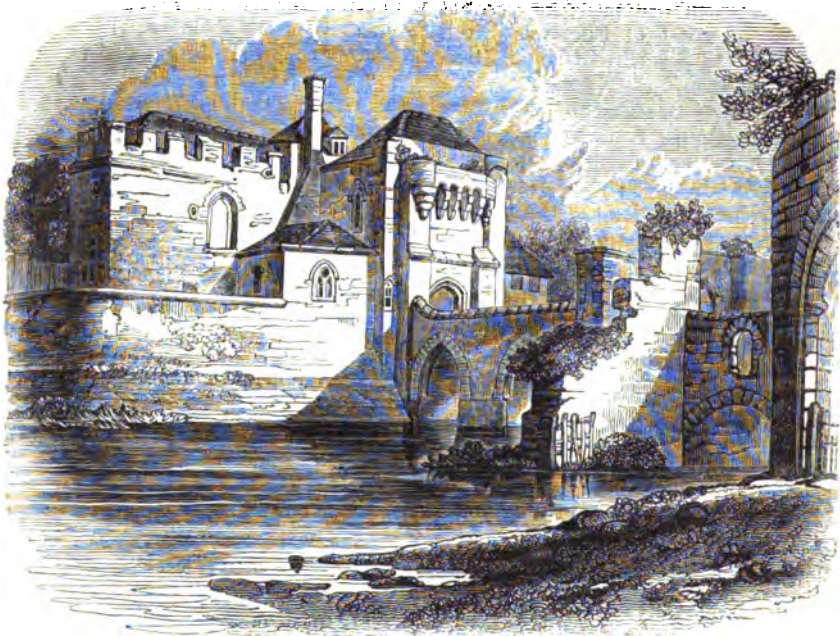
In the summer of 1319, Edward determined to make another effort on a great scale for the reduction of Scotland. Having assembled a numerous army at Newcastle, he marched thence upon Berwick, and, after much preparation, made his first attack upon that town at once by land and sea on the 7th of September: He was, however, gallantly withstood by the garrison and the inhabitants, under the command of the Steward of Scotland, and, after a long and fierce contest, repulsed at all points. The attempt was afterwards repeatedly renewed, and always with the same result. Barbour has given a minute and highly curious account of this siege, in which all the resources of the engineering science of the age were called into requisition on both sides. Meanwhile, Randolph and Douglas, at the head of a force of fifteen thousand men, passing into England by the West Marches, made a dash at the town of York, with the hope of carrying off Edward's Queen; but a prisoner, whom the English took, betrayed their scheme just in time to prevent its success. The Scots then ravaged Yorkshire with a fury as unresisted as it was unsparing, till, on the 28th of September, they were encountered by a very numerous, but in all other respects very inefficient, force, mostly composed of peasantry and ecclesiastics, under the command of the Archbishop of York and the Bishop of Ely, at Mitton on the Swale. This almost undisciplined rabble was routed at once, about four thousand of them being slain, including three hundred churchmen, wearing their surplices over their armour. In allusion to the presence of so many shaved crowns, this battle used to be termed the Chapter of Mitton. The Scots then continued their devastation of the country unopposed. It appears, from a record in the *Foedera*, that no fewer than eighty-four towns and villages in Yorkshire were the next year excused from the usual taxes, in consequence of having been burnt and pillaged by Douglas and Randolph in this destructive expedition. At length, Edward, raising the siege of Berwick, marched to intercept them; but they succeeded in eluding him, and got back to Scotland in safety. On the 21st of December, a truce for two years was concluded between the two nations, which it was hoped might lead to a permanent peace.

We now return to the course of domestic affairs. Edward could not live without a favourite; and almost the whole of the remainder of his reign is occupied by another long struggle for the support

of a minion. Soon after the death of Gaveston, he conceived the same unbounded affection for Hugh Despenser, a young man who was first placed about the court by the Earl of Lancaster. Hugh was an Englishman born, and the son of an Englishman of ancient descent; he was accomplished, brave, and amiable; but all these circumstances, which, except that of his birth, Gaveston had held in common with him, did not rescue him from the deadly hatred of the barons when they saw him suddenly raised above them all. Edward married him to the daughter of the late Earl of Gloucester, and put him in possession of immense estates, including the county of Glamorgan and part of the Welsh Marches. Through the favour of the son, the elder Despenser obtained as much or more, and all the avenues to favour and promotion were stopped by this one family. In 1321, after long heart-burnings, an imprudent exercise or abuse of authority, armed all the lords of the marches against the two Despensers, whose castles were taken and burnt, and their movable property carried off. Soon after this outbreak, the Earl of Lancaster, who, as a prince of the blood, had considered himself dishonoured by the promotion of Hugh, his poor dependent, marched from the north, and joined the Welsh insurgents with thirty-four barons and knights, and a host of retainers.

Having bound them by an oath not to lay down their arms till they had driven the two Despensers beyond sea, the great earl led them to St. Alban's, whence he despatched a peremptory message to his cousin, the king. Edward again made a show of resistance; and he took up legal ground when he asserted that it would not be proper to punish the Despensers without form of trial. Lancaster marched upon London, and occupied the suburbs of Holborn and Clerkenwell. A few days after, a parliament having assembled at Westminster, the barons, with arms in their hands, accused the Despensers of usurping the royal power, of estranging the king from his nobles, of appointing ignorant judges, of exacting fines; and they pronounced a sentence of perpetual banishment against both father and son. The bishops protested against the irregularity of this sentence, but the timid king confirmed it. As an instance of the contempt in which the royal authority was at this time held, it is related that, when Queen Isabella, passing on a journey by the Lord Badlesmere's castle of Leeds, in Kent, desired a night's lodging, she was not only refused admittance, but some of her attendants were fallen upon and killed.

Suddenly, however, the position of the two contending parties was reversed. The Despensers had been banished in the month of August.



LEEDS CASTLE.

In October they returned to England, encouraged by a bold move of the king, who took and hanged twelve knights of the opposite party. The Earl of Lancaster retired to the north, and opened a correspondence with the Scots, who promised to send an army across the borders to his assistance. This force, however, did not appear

in time; but meanwhile the secret of the application for it transpired, and inflamed the hearts of the English against the earl—for the national animosity was at its highest—and they were deemed traitors who could think of calling in the Scots to interfere in an English quarrel.

In 1322, Lancaster and his confederates were

suddenly met at Boroughbridge, by Sir Simon Ward and Sir Andrew Harclay, who defended the bridge, and occupied the opposite bank of the river with a superior force. The Earl of Hereford charged on foot to clear the passage; but a Welshman, who was concealed under the bridge, put his lance through a hole in the flooring, and thrust it into the bowels of the earl, who fell dead. Lancaster then attempted a ford, but his men were driven back by the enemy's archers, who gathered like clouds in all directions. Night interrupted the unequal combat, but in the morning the Earl of Lancaster was compelled to surrender. He retired into a chapel, and looking on the holy cross, exclaimed, "Good Lord, I render myself to thee, and put me into thy mercy." Many knights were taken with him; and besides the Earl of Hereford, five knights and three esquires were killed. The "common sort" are neither named nor enumerated. But the more fearful part of the battle of Boroughbridge was not yet over. Edward's opportunity for revenge had arrived, and he determined that many others, besides his cousin Lancaster, whom he always suspected of being a principal mover in Gaveston's death, should perish by the hands of the executioner. A court was convoked at Pontefract, in the earl's own castle, about a month after the battle. It consisted of six earls and a number of barons of the royal party: the king presided. Lancaster was accused of many treasonable practices, and especially of calling in the Scots. He was told that his guilt was so well proved to all men, that he must not speak in his defence, and the court condemned him, as a felon traitor, to be drawn, hanged, and quartered. Froissart says, that the accusation had no other foundation than the malice of Hugh Despenser; but the existence of original documents fully proves the earl's intelligence with the Scots. Out of respect to his royal blood, Edward remitted the ignominious parts of the sentence; but his ministers heaped every possible insult on the earl, and the mob were allowed to pelt him with mud and taunt him as he was led to execution, mounted on a wretched pony without saddle or bridle. "He was," says Froissart, "a wise man, and a holy, and he did afterwards many fine miracles on the spot where he was beheaded." This reputation for sanctity is mentioned by several contemporary English writers; and it is easier for a modern historian to call the earl's devotion hypocrisy than to prove it such. In his character, adventures, and fate, Lancaster bore a striking resemblance to the Earl of Leicester, the leader of the barons in the time of Henry III. Fourteen bannerets and fourteen knights-bachelors were drawn, hanged, and quartered; one knight was beheaded. "Never did English earth, at one time, drink so much blood of her nobles, in so vile manner shed as at this;" and their enemies, not contented with their blood, procured also the confiscation of their estates and inheritances. In a parliament held at York, the attainders of the

Despenser family were reversed: the father was created Earl of Winchester, and the estates of the attainted nobles were lavished on him and on his son, who became dearer to his royal master, and more prevalent in all things than he had been before his expulsion.

Many of the partisans of Lancaster were thrown into prison; others escaped to France, where they laid the groundwork of a plan which soon involved the king, his favourite, and adherents in one common ruin.* The arrogance of the younger Despenser, upon whom the lesson of Gaveston was thrown away, the ill success of an expedition into Scotland, and then the inroads of the Scots, who nearly took the king prisoner, and who swept the whole country as far as the walls of York, kept up a continual irritation, and prepared men's minds for the worst. On the 30th of May, 1323, Edward wisely put an end to a ruinous war which had lasted for twenty-three years. He agreed with Bruce for a suspension of arms, which was to last thirteen years, and which was not to be interrupted by the death of either or of both of the contracting parties; but the inestimable blessing of peace was not unaccompanied by a sense of national disgrace, for, ever since the successes of Edward I., the hopes of the English had been high and absolute, and after such immense sacrifices, they now saw themselves obliged to recognise, in fact, if not in express terms, the independence of the Scots. Soon after the conclusion of this treaty, the king was alarmed by a conspiracy to cut off the elder Despenser, and then by a bold attempt to liberate some of the captives made at Boroughbridge from their dungeons. This attempt failed; but the most important of those prisoners effected his escape by other means. This was Roger Mortimer, who had twice been condemned for treason, and who was then lying under sentence of death in the Tower of London. His adventure resembled that of Ralf Flambard, in the time of Henry I. He made his guards drink deeply of wine, into which he had thrown some narcotic drug: while they slept a sound sleep, he broke through the wall of his dungeon, and got into the kitchen, where he found or made a ladder of ropes: he climbed up the chimney, lowered himself, and contrived to pass the sentries without being observed. Under the Tower walls he found a wherry, and this enabled him to cross to the opposite side of the Thames, where some faithful servants were in attendance with good horses. He rode with all speed to the coast of Hampshire, and there he embarked for France.

Charles le Bel, a brother to Isabella, queen of England, was now seated on the French throne.† Differences had existed for some time between him and his brother-in-law, Edward; and the intrigues of the suffering Lancaster party contributed to drive

* Rymer.—Knyghton.—Walsing.—Froissart.—Speed.—Palgrave. Chron. Abstract.

† In thirteen years, three brothers of Isabella occupied, in succession, the French throne—Louis X., Philip V., and Charles IV., or Le Bel, who succeeded in 1322.

matters to extremities. The manifestos of Charles scarcely merit attention—as far as the two kings were concerned, it was the quarrel of the wolf and the lamb; and after Edward had made apologies, and offered to refer matters to the arbitration of the pope, Charles overran a good part of the territories on the continent that still belonged to the English, and took many of Edward's castles and towns. Isabella, who had long been anxious to quit the kingdom, persuaded her husband that she was the proper person to be deputed to France, as her brother would yield to fraternal affection, what ambassadors and statesmen could not procure from him. The simple king fell into the snare; and in the month of March, 1325, Isabella, accompanied by a splendid retinue, landed at Boulogne, whence she repaired to Paris, being most honourably entertained on her journey.* The treaty she concluded was most dishonourable to her husband; but the weak Edward found himself obliged to ratify it, and to promise an immediate attendance in France, to do homage for the dominions he was allowed to retain on the continent. A sickness, real or feigned, stopped him at Dover. At the suggestion of Isabella, the French court intimated that if he would cede Guienne and Ponthieu to his son, then that boy might do homage instead of his father, and everything would be arranged in the most peaceful and liberal manner. Edward again fell into the snare, or, what is more probable, was driven into it with his eyes open by the Despensers, who dreaded, above all things, the being separated from the king, and who durst not venture with him into France, where their enemies were now so numerous and powerful. Edward, therefore, resigned Guienne and Ponthieu, and the Prince of Wales went and joined his mother. The game on that side was now made up. When Edward pressed for the return of his wife and son, he received evasive answers, and these were soon followed by horrible accusations and an open defiance of him and his authority. Isabella reported that "Messire Hugh" had sown such discord between her and her husband, that the king "would no longer see her, nor come to the place where she was;"† that the Despensers, between them, had seized her dower, and kept her in a state of abject poverty and dependence. The modern historian can scarcely hint at certain parts of Isabella's complaints; but, to finish the climax, she accused the odious favourite of a plot against her life and the life of her son Edward. The king's reply was mild and circumstantial; but it did not suit the views of a harshly-treated and vindictive party to admit of any part of his exculpation; and, making every rational abatement, we believe that it must remain undisputed, that the king had most justly earned the contempt and hatred of his wife; nor will the derelictions of Isabella at all plead in his excuse. This scandalous quarrel occupied the attention of all Europe. During the lifetime of the Earl of Lancaster, the queen seems to have leant on that

* Froissart,

† Id.

prince for protection: the Lord Mortimer was now the head of the Lancastrian party; and when he repaired to Paris—which he did immediately on learning her arrival—the circumstances and necessities of her position threw Isabella continually in his society. Mortimer was gallant, handsome, intriguing, and not more moral than the generality of knights. Isabella was still beautiful and young—she was not yet twenty-eight years of age—and it was soon whispered that the intimacy of these parties went far beyond the limits of a political friendship. When Isabella first arrived in France, her brother promised, by "the faith he owed to God and his lord St. Denis," that he would redress her wrongs; and he continued to protect his sister even after her connexion with Mortimer was notorious. Hugh Despenser, however, sent over rich presents to the ministers of the French king, and even to the king himself, and thus prevented the assembling of an army on the French coast. He made his master, Edward, write to the pope, imploring the holy father to interfere, and induce Charles le Bel to restore to him his wife and son; and he sent, by "subtle ways," much gold and silver to several cardinals and prelates who were "nearest to the pope;" and so, by gifts and false representations, the pontiff was led to write to the King of France, that unless he sent his sister, the Queen Isabella, back to England and to her husband, he would excommunicate him.* These letters were presented to the King of France by the Bishop of Saintes, whom the pope sent in legation. When the king had seen them, he caused it to be intimated to his sister, whom he had not spoken to for a long time, that she must hastily depart his kingdom, or he would drive her out with shame.† This anger of Charles le Bel was only feigned—it appears to have been a mere sacrifice for the sake of appearances; and when his vassal, the Count of Hainault, gave shelter to Isabella and the Lancastrian party, the count probably knew very well that he was doing what was perfectly agreeable to his liege lord. The more to bind this powerful vassal to her interests, the queen affianced the young Prince of Wales to Philippa, the second daughter of the count. The countess treated the fugitive queen with the greatest respect, considering everything that was said against her as a calumny; but no one embraced Isabella's cause with such enthusiasm as John of Hainault, a young brother of the count, who would not listen to those who warned him of the dangers of the enterprise, and told him how jealous the English were of all kinds of foreigners. The gentle knight constantly replied, that there was only one death to die, and that it was the especial duty of all knights to aid with their loyal power all

* Froissart.

† Id. Charles le Bel was awkwardly situated. He and his two brothers, Louis and Philip, had, a few years before, shut their wives up in dungeons on suspicion of irregularity of conduct. Louis, on ascending the throne, caused his wife to be strangled privately in Château-Gaillard; Philip was reconciled to his; but the wife of Charles was still pluing in prison. It was held monstrous that so rigid a moralist with respect to his wife should be so tolerant with regard to his sister.

dames and damsels in distress.* In a short time, a little army of 2000 men gathered round the banner of Messire John. The English exiles were both numerous and of high rank, scarcely one of them being less than a knight. The active and enterprising Roger Mortimer took the lead; but the Earl of Kent, King Edward's own brother, the Earl of Richmond, his cousin, the Lord Beaumont, and the Bishop of Norwich, all joined the queen in the Low Countries, though they had been sent by Edward as his trusty ambassadors into France. Nor had Isabella any want of partisans in England to make her way easy and straight. The leader of these was another bishop—Adam Orleton—who had been deprived by the king, or by Hugh Despenser, of the temporalities of his see of Hereford for his devotion to the Earl of Lancaster. By Orleton's means, a general outcry was raised against the personal vices of Edward—every tale of the court was divulged to the people—the fleet was won over, and a reconciliation effected between the Lancastrian party and the barons, who of late had supported the royal cause, but who were equally convinced of the king's demerits, or easily led to join in the enterprise by a common hatred of the favourite. After a stormy passage, Isabella, with her little army and her son Prince Edward, to whom all men already looked up, landed on the 24th of September at Orwell, in Suffolk, and was immediately received as the deliverer of the kingdom. The fleet had purposely kept out of her way; and a land force detached to oppose her landing joined her banner, and hailed the young prince with rapturous joy. The queen and the prince stayed three days in the abbey of the Black Monks at St. Edmunds Bury, where they were joined by many barons and knights. The Archbishop of Canterbury sent her money, and three bishops offered their services in person, being accompanied by the Earl of Norfolk, the other brother of the king.† Thus wife, son, brothers, cousin, were all in hostile array against Edward, who soon found that he had not a party of any kind in his favour. Never was king so thoroughly abandoned and despised: his weak father had always a strong party in the worst of times—even the miscreant John, his grandfather, could always count on a certain number of knights, English or foreign; but round the banner of Edward of Caernarvon there rallied not one. When he appealed to the loyalty of the citizens of London, they told him that their privileges would not permit them to follow him into the field; and they added that they would honour with all duty the king, the queen, and prince, and shut their gates against the foreigners. Upon this, Edward fled, and there were none to accompany him save the two Despensers, the Chancellor Baldock, and a few of their retainers. He had scarcely ridden out of London, when the populace rose and tore to pieces in the

street the Bishop of Exeter, whom he had appointed governor. They afterwards murdered a wealthy citizen, one John le Marshal, because he had been a friend of the king's favourite; and, falling upon the Tower, they got possession of it, and liberated all the state prisoners, who appear to have been very numerous. Before Edward fled, he had issued a proclamation, offering the reward of a thousand pounds to any one that would bring him the head of Mortimer; but he was soon reduced to such straits, that he knew not where to put his own head for safety. Even the Welsh, among whom he was born, rejected the hapless fugitive, who was at last compelled to take shipping with his favourite.* For a time, the views commonly expressed among the nobles and prelates, who had all, with very few exceptions, joined the queen, were, that the wife ought to be reconciled to the husband,—that the king should be compelled to govern according to the will of his parliament,—and that measures of extreme rigour should be adopted only against the Despensers; but Adam Orleton, the Bishop of Hereford, seems to have had no difficulty in convincing them that the king was not entitled to the society of his wife, and that it was impossible that the queen could ever again trust herself in the power of so faithless and vindictive a man. The bishop produced instances of former brutality; and, false or true, exaggerated or not, no one, at the time, seems to have doubted his solemn assertions; and Edward was never again seriously spoken of as king.

The elder Despenser had thrown himself into Bristol; but the citizens rose against him as soon as the queen approached their walls; and in three days he was obliged to surrender at discretion. The earl was brought to a trial before Sir William Trussel, one of the Lancastrian exiles; and, as was usual in those times, and as had been the course taken with the Earl of Lancaster, he was condemned to die the death of a traitor, without being heard in his defence—the triumphant party, in their savage fury, brooking no delay. Old age had not moderated his eager grasping after the honours and estates of others, which seems to have been his capital offence; and his venerable grey hairs inspired neither pity nor respect. They dragged him to the place of execution a little beyond the walls of Bristol: they tore out his bowels, then hanged him on a gibbet for four days, and then cut his body to pieces and threw it to the dogs. As he had been created Earl of Winchester, they sent his head to that city, where it was set on a pole. From Bristol, the barons issued a proclamation, summoning Edward to return to his proper post. This document was merely intended to cover and justify a measure upon which they had now unanimously determined.

On the 26th day of September, the prelates and

* Froissart.

† Knighton. — Walsing. — Heming. — De la More. — Bymer. — Froissart.

* According to some accounts, he meant to escape to Ireland; according to others, merely to the Isle of Lundy, in the Bristol channel.

barons, assuming to themselves the full power of a parliament, declared that the king, by his flight, had left the realm without a ruler, and that they therefore appointed the Prince of Wales Guardian of the kingdom in the name and by the hereditary right of his father. In the mean time the unhappy fugitive found the winds and waves as adverse as his family and his subjects. After tossing about for many days in a tempestuous sea, he was driven on the coast of South Wales, where he was forced to land. He concealed himself for some weeks in the mountains, near Neath Abbey in Glamorganshire; but an active and a deadly enemy was in pursuit of him; and the country people, if they did not betray *him*, betrayed his favourite and his chancellor, for gold. Despenser and Baldock were seized in the woods of Lantressan, and immediately after their arrest, Edward, helpless and hopeless, came forth and surrendered to his pursuer, who was his own cousin, but also brother to the Earl of Lancaster, whom he had put to death at Pontefract. The wretched king, for whom not a banner was raised, not a sword drawn, not a bow bent in any part of his kingdom, was sent by way of Ledbury to Kenilworth, where he was put in sure keeping in the castle. Despenser found his doom at Hereford, where the queen was keeping the festival of All Saints "most royally." He had the same judge as his father, and his trial was scarcely more rational or legal; for in those times, even when men had good grounds upon which to prosecute to conviction, their blind passions almost invariably hurried them into irregular courses. William Trussel pronounced his sentence in a rage, ordering that, as a robber, traitor and outlaw, he should be drawn, hanged, embowelled, beheaded and quartered. The sentence was executed with a minute observance of its revolting details; and the gallows upon which the favourite was hung was made fifty feet high. His confidential servant, one Simon de Reding, was hanged some yards below his master. The Earl of Arundel, who was closely connected with the Despensers by marriage, and who had been forward in voting the death of the Earl of Lancaster, was beheaded: two other noblemen shared the same fate; but here the task of the executioners ceased. Baldock, the chancellor, was a priest, and as such secured from the scaffold and the gallows; but a ready death would perhaps have been more merciful than the fate he underwent, and he died not long after a prisoner in Newgate.*

On the 7th day of January, 1327, a parliament, summoned in the king's name, met at Westminster. Adam Orleton, the Bishop of Hereford, after an able speech, proposed this question,—whether, under circumstances, the father should be restored to the throne, or that the son should at once occupy that throne? The critical answer was deferred till the morrow, but no one could doubt what that answer would be. The citizens of London crowded

to hear it, and they hailed the decision with shouts of joy. The king had now been a prisoner for nearly two months, but not the slightest reaction had taken place in his favour; and when parliament declared that he had ceased to reign, not a single voice spoke in his behalf. His son was proclaimed king by universal acclamation, and presented to the rejoicing people. The earls and barons, with most of the prelates, took the oath of fealty; but the Archbishop of York and three bishops refused. The proceedings were followed by an act of accusation, which surely ought to have preceded them. Five days after declaring the accession of the young king, Stratford, the Bishop of Winchester, produced a bill, charging the elder Edward with shameful indolence, incapacity, cowardice, cruelty and oppression, by which he had "done his best to disgrace and ruin his country." Out of delicacy to his son, probably, certain specific charges were suppressed, and the young Edward was present in parliament, and seated on the throne, when the articles were read and admitted as sufficient grounds for a sentence of deposition. If this was a plot or conspiracy, as some writers have laboured to prove, it was certainly a conspiracy in which the whole nation took a part. Again not a voice was raised for Edward of Caernarvon, and again all classes hailed with joy the annunciation that he had ceased to reign. The queen alone thought fit to feign some sorrow at this sentence of the nation, though she soon afterwards took pains to confirm it, and to prevent a possibility of her being ever restored to her husband. On the 20th of January, a deputation, consisting of bishops, earls, and barons, with two knights from each county, and two representatives from every borough in the kingdom, waited upon the royal prisoner at Kenilworth, to state to him that the people of England were no longer bound by their oath of allegiance to him, and to receive his resignation of the crown. The unfortunate king appeared in the great hall of the castle, wrapped in a common black gown. At the sight of Bishop Orleton, he fell to the ground. There are two accounts of a part of this remarkable interview, but that which seems most consistent with the weak character of the king is, that he, without opposition or protest,—which would have been of no avail,—formally renounced the royal dignity, and thanked the parliament for not having overlooked the rights of his son. Then Sir William Trussel, as Speaker of the whole parliament, addressed him in the name of the parliament, and on behalf of the whole people of England, and told him that he was no longer a king; that all fealty and allegiance were withdrawn from him, and that he must henceforward be considered as a private man without any manner of royal dignity. As Trussel ceased speaking, Sir Thomas Blount, the steward of the household, stepped forward and broke his white wand or staff of office, and declared that all persons engaged in Edward's service were discharged and freed by that act. This ceremony, which was one

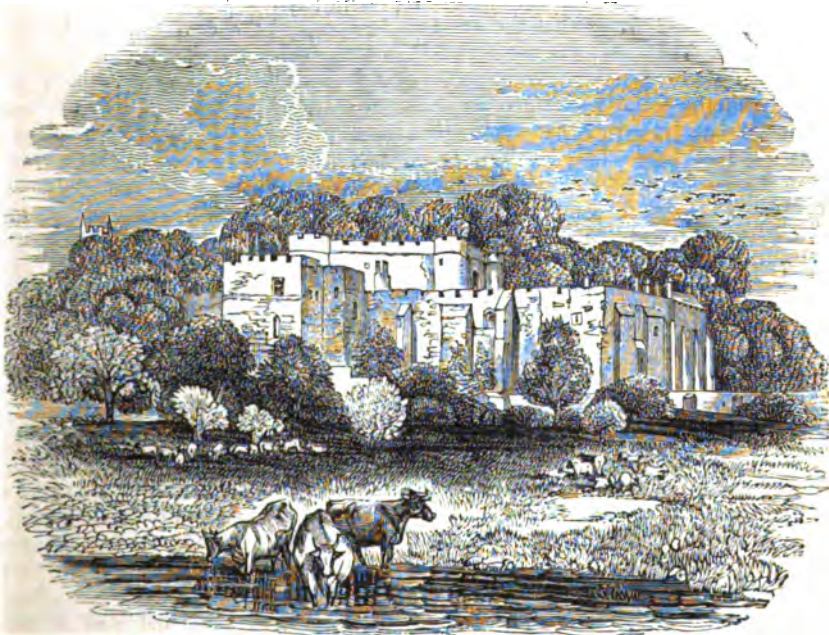
* Knight.—More.—Walsing.—Leland, Collect.—Rymer.—Tyrrel, Hist.

usually performed at a king's death, was held as an entire completion of the process of dethronement. The deputation returned to London, leaving the captive king in Kenilworth Castle; and three or four days after, being Saturday the 24th of January, Edward III.'s peace was proclaimed, the proclamation bearing, that Edward II. was, by the common assent of the peers and commons, "ousted" from the throne; that he had agreed that his eldest son and heir should be crowned king, and that, as all the magnates had done homage to him, his peace, which nobody was to infringe under the penalty of forfeiting life and limb, was now cried and published. The young Edward, who was only in his fourteenth year, received the great seal from the chancellor, and re-delivered it to him on the 28th of January, and he was crowned on the next day, the 29th, at Westminster, the Archbishop of Canterbury performing the ceremony in the most regular manner.*

As the new king was too young to take the government upon himself, nearly the entire authority of the crown was vested in the queen mother, who herself was wholly ruled by the Lord Mortimer, a man whose questionable position made him unpopular from the first, and whose power and ambition could not fail of exciting jealousy and

* More.—Walsing.—Knyght.—Rymer.—Sir H. Nicholas, Chron. of Hist.

rendering him odious to many. Some monks had the boldness to denounce from the pulpit the connexion existing between the queen and that lord, and even to speak of forcing Isabella to cohabit with her imprisoned husband, regardless of the decision which parliament had given on that head. The indiscreet zeal of these preachers, and some plots which were at last formed, not so much in favour of Edward as against Mortimer, seem to have hurried on a fearful tragedy. The Earl of Lancaster, though he had the death of a brother to avenge, was less cruel than his colleagues; the spectacle of his cousin's miseries touched his heart, and he treated the king with mildness and generosity. It was soon whispered to Isabella that he favoured her husband too much, and more than consisted with the safety of herself and her son. The deposed king was therefore taken out of Lancaster's hands and given to the keeping of Sir John Maltravers, a man of a fiercer disposition, who had suffered cruel wrongs from Edward and his favourites. Maltravers removed the captive from Kenilworth Castle, and his object seems to have been to conceal or render uncertain the place of his residence, for he made him travel by night and carried him to three or four different castles in the space of a few months. At last he was lodged in Berkeley Castle, near the river Severn; and the Lord Berkeley, the owner of the castle, was joined



BERKELEY CASTLE.

with Maltravers in the commission of guarding him. The Lord Berkeley also had some bowels, and he treated the captive more courteously than was desired; but, falling sick, he was detained away from the castle at his manor of Bradley, and during his absence the care of Edward was in-

trusted, by command of Mortimer, to Thomas Gourney and William Ogle,—“two hell-hounds, that were capable of more villanous despite than became either knights or the lowdest varlets in the world.” One dark night, towards the end of September, horrible screams and shrieks of anguish

rang and echoed through the walls of Berkeley Castle, and were heard even in the town, "so that many being awakened therewith from their sleep, as they themselves confessed, prayed heartily to God to receive his soul, for they understood by those cries what the matter meant."* On the following morning the gates of Berkeley Castle were thrown open, and people were freely admitted to behold the body of Edward of Caernarvon, who was said to have expired during the night of a sudden disorder. Most of the knights and gentlemen living in the neighbourhood, and many of the citizens of Bristol and Gloucester, went to see the body, which bore no outward marks of violence, though the countenance was distorted and horrible to look upon. The corpse was then carried to Gloucester, and privately buried in the Abbey church, without any tumult or any investigation whatsoever.

It was soon rumoured that he had been most cruelly murdered by Gourney and Ogle, who had thrust a red-hot iron into his bowels through a tin pipe; and there were many who had heard with their own ears his "wailful noise" at the dead of night; but still the nation continued in its unrelenting indifference to all that concerned this most wretched king.† Edward was forty-three years old: counting from the date of his recognition to that of his deposition, he had worn a degraded crown nineteen years and six months, wanting some days.

It was during this unhappy reign that the great Order of the Knights Templars was abolished. These knights, from a very humble beginning in 1118, when nine poor crusaders took upon themselves the obligation of protecting the faithful at Jerusalem, had attained immense wealth and power. Their association included men of the noblest birth,—natives of every Christian country. Their valour in battle,—their wisdom in council,—had long been the admiration of the world; but, after the loss of the Holy Land, they forfeited much of this consideration, for they did not, like the Hospitallers or Knights of St. John, secure an establishment in the East,‡—a real or fanciful bulwark to Christendom against the Mohammedans. Their luxury and pride increased, or became more obvious, in their state of inactivity at home; and in most of the countries where they had houses and commanderies an outcry was gradually raised against them. It was in France that the first blow was struck at their existence: Philip le Bel, of whose resolute and unscrupulous character we have given several examples, was involved in great pecuniary difficulties by his wars with the English and his other neighbours; and when he and Enguerrand de Marigni, a minister as unscrupulous as himself, had exhausted all other sources of revenue, they cast their eyes on the houses and lands and tempting wealth of the Red-cross Knights. Forthwith

they proceeded to form a conspiracy,—for such it really was,—and in a short time the knights were accused of monstrous and contradictory crimes by a host of witnesses, whose depositions were either bought or forced from them by threats, or imprisonment, or the actual application of the rack. As soon as the French Templars were aware of these accusations they applied to the pope, begging him to investigate the matter: this petition was repeated several times; but Clement V., who had been raised by French interest, and who had transferred the seat of the popedom from Rome to Avignon, in France, was a subservient ally to Philip le Bel, and had consented to leave the trial and fate of the knights in his hands. On the 13th of October, 1307, Philip took possession of the Palace of the Temple in his capital, and threw the grand master and all the knights that were with him into prison. At the same time,—at the very same hour,—so nicely was the plot regulated, the Templars were seized in all parts of France. Every captive was loaded with chains, and otherwise treated with great barbarity. An atrocious inquisition forged letters of the grand master to criminate the order, and applied the most horrible tortures to the knights: in Paris alone thirty-six knights died on the rack, maintaining their innocence to the last; others, with less capability of enduring exquisite anguish, confessed to the charges of crimes which were in some cases impossible; at least, at the present day few persons will believe that the Templars invited the devil to their secret orgies, and that he frequently attended in the form of a tomcat. But even the knights, whose firmness gave way on the rack, recanted their confessions in their dungeons, and nothing remained uncontradicted except the revelations of two members of the community,—men of infamous character, who had both been previously condemned to perpetual imprisonment by the grand-master, and who both came to a shameful end subsequently, though they were now liberated and rewarded. Two years of a dreadful captivity, with infernal interludes of torture, and the conviction forced on their minds that Philip le Bel was fully resolved to annihilate their order and seize their property, and that there was no hope of succour from the pope or from any other power upon earth, broke the brave spirit of the Red-cross Knights. Even Jacques de Molai, the grand-master, an heroic old man, was made to confess to crimes of which he never could have been guilty. He afterwards, however, retracted his confession, and, in the end, perished heroically at the stake. The particulars of the long history would fill many pages, but the whole of the proceedings may be briefly characterised as a brutal mockery of the forms of justice. The grand execution took place on the 12th of May, 1310—when fifty-four of the knights who had confessed on the rack, and then retracted all they had said in their dungeons, were burnt alive as "relapsed heretics," in a field behind the abbey of St. Antoine at Paris. In sight of the flames that were to consume them,

* Hollinsh. † More.—Knyght.—Rymer.—Hollinsh.

‡ The Knights of St. John, it will be remembered, got possession of the island of Rhodes, and when they lost Rhodes in the fifteenth century, of Malta and Goso.

they were offered the king's pardon if they would again confess that they were guilty; but there was not one of them who would thus purchase life, and they all died singing a hymn of triumph and protesting their innocence. Penal fires were lit in other parts of France, and all the surviving knights who did not retract their plea of not guilty were condemned to perpetual imprisonment.

After a show of dissatisfaction at Philip le Bel's precipitancy, the pope had joined in the death-cry; and, in the course of the years 1308 and 1309, he addressed bulls to all the sovereigns of Christendom, commanding them to inquire into the conduct of the knights. He afterwards declared that seventy-two members of the order had been examined by his cardinals and other officers, and had all been found guilty, *but in various degrees*, of irreligion and immorality, and he threatened to excommunicate every person that should harbour, or give counsel and show favour to any Templar. Without waiting for these papal bulls, Philip, as soon as he had matured his plans, had endeavoured to stimulate his son-in-law, Edward of England, to similar measures; but the English court and council, while they engaged to investigate the charges, expressed the greatest astonishment at them; and two months later Edward wrote to the kings of Portugal, Castile, and Arragon, imploring them not to credit the accusations which had most maliciously been heaped upon the Red-cross Knights. He also addressed the pope in their favour, representing them as an injured and calumniated body of men. Our weak king, however, was never firm to any purpose except where his favourite was concerned: he forgot the old friendship which had existed between the English kings and the Knights Templars; and the barons, on their side, forgot the day when Almeric, the master of the English Templars, stood with their ancestors on the field of Runnymede, an advocate for the nation's liberties. The ruin of the order was therefore resolved upon; but, thank God! their suppression in England was unaccompanied by atrocious cruelties.

In 1308, the second year of Edward's reign, after the feast of the Epiphany, one of the royal clerks was sent round with writs to all the sheriffs of counties, ordering each and all of them to summon a certain number of freeholders in the several counties,—“good and lawful men,”—to meet on an appointed day, to treat of matters touching the king's peace. The sheriffs and freeholders met on the day fixed, and then they were all made to swear that they would execute certain sealed orders which were delivered to the sheriffs by king's messengers. These orders, when opened, were to be executed *suddenly*. The same conspiracy-like measures were adopted in Ireland, and in both countries, on the same day,—nearly at the same hour—all their lands, tenements, goods, and all kinds of property, as well ecclesiastical as temporal, were attached, and the knights themselves arrested.*

The Templars were to be kept in safe custody, but not “in vile and hard prison.” They were confined more than eighteen months in different towers and castles. In the month of October, 1309, courts were constituted by the Archbishop of Canterbury, at London, York, and Lincoln. Forty-seven of the knights, the noblest of the order in England, who were brought from the Tower before the Bishop of London and the envoys of the pope, boldly pleaded their innocence: the evidence at first produced against them amounted to less than nothing; but the courts were appointed to convict, not to absolve, and, in spite of all law, they sent them back to their prisons to wait for timid minds and fresh evidence. The witnesses, even in France, where they had been well drilled, went through their duties in a most awkward manner; but in England, those first summoned became altogether reative; and the majority of them, both lay and clergy, candidly confessed their ignorance of the secret principles and practices of the order, and bore strong testimony to the general good conduct and character of the knights. The pope then censured the king for not making use of torture. “Thus,” he wrote, “the knights have refused to declare the truth. Oh! my dear son, consider whether this be consistent with your honour and the safety of your kingdom.” The Archbishop of York inquired of his clergy whether torture, which had hitherto been unheard of in England, might be employed on the Templars: he added that there was no machine for torture in the land, and asked whether he should send abroad for one, in order that the prelates might not be chargeable with negligence.† From the putting of such questions we may suppose that this archbishop was one who would not hesitate at cruelty; but it appears pretty evident, whether his queries were negatived or not by his suffragans, that the torture was *not* used on this occasion in England. The Templars were worn down by poverty and long imprisonment, and then the threat of punishing as heretics all those who did not plead guilty to the charges brought against them produced its effect. The timid yielded first: some of the corrupt were bought over by the court, and, finally (more than three years after their arrest) the English Templars, with the exception of William de la More, their grand prior, whom no threats, no sufferings could move, and two or three others who shared his heroic firmness, made a vague confession and most general renunciation of heresy and erroneous opinions, upon which they were sent into confinement in various monasteries, the king allowing them a pittance for their support out of their immense revenues. In the 17th year of Edward's reign it was ordained by the king and parliament that the Hospitallers, or Knights of St. John of Jerusalem, should have all the lands of the *late* Templars, to hold them as the Templars had held them.‡

30 were arrested in Ireland. It appears that only two knights were seized in Scotland.

* Hemingford.

† Raynouard, *Hist. de la Condamnation des Templiers*.—Wilkins, *Concilia*.—Bymer.—Stowe.—Hemingford.

* The number of Templars seized was about 250. Of these about



EDWARD III. From the Tomb in Westminster Abbey.



GREAT SEAL OF EDWARD III.

EDWARD III.

A.D. 1327. — When Edward was proclaimed king, about eight months before his father's murder, as he was but fourteen years of age, parliament decreed that a regency should be appointed, "to have the rule and government;" and to this end twelve of the greatest lords of the realm, lay and ecclesiastic, were named. These noblemen were the archbishops of Canterbury and York; the bishops of Winchester, Worcester, and Hereford;

the earls of Kent, Norfolk, and Surrey; and the lords Thomas Wake, Henry Percy, Oliver Ingham, and John de Roos. The Earl of Lancaster was appointed guardian and protector of the young king's person. The same parliament reversed the attainders which had been passed in 1322 against the great Earl of Lancaster and his adherents; confiscated the immense estates of the Despensers; granted a large sum of money to Isabella, the queen-mother, to pay her debts; and voted her a jointure of twenty thousand pounds a year,—a

most liberal allowance for those times, and which materially contributed to secure her ascendancy. Nearly the whole power of government was indeed monopolised by her and Mortimer, who now assumed the state and magnificence of a king.

Although Edward was excluded from political duties, he was not considered too young for those of war. It is said that his martial spirit had already declared itself; but it is probable that Mortimer at least would be glad to see him thus occupied at a distance from the court, where the death of his unhappy father was already beginning to be agitated. The Scots had suffered too cruelly not to be anxious for revenge; and the existing truce was not sufficient to make them resist the temptation of what they considered a favourable opportunity,—the true king of England, as they deemed, being shut up in prison, and a boy intruded on the throne. Nor were there wanting plausible reasons to cover a breach of the treaty; for if the truce had been concluded for thirteen years, and to last even in case of the death of one or both kings, the Scots, on the other hand, could argue that Edward II., who made the treaty, was not dead; that Edward III. was no legitimate king; and that, in making war, they attacked a country that had no lawful government which could claim the benefit of former treaties. In whatever way they might reason, the Scots acted with great vigour; and all nations in their circumstances would have been equally regardless of the truce. About St. Margaret's tide, February 3, they began to make inroads into England, and these border forays were soon succeeded by the march of regular armies. Age and declining health had no effect on the valour and activity of Robert Bruce, who seems to have hoped that he should be able, under circumstances, to convert the truce into an honourable peace, if not to recover the northern provinces of England which the Scottish kings had possessed at no very remote date. He summoned his vassals from all parts—from the Lowlands, the Highlands, and the Isles; and twenty-five thousand men assembled on the banks of the Tweed, all animated with the remembrance of recent wrongs and cruel sufferings. Of this host about four thousand were well armed and well mounted; the rest rode upon mountain ponies and galloways, which could subsist upon anything, and support every fatigue. Froissart, who has left us a most graphic description of young Edward's "first ride against the Scots,"* gives some curious details respecting the nimble activity and hardihood of these children of the mist and the mountain. A force better suited for sudden attack and rapid retreat could scarcely be conceived. "They carry with them," says the Chronicler of chivalry, "no provision of bread or of wine, for their usage is such in time of war, and such their sobriety, that they will do for a long time with a little meat half raw, without bread, drinking the water of the rivers, without wine. And they have no need

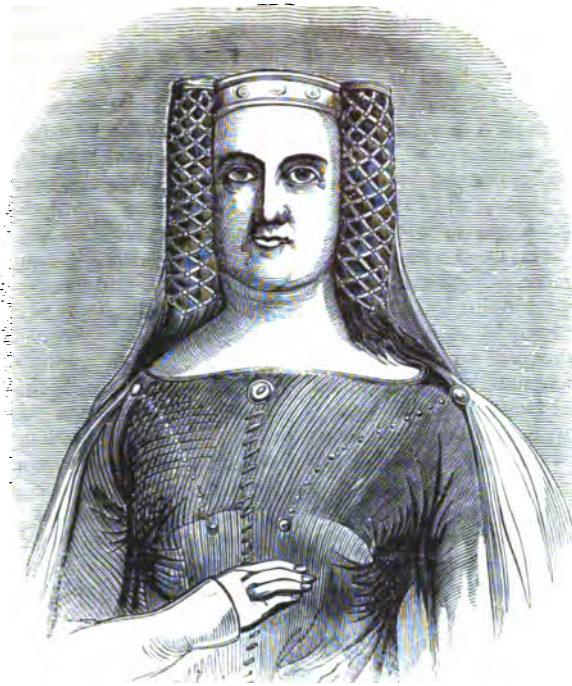
* Sa premiere chevauchée sur les Escocois.

whatever of pots and caldrons, for they cook the beasts when they have skinned them in a simpler manner; and as they know they will find beeves in lots in England they carry nothing with them. Only every man carries between his saddle and his pennon a flat plate of iron, and tucks up behind him a bag of meal, in order that, when they have eaten so much flesh as to feel uncomfortable, they may put this plate upon the fire, and, heating it, bake thereon oatmeal cakes wherewith to comfort their stomachs." "And therefore," continues the chronicler, rather oddly, "it is no wonder that they make so much longer marches than other people." Bruce intrusted the command of this army of invasion to Randolph Earl of Moray and the Lord James Douglas. Crossing the Tweed, these chiefs marched through Northumberland and Durham, and penetrated into the richer country of York, without meeting any valid resistance. The mountaineers plundered and burnt all the villages and open towns that lay on the road, and seized so many fat beeves that they hardly knew what to do with them. At the first breath of this invasion, a powerful army, said to have amounted to sixty thousand horse and foot, had gathered round the standard of young Edward; but his movements were retarded by a furious quarrel which broke out between the native English archers and the foreign troops of Isabella's knight errant, John of Hainault. These allies fought in the streets and suburbs of York, where many lives were lost on both sides. The fiercest combatants among the English were the bowmen of Lincolnshire, whose determined animosity sorely disquieted the knights and men of Hainault, who otherwise were well content with their service in a land of such plenty, that the passage of a large army raised neither the price of wine nor that of meat.* When these differences were composed, Edward marched to the north, and soon came in sight of the smoke of the fires which the Scots had lit. Instantly the cry to arms ran through the English force, and horse and foot, knights and squires, with a tremendous body of archers, formed in order of battle, and so marched on, "even till the vesper hour," in search of the Scots. But the unequal force of Bruce retired, and not a Scot was to be seen anywhere, though the flames of burning villages, far and then farther off, marked the line of their retreat. From Froissart's account, it appears that the Scots did not move directly towards the Tweed, but withdrew towards the west, among the mountains and moors of Westmoreland and Cumberland, "savage deserts, and bad mountains and valleys," as he calls them. The English, fatigued by the pursuit, and in order to wait for their supplies of provisions, which were not so portable as those of the enemy, encamped for the night, and so lost all chance of ever coming up with the fleet Scots. After much useless labour, it was determined, in a council of war, that Edward should move northward in a straight line, and, crossing the Tyne,

* Froissart.

occupy the roads between that river and the Tweed, by which, it was calculated, the enemy must return to their own country. This manœuvre was executed with rapidity, the troops making at least one night march; but when the English got to the north of the Tyne, they found the country so entirely wasted that they could procure neither forage nor provisions, and, after staying there several days in vain expectation of intercepting the enemy with their booty, they recrossed the Tyne and retraced their steps towards the south, in a perplexing state of ignorance as to the movements of the Scots. Edward ordered it to be cried through camp and country that he would give a heritage worth a hundred pounds a-year, together with the honours of knighthood, to any man that would bring him certain information of the place where he might find the enemy. The prize was won by one Thomas of Rokeby, who came riding very hard to the king, and brought intelligence that the Scots, who, he said, were equally ignorant of the whereabouts of the English, were encamped on a hill not more than three leagues off. Edward confessed, ordered a number of masses, and then marching, soon came in sight of the enemy, who were advantageously posted on the right bank of the Wear. The river was rapid and dangerous to pass, and there was no other way of getting at the Scots. As the latter showed themselves in order of battle, the young king sent a herald to challenge them to meet him like soldiers, on a fair and open field, offering them the undisturbed passage of the river if they would go over to fight him on his side. The Scots were not so chivalrously inclined: the fiery Douglas, indeed, was nettled at the defiance, and would fain have accepted the challenge, but he was overruled by the better prudence of Moray. That night the English lay on the bare ground on the left bank of the river, facing the Scots, who lit a prodigious number of fires along their strong position, and, from dark till dawn, kept "horning with their horns, and making such a noise that it seemed as if all the great devils from hell had come thither." Thus passed the night, which was the night of St. Peter ad Vincula, in the beginning of August, and in the morning the English lords heard mass. In the course of the next day, a few knights and men-at-arms, who had strong horses, swam the river and skirmished with the enemy; but these were idle bravadoes that cost many lives and produced no effect. For three days and nights the English lay on the river-side: it is said that the Scots were suffering from want of provisions and of salt, and that Edward expected that their necessities would force them to abandon their position; but, from Froissart's account, it should appear that the English, less accustomed to privations, were suffering from severe want, and that their army was dwindling away. On the morning of the fourth day, when the English looked towards the hill on the right bank, they saw no army, for the Scots had secretly decamped in the middle of the night. It was presently ascertained that they had only

moved to a short distance farther up the river, where they had taken up a position still stronger than the one they had left. Edward made a corresponding movement on the other bank, and encamped on another hill, immediately opposite,—the river between them as before. The young king, whose patience was exhausted, would have forced the passage and marched to the attack of the Scottish position, but he was restrained by Mortimer, who was afterwards accused of treachery for this step, though it seems to have been dictated only by proper military prudence. For eighteen days and nights the two hosts thus lay facing each other and doing nothing but only suffering great discomfort. One night, however, Douglas made a sudden onslaught, which had well-nigh proved fatal to young Edward. Towards midnight, he took about two hundred of his best men, and, marching silently up the river, crossed it at a considerable distance above the English position, and then turning with equal caution, entered the English camp without being discovered. Then he made a desperate rush towards the spot where the king lay, shouting as he went, "A Douglas! you shall die, ye English thieves!" and he and his companions killed more than three hundred before they left off. He came before the royal tent, still shouting, "A Douglas; a Douglas!" and he cut in twain several of the cords of the tent; but Edward's attendants, roused from their sleep, made a gallant stand, and, his chaplain and his chamberlain having sacrificed their lives for his safety, he escaped in the dark. Missing the king, Douglas fought his way back, and contrived to return to his friends on the opposite hill with but little loss. At last the Scots abandoned this second position, taking the English, it is said, again by surprise, and marching away unheard and unseen at the dead of night. If this account be true, the English were sadly wanting in proper military vigilance; but it appears more than probable that they were as anxious to be rid of the Scots as the Scots were to be quit of them, and that Edward's officers were glad to be able to cross the Wear without fighting at disadvantage for the passage. At all events it was determined that, as the enemy had got the start of them, it would be useless to follow them any farther; and soon after, fording the river, Edward marched straight to York, where the army was disbanded.* The Scots, after their extraordinary campaign, got back to their own country with much booty. The young king, "right pensive," returned to London, breathing nothing but fresh wars and vengeance: as yet, however, he had no power, and both Mortimer and his mother, who controlled his destiny, were, for their own private interests, desirous of peace, and, soon after, they opened negotiations with Robert Bruce, who, on his side, labouring under his "heavy malady," and seeing that his son who was to succeed him was still an infant, was anxious to terminate the war by a definitive and honourable treaty, which he fondly hoped



QUEEN PHILIPPA. From the Tomb in Westminster Abbey.

would secure peace to his country when he should be no longer alive to protect it with his consummate ability.

Before this treaty was concluded, young Edward was married to Philippa of Hainault, to whom his mother had contracted him during her scapade on the continent. This young lady, who proved an excellent and loving wife, was brought over to England by her uncle, John of Hainault, a little before Christmas. She was received at London with great pomp,—“with jousts, tournaments, dances, carols, and great and beautiful repasts,”—and, on the 24th of January following, (A. D. 1328), the marriage ceremonies were completed at York. A few months after, about the Feast of Whitsuntide, the parliament met at Northampton, and there, “by the evil and naughty counsel of the Lord Mortimer and the queen-mother,” as it was afterwards maintained, they put the last hand to the peace with Bruce, concluding what the English called both an unprofitable and dishonourable treaty. The basis of this treaty was the recognition of the complete independence of Scotland. One of its leading articles was, that a marriage should take place between Prince David, the only son of Robert Bruce, and the Princess Joanna, a sister of King Edward. In spite of the tender age of the parties (for the bride was in her seventh and the bridegroom only in his fifth year), this part of the treaty was carried into almost immediate effect: the queen-mother Isabella carried her daughter to Berwick, where the marriage was solemnised, on the day of Mary Magdalen, the 22nd of July.

With the princess, whom the Scots surnamed “Joan Makepeace,” were delivered up many of the jewels, charters, and other things which had been taken out of Scotland by Edward I. In return for these and the other advantages of the compact, Bruce agreed to pay to the king of England the sum of thirty thousand marks in compensation for the damages done by the Scots in their recent invasion. The great Bruce, who had raised his country from the depth of despair and servitude to this glorious enfranchisement, did not long survive the peace, dying at his little castle of Cardross on the 7th of June in the following year. He was buried under the pavement of the choir in the abbey church of Dunfermline.

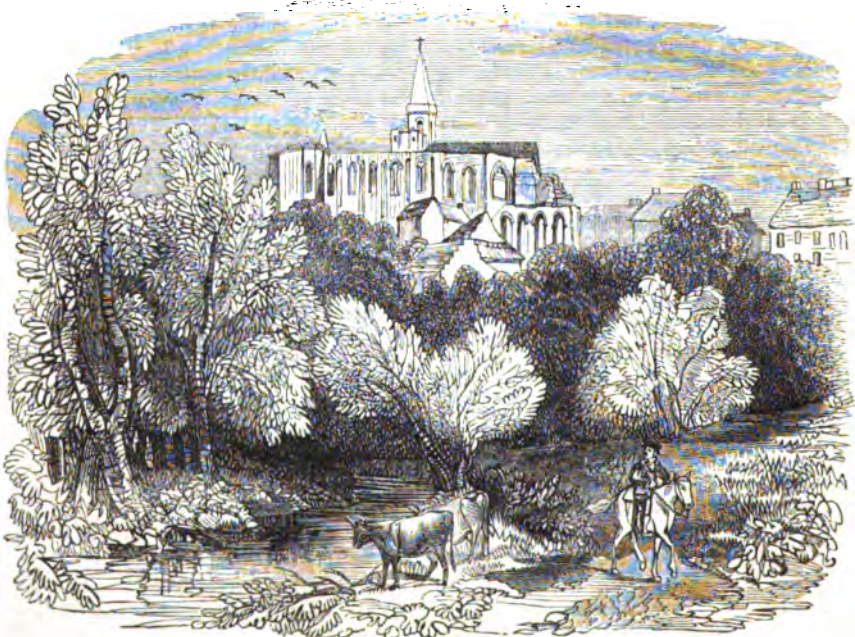
The position occupied by Mortimer inevitably exposed him to envy, yet he continued to grasp at fresh power and honours, and to show that he would hesitate at no crime to preserve what he got. In the month of October, parliament met again at Salisbury, and then Mortimer was created Earl of March, or Lord of the Marches of Wales. The council of regency was in a manner displaced, and the whole government seemed more than ever to be shared between him and the queen-mother. His expenses knew no bounds, and he caused an immoderate quantity of provisions to be taken up in the name of the queen, “at the king’s price, to the sore oppression of the people.” This abuse of the right of purveyance caused great discontents, and popular odium, arising from other causes, was added to the grudge of the nobles. The Earl of Lancaster was the first to attempt to make head

against this new favourite; but, though he was guardian of the young king, Edward remained with Mortimer and his mother, and after a show of force at Winchester, the earl was obliged to retreat. Mortimer fell upon his estates and plundered them, as if he had been fighting in a foreign country. The young king's uncles, the Earls of Kent and Norfolk, who were equally disgusted with the favourite's arbitrary ascendancy, joined Lancaster; but, from some cause or other, they abandoned him almost immediately after, upon which the earl was compelled to submit to ask pardon in a humiliating manner, and to pay an immense fine. Blind to the fact that young Edward was every day approaching that age when he would act for himself, Mortimer still pursued his wild career of ambition. It was said at the time that he entertained a design of destroying the king and placing himself on the throne, but there is no proof of this improbable story.*

A. D. 1330.—The Earl of Kent was now made to pay an awful price for his levity in joining and then deserting Lancaster. He was surrounded by the artful agents of Mortimer and the queen, and led to believe a story which was then widely circulated, that his brother Edward II., in whose deposition he had taken so active a part, was not dead but living. The body exhibited at Berkeley Castle and afterwards buried at Gloucester (so went the legend) was not that of the deposed king, who was actually shut up in Corfe Castle. Some monks urged the Earl of Kent to release his captive brother, and restore him to the throne, assuring him that several bishops and nobles, whose mes-

sengers they were or pretended to be, would aid him in this meritorious enterprise. The earl even received letters from the pope, exhorting him to pursue the same course. These letters appear to have been forgeries, but they imposed upon the credulous earl, who even went the length of writing to his dead brother, which letters were delivered to Sir John Maltravers, one of the suspected assassins of the late king. These strange epistles were put into the hands of Isabella and Mortimer, who, considering them proofs sufficient of treasonable practices, immediately summoned a parliament to try the traitor. The Earl of Kent was inveigled to Winchester, and there a parliament, consisting solely of the partisans of Isabella and Mortimer, met on the 11th of March. The Earl of Kent, who had been seized as soon as he was in their power, was produced as a prisoner; and, on the 16th, he was convicted of high treason, for having designed to raise a dead man to the throne; at least nothing else was proved or attempted to be proved against him; and thus this trial is entitled to a place among the curiosities of jurisprudence. The earl's accomplices were all liberated, with the exception of one Robert de Touton, and a poor London friar who had told the Earl of Kent that he had raised a spirit in order to be more fully assured that Edward II. was really living. This monk was kept in prison till he died. On account of his royal birth it was not expected that the sentence against the earl would be carried into execution; but people had not taken the proper measure of Mortimer's audacity:—on the 19th, the son of the great Edward was carried to the place of execution outside the town of Winchester; but when he reached the spot, nobody could be found

* Heming.—Knyght.—Wals.—Rymer.—Holinsh.



DUFFRESLINE ABBEY, FIFE; the Burial Place of Bruce.

that would perform the office of headsman. For four hours the life of the earl was painfully prolonged by this popular scruple: at last a convicted felon took up the axe, on condition of a free pardon, and the head was struck off. His death was the less lamented, "because of the insolence and rapaciousness of his servants and retinue, who, riding abroad, would take up things at their pleasure, neither paying nor agreeing with the parties to whom such things belonged." From which statement it should appear, as also from complaints in parliament, that all the princes of the blood, and occasionally other great lords, were accustomed to consider the oppressive privileges of purveyance as part of their ways and means, or, in other words, to plunder the defenceless portion of the people of such stock and provisions as they wanted. But the iniquity of the sentence was apparent, and attributed by all to the malice and jealousy of Mortimer and Isabella. The young king, it is true, had confirmed the sentence and sent his own uncle to the block; but Edward was not considered a free or competent agent.*

About three months after the execution of the Earl of Kent, Philippa, the young queen, was delivered, at Woodstock, of her first child,—the Prince Edward, afterwards so celebrated under the title of the Black Prince. A father, and eighteen years of age, the king now thought it time to assert his authority; and, though their party was strong, the nation was most willing to assist him in overthrowing the usurpation of his mother and her daring lover. The immorality of the connexion had long been a

theme of popular outcry: some had believed, or affected to believe, that scandal had exaggerated indiscretions, but now it was generally reported and credited that Isabella was with child by Mortimer. At first, however, no person about the court was bold enough to declare himself; and when Edward opened his mind to the Lord Montacute, it was with the most circumspect secrecy, and the first steps taken in conjunction with this prudent nobleman were cautious in the extreme. Probably to make it be thought that his mind was still occupied by the trivial pleasures with which Mortimer had long contrived to amuse him, Edward held a joust in Cheapside, when he, with twelve others as challengers, answered to all knights that appeared in the lists. This "solemn joust and tourney" was held in the month of September, and lasted three days. The young queen presided; and the interest felt in her favour, already high, was heightened among the people by a perilous accident. A stage or platform, on which she was seated with many other beautiful dames, broke down; "but yet, as good hap would, they had no hurt by that fall, to the rejoicing of many that saw them in such danger."* In the month of October following the parliament met at Nottingham: Edward with his mother and Mortimer were lodged in the castle: the bishops and barons who attended took up their quarters in the town and the neighbourhood. Mortimer never moved without a strong body-guard; and the knights in his splendid retinue were known to be devoted to his interests. On the morning of the 19th Edward

* Heming.—Knyght.—Murim.—Holinshed.

* Holinshed.



ANCIENT CAVES NEAR NOTTINGHAM CASTLE—supposed to communicate with the Castle.

had a private conference with the Lord Montacute, who immediately after was seen to ride away into the country with many friends and attendants. In the afternoon Mortimer appeared before the council with a troubled countenance. The plot was made up, but it was well nigh being defeated when at the point of execution; for the favourite, by some means or other, had obtained a vague hint of what was going on. This was a nervous moment for the young king: Mortimer proclaimed to the members of the council that a base attempt was making against him and the queen-mother, and

that Edward himself was privy to the conspiracy. Edward denied the charge; but the favourite treated him as a liar. At the dead of the night the Lord Montacute and his associates returned quietly to Nottingham. The strong castle was not a place to be taken by assault or surprise. A proper military guard was kept, and the keys of the great gates were carried every evening to Isabella, who laid them by her bed-side. But the conspirators had taken measures to defeat all these precautions: Montacute had won over the governor of the castle, who had agreed to admit them through



MORTIMER'S HOLE, NOTTINGHAM CASTLE.—the passage through which Lord Montacute and his party entered the Castle.

a secret subterraneous passage, the outlet of which concealed by brambles and rubbish, opened at the foot of the castle hill. It was near the hour of midnight when Montacute and his friends crawled through this dismal passage: when within the castle walls, and at the foot of the main tower, they were joined by Edward, who led them up a silent staircase into a dark apartment. Here they heard voices proceeding from a hall which adjoined to the queen-mother's chamber; they were the voices of Mortimer, the Bishop of Lincoln, and other adherents, who were sitting in late and anxious consultation. The intruders burst open the door, killing two knights who tried to defend the entrance. The guilty Isabella rushed from her bed, and in tears and in an agony of grief implored her "sweet son" to spare "her gentle Mortimer," "that worthy knight, her dearest friend, her well-beloved cousin." The favourite was not slaughtered there, which, considering the barbarity of the times and the violent excitement against him, was rather extraordinary; but he was dragged out of the castle, and committed to safe custody. On the following morning Edward issued a proclamation informing his lieges that he had now taken

the government into his own hands; and he summoned a new parliament to meet at Westminster on the 26th of November.*

Before this parliament the fallen favourite was arraigned: the principal charges brought against him were, his having procured the death of the late king, and the judicial murder of the Earl of Kent; his having "accroached" or usurped the power which lawfully belonged to the council of regency, and appropriated to himself the king's moneys,—especially the twenty thousand marks recently paid by the king of Scots. His peers found all these articles of impeachment to be "notoriously true, and known to them and all the people;" and, as his proper judges in parliament, they sentenced him to be drawn and hanged as a traitor and enemy of the king and kingdom.† Edward, who was present in court during the trial, then requested them to judge Mortimer's confederates, but this they would not do until they had protested in form that they were not bound to sit in judgment on any others than men who were peers of the realm, like themselves. Sir Simon Bereford, Sir John Mal-

* Knight.—Heming.—Wals.—Rymer.
† Rot. Parl.—Knyghton.

travers, John Deverel, and Boeges de Bayonne, were condemned to death as accomplices, but three of these individuals had escaped. Mortimer was accompanied to the gallows only by Bereford. They were hanged, at "the Elms," on the 29th of November. The queen-mother was deprived of her enormous jointure, and shut up in her castle or manor-house at Risings, where she passed the remaining twenty-seven years of her life in obscurity. Edward, however, paid her a respectful visit at least once a-year, and allowed her three thousand, and afterwards four thousand pounds, for her annual expenses. In this same parliament a price was set upon the heads of Gourney and Ogle, the reputed murderers of the late king. Gourney was arrested in Spain, and delivered over to an English officer, who, obeying secret instructions, cut off his head at sea, without bringing him to England for trial. From this and other circumstances it has been imagined that there were persons who still retained their influence at court, to whom silence upon all that regarded this horrid subject was particularly convenient. What became of Ogle does not appear; but it is probable that he died abroad before the murder of Gourney. Sir John Maltravers was taken and executed, but on a different charge, namely, for having aided Mortimer in misleading the Earl of Kent by false reports of the late king's life. The Lord Berkeley, in whose castle the deed had been done, demanded a trial, and was fully acquitted by a jury; nor does there appear to be any good reason for questioning the propriety of this verdict.

Edward was now his own master, and accountable for the good and evil of his government. His first transactions are not very honourable to his character; but it might be said in justification of an older head and better heart than his (and his was not a bad heart), that he was carried away by the general feeling of the nation, whose pride was hurt by the last treaty with the Scots, and who eagerly longed for a fresh war. On the borders, indeed, this war had scarcely ceased, having been prolonged in an irregular manner by the vindictive spirit of the people on both sides. We have noticed the death of the great Bruce, which happened in 1330: in the following year his brave companion in arms, the Lord James Douglas, was killed by the Moors in Spain as he was carrying his master's heart to the Holy Land; and in the month of July, 1332, Randolph, Earl of Moray, who had been appointed regent of the kingdom of Scotland and guardian of Prince David, died suddenly. The Earl of Moray was succeeded in the regency by Donald, Earl of Marr, a man inferior to him in prudence and ability. An article in the last treaty of peace had stipulated that a few English noblemen should be restored to estates they held in Scotland. This article was faithfully observed with regard to Henry de Percy; but, for various reasons, it was disregarded with respect to the lords Wake and Henry de Beaumont, and these two noblemen resolved to obtain redress by

changing the dynasty of Scotland. Setting up the rights of Edward Baliol, the son and heir of the miserable John of that name, whom Edward I. had crowned and uncrowned, they went into the counties near the borders, where they were presently joined by other English lords who had claims similar to their own, though they had not had the address to get their estates in Scotland tacked to a treaty. In those northern districts the elements of war and havoc were rife and ready; and when Edward Baliol came over from Normandy, and raised his standard there, a few disaffected Scots came over the borders to join him. Edward felt, or pretended to feel, many scruples,—for the infant queen of Scotland was his own sister, and he had also sworn to observe the treaty. Proclamations were issued prohibiting the gathering of any army of invasion on the borders; but this did not prevent—nor was it intended to prevent—Baliol and the lords Wake and Henry de Beaumont, with their associates, from getting ready a small fleet and army on the shores of the Humber. In the beginning of August this expedition sailed from Ravenspur: entering the Frith of Forth, the army landed at Kinghorn, on the coast of Fife, on the 6th, and five days after won one of the most astonishing victories recorded in history. Edward Baliol,—we use his name because he was first in dignity, though it is evident the campaign was directed by some bolder and abler mind than his,—on finding himself suddenly in presence (or nearly so) of two Scottish armies,—the one commanded by the regent Marr, the other by the Earl of March,—boldly threw himself between them, and encamped at Forteviot, with the river Earn running between him and the forces of the regent. At the dead of night he crossed the Earn by a ford, and fell upon the sleeping Scots, who were slaughtered in heaps before they could get ready their arms or ascertain the force of the assailants. As day dawned, the regent blushed to see the insignificant band that had done all this mischief: he was still in a condition to take vengeance, but, in his blind fury, he engaged in a wretched pass where his men could not form; and his own life, with the lives of many of the Scottish barons, and of nearly all the men-at-arms, paid forfeit for his military blunder. Thirteen thousand Scots, in all, are said to have fallen, while Baliol, who had not three thousand when he began the battle, lost but a few men. From Duplin Moor, where this victory was gained, Edward Baliol ran to Perth, being closely pursued the whole way by the Earl of March, at the head of the other strong division of the Scots. He had just time to get within that city, and throw up some barricades. March besieged him there; but there were both scarcity and treachery in the Scottish camp; their fleet was destroyed by the English squadron which Baliol had ordered round to the mouth of the Tay; the ancient followers of his family, with all those who had forfeited their estates for their treasons under Bruce, with all who were in any way disaffected, or who hoped to

benefit largely by a revolution, flocked to the standard of the Pretender, who was crowned King of Scotland, at Scone, on the 24th of September. Edward Baliol had thus gained a crown in some seven or eight weeks, but he lost it in less than three months. Having secretly renewed to the English king all the forms of feudal submission imposed on his father by Edward I., and having stupified his opponents in Scotland by the rapidity of his success, he retired with an inconsiderable force to Annan, in Dumfriesshire, where he intended to pass his Christmas. On the night of the 16th of December he was surprised there by a body of horse commanded by the young Earl of Moray, Sir Archibald Douglas, and Sir Simon Frazer. He got to horse, but had no time to saddle, and, nearly naked himself, he galloped away on a bare back, leaving his brother Henry dead behind him. He succeeded in crossing the borders into England, where Edward received him as a friend. There was probably not a man in Scotland but knew that the English king had secretly countenanced the whole expedition: the greatest exasperation prevailed, and, with or without orders, the people near the Tweed and the Solway Frith made incursions into England, carrying fire and slaughter with them. Edward had applied to his parliament, assembled at York, to legalize, or at least to justify in the eyes of the English, his ambitious projects on Scotland; but the prelates, barons, and commons were much divided in opinion, and gave no direct answer. The inroads of the Scots, however, gave Edward a colourable pretext for declaring that they had infringed the treaty of peace, and he prepared for war,—the parliament then engaging to assist him to the utmost.*

In the month of May, 1333, Berwick was invested by a powerful English army; and on the 16th of July, Sir William Keith, the governor of that important town, was obliged to treat and to promise that he would surrender on the 20th at sunrise, if not previously relieved by Lord Archibald Douglas, who now acted as regent of Scotland. On Monday, the 19th, after a fatiguing march, Douglas came in sight of Berwick, and found Edward's main army drawn up on Halidon Hill, about a mile to the north-west of the town. This elevation was in part surrounded by bogs and marshes; yet, in spite of all these advantages, the Scots, whose heads were heated, resolved to attack them. As they moved slowly through the bogs they were sorely galled by the English bowmen: when they got firm footing they rushed up the hill with more rapidity than order: their onslaught, however, was tremendous, and for a moment seemed to be successful; but the English, who were fresh, and admirably posted, repelled the attack: the regent Douglas was killed in the *melee*; many lords and chiefs of clans fell around him; and then the Scots fell into confusion, and fled on every side. Edward spurred after them with his English cavalry,—the Lord

* Fordan.—Knyght.—Heming.—Rymer.

Darcy followed up with a horde of Irish kerns who were employed as auxiliaries. Between the battle and the flight the loss was prodigious: never, say the old writers, had Scotland sustained such a defeat or witnessed such slaughter. The young king, David Bruce, with his wife, Edward's innocent sister, was conveyed into France, and Edward Baliol was again seated on a dishonoured throne. The price which Edward exacted for this service was immense, and the readiness with which Baliol paid it incensed the nation against him, and even estranged many of his former partisans. He openly professed homage and feudal service in its full extent to the king of England; and he not only made over the town of Berwick, which surrendered the day after the battle of Halidon Hill, but ceded in perpetuity the whole of Berwickshire, Roxburghshire, Selkirkshire, Peebleshire, and Dumfriesshire, together with the Lothians,—in short, the best part of Scotland. Edward left his mean vassal an army of Irish and English to defend him in his dismembered kingdom; but soon after his departure the indignant Scots drove Baliol once more across the borders, and sent to request assistance from the king of France, who hospitably entertained their young king and queen in the Chateau Gaillard. Edward, on his side, reinforced Baliol, who returned to the south of Scotland, and maintained himself there among English garrisons, though he could make no impression north of Edinburgh.

In 1335, Edward, having still further reinforced his vassal, marched with a powerful army along the western coast of Scotland, while Baliol advanced from Berwick by the eastern. In the month of August these two armies formed a junction at Perth, and, as they had met with little opposition, it was thought that the spirit of the Scots was subdued; but no sooner had Edward turned his back than the patriots fell upon Baliol from all quarters, and harassed his forces with continual skirmishes and surprises. In the following summer Edward was again obliged to repair to the assistance of his creature, and having scoured the country as far north as Inverness, and burnt several towns, he flattered himself that he had at last subdued all opposition. During this campaign, which was marked with more than usual cruelty and waste, the Scottish patriots, who had not been able to procure any aid from France, kept themselves in inaccessible mountains and wilds, but, again, as soon as the English king had crossed the borders, they fell upon Baliol. This obliged Edward to make a second campaign that same year: he marched to Perth in the month of November, and, after desolating other parts of the country, he returned to England about Christmas, once more buoyed up by the confident hope that he had mastered the Scots. As long as he was thus supported Baliol contrived to maintain a semblance of authority in the Lowlands; but the nation regarded him with that hatred and contempt which will ever be, or ever ought to be, the recom-

pense of an intrusive king imposed on a free people by foreign arms.

Affairs were in this uncertain state in Scotland when Edward's attention was withdrawn, and his mind filled by a wilder dream of ambition,—the plan of attaching the whole French kingdom to his dominions. The idea was not altogether new,—it had been suggested several years before; but Edward's youth, and other circumstances, had then prevented the pressing of his absurd claims by force of arms. It would occupy a volume to discuss at length the grounds of this dispute, and many volumes have been written upon the subject; the main facts of the case may be stated in short compass. Charles IV., the last of the three brothers of Isabella, the queen-mother of England, died in 1328, in the second year of Edward's reign: he had no children, but left his wife enceinte. A regency was appointed, and the crown was kept in abeyance; if Joan should be delivered of a son, then that infant was to be king; but in due time she gave birth to a daughter, and, by an ancient interpretation of a portion of the Salic law, and by the usages and precedents of many ages, it was held that no female could reign in France. The daughter of the last king was set aside without debate or hesitation; and Philip of Valois, cousin-german to the deceased king, ascended the throne, taking the title of Philip VI. Edward's mother, Isabella, with the state lawyers of England and some foreign jurists in English pay, pretended from the first that Edward had a preferable right; but it was deemed unsafe to press it at the time: and when Philip of Valois demanded that the king of England should, in his quality of Duke of Aquitaine, go over to France and do homage to him, threatening to dispossess him of his continental dominions if he refused, the young king of England was obliged to comply, though he rendered the homage in vague terms, and, according to one account, entered his protest against the measure, not before Philip or his ambassadors, but before his own council in England, the majority of whom, it is said, advised this base but childish subterfuge. Putting aside the incapacity of females, Edward certainly was nearer in the line of succession; he was grandson of Philip IV. by his daughter Isabella, whereas Philip of Valois was grandson to the father of that monarch, Philip III., by his younger son Charles of Valois. But Philip traced through males, and Edward only through his mother. The latter, however, maintained that, although by the fundamental laws of France his mother, as a female, was herself excluded, he, as her son, was not; but Philip and all France insisted, on the contrary, that a mother could not transmit to her children any right which she never possessed herself. The principle assumed by Edward was a startling novelty,—it had never been heard of in France: but, even if he had been able to prove it, he would have proved a great deal too much, and would have excluded himself as well as Philip of Valois; for by that very principle

the succession rested with the son of Joan, queen of Navarre, who was the daughter of Louis X., the eldest brother of Isabella, as also of Philip V. and Charles IV., who had, in default of issue male, succeeded the one after the other; and if this son of the queen of Navarre had been born a little earlier than he was, then, by this same principle, Charles IV., the last king, must have been an usurper;* and the same king, from the moment that the boy really was born, must have occupied an unsteady throne. Such a principle was contrary to the maxims of every country in Europe, and repugnant alike to the practice in public and in private inheritances; the latter of which had been pretty clearly defined. The French, moreover, who ought to have been the only judges in this case, maintained it to be a fundamental law, *that no foreigner could reign in France*, and contended that one of the principal objects of the so-called Salic law was to exclude the husbands and children of the princesses of France, who generally married foreigners. It is very true that, when it suited their own interests, the French kings insisted on a different law of succession in some of the great fiefs of the crown; but here they tried to cover themselves with local laws or usages particular to the province or territory, and when they could not do this,—as happened more than once,—the injustice of their procedure formed but a bad precedent for others. It was in every sense with a peculiarly bad grace that the English set themselves up as authorities in the laws of royal succession: by no people had such laws been more thoroughly disregarded at home: from the time of William the Norman, who was an usurper by conquest, four out of ten of their kings had been usurpers, or were only to be relieved from that imputation by the admission of the principle that the estates of the kingdom had the right of electing the king from among the members of the royal family. The present question would have been at once decided by leaving this same right of election to the French, who were unanimous in their support of Philip of Valois. The peers of the kingdom had voted that the crown belonged to him; the Assembly of Paris had decreed the same thing; and the States General afterwards confirmed their judgment: and not only the whole nation, but all Europe, had recognized Philip. Edward himself, in 1331, had repeated his homage to him in a more satisfactory way than on the former occasion; and it was not till 1336 that he openly declared that the peers of France and the States General had acted rather like villains and robbers than upright judges; and that he would no longer submit to their decision, or recognise the French king, who had now reigned in peace more than seven years. † But the plain truth was, that

* Joan was married in 1310, during the reign of her first uncle, Philip V.: she was then only six years old, and certainly had not borne a son four years after (1322); when her second uncle, Charles IV., ascended the throne.

† Rymer.—Frossart.—Villaret, Hist. Fr.—Gaillard, Hist. de la Rivalité de la France et de l'Angleterre.—Edward repeatedly offered to give up his claims if Philip would abandon the cause of the king

Edward had not been able to shape his intrigues and make his preparations earlier; and now several concurring circumstances hurried him on. Philip had not only given an asylum to David Bruce, but was actually beginning to aid the Scottish patriots with ships, arms, and money. Edward, on his side, had given shelter to Robert of Artois, who was descended from the blood royal of France, who had married king Philip's sister, and who was supposed to have a strong party in France. On account of a disputed succession to the great fief of Artois, this Robert had been involved in a quarrel, that entailed disgrace on both parties, with his brother-in-law of France, who eventually had driven him into exile and hanged some of his adherents. Robert was a man of violent passions; his rage against the French king was boundless; and it is said that, before raising him up a formidable rival in the person of Edward of England, he had attempted his life by spells and witchcraft, and by the surer agency of the assassin's dagger. He was also gifted with great eloquence or powers of persuasion; he was skilful alike in the cabinet and the field, few princes enjoying a higher military reputation. Philip, who foresaw the consequences of his stay in England, threatened to fall upon Guienne, where, in fact, he had seized several castles, if Edward did not immediately dismiss him. There was not a sovereign in Europe so little likely to bear this insulting threat as the powerful English king, who sent over a commission, bearing date the 7th October, 1337, to the Earl of Brabant and others, to demand for him the crown of France as his indisputable right. The nation went along with the king; the coming war with France was most popular with all men; and having obtained subsidies, tallages, and forced loans,—having seized the tin in Cornwall and Devonshire, and the wool of the year all over the kingdom,—having even pawned the jewels of the crown, and adopted almost every possible means of raising money to subsidize his allies on the continent, Edward sailed from Orewell, in Suffolk, with a respectable fleet, and a fine but not large army, on the 15th of July, 1338. Four days after he landed at Antwerp, where he had secured himself a friendly reception. The Earl of Flanders was bound to his rival Philip; but this prince had scarcely a shadow of authority in the country, where the democratic party had triumphed over the nobles, and the inhabitants of the great trading cities had placed themselves under the government of James Von Artavelde, a brewer of Ghent, who was in fact in possession of a more than sovereign authority in that rich and populous country,—an authority which he exercised rigorously enough, but on the whole with great wisdom. "To speak fairly," says Froissart, whose sympathies were enlisted on the other side, and who was all for knights and chivalry, "there never was in Flanders, nor in any other country, prince, duke, nor other, that ruled a country so peaceably as d'Artavelde." Under this rule, industry, trade, and prosperity had wonderfully increased. The king of France was hated by the Flemings, as the declared enemy of this state of things, and the avowed protector of the expelled or humbled nobles; and when Edward, doing violence probably to his own feelings, did not hesitate to court their plebeian alliance, they forgot some old grudges against the English, and engaged to assist heart and hand in their wars. Edward's other allies were the emperor of Germany, the dukes of Brabant and Gueldres, the archbishop of Cologne, the marquis of Juliers, the counts of Hainault and Namur, the lords of Fauquemont and Bacquen, and some others, who, for certain subsidies, engaged to assist him with their forces. The English king, like his grandfather, Edward I., soon found how little reliance is to be placed on such coalitions. At the same time Philip of France allied himself with the kings of Navarre and Bohemia, the dukes of Brittany, Austria, and Lorraine, the palatine of the Rhine, and with several of the inferior princes of Germany. For the present, however, the operations in the field did not correspond with the magnitude of these preparations. The whole of this year, 1338, was passed in inactivity; and after granting trading privileges to the Flemings and Brabanters, and spending his money among the Germans, all that Edward could procure from them was a promise to meet him *next* year in the month of July. But it was the middle of September, 1339, ere the English king could take the field, and then only fifteen thousand men-at arms followed him to the siege of Cambrai. On the frontiers of France the counts of Namur and Hainault abandoned him. Edward thanked them for their past services, and then advanced to Peronne and St. Quentin, burning all the villages and open towns. Here the rest of his allies halted, and refused to go farther. Edward then turned towards the Ardennes, and, as Philip avoided a battle, he found himself obliged to retire to Ghent, having spent all his money and contracted an enormous debt, without doing anything except inflicting ruin on some unoffending citizens and miserable French peasants. The pope, Benedict XII., made an attempt to restore peace; but Edward, unaffected by his failure, turned a deaf ear to his remonstrances, and immediately afterwards, by the advice, it is said, of Von Artavelde, publicly assumed the title of king of France, and quartered the French lilies in his arms.* About the middle of February, 1340, he returned to England to obtain fresh resources, and the parliament, still sharing in his madness, voted him immense supplies. Before he could return to Flanders he was informed that Philip had collected a tremendous fleet, in the harbour of Sluys, to intercept him.

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* Until he assumed the title of lawful king of France, many, even among the turbulent Flemings, had scruples; they cared nothing for Philip or his authority, but as vassals (nominal at least) they respected the name of king of France.

His council advised him to stay till more ships could be collected; but he would not be detained, and set sail, with such an English fleet as was ready, on the 22nd of June. On the following evening he came in sight of the enemy, who, on the morning of the 24th, drew out to the mouth of the harbour of Sluys. As Edward saw this movement he exclaimed—"Ha! I have long desired to fight with the Frenchmen, and now I shall fight with some of them by the grace of God and St. George."* The battle soon joined; stones were cast and arrows discharged from the decks; and then fastening their ships together with grappling-irons and chains, the enemies fought hand-to-hand with swords, and pikes, and battle-axes. The English gained a complete victory; nearly the whole of the French fleet was taken, and from ten to fifteen thousand of their mariners were killed or drowned. So dreadful was this disaster in the eyes of all of them, that none of Philip's ministers or courtiers dared to break the news to him. This task was left to his buffoon. "The English are but cowards," said the fool. "How so?" inquired the king; "because they had not the courage to leap into the sea like the French and Normans at Sluys," replied the fool.†

After this frightful loss of human life (and, besides the French, four thousand English had perished), Edward went to church to say his prayers and return thanks; and in the letter which he wrote to the bishops and clergy of England, he told them how, by heavenly grace and mercy, he had won so great a victory. This splendid success, and, still more, the great sums of money he carried with him, brought his allies trooping round his standard. Two hundred thousand men, in all, are said to have followed him to the French frontier; but again the mass of this incongruous host broke up without doing anything, and after challenging the French king to single combat, and spending all his money, Edward was obliged to agree to an armistice. The pope again laudably interfered, and endeavoured to convert the truce into a lasting peace; but Philip would not treat with his rival so long as he bore the lilies in his arms and took the title of King of France. Edward could not chastise his lukewarm allies, but he resolved to vent his spite on his ministers at home, who, he pretended, had not done their duty. One night, in the end of November, he appeared suddenly at the Tower of London, where no one expected him, and where there were very evident signs of a culpable negligence. The next morning he threw three of the judges into prison, displaced the chancellor, the treasurer, and the master of the rolls, and ordered the arrest of several of the officers who had been employed in collecting the revenue. Stratford, the Archbishop of Canterbury, who was president of the council of ministers, fled to Canterbury, and when summoned to appear, appealed for himself and his colleagues to the protection of Magna Charta, and issued the old excommunication against

all such as should violate its provisions and the liberties of the subject by arbitrary arrests or the like. He would be tried, he said, by his peers, and would plead or make answer to no other persons or person whatsoever. The king then ordered a proclamation to be read in all the churches, accusing the archbishop of having appropriated, or irregularly applied to other purposes, the supplies voted by parliament for the king's use. The archbishop replied by a circular letter, exonerating himself, and stating that the taxes raised were mortgaged for the payment of debts contracted by the king in the preceding year. Edward rejoined, but as he fell into a violent passion in his letter, it has been fairly concluded that he had the worst of the argument; and in the end of this long quarrel, he was fairly beaten on constitutional grounds by the archbishop.* The king was now greatly distressed for money, and acting on that wise system, from the observance of which it has happened that the liberties of England have been purchased rather by the money than by the blood of the subject, parliament refused to pass the grants he wanted, unless he gave them an equivalent in the shape of a reform of past abuses and a guarantee against future ones.

In the course of the year 1341, the French king allowed David of Scotland, who had now attained his eighteenth year, to return to his own dominions. David, with his wife, landed at Inverbervie on the 4th of May, and was received with enthusiastic joy. Long before his coming the patriots had triumphed; they had taken castle after castle, and, in 1338, had again driven Baliol into England. They now enabled the young king to form a respectable government. The alliance with France was continued, and, within a year after his return, the Bruce made several successful inroads into the northern counties of England. Edward was so absorbed by his continental schemes that he delayed his vengeance, and was even glad to conclude a truce with the restored king of the Scots. This truce was prolonged till the end of the year 1344. Baliol, who had been driven three times from a throne, was provided for in the north of England, where for some years he did the duty of keeping watch and ward against the Scottish borderers.

As long as Edward fought with foreign mercenaries and from the side of Flanders, he was unsuccessful; but now he was about to try the effect of the arms of his native English, and circumstances soon opened him a new road into France, and enabled him to change the seat of the war from the Flemish frontier to Normandy, Brittany, and Poictou, the real scenes of his military glory. It was another disputed succession that occasioned the renewal of the war. John III., Duke of Brittany, died in 1341, and left no children though he had had three wives. Of his two brothers, Guy and John de Montfort, Guy, the elder, had died sometime before him,

* Froissart.

† Wals.—Froissart.—Avesb.—Knyght.

* Bymer.—Rot. Parl.—Heming.

leaving only a daughter, Jane, surnamed *La Boiteuse* (or The Lame), who was married to Charles de Blois, nephew of the French king. A dispute then arose between the uncle and the niece, each claiming the duchy by the laws of inheritance. The uncle, John de Montfort, was by far the more active and the more popular of these two competitors: as soon as his brother was dead, he rode to Nantes, and caused his claim to be recognised by the majority of the bishops and nobles;—he got possession of the treasures of the late duke, besieged and took Brest, Vannes, and the other chief fortresses, and then crossed over to England, privately, to solicit the co-operation of Edward, being well assured that, with or without reference to the old laws of Brittany, Philip would protect his nephew. Charles de Blois, in effect, went to Paris with his wife, and having no party in Brittany, threw himself upon the protection of Philip, who received him in a manner that left no doubt as to his decision. John de Montfort soon returned from England, and when summoned to attend a court of peers and other magnates (all of them French) which Philip had convoked to try this great cause, he went boldly to Paris, accompanied by four hundred gentlemen of Brittany. Montfort's pleadings, which have been preserved, are remarkable specimens of the taste, the law, and the spirit of the times. The divine law, the natural law, the Roman law, and the feudal law, the canons of the church, and the ancient customs of Brittany were all put in requisition. He maintained, or his lawyers maintained for him, that the Salic law, excluding females, which obtained in France, must now be the law of Brittany, which was a fief of France,—that he was nearer in blood to the late duke, his brother, than Jane, who was only the daughter of another brother; but what was evidently considered the strongest ground of all was, the incapacity of females, and on this particular point heathen philosophers, Moses, and the Christian apostles were cited in most admired confusion. "We have," said he, "the example of the Blessed Virgin Mary, who never succeeded her son either in temporal or spiritual government; and it ought to appear that women cannot succeed to peerages, for the peers are counsellors of the king, and are bound at his coronation to put their hands to the sword; and what in sooth would become of us if all the peers of France were females?" To all this Charles de Blois replied, that Jane, his wife, had all the rights of her father,—that she was the last shoot of the elder branch,—that females had repeatedly inherited the duchy,—and that her sex did not exclude her from holding a French peerage, seeing that the Countess of Artois had shortly before been preferred to her nephew Robert, who had disputed the succession with her.* But this was a question where interests had more weight than arguments. Philip demanded of De Montfort the immediate surrender of the treasures of the

* Darr, *Hist. de la Bretagne*. The original manuscripts quoted are preserved in the Archives of Nantes, and in the Bibliothèque du Roi at Paris.

late duke. This demand convinced John that the judgment of the French court would be against him;—he saw, or suspected, preparations for arresting him, and leaving his parchments and most of his friends behind him, he fled from Paris in disguise. A few days after his flight, sentence was pronounced in favour of his opponent. As Voltaire has remarked, the two parties here might be said to have changed sides: the King of England, who claimed the French crown through a female, ought to have sustained Jane and the rights of women; and the King of France, who was so deeply interested in the support of the Salic law, ought to have sided with De Montfort.* But law or right of any kind had little to do with these decisions, and neither Edward nor Philip was likely to be much embarrassed by a legal inconsistency.

After his escape from Paris, De Montfort repaired to London, and there did homage for his duchy to Edward as lawful King of France. At the same time Charles de Blois did homage to Philip, who furnished him with an army of six thousand men. Edward's assistance was not so prompt; but De Montfort, relying on the affection of the people of Brittany, returned to make head against the French invaders. Soon after, he was taken prisoner by treachery, and sent to Philip, who committed him to close confinement in the Tower of the Louvre. Charles de Blois then got possession of Nantes and other towns, and thought that the contest was over; but De Montfort's wife was still in Brittany, and the fair countess had "the courage of a man and the heart of a lion."† With her infant son in her arms, she presented herself to the people, and implored their assistance for the only male issue of their ancient line of princes. Such an appeal from a young and beautiful woman made a deep impression, and by eloquent discourse, by promising, and giving, she reanimated the courage of her party. As if expressly to refute the argumentations of her husband, she put her hand to the sword, put a steel casque on her head, and rode from castle to castle,—from town to town,—raising troops and commanding them like a hardy knight. She sent over to England to hasten the succour which Edward had promised her husband; and to be at hand to receive these auxiliaries, she threw herself into Hennebion, one of the strongest castles of Brittany, situated on the coast at the point where the small river Blavet throws itself into the sea, leaving what was then a convenient port at its mouth. Long before the English ships arrived at this port, she was besieged by the French under Charles de Blois. Within the walls she had the worst of enemies in a cowardly old priest, the Bishop of Leon, ‡ who was incessantly expatiating to the inhabitants on the horrors of a town taken by

* *Essai sur les Mœurs*. Philip, however, was so far right that, by the old usages of Brittany, women had succeeded; but then the other party could assert and prove that this had only been the case in default of males, or when there was no near male blood relation of the reigning family.

† Froissart.

‡ It is not quite clear whether this bishop was coward or traitor: he had a brother in the service of Charles de Blois.

assault, and showing them how prudent it would be to capitulate; but the young countess constantly visited all the posts, showed herself upon the ramparts, where the arrows of the enemy fell thickest, and repeatedly headed sorties against the besiegers. They could not be men who were not animated by this spectacle;—the women of the place caught the spirit of their chieftainess, and, without distinction of rank, dames, demoiselles, and others, took up the pavement of the streets and carried the stones to the walls, or prepared pots full of quicklime to throw over the battlements on the assailants. One day, during an assault which had lasted nearly ten hours, the fair countess ascended a lofty tower to see how her people defended themselves: looking beyond the walls, she saw that Charles de Blois had brought up nearly all his forces to the attack, and that his camp was badly guarded. She descended and, “armed as she was,” mounted her war-horse; three hundred brave knights and squires sprang into the saddle to follow her, and issuing through a gate on the side opposite to that where the French were fighting, she galloped round, under cover of some hills and woods, and fell upon the camp, where she found none but horse-boys and varlets, who instantly fled. She set fire to the tents, and caused a wonderful disorder. When the lords of France saw their lodgings burning and heard the alarm, they ran back to the camp crying out, “Treason! treason!” and nobody remained to carry on the assault. Having thus relieved the town, the countess would have returned into it, but the besiegers threw themselves across her path, and obliged her to fly for safety into the open country. Louis d’Espagne, who was marshal, pursued the enemy without knowing that she was among them, and he killed several of her men-at-arms that were not well mounted; but the countess “rode so well” that she and a great part of her three hundred companions escaped unhurt, and soon after threw themselves into the castle of Aulray, which, according to the tradition of the Bretons, had been built by King Arthur. When the French knew that it was the countess who had done them all that mischief, they marvelled greatly. Within Hennebon it was not known for five whole days what had become of the brave lady; some thought she must be slain, and all were ill at ease on her account. But the wife of De Montfort had made good use of this time; she summoned her friends in the neighbouring country, and managed so well, that instead of three hundred, she had five hundred or six hundred companions, armed and well mounted. Leaving Aulray at midnight, she appeared at sunrise on the sixth morning under Hennebon, and dashing between the besiegers’ camp and the ramparts, she got safely to a gate which was opened for her, and entered the town with the triumphant sounds of trumpets and horns, at all which the French host marvelled mightily, and then went to arm themselves.*

At last, a scarcity of provisions began to be felt

Froissart.

within these well-defended walls, and still the succours of Edward did not arrive. Day after day, anxious eyes were cast seaward, and still no fleet was seen. The Bishop of Leon renewed his dismal croaking, and at length was allowed to propose a capitulation. The countess, however, entreated the lords of Brittany, for the love of God, to conclude nothing as yet, and told them she was sure she should receive great help before three days passed. On the morrow, the garrison was wholly disheartened, the bishop again communicated with the enemy, and the French were coming up to take possession, when the countess, who was looking over the sea from a casement in the tower, suddenly cried out with great joy, “The English, the English! I see the succours coming.” And it was, indeed, the English fleet she saw crossing the line of the horizon. It had been detained forty days by contrary winds, but it now came merrily over the waves with a press of sail. The people of Hennebon crowded the seaward rampart to enjoy the sight. All thoughts of surrendering were abandoned; in brief time the English ships, “great and small,” shot into the port, and landed a body of troops, under the command of Sir Walter Mauny, as brave a soldier as ever drew sword. The fair countess received her deliverers with enthusiastic gratitude, and with a refinement of courtesy. For the lords and captains she dressed up chambers in the castle with fine tapestry, and she dined at table with them. On the following day, after a good dinner, Sir Walter Manny said, “Sirs, I have a great mind to go forth and break down this great battering engine of the French, that stands so near us, if any will follow me.” Then Sir Hugh of Tregnier said that he would not fail him in this first adventure; and so said Sir Galeran. The knights armed, and the yeomen of England, who really did the business, took their bows and arrows. Manny went quietly out by a postern with three hundred archers, and some forty men-at-arms. The archers shot “so thick together,” that the French in charge of the engine could not stand it; they fled, and the machine was destroyed. Manny then rushed on the besiegers’ tents and lodgings, set fire to them in many places, smiting and killing not a few, and then withdrew with his companions “fair and easily.” The countess, who had seen the whole of this gallant sortie from the high tower, now descended, and came forth joyfully and kissed Sir Walter Manny and his comrades one after the other two or three times, like a brave lady.*

The French now despaired; and the very morning after this affair they raised the siege of Hennebon, and carried the war into Lower Brittany, where they took several towns. But soon after, they suffered a tremendous loss at Quimperlé, where an army, under the command of Don Louis d’Espagne, was cut to pieces almost to a man, by the English and the people of the countess. Some months after, however, Charles de

* Froissart.

Blois re-appeared in great force before Hennebon, and began a fresh siege. Encouraged by the recollection of their former defence, and by the presence of their heroic countess and Sir Walter Manny, the people in the town cared little for the number of the besiegers, to whom they cried in mockery, from the walls, "You are not numerous enough yet; you are not enough! go, and seek your companions who sleep in the fields of Quimperlé." Another brilliant sortie, headed by Sir Walter, put an end to this second siege—the French retreating with disgrace. The wife of De Montfort then went over to England to press for further reinforcements which had been promised. Edward furnished her with some chosen troops, which were placed under the command of Robert of Artois, and embarked in forty-six vessels, most of which were small and weak. Off Guernsey, the ships encountered a French fleet of thirty-two tall ships, on board of which were a thousand men-at-arms, and three thousand Genoese crossbow-men. A fierce fight ensued, during which De Montfort's wife stood on the deck with a "stiff and sharp sword" and a coat of mail, fighting manfully; but the combat was interrupted by the darkness of night and a tremendous storm, and the English, after suffering some loss, got safely into a little port between Hennebon and Vannes. Robert of Artois landed the troops, and proceeded with the countess to lay siege to Vannes, which had been taken for Charles de Blois. Vannes was carried by a night assault, and then the lady returned to Hennebon. Soon after, Vannes was retaken by an immense host, led on by Olivier de Clisson and De Beaumanoir. Robert of Artois escaped with difficulty through a postern gate, but he was sorely wounded, and obliged to return to London, where, within a few weeks, he finished his stormy career, to the infinite joy of his loving brother-in-law the French king. Edward then determined to head the war in Brittany himself, and sailed to Hennebon with twelve thousand men. He marched to Vannes, and established a siege there; he then proceeded to Rennes, and thence to Nantes, wasting the country, and driving the French before him.

But Charles de Blois was reinforced by the Duke of Normandy, the eldest son of the French king, and then Edward retraced his steps to Vannes, which his captains had not been able to take. When the Duke of Normandy followed him with a far superior force he intrenched himself in front of Vannes, and then the French formed an intrenched camp at a short distance from him. Here both parties lay inactive for several weeks, during which winter set in. The Duke of Normandy dreaded every day that Edward would be reinforced from England; and it appears that an English fleet was actually on the way. On the other side, Edward dreaded that he should be left without provisions before it arrived. At this juncture, two legates of the Pope arrived at the hostile camps, and, by their good offices, a truce was con-

cluded for three years and eight months. The English departed, boasting that the cardinals had saved the city of Vannes—the French vaunted that the truce had saved Edward.*

Never was a truce less observed. One of the conditions of it was, that Philip should release John de Montfort; but Philip kept him in closer imprisonment than before, and answered the remonstrances of the pope with a miserable quibble. The war was continued against the Bretons, who still fought gallantly under their countess, and hostilities were carried on, both by sea and land, between the French and English. The people of both nations were so exasperated against each other, that they seldom missed an opportunity of fighting, caring nothing for the armistice which their princes had sworn to. A savage deed threw an odium on King Philip, and roused the enmity of many powerful families. During a gay tournament, he suddenly arrested Olivier de Clisson, Godfrey d'Harcourt, and twelve other knights, and had their heads cut off in the midst of the *Halles*, or market-place of Paris. He sent the head of De Clisson into Brittany, to be stuck up on the walls of Nantes. Other nobles were disposed of in the same summary manner in Normandy and elsewhere. They were all said to have been guilty of a treasonable correspondence with England; but not one of them was brought to trial, or subjected to any kind of legal examination. A cry of horror ran through the land. The lords of Brittany, who had supported Charles de Blois, instantly went over to the countess; other lords, fearing they might be suspected, fled from the court, and *then* really opened a correspondence with Edward, and doomed Philip to destruction. But of all the enemies created by this atrocious act, none was so ardent as Jane de Belville, the widow of the murdered De Clisson—a daring woman, who soon rivalled the exploits of the Countess de Montfort, to whom she presented her son, a boy of seven years, that he might be brought up with the young De Montfort. Soon after these events, John de Montfort, who had been a captive for three years, and who now probably feared for his life, contrived to escape in the disguise of a pedlar, and to get over to England. Having renewed his homage to Edward, he received a small force, with which he repaired to Hennebon. The joy of his heroic wife was of short duration—for De Montfort sickened and died shortly after, appointing by will the king of England guardian to his son. Charles de Blois returned into the country, and renewed the war with greater ferocity than ever; but he had no chance of success, and Brittany remained an efficient ally of Edward. Whether he carried the war into Normandy or Poitou, it covered one of his flanks, and remained open to him as a place of retreat in case of a reverse. For some time, both he and Philip had been preparing for more extended hostilities. The latter had adulterated the coinage, had impoverished France with all manner

* P. Lobineau.—Daru.—Froisart.

of levies and taxes, and at this crisis he established the monopoly of salt. Edward declared that his rival now, indeed, reigned by *salic* law; Philip reborted by calling Edward a wool merchant.*

A. D. 1345. Sharing in the popular feeling, the English parliament recommended war, begging, however, that the king would not suffer himself to be duped by foreigners, and expressing their hope that he would finish the contest in a short time by battle or by treaty. An army was sent into Guienne, where the French had seized many towns, under the command of Edward's cousin, the brave and accomplished Earl of Derby. The earl fell like a thunderbolt among the French; beat them in a decisive battle near Auberoche; took many of their nobles prisoners, and drove them out of the country, leaving only a few fortresses in their hands. About the same time Edward went in person to Sluys, to treat with the deputies of the free cities of Flanders. As Louis, the Count of Flanders, though deprived of nearly all his revenues, and left with scarcely any authority, still refused to acknowledge the rights of the English king to the crown of France, Edward endeavoured, rather prematurely, to persuade the Flemings to transfer their allegiance to his own son. His old ally, James Von Artaveldt, entered into this view; and his exertions for Edward cost him his life. Many of the cautious burgomasters opposed this extreme measure, and set intrigues on foot; and Von Artaveldt's long and great power, however wisely used, in the main, for the good of the country, had raised him up numerous enemies. Bruges and Ypres assented to his proposals, but Ghent was in the worst of humours. As he rode into the town he saw the people, who were wont to salute him cap in hand, turn their backs upon him. Doubting some mischief, he got to his house, and made fast his gates. Scarcely had he done this, when the street in which he dwelt was filled from one end to the other by a furious mob, who presently proceeded to force his doors. With the help of his trusty servants he defended his house for some time, and killed and wounded several of the assailants; but the mob still increased, the mansion was surrounded, was attacked on all sides,—further resistance was hopeless. Then Von Artaveldt presented himself at a window bare-headed, and spoke with fair words. "Good people," said he, "what aileth you, and why are you so troubled against me?" "We want to have an account of the great treasures of Flanders which you have sent out of the country without any tittle of reason," cried the multitude as with one voice. Von Artaveldt replied very mildly, "Certes, gentlemen, of the treasures of Flanders never have I taken anything: return quietly to your homes, I pray you, and come here to-morrow morning, when I will give you so good an account that you must in reason be satisfied." But they cried "Nenny! Nenny! [No! No!] we will have it now; you shall

not escape us; for we know that you have emptied the treasury, and sent the money into England without our assent; for which thing you must die." When Von Artaveldt heard these words he joined his hands together, and began to weep very tenderly, and said, "Gentlemen, what I am, you yourselves have made me: in other days you swore to defend me against all men, and now you would kill me without reason: do it you can, for I am but one man against so many. Take counsel of yourselves, for God's love, and remember the past. You would now render me a sorry reward for all the good I have done you. Do you not know how trade was ruined in this country, and how I recovered it. After that I governed you in so great peace; so that in time of my governing ye have had all things as you could wish—corn, oats, money, and all other merchandizes; by the which you have restored yourselves, and got into good condition." But the fury of the mob was unabated by this touching appeal, though the truth it contained was undeniable: they cried out, "Come down, and do not preach to us from such a height;" and they renewed their attack. Then Von Artaveldt shut the window, and intended getting out of his house the back way, to take shelter in a church adjoining: but his hotel was already broken into on that side, and more than four hundred fierce men were there calling out for him. At last he was seized, and slain without mercy: his death-stroke was given by a saddler who was named Thomas Denys. Thus, James Von Artaveldt finished his days;—the brewer of Ghent, who, in his time, had been complete master of Flanders. "Poor men first raised him, and wicked men killed him."*

The news of this great event gave great joy to the Count of Flanders, and great grief to King Edward, who sailed away from Sluys, vowing vengeance against the Flemings who had thus murdered his steady friend and most valuable ally. The free towns fell into great consternation,—their prosperity depended on their trade; their trade in a great measure depended on England. If Edward should shut his ports to their manufactured goods, or prohibit the exportation of English wool, they knew that they would be little better than ruined. Bruges, Ypres, Courtray, Oudenarde,—all the chief towns except Ghent,—sent deputies to London to soften the dangerous wrath of the English king, and to vow that they were guiltless of the murder. Edward waved his claim to the formal cession of Flanders to his son, and contented himself with other advantages and promises, among which was one that the Flemings would, in the course of the following year, pour an army into France, while Edward attacked that kingdom from another quarter.

In 1346 Edward collected a fine army, consisting solely of English, Welsh, and Irish, and landed with them on the coast of Normandy, near Cape la Hogue, about the middle of July. That

* Most of Edward's grants were voted on wool—the great staple of England.

province was defenceless, for Edward's attack had been expected to fall upon the south. In the latter direction the Duke of Normandy had fallen upon the gallant Earl of Derby, and was endeavouring, with the flower of the French army, to drive the English from Guienne. One of Edward's principal objects was to create an alarm which should draw the French out of that province, and, by crossing the Seine, to join his allies, the Flemings, who had actually passed the French frontier. Having taken Carenton, St. Lo, and Caen, and plundered and wasted the country, he marched to the left bank of the Seine, intending to cross that river at Rouen; but, when he got opposite that town, he found that Philip was there before him, that the bridge of boats was removed, and that a French army, in numbers far superior to his own, occupied the right bank. The English then ascended the river towards Paris by the left bank, the French manœuvring along the right, breaking down all the bridges, and preventing the enemy from passing the river. Edward burnt the villages, sacked the towns of Vernon and Mantes, and at last came to Poissy, within eight or nine miles of Paris. Here there was a good bridge, but it had been partially destroyed by order of Philip, who was as anxious to keep his enemy on the left bank as Edward was to get to the right. The English marched from Poissy to St. Germain, which they burnt to the ground: by seizing some boats on the river they were enabled to do still further mischief; and St. Cloud, Bourg-la-Reine, and Neuilly were reduced to ashes. Still, however, Edward's situation was critical; he was separated from his auxiliaries, and Philip was reinforced daily. Having examined the bridge at Poissy, Edward struck his tents, and advanced as if he would attack Paris, and his van really penetrated to the suburbs of that capital. This movement obliged the French to march over to the opposite bank, to the relief of that city. This was what Edward wanted: he then wheeled round, cleared the remains of the bridge of Poissy by means of his bowmen, repaired it, and crossed to the right bank with little loss. From the Seine he continued his way, by forced marches, towards the river Somme, burning the suburbs of Beauvais, and plundering the town of Pois. Philip now determined to prevent his crossing the Somme: by rapid movements he got to Amiens on that river, and sent detachments along the right bank to destroy the bridges and guard every ford. The English attempted to pass at Pont St. Remi, Long, and Pequigny, but failed at each place. Meanwhile, Philip, who had now one hundred thousand men, divided his force, and while one division was posted on the right bank to prevent the passage of the English, he marched with the other along the left, to drive them towards the river and the sea. So close was he upon his enemy, that he entered Airaines, where Edward had slept, only two hours after his departure. That evening the English reached Oisement, near the coast, where they found them-

selves cooped up between the sea, the Somme, and the division of the French army with Philip, which was six times more numerous than their whole force. The marshals of the army were again sent to see whether there were any ford, but they again returned with the sad news that they could find none. Edward then assembled all his prisoners, and promised liberty and a rich reward to any one of them that could show him where he, his army, and waggons might cross without danger. A common fellow, whose name was Gobin Agace, told him that there was a place, a little lower down, called Blanche-Taque, or the White Spot, which was fordable at the ebb of the tide. "The King of England," says Froissart, "did not sleep much that night, but, rising at midnight, ordered his trumpets to sound." Instantly the baggage was loaded, and everything got ready. At the peep of day the army set out from the town of Oisement under the guidance of Gobin Agace, and soon came to the ford of Blanche-Taque; but Edward had the mortification to find not only that the tide was full, but that the opposite bank of the river was lined with twelve thousand men under the command of a great baron of Normandy called Sir Godemar du Fay. He was obliged to wait till the hour of "primes," when the tide was out. This was an awful suspense, for every moment he expected Philip in his rear. The French king, however, did not come up, as he certainly ought to have done; and as soon as it was reported that the river was fordable, Edward commanded his marshals to dash into the water, "in the names of God and St. George." Instantly the most doughty and the best-mounted spurred into the river. Half way across they were met by the cavalry of Sir Godemar du Fay, and a fierce conflict took place in the water. When the English had overcome this opposition they had to encounter another, for the French still occupied, in battle array, a narrow pass which led from the ford up the right bank. Among others posted there, was a strong body of Genoese crossbow-men, who galled them sorely; but the English archers "shot so well together," that they forced all their opponents to give way, upon which Edward cleared the bank of the river; and while part of his forces pursued Du Fay, he encamped with the rest in the pleasant fields between Crotoy and Crecy. Philip now appeared on the opposite side of the ford, where Edward had so long waited; but he was too late—the tide was returning and covering the ford; and, after taking a few stragglers of the English army who had not crossed in time, he thought it prudent to return up the river, to cross it by the bridge of Abbeville. On the following day Edward's marshals rode to Crotoy, in the harbour of which they found many vessels laden with wines from Poitou, Saintonge, and La Rochelle: the best of the wines they carried off as a seasonable refreshment to the army—the town they burnt.

Edward was now within a few days' march of the frontiers of Flanders, but nothing was seen or

heard of his Flemish auxiliaries. He was probably tired of retreating, and encouraged by the result of the remarkable battle at Blanche-Taque, —or there might have been other strong motives with which we are unacquainted to induce him to stay where he was and fight the whole French army, with what, to most men, would have appeared a hopeless disparity of numbers. When told that Philip would still pursue him, he merely said, "We will go no farther; I have good reason to wait for him on this spot; I am now upon the lawful inheritance of my lady-mother,—upon the lands of Ponthieu, which were given to her as her marriage portion; and I am resolved to defend them against my adversary, Philip de Valois." As he had not the eighth part of the number of men that Philip had, his marshals selected an advantageous position on an eminence a little behind the village of Crecy. There the army set about brightening and repairing their armour, and the king gave a supper that evening to the earls and barons,—and he made good cheer. After supper he entered his oratory, and, falling on his knees, prayed God to bring him off with honour if he should fight on the morrow. Rising at early dawn, he and his son Edward heard mass, and communicated: the greater part of his people confessed, and put themselves in a comfortable state of mind. They had not been harassed for many hours; they had fared well; they had had a good night's rest, and were fresh and vigorous. After mass the king ordered the men to arm and assemble, each under his proper banner, on spots which had been carefully marked out during the preceding day. In the rear of his army he enclosed a large park near a wood, in which he placed all his baggage-waggons and all his horses; for every one, man-at-arms as well as archer, was to fight that day on foot. Then his constable and marshals went to look to the three divisions. The first division was under the command of his young son, with whom were placed the earls of Warwick and Oxford, Sir Godfrey d'Harcourt, Sir John Chandos, and other experienced captains; it consisted of about eight hundred men-at-arms, two thousand archers, and one thousand Welsh foot. A little behind them, and rather on their flank, stood the second division of eight hundred men-at-arms and twelve hundred archers, who were commanded by the earls of Northampton and Arundel, the lords De Roos, Willoughby, and others. The third division stood in reserve on the top of the hill; it consisted of seven hundred men-at-arms and two thousand archers. The archers of each division formed in front, in the shape of a portcullis or harrow. When they were thus arranged, Edward, mounted on a small palfrey, with a white wand in his hand, and a marshal on either side of him, rode gently from rank to rank, speaking to all his officers, exhorting them to defend his honour and his right; and he spoke so gently and cheerfully that those who were discomfited were comforted on hearing him and looking into his

confident countenance. This courageous serenity was one of the greatest advantages that Edward had over his rival. At the hour of three he ordered that all his people should eat at their ease and drink a drop of wine; and they all ate and drank very comfortably: and when that was over, they sate down, in their ranks, on the ground, with their helmets and bows before them, so that they might be the fresher when their enemies should arrive.

After his march and counter-march, on the day of Blanche-Taque, Philip rested at Abbeville, and he lost a whole day there, waiting for reinforcements, among which were a thousand lances of the Count of Savoy, "and," says Froissart, "they ought to have been there, as the count had been well paid for them at Troyes in Champaign three months in advance." This morning, however, the French king marched to give battle, breathing fury and vengeance: his countenance was clouded,—a savage silence could not conceal the agitation of his soul,—all his movements were precipitate, without plan or concert. It seemed as if the shades of de Clisson and his murdered companions flitted before his eyes and obscured his vision. He marched rapidly on from Abbeville, and when he came in sight of the well-ordered divisions of Edward, his men were tired and his rear-guard far behind. By the advice of a Bohemian captain, he agreed to put off the battle till the morrow, and two officers immediately rode, one along the van and the other towards the rear, crying out, "Halt, banners, in the name of God and St. Denis!" Those that were in front stopped, but those behind rode on, saying that they would not halt until they were as forward as the first. When the van perceived the rear pressing on them they pushed forward, and neither the king nor the marshals could stop them, but on they marched without any order until they came near the English, when they stopped fast enough. Then the foremost ranks fell back at once in great disorder, which alarmed those in the rear, who thought there had been fighting. There was then room enough for those behind to pass in front had they been willing so to do: "some did so, and some remained very shy." All the roads between Abbeville and Crecy were covered with common people, who, while they were yet three leagues from their enemy, drew their swords, bawling out, "Kill! kill!" and with them were many great lords that were eager to make a show of their prowess. "There is no man," says Froissart, "unless he had been present, that can imagine or truly record the confusion of that day, especially the bad management and disorder of the French, whose troops were innumerable." If all these circumstances are borne in mind, the most marvellous parts of the story will be reconcilable to probability and truth. The kings, dukes, earls, barons, and lords of France, advanced each as he thought best. Philip was carried forward by the torrent, and, as soon as he came in sight of the English, his blood began to boil, and he cried out,

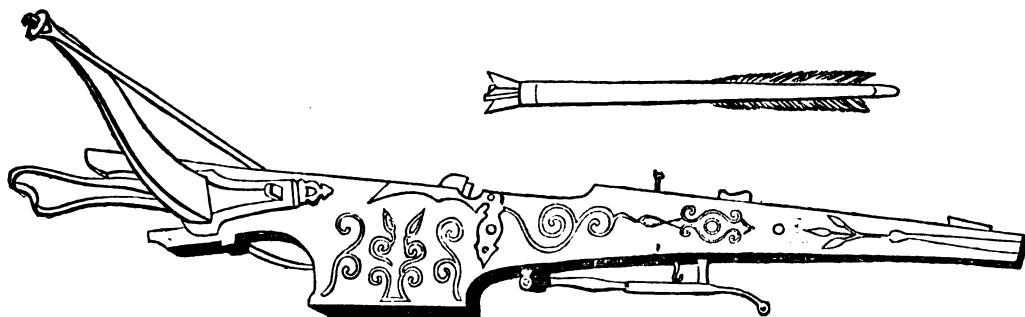
“Order the Genoese forward, and begin the battle, in the name of God and St. Denis!” These Genoese were famous crossbow-men, under the command of a Doria and a Grimaldi: according to



GENOISE ARCHER, WINDING UP OR BENDING HIS CROSS-BOW.

Froissart, they were fifteen thousand strong. But they were quite fatigued, having that day marched six leagues on foot, completely armed and carrying their heavy cross-bows. Thus they told the con-

stable that they were not in a state to do any great exploit of battle that day. The Count d'Alençon, King Philip's brother, hearing this, said, "See what we get by employing such scoundrels, who fail us in our need." The susceptible Italians were not likely to forget these hasty and insulting words, but they formed and led the van. They were supported by the Count d'Alençon, with a numerous cavalry, magnificently equipped. While these things were passing, a heavy rain fell, accompanied by thunder; and there was a fearful eclipse of the sun: and before this rain a great flight of crows, the heralds of the storm, had hovered in the air, screaming over both armies. About five in the afternoon, the weather cleared up and the sun shone forth in full splendour. His rays darted full in the eyes of the French, but the English had the sun at their backs. When the Genoese had made their approach, they set up a terrible shout to strike terror into the English; but the English yeomen remained motionless, not seeming to care for it: they sent up a second shout, and advanced, but still the English moved not; they shouted a third time, and advancing a little, began to discharge their cross-bows. Then the English moved, but it was one step forward, and they shot their arrows with such rapidity and vigour "that it seemed as if it snowed." These well-shot arrows pierced shield and armour; the Genoese could not stand them. On seeing these auxiliaries waver and then fall back, the King of France cried out in a fury, "Kill me those scoundrels, for they stop our way without doing any good!" and at these words the French men-at-arms laid about them, killing and wounding the retreating Genoese. All this wonderfully increased the confusion; and still the Eng-



CROSS-BOW AND QUARRELL.

lish yeomen kept shooting as vigorously as before into the midst of the crowd: many of their arrows fell among d'Alençon's splendid cavalry, and, killing and wounding many, made them caper and fall among the Genoese, "so that they could never rally or get up again." Many of these knights were despatched by Cornishmen and Welshmen, who had armed themselves with long knives for the purpose, and who crept through the ranks of the English archers and men-at-arms to fall upon the French, among whom they spared no one, killing earls and barons, knights and common men

alike. Having got free from the rabble-rout, d'Alençon and the Count of Flanders skirted the English archers and fell upon the men-at-arms of the prince's battalion, where they fought fiercely for some time. The second division of the English moved to the support of the prince. The King of France was eager to support d'Alençon, but he could not penetrate a hedge of English archers which formed in his front. But without the king's forces, d'Alençon, with whom fought French, Germans, Bohemians, and Savoyards, seemed to all eyes more than a match for the prince. At a

moment when the conflict seemed doubtful, the Earl of Warwick sent to request a reinforcement from the reserve. Edward, who had watched the battle from a windmill on the summit of the hill, and who did not put on his helmet the whole day, asked the knight whether his son were killed, or wounded, or thrown to the ground? The knight replied, "No, Sire, please God, but he is hard beset." "Then," said the king, "return to those who sent you, and tell them that they shall have no help from me. Let the boy win his spurs, for I am resolved, if it please God, that this day be his, and that the honour of it be given all to him and to those to whose care I have intrusted him." When Sir Thomas Norwich reported this message, they were all greatly encouraged, and repented of having ever sent him. Soon after this, d'Alençon was killed, and his battalions were scattered. The King of France, who certainly showed no deficiency of courage, made several brilliant charges, but he was repulsed each time with great loss: his horse was killed under him by an English arrow, and the best of his friends had fallen around him. Night now set in, but not before he had lost the battle. At the hour of vespers he had not more than sixty men about him of all sorts. John of Hainault,* who had once remounted the king, now said,— "Sire, withdraw, it is time; do not sacrifice yourself foolishly: if you have lost this time, you may win on some other occasion," and so saying, he laid hold of his bridle-rein and led him away by force, for he had entreated him to retire before this, but in vain. The king rode away till he came to the castle of La Broye, where he found the gates shut, for it was dark night. He summoned the châtelain, who came upon the battlements and asked who called at such an hour. The king answered, "Open, open, châtelain, it is the fortune of France!" The governor knew the king's voice, descended, opened the gates, and let down the bridge. The king and his company entered the castle, but he had with him only five barons. After drinking a cup of wine, they set out again about midnight, and rode on, under the direction of guides who knew the country, until daybreak, when they came to Amiens, where the king rested. On the side of the English, matters went on much more joyously: the soldiers made great fires, and lighted torches because of the great darkness of the night. And then King Edward came down from his post, and, in front of his whole army, took the prince in his arms, kissed him and said, "Sweet son! God give you good perseverance! You are my true son, for loyally have you acquitted yourself this day, and worthy are you of a crown." Young Edward bowed very lowly, and, humbling himself, gave all the honour to the king his father.†

Such was the memorable battle of Crecy: it was

* This peer chevalier of Queen Isabella had quitted the English service, and entered the French, some time before. When first applied to by Philip, he urged that he had spent the flower of his youth in fighting for England, and that King Edward had always treated him with affection;—but he was not proof against a promise of increased pay.
Froissart.

fought on Saturday the 26th day of August, 1346. That night, however, Edward was scarcely aware of the extent of his victory; and on the following day he gained another, if that could be called a victory where there was no resistance made, the French falling like sheep in the shambles. On the Sunday morning a fog arose, so that the English could scarcely see the length of half an acre before them. The king sent out a detachment of five hundred lances and two thousand archers to reconnoitre and learn whether there were any bodies of French collecting near him. This detachment soon found themselves in the midst of a body of militia from Beauvais and Rouen, who, wholly ignorant of what had happened, had marched all night to overtake the French army. These men took the English for French, and hastened to join them.* Before they found out their mistake, the English fell upon them and slew them without mercy. Soon after, the same party took a different road, and fell in with a fresh force, under the Archbishop of Rouen and the Grand Prior of France, who were also ignorant of the defeat of the French, for they had heard that the king would not fight till the Sunday. Here began a fresh battle, for those two spiritual lords were well provided with stout men-at-arms. They could not, however, stand against the English; the two lords were killed, and only a few of their men escaped by flight. In the course of the morning the English found many Frenchmen, who had lost their road the preceding evening, and had lain all night in the open fields, not knowing what was become of the king or their own leaders. All these were put to the sword; and of foot soldiers sent from the municipalities, cities, and good towns of France, there were slain this Sunday morning more than four times as many as in the great battle of Saturday. When this destructive detachment returned to head-quarters, they found King Edward coming from mass, for during all these scenes of carnage, he never neglected the offices of religion. He then sent to examine the dead, and learn what French lords had fallen. The lords Cobham and Stafford were charged with this duty, and they took with them three heralds to recognize the arms, and two secretaries to write down the names. They remained all that day in the fields, returning as the king was sitting down to supper, when they made a correct report of what they had seen, and told him that they had found the bodies of eleven princes, eighty bannerets, twelve hundred knights, and about thirty thousand common men.

On Monday morning, the King of England ordered the bodies of the great knights to be taken from the ground, and carried to the monastery of Montenay, there to be buried in holy ground: and he made it known to the people of the country that he gave them three days' truce, that they might clear the field of Crecy and inter all the dead. He then marched off to the north, keeping near the

* Some old French writers say that the English hoisted French colours, and so decoyed the militia.
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coast, and passing through Montreuil-sur-mer. Among the princes and nobles that fell were Philip's own brother, the Count d'Alençon, the Dukes of Lorraine and Bourbon, the Counts of Flanders, Blois, Vaudemont, and Aumale. But the most remarkable victim was John de Luxembourg, King of Bohemia: he was old and blind, but on hearing that his son was dangerously wounded and forced to abandon the field, and that nothing could resist the Black Prince, he resolved to charge himself; and placing himself between two knights, whose bridles were interlaced on either side with his, he charged and fell. His crest, three ostrich feathers with the motto "*Ich dien*" (I serve), was adopted by Prince Edward, and has ever since been borne by the princes of Wales.*

On Thursday the 31st of August, five days after the great battle of Crecy, Edward sate down before Calais and began his famous siege of that strong and important place,—a siege, or rather a blockade, which lasted nearly a year, and which was enlivened by many brilliant feats of arms. An immediate consequence of his victory at Crecy was the withdrawing of the Duke of Normandy from Guienne, where the Earl of Derby was almost reduced to extremities notwithstanding the gallant assistance of Sir Walter Manny, who had removed a small body from Brittany to Gascony. As soon as the French army had cleared the country, Derby, with an inconsiderable force, left Bordeaux, and crossing the Garonne and the Dordogne, laid waste the land even as far as the walls of Poitiers, which rich city he took by storm and plundered. After these exploits, he returned loaded with booty to Bordeaux.

While Edward was occupied at Calais, Philip resorted to measures which he hoped would create such a confusion in England as to oblige his immediate return thither. Ever since his guest David Bruce had been reseatd on the throne he had kept up an active correspondence with Scotland, and three successful inroads on the English frontier had arisen, not less from his suggestions than from the eagerness of the Scots for revenge and plunder. His communications were now more frequent, and, in the month of September, King David himself marched from Perth at the head of three thousand regular cavalry and about thirty thousand others, mounted on galloways. It is said that he was confident of success, seeing that nearly the whole chivalry of England was absent. He rode into Cumberland, took the peel, or castle, of

Liddel on the 2nd of October, and then marched into the bishopric of Durham. While he lay at Bearpark, near the city of Durham, the English assembled an army in Auckland Park. Queen Philippa, according to Froissart, mounted a horse and rode among these troops, discoursing like a heroine, and recommending to their courage the safety of their country, and the honour of their absent king. She did not, however, he admits, like the Countess of Montfort and the other heroines in Brittany, take a part in the battle, but after recommending them to God and St. George, she withdrew to a safe place. But no old English writer mentions the presence of Philippa on this occasion; and we fear the story, however ornamental, must be reckoned among the fabulous embellishments of history. The Scots were ignorant of all the movements of the English: Douglas, the famous knight of Liddesdale, who had scoured the country as far as Ferry Hill, was intercepted on his return by the English at Sunderland Bridge. He cut his way through them, but lost five hundred of his best men. David, though taken by surprise, immediately formed his troops, and a decisive battle was fought at Nevil's Cross. The English counted among their forces three thousand archers, and these men as usual decided the affair. While the Scottish horse were crowded together, they let fly at them from under cover of hedges, and choosing their aim, they soon unhorsed many of their best knights. On this occasion David showed much of the courage of his father, but that great man's prudence and generalship were altogether wanting. After being twice wounded, and still disdaining to flee or surrender, he was forcibly made prisoner by one Copland, a gentleman of Northumberland, who carried him off the field to his tower of Ogle. Three earls and forty-nine barons and knights shared the fate of the king. The Earl of Monteith, who had accepted office under Edward, and the Earl of Fife, who had done homage to Edward Baliol, were condemned as traitors without any form of trial, by the king in council at Calais. Monteith was barbarously executed, but Fife was reprieved on account of his relationship, his mother having been niece to Edward I. King David was soon carried to London and safely lodged in the Tower. The battle of Nevil's Cross, which wonderfully elated the English, was fought on the 17th of October.*

In the meantime Edward's ally, the Countess of Montfort, continued to defend the inheritance of her infant son, being well supported by an English force of one thousand men-at-arms and eight thousand foot, under the command of Sir Thomas Dagworth. On the night of the 18th of June, 1347, while her bitter enemy, Charles de Blois, was lying before Roche-Derrien, which he was besieging with fifteen thousand men, he was suddenly attacked by the English. In the confusion of a nocturnal battle, Sir Thomas was twice taken prisoner, and twice released by his brave followers.

* Froissart. He says that he had his accounts of the battle of Crecy, not only from Englishmen engaged in it, but also from the people of John of Hainault, who was near the person of the King of France the whole day. A contemporary writer, Giovanni Villani, in his 'History of Florence,' relates that cannon were used by the English at the battle of Crecy, and that four of these newly-invented engines which Edward planted in the front of his army did great execution. This circumstance is not mentioned by Froissart; nor is his account very consistent with the supposition that cannon were used. It seems unlikely, too, that he should have omitted so remarkable and so material a circumstance. It appears to be certain, however, that the use of cannon was introduced some years before the battle of Crecy. Ducange (art. 'Bombarda') shows that the French employed cannon at the siege of Puy Guillaume, in 1336; and a species of fire-arms at least, which Barbour in his 'Life of Bruce, calls "crakys of war," was used by the English in the expedition against Scotland, in 1327.

A sortie from the garrison finished this affair—the French were thoroughly beaten and dispersed; Charles de Blois was taken prisoner, and sent over to England, to add another royal captive to those already in Edward's power: he was confined in the Tower of London, as his rival, de Montfort, had been confined in the Tower of the Louvre. The affairs of Charles were hereby ruined; but his wife, Joan the Lane, fought some time for her captive husband, as the wife of de Montfort had fought for hers when he was a prisoner at Paris. This has been well called the age of heroines; in Brittany alone there were three ladies showing the firmness and valour of men; but, in the end, the Countess Joan was foiled, and the Countess of Montfort preserved the dominion for her son, who afterwards held the country, and transmitted it to his children.*

Edward, meanwhile, pressed the blockade of Calais, the garrison and inhabitants of which were neither won by his promises nor intimidated by his threats. As it was a place of incredible strength, he wisely resolved not to throw away the lives of his soldiers in assaults, but to reduce it by famine. He girded it on the land side by intrenchments, and he built so many wooden houses for the accommodation of his troops, that his encampment looked like a second town growing round the first: the old French writers, indeed, call it *La Ville de Bois*. At the same time his fleet blockaded the harbour, and cut off all communication by sea. John de Vienne, the governor of Calais, could not mistake Edward's plan, and, to save his provisions, he determined to rid himself of such as are called, in the merciless language of war, "useless mouths." Seventeen hundred poor people, of both sexes and of all ages, were turned out of the town and driven towards the English lines. Edward gave them all a good dinner, and then dismissed them into the interior of the country, even presenting them with a little money to supply their immediate wants. As provisions waxed low the governor made a fresh search for "useless mouths," and five hundred more of the inhabitants were thrust out of the town: but this time Edward was not so merciful, and all of them are said to have perished miserably between his lines and the town walls, as the governor would not re-admit them. A few Norman vessels eluded the vigilance of the English fleet, and conveyed some victuals into the town; but from that time the mouth of the port was quite blocked up, and the Earl of Warwick, with eighty "tall ships," constantly swept the Channel. Fresh squadrons of English ships were sent to sea from time to time, till at length their united number was prodigious.† A French fleet, attempting to relieve

the place, was met by the Earl of Oxford, and carried to England. After this the hopes of the garrison began to fail them, and they wrote to King Philip that they had eaten their horses, their dogs, and all the unclean animals they could procure, and that nothing was left for them but to eat one another. This letter was intercepted by the English; but Philip knew the straits to which they were reduced, and resolved to make a great effort to save this important place. The "Oriflamme," the sacred banner of France, which was not to be used except against infidels, was unfurled; the vassals of the crown were summoned from all parts; and, in the month of July, Philip marched towards Calais. That town, however, was only approachable by two roads—the one along the sea-shore, the other over bogs and marshes: and Edward guarded both—the one with his ships and boats, which were crowded with archers; the other by means of towers, fortified bridges, and a great force of men-at-arms and archers, under the command of the brave Earl of Derby, who, as well as Sir Walter Manny, had come from Gascony for this great enterprise. Philip was not bold enough to attempt either passage; and after a fruitless attempt at negotiation, and an idle challenge, he withdrew his army, and left Calais to its fate. When the faithful garrison had witnessed his departure, they hung out the flag of England, and asked to capitulate. Edward, enraged at their obstinate resistance, and remembering, it is said, the many acts of piracy they had formerly committed upon the English, refused them any terms, saying that he would have an unconditional surrender. Sir Walter Manny, and many barons who were then present, pleaded in favour of the men of Calais. "I will not be alone against you all," said the king. "Sir Walter, you will tell the captain that six of the notable burghesses must come forth naked in their shirts, bare-legged, with halters round their necks, and the keys of the town and castle in their hands. On these I will do my will, and the rest I will take to my mercy." When Sir Walter Manny reported this hard condition to John de Vienne, that governor went to the marketplace and ordered the church bells to be rung: the people—men, women, and children—repaired to the spot, and, when they had heard Edward's message, they all wept piteously, and were incapable of forming any resolution. Things were in this state when the richest burghess of the town, who was called Messire Eustace de St Pierre, rose up and said, before them all,—“Gentlemen, great and little, it were great pity to let these people perish,—I will be the first to offer up my life to save theirs.” After him another notable burghess, a very honest man, and of great business, rose and said that he would accompany his compeer, Messire Eustace; and this one was named Messire Jehan

others were, 15 from Bayonne, 7 from Spain, 14 from Flanders, and 1 from Guelderland. Most of these vessels must have been very small: but there were some carrying crews of 100 to 300 men each.—Hackluyt, Southey's Nav. Hist.

* After nine years' captivity, Charles de Blois was liberated on a ransom, which he never paid; and he was killed in 1364, at the battle of Auray, or Auray, where the young Count de Montfort, and his English allies, gained a great victory.

† Hackluyt has printed the roll of these fleets, extant, in his time, in the king's great wardrobe. The south fleet consisted of 493 sail, and 9630 men; the north of 317 sail, and 4521 men. There were 28 foreign ships, among which was included 1 from Ireland; the

d'Aire. After him rose up Jaques de Wisant, who was very rich in goods and lands, and said that he would accompany his two cousins, as did Peter Wisant, his brother: then the fifth and the sixth offered themselves, which completed the number the king demanded. The governor, John de Vienne, mounted a small hackney, for his wounds prevented him from walking, and conducted them to the gate. The English barriers were opened, and the six were admitted to the presence of Edward, before whom they prostrated themselves, and, presenting the keys, begged for mercy. All the barons, knights, and others who were there present, shed tears of pity, but the king eyed them very spitefully, for much did he hate the people of Calais; and then he commanded that their heads should be struck off. Every Englishman entreated him to be more merciful, but he would not hear them. Then Sir Walter Manny said, "Ha! gentle sire, let me beseech you to restrain your wrath! You are renowned for nobleness of soul,

—do not tarnish your reputation by such an act as this. These worthy men have, of their own free will, nobly put themselves at your mercy, in order to save their fellow-citizens." Upon this the king made a grimace, and said, "Let the headsman be summoned." But the Queen of England, who was far advanced in her pregnancy, fell on her knees, and, with tears, said, "Ah! gentle sire! since I have crossed the sea with great danger, I have never asked you anything: now, I humbly pray, for the sake of the son of the Holy Mary and your love of me, that you will have mercy of these six men." The king looked at her, and was silent awhile: then he said, "Dame, I wish you had been somewhere else; but I cannot refuse you—I put them at your disposal." Philippa caused the halters to be taken from their necks, gave them proper clothes and a good dinner, and then dismissed them with a present of six nobles each.*

* Froissart.



QUEEN PHILIPPA INTERCEDING FOR THE BURGHESSSES OF CALAIS.—Bird.

On the following day, August 4th, 1347, the king and queen rode towards the town, which they entered to the sound of trumpets, drums, and all

kinds of warlike instruments. They remained there until the queen was delivered of a daughter, who was called Margaret of Calais; and after that

they returned to England, Edward having agreed to a truce with Philip, which was gradually prolonged for six years. The French king's finances were completely exhausted; but it appears that neither he nor his rival would have suspended hostilities had it not been for the interference of the pope, who had never ceased to implore for peace.

Encouraged by his brilliant successes, the parliament had hitherto voted grants to the king with great liberality, but now the weight of taxation began to be felt, and people, as usual, wearied of the war for which they had been so eager. The wealth brought into the country by the plunder of France was probably far from being equal to that which was taken out of it, though, in numerous instances, the scenes of the Conquest were reversed, and men who went "poor wights" out of England returned rich lords; and though, what with prizes made by sea and pillages by land, the country was stocked with French goods and furniture of all kinds. The siege of Calais had cost immense sums, and Edward on his return was greatly in want of money. On the 14th of January, 1348, he asked the advice of his parliament touching the prosecution of the war with France. The commons, suspecting that this was but a prelude to the demand of a subsidy, declined giving any answer. When the parliament met again, on the 17th of March, the king told them that the French were making mighty preparation to invade England, and he demanded an aid on that account. In real truth, there was no danger whatever; but, after bitter complaints of taxation, and consequent poverty, three fifteenths were voted to be levied in three years. In the course of this year, an attempt made by the French to recover Calais, by bribing the governor, gave Edward an opportunity of displaying his personal valour and generosity; and in the following year he commanded in a naval battle against the Spaniards belonging to the ports of the Bay of Biscay, who had given him many causes of discontent by joining the French and by plundering his trading vessels. The battle was fought within sight of the hills behind Winchelsea, whence the queen's servants watched it with an anxious eye. Edward and the Prince of Wales were never in such danger: the king's ship was sinking, when the brave Earl of Derby, recently created Duke of Lancaster, came to his assistance, and in the end they gained a brilliant victory, taking fourteen of the Spanish ships, but not without great loss of knights and men. About this time Philip of France died, and was succeeded by his son, the Duke of Normandy, now John I. This new king gladly consented to prolong the truce, which, however, was but indifferently observed, the English and French frequently fighting at sea, in Brittany, and in the south of France.

As if in mockery of the petty carnage of men, who, doing their most, could only sacrifice a few thousand lives at a time, and on a given spot, the plague now invaded Europe, destroying its hundreds of thousands, and depopulating hundreds of towns

and cities at one and the same time. From the heart of China, this pestilence, sweeping across the desert of Cobi and the wilds of Tartary, found its way through the Levant, Egypt, Greece, Italy, Germany, France, and at last embraced the western coast of England, whence it soon spread all over the land. It appeared in London in November, 1348, and there committed the most frightful ravages. According to some historians one-half of the whole population of England was swept away, and the dreadful malady affected the cattle in an equal degree. The poor suffered most; and, at the end of the great pestilence, there were not hands enough left to till the soil.

Edward repeatedly complained to his parliament of the bad faith of the French, and got money from them to provide against their reported preparations for a renewal of the war; but this money was not thrown away, for at nearly every grant some concession favourable to the liberty of the subject was asked and obtained from this warlike king. In part probably from a desire to reduce the Scots, who maintained their independence in spite of the captivity of their king, he several times made offers of peace to John of France, on condition of renouncing his pretensions to the French crown in exchange for the absolute sovereignty of Guienne, Calais, and the other lands which had been held as fiefs by the former kings of England. The pride of the French people, however, revolted at this notion; and after their king had committed his honour, and promised, at the congress of Guines, to accede to Edward's propositions, they drove him into a most unfortunate war.*

In 1355, Prince Edward opened the campaign in the south of France with an army of sixty thousand men, only a small part of whom were English. From Bordeaux he marched to the foot of the Pyrenees, burning and destroying: from the Pyrenees he turned northward, and ravaged the country as far as Toulouse; he then proceeded to the south-east, to the wealthy cities of Carcassonne and Narbonne, both which he plundered and burnt. Loaded with booty, his destructive columns got safely back to Bordeaux. A simultaneous movement made by his father in the north of France proved a failure; for the country was cleared of everything before his approach, King John, though at the head of a numerous army, would not fight, and Edward was obliged to turn back upon Calais through want of provisions; and there he was amused by a sort of challenge to a general battle, to take place some day or other, till the Scots retook their town of Berwick, and rushed across the borders in hopes of rescuing their captive king, or of retrieving the honour they had lost at Nevil's Cross. At this news Edward hurried to meet his parliament, which assembled on the 23rd of November, and promptly voted him supplies for this emergency.

It was the middle of January, 1356, before Edward could appear at Berwick; but, at his ap-

proach, as the Scots had only got possession of the town, and not of the castle, they withdrew. Edward was now fully resolved to put an end to the interruptions which the Scottish wars had so frequently offered to his wars in France, and to effect a final conquest of the kingdom. His army was immense, and composed in great part of tried soldiers, men elated by the many victories they had obtained on the continent. As if nations were to be bought and sold, and made over by sheets of parchment, he purchased, at Roxburgh, on the 20th of January, all Edward Baliol's rights to the Scottish throne for 5000 marks, and a yearly annuity of 2000*l.*—a vast deal more than they were worth—for Baliol had no rights acknowledged by the nation, which had thoroughly expelled and renounced him ever since the year 1341. With these parchments in his chest, the King of England marched through the Lothians, burnt Hadington and Edinburgh, and wasted the neighbouring country. But here again he was compelled to retreat, by want of provisions: the Scots, who could not meet him in the field, harassed his retiring forces, and inflicted a dreadful vengeance on the rear, and on all stragglers, for the horrible devastations they had committed. The Scots called this inroad the "burnt Candlemas;" and many an English village afterwards was made to blaze for the fires which Edward had kindled. From this time Edward Baliol drops out of notice, and he died a childless and a childish old man, at Doncaster, in the year 1363.

From causes which are not explained, but at which it is not difficult to guess, Edward neither renewed the war in Scotland, nor reinforced his son in France; for the Black Prince,* as late as July in the following year, took the field with only twelve or fourteen thousand men, few of whom were English, except a body of archers, the rest being chiefly Gascons. The prince's plan seems to have been merely to repeat the plundering, devastating expedition of the preceding year. By rapid marches, he overran the Agenois, the Limousin, and Auvergne, and penetrated into Berri, in the very heart of France, burning, destroying, and plundering. He advanced so far, that he "came to the good city of Bourges, where there was a grand skirmish at one of the gates." He found Bourges, and afterwards Issodun, too strong for him, but he took Vierson by storm, and burnt Romorantin, a town about ten leagues from Blois. The King of France advanced from Chartres, and, crossing the Loire, at Blois, made for the city of Poitiers. Edward, it appears, had so exasperated the French by his destructive proceedings, that not a man could be found to give him information of John's march; and, in utter ignorance, he turned to the south-west, and marched also for Poitiers. On the 17th of September, the English van came unexpectedly upon the rear of the great French army

* It appears to be now that the younger Edward was first called the "Black Prince," from the colour of his armour, which, says the Père d'Orléans, "gave éclat to the fairness of his complexion, and a relief to his *bonne mine*."

at a village within two short leagues of Poitiers; and Edward's scouts soon after discovered that the whole surrounding country swarmed with the enemy, and that his retreat towards Gascony was cut off. "God help us!" said the Black Prince; "we must now consider how we can best fight them." He quartered his troops for the night in a very strong position, among hedges, vineyards, and bushes. On the following morning, Sunday, the 18th of September, John drew out his host in order of battle: he had, it is said, sixty thousand horse, besides foot; while the whole force of the Black Prince, horse and foot, did not exceed ten thousand men. But Edward had chosen a most admirable position, and the issue of this battle, indeed, depended on his "military eye" and on "the sinewy arms of the English bowmen."† When the battle was about joining, a legate of the pope, the Cardinal Talleyrand, arrived on the field, and implored the French king to avoid the carnage which must inevitably ensue. John reluctantly consented to let the cardinal-legate go to the English camp, and represent to the English prince the great danger in which he stood. "Save my honour," said the Black Prince, "and the honour of my army, and I will listen to any reasonable terms." The cardinal answered, "Fair son, you say well, and I will endeavour to procure you such conditions." If this prince of the church failed, it was no fault of his; for all that Sunday he rode from one army to the other, exerting himself to the utmost to procure a truce. The prince offered to restore all the towns and castles which he had taken in this expedition, to give up all his prisoners without ransom, and to swear that he would not, for the next seven years, bear arms against the king of France. But John, too confident in his superiority of numbers, would not agree to these terms, and, in the end, he sent, as his ultimatum, that the prince and a hundred of his best knights must surrender themselves prisoners, or he would not allow them to pass. Neither the prince nor his people would ever have agreed to such a treaty. All Sunday was spent in these negotiations. The prince's little army were but badly off for provisions and forage; but, during the day, they dug some ditches, and threw up some banks round their strong position, which could only be approached by one narrow lane. They also arranged their baggage-waggons so as to form a rampart or barricade, as had been done at Crecy. On the following morning, Monday, September 19th, the trumpets sounded at earliest dawn, and the French again formed in order of battle. Again Cardinal Talleyrand spoke to the French king; but the Frenchmen told him to return whence he came, and not bring them any more treaties or pacifications, lest worse should betide him. The cardinal then rode to Prince Edward, and told him he must do his best, for that he could not move the French king. "Then God defend the right," said Edward, preparing with a cheerful counte-

nance, like his father at Crecy, for the unequal conflict. A mass of French cavalry charged along the lane to force his position, but such a flight of arrows came from the hedges, that they were soon brought to a pause, and at last were compelled to turn and flee, leaving the lane choked up with their dead and wounded and their fallen horses. Of the two marshals of France who led this attack, Arnold d'Andreghen was wounded, and taken prisoner; and Clermont, the other, was killed, by the stout bowmen of England. After this success, Edward became the assailant. Six hundred English bowmen making a circuit, suddenly showed their green jackets and white bows on the flank and rear of John's second division. "To say the truth," quoth Froissart, "these English archers were of infinite service to their army, for they shot so thickly and so well that the French did not know which way to turn themselves." The second division scarcely waited to feel the points of their arrows: the knights becoming alarmed for their horses, which they had left in the rear, quitted their banners. Eight hundred lances were detached to escort the French princes from this scene of danger, and presently after the whole division dispersed in shameful disorder. At this pleasant sight the knights and men-at-arms under the Black Prince, who had as yet done nothing but look on, mounted their horses. As soon as they were mounted, they gave a shout of "St. George for Guienne!" and Sir John Chandos said to the prince, "Sire, ride forward, the day is yours! let us address ourselves to our adversary, the King of France; for in that part lies all the strength of the enterprise. Well I know that his valiancy will not permit him to flee, and he will remain with us, please God and St. George." Then the prince said to his standard-bearer, "Advance banners, in the name of God and St. George!" They went through the lane,—charged across the open moor where the French had formed their battalia,—and the shock was dreadful. The Constable of France stood firm with many squadrons of horse, his knights and squires shouting, "Mountjoy, St. Denis!" but man and horse went to the ground, and the duke was slain, with most of his knights. The Black Prince then charged a body of Gerinan cavalry, who were soon put to flight. But even here it seems to have been rather the arrow of the English yeomanry than the lance of the knight that gained the advantage. A strong body of reserve, under the command of the Duke of Orleans, fled without striking a blow. But Chandos was not mistaken as to the personal bravery of John; that king led up a division on foot, and fought desperately with a battle-axe; and when nearly all had forsaken him, his youngest son, Philip, a boy of sixteen, fought by his side. John received two wounds in the face, and was beaten to the ground; but he rose and still strove to defend himself, while the English and Gascons pressed upon him, crying, "Surrender, or you are a dead man!" They would have killed him, but a young

knight from St. Omer, named Sir Denis, burst through the crowd and said to the king in good French, "Sire, surrender!" The king, who found himself in desperate case, said, "To whom shall I surrender? Where is my cousin, the Prince of Wales?" "He is not here," replied Sir Denis; "but surrender to me and I will conduct you to him." "But who are you?" said the king. "Denis de Morbecque," he answered, "a knight of Artois; but I serve the king of England because I cannot belong to France, having forfeited all I had there."* King John then gave him his right-hand glove, and said, "I surrender to you." There was much crowding and struggling round about the king, for every one was eager to say—"I took him." At last John was removed out of a situation of great danger (for the English had taken him by force from Sir Denis, and were quarrelling with the Gascons) by the Earl Warwick and the Lord Cobham, who saluted him with profound respect, and conducted him, with his youngest son Philip, to the Prince of Wales.†

Edward received his illustrious captive with the greatest modesty and respect, treating him with all the courtesy of the most perfect chivalry. He invited him to supper, waited on him at table as his superior in age and dignity, soothed his grief, and praised his matchless valour, which had gained the admiration of both armies. The day after this victory, Edward continued his march; he passed through Poictou and Saintonge without meeting with any resistance, for the French no where rallied to rescue their king, and, coming to Blaye, he crossed the Garonne, and presently came to the good city of Bordeaux, where he safely lodged all his prisoners. He then concluded a truce for two years with the Dauphin Charles, now appointed Lieutenant of France, and in the spring he returned to England, taking King John and Prince Philip with him. Their entrance into London (24th April, 1357) was magnificent; the King of France was mounted on a cream-coloured charger, richly caparisoned; the Prince of Wales rode by his side, as his page, on a small black palfrey; but the former could scarcely be flattered by being made the principal figure in such a procession. The King of England received John with all the honours due to a crowned head; and yet, if Edward's pretensions to the French crown were well founded, what was John but a rebel and usurper? The truth, however, seems to be that, even in his own eyes, these pretensions, as also those to the crown of Scotland, appeared, if not unreasonable in themselves, at least surrounded by too many difficulties of execution, and Edward soon showed an inclination to renounce his French scheme, and to follow up the Scottish project by other means than those of conquest. As early as the year 1351, he had opened negotiations with the Scots for the liberation of their king, but the ransom he then fixed was ex-

* Sir Denis, it appears, had been banished from France for killing a man in an affray.

† Froissart.

travagantly high; in 1354, these negotiations were renewed, and the Scots consented to pay ninety thousand marks in nine years; but their allies, the French, induced them to depart from this agreement, and, leaving their king a prisoner, they prepared to invade England. Edward's "burnt Candlemas" and the victory over their allies at Poitiers made them willing to treat again, and the English king, in spite of those successes, was not in a condition to renew a war in the north. On the 3rd of October, 1357, a treaty was concluded, the Scots agreeing to pay one hundred thousand marks in ten years, and to give hostages as security for such payments; and in the month of November, David, after a captivity of eleven years, recovered his liberty and returned to Scotland.* It was soon made to appear that his long residence in England and his intimate association with Edward had produced their effect on the weak mind of David Bruce, and that Edward, in discontinuing the struggle by arms, had not renounced his ambitious hopes. In 1362, David's wife died childless, and, in a parliament held at Scone in the following year, David coolly proposed that they should choose Lionel Duke of Cambridge, Edward's third son, to fill the throne in the event of his dying without issue. At this time the next heir in the regular line was the Stewart of Scotland, the son of David's elder sister. David hated his nephew, and this feeling may have had a great share in influencing him to make this strange proposal, and it also appears probable that Edward had bound him by some secret compact before he consented to his release. But the parliament of Scotland rejected the project with indignation. The death of Edward Baliol without children, which happened soon after this conference at Scone, made David less careful in his proceedings: he went to London and agreed, in a secret conference with Edward, that, in default of the King of Scots and his issue male, the King of England for the time being should succeed to the throne of Scotland. Edward could not be blind to the difficulties that stood in the way of this project, and the unworthy son of the great Bruce was instructed to sound the inclinations of his people, and to keep Edward and his council informed of the result. The king of England took advantage of the debt owing to him for David's ransom to trouble and insult the Scots on many occasions, and the intrigues of his agents added to the unhappiness of that people; but David remained steady to his purpose, and, probably to escape the reproaches of his subjects, spent a good deal of his time in England. When Edward was engaged abroad, the Scots breathed more freely: in 1365, it was agreed that the truce between the two countries (for it had been repeatedly renewed, and as yet there was no treaty of peace) should be prolonged till 1371; and four years later a reduction was made on the amount of the money due for the ransom. King David died in February, 1371, and his project died with him: his nephew, the Stewart of Scotland,

ascended the throne without opposition, taking the title of Robert II.; and though Edward at one moment seemed inclined to undertake another Scottish war, old age, the loss of his son the Black Prince, and other misfortunes, prevented his so doing. Of all his conquests in Scotland, none were permanent except that of the town of Berwick. The house of Stewart held the independent crown of Scotland for two hundred and thirty-two years, and then James VI. succeeded by inheritance to the throne of England, thus laying a better foundation for the happy union between the two countries than could ever have been effected by conquest. Edward's proceedings with his other kingly captive may be briefly related. Two legates of the pope followed John and the Prince of Wales to London, where they laboured to promote an amicable arrangement between England and France. Edward readily consented to waive his absurd claim to the French crown, and to liberate John, on condition of receiving an enormous ransom, and the restoration of Normandy, of the heritage of Eleanor of Aquitaine, and of all the provinces which had belonged to Henry II., to be held in separate sovereignty without any feudal dependance on the French king.* John hesitated and tried to gain time, but time only increased the wretchedness and weakness of his kingdom, which fell into a frightful state of anarchy. The king of Navarre, who descended from the royal family of France, defied the authority of Charles the Dauphin, and was in close alliance with the citizens of Paris, who were engaged, as they had been for some years, in a laudable attempt to put constitutional checks on the arbitrary power of their kings. These men acted imprudently and impetuously: after being led into bloody excesses, they were betrayed and abandoned by the King of Navarre and their other royal and noble allies; but still their original project was worthy of all praise; its unfortunate failure delayed for centuries the march of a rational liberty in France, and the English writers who denounce the attempt as altogether base and treasonable, must have been ignorant of the subject, or void of sympathy for the glorious struggle which had taken place in their own country. By breaking their faith with the people, the Dauphin and his nobles provoked the excesses of which they afterwards complained, and John himself had left behind him a mass of unsatisfied revenge by certain illegal executions resembling those of his father Philip. The streets of Paris ran with blood; and, on the 22nd of February, 1358, Stephen Marcel, the provost of the merchants, killed two of the Dauphin's counsellors, Robert de Clermont and John de Conflans, so near that prince that their blood sprinkled his robes; and at the same time the people obliged the Cardinal de la Forest, chancellor and chief minister, to resign his places and flee for his life. The nobles, not excepting those who had been in the league, grew jealous of the citizens; and then the peasants, or serfs, who had been treated like

* Rymor, Hallea.

beasts of burden for many ages, even until they had almost lost the qualities of humanity, rose against their oppressors, plundered and burnt their castles, and massacred the nobles, men, women, and children, wherever they could find them. This horrible Jacquerie,* which was but faintly imitated in England during the next reign (by Wat Tyler and Jack Straw), lasted the greater part of the years 1357 and 1358, and was not suppressed without slaughter equally atrocious on the part of the government. On one occasion, the Dauphin killed more than twenty thousand peasants: the Sire de Couci made such a butchery of them in Picardy and in Artois that the country was soon cleared of them. They were cut down in heaps,—crushed to death,—slaughtered like beasts, by the knights and men-at-arms. No quarter was given; no prisoners were taken except a few hundreds to furnish an exhibition and expire in horrible tortures. This dreadful state of things conquered the pride of John, and he signed the treaty of peace as dictated by Edward; but the French nation, divided as it was, unanimously rejected it. Edward, enraged at what he termed the bad faith of the enemy,—for he thought that the signature of a king was everything, and the will of the nation nothing,—passed over into France in the autumn of 1359 with an army more numerous than any which he had hitherto employed on the continent. From his convenient landing-place at Calais, he poured his irresistible forces through Artois and Picardy, and laid siege to Rheims, with the intention, it is said, of being crowned King of France in that city, where such ceremony was usually performed. But the winter season and the strength of the place baffled his efforts: after losing seven or eight weeks, he raised the siege, and fell upon Burgundy. The duke was forced to pay fifty thousand marks, and to engage to remain neutral. While Edward was in Burgundy, a French fleet took and plundered the town of Winchelsea, committing great barbarities, which the English soon after retaliated on the French coast. From Burgundy Edward marched upon Paris, and, on the last day of March, 1360, the English encamped in front of that capital. He, however, was not strong enough to besiege Paris; the Dauphin wisely declined a challenge to come out and fight; and in the month of April, a want of provisions compelled Edward to lead his army towards Brittany.† His route was

soon covered by men and horses, who died from want or dropped from the severe fatigues they had undergone in this winter campaign. Edward's heart was touched; but it was a terrific tempest of thunder, lightning, wind, hail, and rain, which he encountered near Chartres, and which reminded him of the day of judgment, that completely subdued his resolution. "Looking towards the church of Notre-Dame, at Chartres, he took a vow; and he afterwards went devoutly to that church, confessed himself, and promised (as he afterwards said) that he would grant peace; and then he went to lodge at a village near to Chartres called Bretigny."[‡]

An armistice was arranged, and, on the 8th of May, 1360, the great peace was concluded by the treaty of Bretigny. "The King of England, Lord of Ireland and of Aquitaine," as Edward was now content to style himself, renounced his pretensions to the crown of France, and his claim to Normandy, Anjou, and Maine, with some other territories that had belonged to his ancestors: he restored all the conquests made by himself and his son, with the exception of Calais and Guines, and reserved to himself Guienne and Poitou, with their dependencies Saintonge, Agenois, the Limousin, Perigord, Thouars, and other districts in the south, and the county of Ponthieu in the north-west, the inheritance of his mother. The Dauphin of France agreed that Edward and his heirs for ever should have full and free sovereignty of the countries ceded by this treaty; that three million crowns of gold should be paid in six years as John's ransom, and that sixteen of the prisoners taken at Poitiers, twenty-five French barons, and forty-two burghers chosen in the richest cities of France, should be constituted hostages for the faithful fulfilment of the articles. In July, John was sent over to Calais that he might ratify the treaty. Three months were spent in explanations and attempts at mutual deception, and then this treaty was ratified at Calais on the absurd condition that the really important clauses should remain in suspense and not be executed till the Feast of the Assumption, or that of St. Andrew, in the following year.‡ On the 24th of October, 1360, there was a solemn interchange of oaths in the church of St. Nicholas at Calais: King John with twenty-four French barons swore to be true to the treaty, and Edward swore to the same effect with twenty-seven English barons. On the following day, King John was set at liberty, and Edward returned to England.

John, with all his faults and vices (and these were so numerous that we wonder how he ever obtained the surname of "the good"), was sensitive on the point of honour, and a scrupulous observer of his word, but the impoverished condition of his country, and the decided opposition of

and the voices of those who sang and rejoiced at balls and festivals, and the piteous cries of those who perished in the flames, or by the edge of the sword, were heard at one and the same time."

* Froissart.—Knyght.—Rymer.

† John, as a prisoner, was at first no party to the compact, but when he went to Calais, on parole, he was considered as a free agent.

‡ That is, the 15th of August or the 30th of November, 1361.

* So called from Jacques Bon-homme, or James Good-man, a name applied in derision to the French peasantry.

† Petrarca, who visited Paris about this time (in 1360), has left a lamentable picture of the state of the country, the consequence of the English war, and of internal anarchy. "I could not believe," says the Italian poet, "that this was the same kingdom which I had once seen so rich and flourishing. Nothing presented itself to my eyes but a fearful solitude, an extreme poverty, lands uncultivated, houses in ruins. Even the neighbourhood of Paris manifested everywhere marks of destruction and conflagration. The streets are deserted,—the roads overgrown with weeds,—the whole is a vast solitude." According to Mezeray, the French bore all these calamities with their usual light-heartedness.—"Misfortunes did not correct them,—pomp and games and tournaments continued all the while. The French danced, so to speak, over the dead bodies of their relations; they seemed to rejoice at the burning of their castles and houses, and at the death of their friends. While some were getting their throats cut in the country, others amused themselves in the towns. The sound of the viola was not interrupted by the blast of the trumpet;

his sons and great nobles, prevented his fulfilling any of the important parts of the treaty. There was no money to pay the heavy ransom, and, whenever he mentioned the renunciation of the suzerainty of his crown over the provinces ceded to Edward, he encountered a violent opposition. It is not so written in the annals of France, but it appears to us pretty evident, that the uncomfortable life he led in his own dominions had a good deal to do with what followed. The Duke of Anjou dishonourably broke his parole, and, flying from Calais, where he was living as one of the hostages, repaired to Paris. His father was much affected by this breach of honour, and he felt that part of his own conduct since his return required explanation. It is said that he also hoped to obtain some modification of the treaty of Bretigny, and to speak with Edward about a new crusade. The French courtiers laughed at his scruples, but, to their astonishment, he went over to London, where Edward received him with every token of affection. It was then said, in France, that it was his violent love for an English lady, and not his honour, that induced him to put himself again in the power of his enemy. John quietly took up his old quarters in the Savoy; but soon after his arrival, and before any business was transacted, he fell dangerously ill. He died at London in the month of April, 1364, much regretted, it is said, by Edward and the English nobles.*

The Dauphin, now Charles V., held the treaty of Bretigny in the same state of suspense, and complained bitterly of the ravages committed in his dominions by the "companies of adventure" which had been in the service of the Black Prince. The truth was, that many of these lawless bands had been in the pay of France, so that Edward was not accountable for the whole of the mischief. The "free companions," as they called themselves, were mercenaries, vagabonds, and adventurers, from nearly every country in Europe, who sold their services to the best payers, and as Edward was by far the wealthier of the two kings, he certainly had the greater number of them. When peace was concluded between the sovereigns, they associated together, chose skilful captains, took or retained castles which they had been paid to garrison, and carried on a war on their own account. They defeated a royal army led against them by John de Bourbon, who was mortally wounded in that action. They made Charles tremble in Paris, and the pope at Avignon. † Edward engaged to clear the country of them, but Charles had no wish to see another English army in his territory. Events in Spain afforded opportunities of getting rid of the marauders. Pedro IV., called the "Cruel," was then legitimate king of Castile, but his atrocities provoked an insurrection. He was, however, strong enough to defeat the insurgents, who fled for refuge to the king of

Aragon. The latter sovereign was unable to resist the arms of the tyrant, who made war upon him; and then the Castilian exiles, among whom were two illegitimate half-brothers of Pedro,—Enrique, Count of Trastamara, and Tello, Count of Biscay,—fled into France. Among his many recent murders, Pedro the Cruel had poisoned his wife, a French princess. It occurred to Enrique of Trastamara, or probably it was suggested to him by the French court, that he might collect among the veteran "companies" such a force as would give him a decided superiority over his half-brother Pedro. The king of France gave money; the pope gave more; * and thirty thousand of the adventurers put themselves under the command of the celebrated warrior Duguesclin and of Don Enrique, and, marching across the Pyrenees, drove the tyrant from his throne. Don Pedro, who had not even the satisfaction of fighting a battle in his defence, fled through Portugal to Coruña, where he embarked in the first ship he found, and sailed with his daughters for Bordeaux. The Black Prince, to whom his father had ceded all his dominions in the south, was residing at Bordeaux, and there gave the tyrant a most friendly reception, considering him as an unfortunate *legitimate* sovereign, and his half-brother Don Enrique as a usurper. His father took the same view; and it was soon determined to restore the fugitive king by force of arms. Charles of France at the same time took measures to support Don Enrique; but his means were very limited. The Black Prince had been married some time to a beautiful widow,—his second cousin,—Joan, Countess of Kent, ‡ who had been familiarly and endearingly called "the Fair Maid of Kent;" but the arrival of Pedro's daughters was not without its effect; and the marriage of two of them to Edward's brothers, the Duke of Lancaster and the Earl of Cambridge, which took place a few years after, gave rise to the claim of an English prince to the throne of Castile,—a ridiculous claim, like many others of those times, but which did not the less cost England some blood and treasure. For the present the fair Spaniards remained at the gay and splendid court of Bordeaux, while their father and the Black Prince and the Duke of Lancaster raised their banners of war. Among the adventurers who had taken service under Don Enrique, there were several English captains; and such was Prince Edward's popularity among the companions gene-

* At first the pope wanted Duguesclin to remain satisfied with his blessing, but the bold adventurer assured his holiness that the companies could make shift without abolition, but not without money.—See Hist. Duguesclin, a very curious old book.

† The history of this fair lady, the mother of the unfortunate Richard II., as of an elder brother (Edward) who died in infancy, is rather curious. She was daughter and heiress to the Earl of Kent, uncle to Edward III., who had been put to death at the beginning of the present reign, by Mortimer and Isabella. She was married when very young to Montacute, Earl of Salisbury, from whom she was divorced; she then espoused Sir Thomas Holland, who assumed in her right the title of Earl of Kent, and was summoned to parliament as such. By this second husband she had two sons,—Thomas Holland, who inherited the honours of his father, and John Holland, who was afterwards created Earl of Huntingdon and Duke of Exeter. They will both appear in the sequel—John as the perpetrator of a savage murder. Her second husband had scarcely been dead three months when she married the Black Prince.

* Rymer.—Froissart.—Continuator of Nangis—Villaret.

† On one occasion a troop of these banditti, commanded by Arnaldo di Cervola, forced the pope to redeem himself in Avignon by the payment of 40,000 crowns.

rally, that as soon as they knew what was preparing, twelve thousand men, under the command of Sir John Calverly and Sir Robert Knowles, abandoned their new master, and returned with all speed to join Edward in Guienne. As Pedro's promises were most liberal, and the fame of Edward so prevalent, they soon marched with thirty thousand men. The king of Navarre, who was master of that pass of the Pyrenees, was bought over; and in the midst of winter, snow storms, and tempests, the Black Prince led his army in safety through Roncesvalles, the famed scene of the "dolorous rout" of Charlemagne and all his paladins—the deep and dangerous valley, which, at the distance of four centuries and a half, was threaded in a contrary direction by a victorious English army under the Duke of Wellington.

On the 3rd of April, 1367, Don Enrique met the invaders in the open plains between Navarete and Najara, with an army which is represented as being three times as numerous as that of Prince Henry and Don Pedro. The battle was begun by the young Duke of Lancaster, who was emulous of the military fame of his brother Edward, and who probably entertained already the hope that the plains over which he was charging would one day acknowledge him as their king. When the Black Prince charged Don Tello, the brother of Don Enrique, that prince wheeled about, and fled in disorder with his whole division, without striking a blow. After this, Edward advanced against the main division, which was commanded by King Enrique in person: and now the fight began in earnest. The Castilians had slings, with which they threw stones with such force as to break helmets and skull-caps: the English archers, "as was their wont," shot briskly with their bows, "to the great annoyance and death of the Spaniards," who, feeling the sharpness of the English arrows, soon lost all order. In the end the Black Prince gained a complete victory; Enrique fled, and Don Pedro re-ascended the throne.* Misfortune had not taught him mercy; Pedro wanted to massacre all his prisoners, but this Prince Edward prevented. Now came the time for the tyrant to show his gratitude; but he was alike unable and unwilling to keep his engagements; and after being half-starved in the country he had won for another, and contracting heavy debts and a malady from which he never recovered, Edward was obliged to lead his army with all haste back to Guienne, where he arrived in the month of July, 1367. Pedro, however, had soon cause to deplore his departure: in a little more than a year his bastard half-brother returned to Castile, and defeated him in battle. A conference was arranged, but, as soon as the two brothers met, they flew at each other with the fury of wild beasts, and in the struggle Don Enrique killed Pedro with his dagger. The bastard, who was still supported by Charles of France, again took possession of the throne.†

* Froussart.

† Froussart.—Walsing.—Mariana.—Edward's assisting the monster Don Pedro has been attributed to a defect in chivalrous morality;

The wary Charles had been recovering strength while the English were losing it; he was now almost ready for an open war, and he bound Enrique by treaty to assist him as soon as he should declare it. At the same time he conciliated the King of Navarre, and entered into a secret understanding with the disaffected lords, vassals of the Black Prince, whose lands lay near the Pyrenees. For seven years the treaty of Bretigny had been little more than a dead letter: John's ransom had never been paid;* many of the hostages, breaking their parole, had returned to France; some of the territory stipulated had never been ceded; the sovereign title to the whole had been withheld by Charles, who had watched with a keen eye the decaying vigour of King Edward, now an old man, and the shattered health of the Black Prince, who, melancholy and spirit-broken, was evidently sinking to a premature grave. The expedition for Don Pedro proved a curse in more ways than one,—it so embarrassed the prince that he was obliged to impose additional taxes upon his subjects of Guienne, in order to obtain the means of paying his army. Upon this the Count of Armagnac, and other Gascon lords, already in the interest of France, went to Paris, and appealed to the King of France, as the lord paramount. Charles had waited patiently for years, but he now thought that circumstances, and, above all, the deplorable state of the prince's health, would allow him to declare himself. He summoned Edward, as Prince of Aquitaine and his vassal (which he was not since the treaty of Bretigny), to appear in his court at Paris to answer to the complaints of the Gascon lords. The prince knew what this meant; and he replied that he would go, indeed, to Paris, but it should be at the head of sixty thousand men. His father, however, was less violent, or probably only better acquainted with the increasing difficulties of raising money in England for such purposes; and, lowering his claims, the elder Edward, setting aside some territory which had been included in the treaty of Bretigny, said he would content himself with the separate sovereignty of Guienne and Poictou, with the adjoining provinces, which he actually possessed. But Charles took this moderation as a certain proof of weakness, and, declaring the Prince of Aquitaine to be contumacious, he poured his troops into his territories. In Poictou, and still more in Guienne, his arms were assisted by the people, who never had been steady to either party: when united with the French they complained of an arbitrary and excessive taxation, and of checks put upon the freedom of trade; and when united with the English they complained of the insolence and arrogance with which they were treated by the proud islanders.

but it seems to us that chivalry had nothing to do with it. Pedro was, not only by treaty, but also by blood, an ally of England; but what still more powerfully urged King Edward and his son was Enrique de Trastamara's throwing himself into the French interests. Had there been no French interference, it is probable that Edward would never have undertaken to restore the tyrant.

* It appears that Edward received about a fourth of the sum promised.

Edward now re-assumed his title of King of France, and offered lands and honours in that kingdom to any soldier of fortune that could conquer them with his good sword. He sent reinforcements to the Black Prince in the south; and at the same time despatched his other brave son, the Duke of Lancaster, with a gallant army from Calais. The duke marched through the north-western provinces, but the French would not risk an engagement with him; and, while he laid waste the open country, Charles gradually extended his conquests in the south, where some towns and castles were taken, and still more delivered up by the garrisons and inhabitants. The Black Prince was sick almost to death, but when he heard that the dukes of Anjou and Berri were marching against him from opposite points, he roused himself and took the field. The royal dukes had not heart to meet him,—they both retreated with precipitation; and, after garrisoning the places they had acquired, they disbanded their army. Limoges, the capital of the Limousin, had been betrayed to the dukes by the bishop and the inhabitants; and the prince was the more sensible to this treachery, as it was a place upon which he had conferred many honours and benefits, so that he had counted on the gratitude and affection of the people. He swore, by the soul of his father, that he would have the town back again,—that he would not move or attend to any other thing until he got it,—and that, then, he would make the traitors pay dearly for their perfidy. He was now so ill that he could not mount his horse, but he caused himself to be carried on a litter from post to post, and he pressed the siege with a savage fury which had not hitherto been observed in him. After a month's labour a part of the works was undermined, and a wide breach made in the walls, apparently by the explosion of gunpowder: the besiegers rushed through the breach, with orders, which were but too faithfully obeyed, to massacre all they found. Men, women, and children threw themselves on their knees before the prince, crying "Mercy! Mercy!" but he would not hear them; although, as the chronicler remarks, most of the poor and humble class could have had nothing to do with the betraying the town to the French. They were all murdered,—upwards of three thousand. "God have mercy on their souls!" says Froissart, with more feeling than usual, "for they were veritable martyrs." John de Villemur, Hugh de la Roche, and the other knights whom the dukes had thrown into Limoges, in all about eighty persons, retreated to one of the squares, placed themselves with their backs to an old wall, and with their banners before them, resolved to sell their lives dearly, as good knights ought. The English knights, as soon as they saw them thus, dismounted, and attacked them on foot. The French fought with the courage of despair against very superior numbers. The prince, who came up in his litter, looked on with admiration at their feats, and he became mild and merciful at the

sight of such gallantry. Three of the French knights, looking at their swords, said, "We are yours—you have conquered—treat us according to the laws of arms." Edward relented; and, instead of being massacred, they were received as prisoners, and their lives were spared in the midst of that universal butchery. But no mercy was shown to any of the meaner sort—the whole city of Limoges was ransacked, and then burnt to the ground.* The massacre of Limoges was the last military exploit of the Black Prince. Hoping that the air of his native country might benefit his ruined constitution, he returned to England, leaving the command in the south to his brother John of Gaunt, the Duke of Lancaster.

Soon after his departure the Duke of Lancaster, having now married the Lady Constance, eldest daughter of Don Pedro, assumed in her right the arms and title of King of Castile and Leon,† an imprudent step, which complicated the difficulties of the English, for Pedro's bastard brother, Don Enrique, who was firmly seated on the throne, drew the bonds of his alliance with France still closer, and prepared to take an active part in the war. In the month of June, 1372, when the Earl of Pembroke came off Rochelle with a fleet carrying reinforcements to the duke, he found a Spanish fleet, consisting of ships far larger than his own, and furnished with engines,—probably cannons,—lying between La Rochelle and the Isle of Rhé. The inhabitants of the town and coast, though they were as yet subjects of the English, assisted the Spaniards in every possible manner. Pembroke either could not or would not avoid a battle: he fought desperately the whole day, and renewed the unequal combat on the morrow; but at last, his ship was grappled by four Spanish ships at once, and boarded on every side: he was made prisoner, and not a single sail of his fleet escaped. Many of them went down with their flags flying; and a ship carrying the military chest, with 20,000*l.* in it, sank with the rest.‡ This was a heavy blow to the king and to the whole nation, who had already begun to consider the sea as their proper element. And from this time, one ill success followed another with amazing rapidity. Charles V., who not without reason was called "the Wise," had determined not to hazard a general battle with the English; and he did not alter this resolution when he appointed Duguesclin, that consummate general, to be constable of France and leader of his armies. The war became a succession of surprises and sieges, the French general advancing slowly and methodically, but surely, leaving no strong fortress in his rear, and retreating whenever the English showed themselves in force. Charles established the same system everywhere, and Edward, in his old age, was often heard to say, that he had never known a

* The Bishop of Limoges, the real offender, escaped death through the management of the Duke of Lancaster.

† The daughters of Don Pedro were illegitimate; but after the death of their mother, the celebrated Maria Padilla, he took an oath that he had been married to her, and he declared her daughters his heirs.

‡ Froissart.

king fight so little and yet give so much trouble. Sir Robert Knowles swept the whole of France from Calais to the walls of Paris, which he insulted; and the Duke of Lancaster marched through France from one end to the other without meeting any opposition; but they found all the important fortresses and great towns well guarded, and they both lost many men from want of provisions, while every straggler from their army was cut to pieces. Benon, Surgère, Saint Jean d'Angely, and Saintes were taken by the constable. The fortune of the war seemed to lie for some time within the walls of Thouars, but after an unsuccessful attempt made to relieve it, that place fell before the arms and engines of Dugueaclyn; and Niort, Aunay, and other towns soon shared the same fate. The Duke of Lancaster marched and counter-marched, but could never bring the French to a battle. He concluded a truce with the Duke of Anjou, and departed for England; but as soon as he had gone Charles broke the armistice. Of all Edward's allies none proved true to him except young De Montfort, and he had enough to do to maintain himself in Brittany, where there was a strong French party, headed by de Clisson.

A.D. 1374.—The pope had never ceased his endeavours to procure a lasting peace; his legates had followed the army of the Duke of Lancaster in all his last campaign, and other envoys were constantly about the court of Charles. When the French had gained almost all they could hope to get, and when Edward's confidence in his own resources was broken by long disappointment, the arrangement for a treaty was commenced at the town of Bruges, whither the Duke of Burgundy, who negotiated for France, carried some of the real blood of our Saviour to give greater solemnity to the contract.* After months of negotiation, a truce was concluded for one year only; but this was subsequently renewed, and lasted till the death of Edward. At this time all that the English king retained of his continental dominions was Bordeaux, Bayonne, a few towns on the Dordogne, and his own important conquest of Calais, with a strip of territory round it.

On his return to England, the Black Prince embraced a course of popular opposition in parliament, and if he irritated his old father thereby, he had the good fortune to please the nation, whose idol he had ever been. But the state of his health obliged him to seek quiet and retirement, and then his unpopular brother, the Duke of Lancaster, monopolized all the authority of government, for the king had become indolent and reckless, and, like other heroes in their old age, a slave to a young and beautiful woman. In the spring of 1376 the Black Prince rallied and took part in public affairs, or at least it is supposed that he directed the measures now adopted by parliament. Peter de la Mare, as Speaker of the Commons, complained of taxation, venality, and corruption, and impeached nearly all the ministers, who were little more than agents of the Duke of Lancaster. The Lord

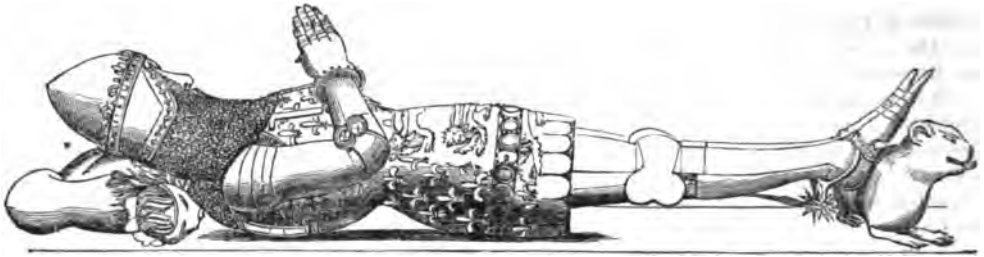
Latimer was expelled from the king's council and thrown into prison; the Lord Nevil was deprived of all his employments; and certain farmers of the customs were arrested and put at the king's mercy. Not stopping here, the Commons raised their voice in accusation against the royal mistress. Philippa, Edward's excellent wife, had died seven years before, and the fortunes of her husband were overcast from the day of her death. Alice Perrers, a married woman, whose wit is said to have equalled her beauty, and who had been a lady of the bed-chamber to the queen, so captivated Edward that he could refuse her nothing, and was never happy except when he was in her company. Among other presents, he gave her the late queen's jewels, and these Alice was vain enough to show in public. She soon became an object of popular outcry; but the Commons stopped short with this significant ordinance,—“Whereas complaints have been laid before the king that certain women have pursued causes and actions in the king's courts by way of maintenance, and for hire and reward, which thing displeases the king, the king forbids that any woman do it for the future, and in particular Alice Perrers, under the penalty of forfeiting all that she, the said Alice, can forfeit, and of being banished out of the realm.” It is said that the mistress was removed from about the king's person; but the reformers do not appear to have carried their acerbity so far:—at all events, she was with him at his last moments if a revolting story be true.*

But the nation lost all thoughts of Alice Perrers in the great event which now took place: the Black Prince died on Trinity Sunday, the 8th day of June, 1376. It will appear, from our unadorned narrative of facts, that this extraordinary man, though generally both merciful and generous, was not wholly exempt from the vices and barbarity of his times; but it is clear, from the universal popularity which he enjoyed at home, and from the frequent praises extorted from his bitterest enemies abroad, that he had endearing qualities, and many virtues beside those of gallantry and courage, in which he was probably never surpassed by a mortal being. So entirely had the nation been accustomed to look up to him, that though the melancholy event had long been expected, his death seemed to toll the knell of the country's glory. “The good fortune of England,” says a contemporary, “as if it had been inherent in his person, flourished in his health, languished in his sickness, and expired in his death; for with him died all the hopes of Englishmen; and during his life they had feared no invasion of the enemy nor encounter in battle.”† His body was carried in a stately hearse, drawn by twelve horses, to Canterbury, the whole court and Parliament attending it in mourning through the city, and he was buried with great pomp on the south side of the cathedral near to the shrine of St. Thomas Becket.

* Barante, *Hist. des Ducs de Bourgogne*.

* Rot. Parl.—Murimuth.—Walsing.—Rymer.

† Walsingham.



EFFIGY OF EDWARD THE BLACK PRINCE. From the Tomb in Canterbury Cathedral.

The nation seemed well inclined to transfer all their affection to Prince Edward's only surviving legitimate son, Richard of Bordeaux, who was only in his tenth year; and a few days after the funeral, Parliament petitioned the king to introduce the young prince among them, that he might receive the honours due to him as heir to the crown. The dislike of Prince Richard's uncle, the Duke of Lancaster, who was suspected of aiming at the throne, no doubt hastened this measure. With the full consent of the old king, the Archbishop of Canterbury presented the young prince to the two houses as "the fair and perfect image of his father," and the successor to all his rights. Lancaster, however, resumed all his former power; and as soon as the Black Prince was dead, the whole efficacy of the parliamentary opposition which he had directed ceased. Sir Peter de la Mare, the speaker of the Commons, was arrested, and William of Wickham, the celebrated Bishop of Winchester, was deprived of his temporalities without trial, and dismissed the court. In the next parliament, which met on the 27th of January, 1377, the duke had a strong majority; and Sir Thomas Hungerford his steward was appointed speaker of the Commons. It appears to have been the object of Lancaster to conciliate the doating king and the royal mistress; for parliament drew up a petition, imploring that the Lord Latimer, Alice Perrers, and others, might be freed from the censures and restrictions passed upon them, and restored to their former state. Although forming a very weak minority, there still existed an opposition with spirit enough to speak and remonstrate; and while the Commons demanded, in right of the great charter, that Sir Peter de la Mare should be liberated or put upon his trial, the bishops demanded the same thing in behalf of their brother of Winchester. Wycliffe, a poor parish priest, the precursor of Huss, Luther, Calvin, and the great men who effected the Reformation, had long been preaching and writing against the abuses of the Catholic clergy, and his party, though small, already included some persons of the highest rank in England. It is generally stated that the Duke of Lancaster took up the cause of Wycliffe, who was lying under a dangerous prosecution, merely to spite the bench of bishops. On the day of trial, when the English reformer stood up to plead in the great church of St. Paul's, before

Courtenay, bishop of London, he was accompanied and supported by the duke, and by his friend, the Lord Percy, marshal of England. These two great laymen were so ardent, that a violent altercation ensued in the church between them and the bishops: Lancaster, it is said, even threatened to drag the prelate out of the church by the hair of his head. The Londoners hotly resented the insult offered to their bishop. On the following morning a mob broke open the Lord Marshal's house, and killed an unlucky priest whom they mistook for Earl Percy in disguise: they then proceeded to the Savoy, the duke's palace, and gutted it. The duke and Percy, who were dining at the time in the house of a great Flemish merchant, ran to the water-side, got into a boat, and rowed themselves over to Kennington, where young Prince Richard and his mother were residing. The Bishop of London put down the riot by his admonitions; but to show their hatred, the people reversed the duke's arms as those of a traitor.* The riot was so terrible that it interrupted the debates in Parliament; and one of the last audiences of the great Edward was given at Shene (now Richmond) to the lord mayor and aldermen of the city of London, who were brought there to submit themselves to the duke, and crave pardon for their grievous offence. But neither their submission nor their protestations of innocence saved them from Lancaster's wrath; they were all "ousted," and creatures of the Duke put into their places.

When parliament resumed business, they took into consideration the circumstance that the truce with France was on the point of expiring; and to provide for a renewal of the war, which seemed probable, they granted an aid in the shape of a poll-tax—a disastrous precedent. All beneficed clergymen were taxed at a shilling a head, and all other individuals in the kingdom, male or female, above the age of fourteen—common beggars excepted—were to pay fourpence a head. In the month of February the king had completed the fiftieth year of his reign, and he published a general amnesty for all minor offences—from which, however, the Bishop of Winchester, who seems to have committed no offence at all, was excepted by name.† This was Edward's last public act: he

* Walsing.—Murim.—Stow.

† In the month of June, the bishop got back the revenues of his see, by making a rich present to the mistress.

spent the remaining four months of his life between Eltham Palace and the beautiful manor of Shene. Decay had fallen alike on body and spirit; he was incapable of doing much, and he did nothing. The ministers and courtiers crowded round the Duke of Lancaster or round Prince Richard and his mother: the old man was left alone with his mistress: and even she, it is said, after drawing his valuable ring from his finger, abandoned him in his dying moments. What followed was

not unusual—indeed it seems generally to have happened at the demise of a king;—his servants left his chamber to plunder the house: but a priest was not unmindful of his duty, he went to the deserted bed-side, presented a crucifix, and stood there till the great sovereign was no more. Edward died at Shene, on the 21st of June, 1377, in the sixty-fifth year of his life, and the fifty-first of his reign.*

* Walsing.—Rot. Parl.—Rym.—Stow.

RICHARD II. (SURNAMED OF BORDEAUX.)



RICHARD II. From a Painting in the Old Jerusalem Chamber in the Palace at Westminster.



GREAT SEAL OF RICHARD II.

A.D. 1377.—The reign of this young king was counted to begin on the feast of St. Alban, the 22nd of June, the day after the death of his grandfather; on which day the great seal was delivered to the king, and by him intrusted to Sir Nicholas Bonde until the return of the Bishop of Ely, the chancellor, who was engaged in business beyond sea, but who returned on the 26th of the same month, and opened the purse containing the seal and divers letters patent in his chapel at his house in Fleet-street, London.* The funeral obsequies of the late king occupied some time, but on the 16th of July Richard was crowned in Westminster Abbey. The ceremony was unusually splendid, but the fatigue and excitement were too much for the royal boy, who, after being anointed and crowned, was so completely exhausted that they were obliged to carry him in a litter to his apartment. After some rest he was summoned to the great hall, where he created four earls and nine knights, and partook of a magnificent banquet, which was followed by a ball, minstrelsy, and other somewhat turbulent festivities of the time. † Considerable pains were taken to spoil this young king from the first; such adulation and prostrations had not been seen before in England; and if the bishops and courtiers did not preach to the boy the "divine right," they seem to have made a near approach to that doctrine; and they spoke gravely of the intuitive wisdom and of the heroism of a child not yet eleven years old. These men were indisputably answerable for much of the mischief that followed; but now the beauty of the young king's person, and the memory of his father, endeared him to his people, and a long time passed before they would think any ill of the son of their idol, the Black Prince. The Duke of Lancaster, the titular king of Castile, more popularly known under the name of "John of Gaunt," ‡ had long been suspected of the project of supplanting his nephew; but his unpopularity was notorious, and he yielded with tolerably good grace to the force of circumstances. As if on purpose to exclude the duke, no regular regency was appointed; but the morning after the coronation the prelates and barons chose, "in aid of the chancellor and treasurer," twelve permanent counsellors, among whom not one of the king's uncles was named. John of Gaunt withdrew to his castle of Kenilworth, and, it is said, in some discontent with the advisers of the young king, who had taken from him the castle of Hereford. But nothing could remove the popular belief that the duke aimed at the throne, and prophecies were afloat which probably helped to work their own fulfilment a few years later; when his son, Henry of Bolingbroke, dethroned his cousin Richard.

The French were not slow in trying to take the usual advantage of a minority. The truce expired

before the death of Edward, and Charles refused to prolong it. In close union with Henry of Trastámara, who was provoked by the Duke of Lancaster continuing to assume the title of king of Castile, he got together a formidable fleet, and insulted the English coast before Richard had been a month on the throne. In August the whole of the Isle of Wight, with the exception of Carisbrook Castle, was plundered and wasted, and the town of Hastings was burnt, as that of Rye had been a short time before. The town of Winchelsea made a good resistance, and at Southampton the French and Spaniards were repulsed with great loss by the Earl of Arundel. But the combined fleets, which were occasionally joined by marauders of other nations, were strong enough to interrupt the foreign commerce of the country, and, as this had become considerable, the injury was a very serious one.* A parliament was assembled while the impression of these injuries was fresh; and in order to obtain supplies of money (the treasury being exhausted) it was stated that the realm was in greater danger than it had ever been. Supplies were voted, and, by borrowing greater sums of the merchants, government was enabled to put to sea a considerable fleet under the command of the Earl of Buckingham, one of the Duke of Lancaster's brothers. Buckingham met with little success, and his failure, however unfairly, added to the unpopularity of the Lancastrian party. In this very parliament, the first which Richard held, and before the Earl of Buckingham took the command of the fleet, it was made evident how much the Duke of Lancaster had declined in power. The majority of the house of commons consisted of the very men who had driven his party from office in 1376, and the new speaker was his old enemy Sir Peter de la Mare, whom he had arbitrarily thrown into prison soon after the death of the Black Prince. When the Archbishop of Canterbury, who had been made chancellor, requested the advice of the commons as to how the enemies of the kingdom might be opposed with the least expense and the most honour, the commons replied that they could not of themselves answer so great a question; and they asked for the aid of twelve peers, with "my Lord of Spain" at their head. The duke complained of the reports circulated against him, and said that the commons had no claim on him for advice or assistance. They had charged him, the most loyal of men, with that which amounted to treason; but let his accusers declare themselves, and he would meet them as if he were the poorest knight of England, either in single combat or in any other way. After a great ferment, the bishops and lords declared that no living mortal would credit the scandalous reports; the commons asserted their belief of his innocence; and a reconciliation took place without any immediate increase of Lan-

* Rot. Parl.—Sir H. Nicolas, Chron. Hist.

† Walsingham.—He gives an elaborate account of the coronation.

‡ He was so called from the town of Ghent or Gaud (then pronounced Gaunt), the place of his birth.

* Not long after several places on the coast of Sussex and Kent were plundered. A fleet even ascended the Thames, and burned the greater part of the town of Gravesend. These irritating circumstances were recent at the time of Wat Tyler's rebellion (as it is called), and they helped to hasten that terrible outbreak.

caster's power. The commons, indeed, insisted that, as so much money had been wasted, two citizens, John Philpot and William Walworth, both merchants of London, should be appointed to receive the monies now voted for the defence of the country; and this important point was yielded to them. In other pretensions, which would have given them the appointment of all the justices, ministers, and court functionaries, they were only partially defeated.* In this same session of parliament Alice Perrers was prosecuted, and being abandoned by her former ally, the Duke of Lancaster, she was sentenced to banishment and the forfeiture of all her property.

A.D. 1378.—John of Gaunt, however, obtained the command of the fleet, with nearly all the money which had been voted. He detached a squadron under the earls of Arundel and Salisbury, who, in crossing the Channel, fell in with a Spanish fleet, and suffered considerable loss. The two earls, however, succeeded in their main object, and took possession of the town and port of Cherbourg, on the coast of Normandy, which were ceded to England by the king of Navarre, who was again engaged in a war with the French king, and who was glad to purchase the assistance of England at any price. Nine large ships, which the duke had hired at Bayonne, on their way to England, met a Spanish fleet of merchantmen, and took fourteen ships laden with wine and other goods. In the month of July the duke sailed with the great fleet for the coast of Brittany, where the conquests of the French had reduced another ally of England almost to despair. The Duke of Brittany, the son of the heroic Countess of Montfort, ceded to the English the important town and harbour of Brest, which Lancaster secured with a good garrison. The duke then invested St. Malo, but the Constable Duguesclin marched with a very superior force to the relief of that place, and compelled the duke to return to his ships: the great fleet then came home. The possession thus obtained of Cherbourg and of Brest was an immense advantage: it deprived the French of two ports, whence they could best attack England, and it gave the English two other keys to France; but the places had been given up by friendly treaty, and not gained by arms; and the people, who were evidently disinclined to allow Lancaster any merit, said that he had wasted the money and done nothing. A striking circumstance which had occurred did not tend to brighten the duke's laurels. The Scots receiving their impulse from

* The commons had petitioned that eight new counsellors, the great officers of state, the chief justices, and all the household of the king, should be named by the lords in concurrence with the commons,—or, at least, it was asked that the lords should certify all such appointments to the commons in parliament. The lords, in the king's name, appointed a new council, consisting of nine persons of different ranks,—three bishops, two earls, two bannerets, and two knights bachelors, who were to continue in office for one year; to three the lords added eight others, at the request of the commons. The lords reserved to themselves the appointment of the chancellor, chamberlain, and steward of the household, during the minority. Even by this arrangement nearly the whole executive government was transferred to the two houses of parliament.—Hallam, *Mid. Ages*.—Lingard, *Hist.*—*Hot. Parl.*

France, renewed the war, surprised the castle of Berwick, made incursions into the northern counties, and equipped a number of ships to cruise against the English. Berwick was recovered soon after by the Earl of Northumberland; but one John Mercer, who had got together certain sail of Scots, French, and Spaniards, came to Scarborough, and made prize of every ship in that port. Upon learning the injuries done, and the still greater damage apprehended from these sea-rovers, John Philpot—"that worshipful citizen of London"—lamenting the negligence of those that should have provided against such inconveniences, equipped a small fleet at his own expense, and, without waiting for any commission from the government, went in pursuit of Mercer. After a fierce battle, the doughty alderman took the Scot prisoner, captured fifteen Spanish ships, and recovered all the vessels which had been taken at Scarborough. On his return, Philpot was received in triumph by his fellow-citizens; but he was harshly handled by the council of government for the unlawfulness of acting as he had done without authority, he being but a private man. The alderman, who was backed by the people, replied very boldly: according to an old historian, "he incurred the hard censure of most of the noblemen, from whom he seemed to have snatched, by this, his fortunate attempt, the native cognizance of true nobility;" but the council dared not proceed further than a reprimand.*

In the month of October, the parliament met at Gloucester, and in a very bad humour: the government wanted money—the commons a reform of abuses. The disputes ended in a compromise—the commons being allowed to inspect the accounts of the treasurers, which was granted as a matter of favour, but not of right, nor were they to [consider it as a precedent: they also obtained copies of the papers, showing how the monies they had voted had been raised; but this also was granted as if proceeding from the king's good pleasure. In the end, they granted a new aid by laying additional duties on wool, wool-fells, hides, leather, and other merchandize. John de Montfort, the Duke of Brittany, had been driven to seek refuge in England, and the French king annexed his dominions to the crown of France. This premature measure reconciled all the factions in the country; and John was recalled by the unanimous voice of the Bretons. Leaving his wife, an aunt of King Richard,† in England, he embarked with one hundred knights and men-at-arms, and two hundred archers. St. Malo opened its gates at his approach; the nobles, including even many who had helped to expel him, rushed into the water chin-deep to meet him; the people hailed his return with transports of joy; and the States, meeting at Rennes, wrote respectfully to the king of France, for per-

* Trussell, *Contn. of Daniel's Hist.*—Southey, *Nav. Hist.*—Walsing.

† De Montfort married Mary, the fourth daughter of Edward III and Queen Philippa.

mission to retain their native prince.* Instead of consenting, Charles instantly prepared to send a French army into Brittany, and then the duke implored the assistance of a force from England. A considerable army was raised, and sent to his relief, under the command of the Earl of Buckingham, one of the king's uncles. Buckingham landed at Calais, which the English had rendered stronger than ever; and from Calais he marched through Artois, Picardy, Champagne, and other inland provinces of France, plundering and devastating the open country. His progress was watched by far superior forces, but firm to the system which the cautious Charles had adopted, the French would not risk a battle, and the English, after a circuitous march, reached the frontiers of Brittany without meeting any resistance. But the Earl of Buckingham was scarcely there when the King of France died, and the Bretons, who knew that a boy was to ascend the throne, thinking that they should no longer stand in need of their assistance, began to entertain as much jealousy and hatred of the English as they had hitherto done of the French. De Montfort, though certainly inclined to maintain his close alliance with England, was unable to resist the wishes of his subjects, and as the uncles of the young King Charles VI., who formed the regency, were willing to treat and to recognise his restoration, he concluded a peace with France, and engaged wholly to abandon the interests of England. Buckingham owed his safety only to the brave men he had about him and to the supplies of provisions he received from home, and he returned in the following spring, glad to escape from the hostility of the Bretons. The English complained of the treachery and unsteadiness of the Bretons; the Bretons complained of the pride and rapacity of the English.† These proceedings, though they were considered as failures, had certainly given the French occupation in their own country, and had kept them from our shores; but they had cost large sums of money, and the nation was sorely harassed by taxation, or by the way in which the taxes were levied. In an evil hour, parliament passed a capitation tax: this was a repetition of the tax imposed in the last year of the preceding reign, but slightly modified, so as to make it fall less heavily on the poor. Every male and female of fifteen years of age was to pay three groats; but in cities and towns the aggregate amount was to be divided among the inhabitants according to their abilities, or in such a way that no individual should pay less than one groat, or more than sixty groats for himself and his wife. Where there was little or no registration, the fixing of the age was sure to lead to disputes: the collectors might easily take a boy or girl of fourteen to be fifteen, and poverty would induce many of the poor knowingly to make a mis-statement of the opposite kind. But the levying of this awkward tax might have passed over with nothing more serious than a few riots between the people and the

tax-gatherers, had it not been for other circumstances involved in the mighty change which had gradually been taking place in the whole body of European society. The peasantry had been gradually emerging from slavery to freedom, and began to feel an ambition to become men, and to be treated as such by their superiors in the accidental circumstances of rank and wealth. In this transition state there were mistakes and atrocious crimes committed by both parties; but ignorance may be particularly pleaded in exculpation of the people, while that very ignorance and the brutalised state in which they had been kept were crimes and mistakes on the part of the upper classes, who had now to pay a horrible penalty. The enfranchisement of the peasantry, which was the real motive of the movement, for the rest was an after-thought, begotten in the madness of success and the frenzy inspired in unenlightened minds by the first consciousness of power, was so sacred an object that nothing could disgrace or eventually defeat it. "Their masters in some places (*we believe in all*) pulled them back too violently; they were themselves impatient of the time which such an operation requires. Accidental provocations—malignant incendiaries—frequently excited them to violence; but in general the commotions of that age will be found to be near that point in the progress of slaves towards emancipation when their hopes are roused and their wrongs not yet redressed."* In Flanders, notwithstanding that there the more respectable burghers took a share in the insurrection, many frightful excesses had been committed upon the aristocracy, and in France the recent Jacquerie had been little else than a series of horrors. The attempt of the French peasantry offered a discouraging example to their neighbours in England; but the democratic party had had a long triumph in Flanders; and at this very moment the son of Von Artaveldt, the brewer of Ghent, with Peter du Bois, was waging a successful war against their court, their nobles, and the whole aristocracy of France. From the close intercourse between the two countries, many of the English must have been perfectly acquainted with all that was passing in Flanders, and may have derived encouragement therefrom. A new revolt had also commenced in France headed by the burghers and inhabitants of the towns: it began at Rouen, where the collectors of taxes and duties on provisions were massacred, and it soon spread to Paris and other great cities. Many of our historians have attributed part of the storm which was now gathering in England to the preaching of Wycliffe's disciples, but their original authorities seem to have been prejudiced witnesses against the church reformer. The convulsion is sufficiently accounted for by the actual condition of the people of England at this period, considered in connexion with the particular point in its progress at which society had arrived. That condition, though far superior to the state of the

* Daru, *Hist. de la Bretagne*.

† Froissart.—Archives de Nantes, quoted by Daru.

* Sir J. Mackintosh, *Hist.*

French people, was sufficiently wretched and galling. A considerable portion of the peasantry were still serfs or "villains," bound to the soil, and sold or transmitted with the estates of the nobles and other landed proprietors. With the exception of some of the lower order of the secular clergy, there were but few persons disposed to consider or treat them as fellow-creatures. The discontents and sufferings of the classes immediately above these serfs,—the poor towns-people on the coast, more particularly, who had been plundered by the foreign fleets,—no doubt contributed to hurry on the sanguinary crisis; but it was the poll-tax that was the proximate cause of the mischief. At first the tax was levied with mildness; but, being farmed out to some courtiers who raised money upon it from Flemish and Lombard merchants, it was exacted by their collectors with great severity, and this severity increased as it became more and more evident that the receipts would in no case come up to the amount calculated. But the obstinacy of the people kept pace with the harshness of the collectors; many of the rural districts refused payment. The recusants were handled very sorely and uncourteously, "almost not to be spoken," in various places in Kent and Essex, "which some of the people taking in evil part, secretly took counsel together, gathered assistance, and resisted the exactors, rising against them, of whom some they slew, some they wounded, and the rest fled." Alarmed at these proceedings, government sent certain commissioners into the disturbed districts. One of these commissioners, Thomas de Bampton, sat at Brentwood in Essex: the people of Fobbing, on being summoned before him, said that they would not pay one penny more than they had done, "whereupon the said Thomas did grievously threaten them, having with him two sergeants-at-arms of the king." These threats made matters worse, and when Bampton ordered his sergeants to arrest them, the peasants drove him and his men-at-arms away to London. Upon this Sir Robert Belknap, Chief Justice of the Common Pleas, was sent into Essex to try the offenders; but the peasants called him traitor to the king and realm, forced him to flee, and chopped off the heads of the jurors and clerks of the commission. They stuck these heads upon poles and carried them through all the neighbouring townships and villages, calling upon all the poor to rise and join them. Sir Robert Hales, prior of the knights of St. John of Jerusalem, who had recently been created Lord Treasurer of England, was an especial object of the popular fury. He had a goodly and delectable manor in Essex, "wherein were ordained victuals and other necessaries for the use of a chapter-general, with great abundance of fair stuff of wines, arras, cloths, and other provisions for the knights brethren." "The commons of England" (for so the peasants called themselves, and were called by others) ate up all the provisions, drank all the wine, and then destroyed the house. Nothing was wanting but a leader, and this they soon found in the person of a

"riotous priest," who took the name of Jack Straw. Messages and letters were sent in all directions; and in a few days, not only the whole agricultural population of Essex was up in arms, but their neighbours in Kent, Suffolk, and Norfolk were following the example. In Kent, an act of brutality on the part of a tax-gatherer, and an act of great imprudence (considering the prevailing excitement) on the part of a knight, fanned the flames of revolt. One of the collectors of the poll-money went to the house of one Walter the Tyler, in the town of Dartford, and demanded the tax for a young maiden, the daughter of Walter. The mother maintained that she was but a child, and not of the womanly age set down by the act of parliament: the collector said he would ascertain this fact, and he offered an intolerable insult to the girl; "and in many places they made the like trial." The maiden and her mother cried out, and the father, who was tiling a house in the town, ran to the spot and knocked out the tax-gatherer's brains. The neighbours applauded the deed, and every one prepared to support the Tyler. About the same time Sir Simon Burley* went to Gravesend with an armed force, and claimed an industrious man living in that town as his escaped bondsman. A villain, according to the law, acquired his freedom by a residence of a year and a day in a town; but in this case Burley demanded the great sum of three hundred pounds of silver for the surrender of his claim to the man; and when this was refused, he carried him off a prisoner to Rochester Castle. The commons of Kent now rose as one man, and being joined by a strong body of the men of Essex, who crossed the Thames, they fell upon Rochester Castle, and either took it or compelled the garrison to deliver up Sir Simon's serf with other prisoners. In the town of Maidstone, the insurgents appointed Wat the Tyler their captain, and then took out of prison, and had for their chaplain or preacher, "a wicked priest called John Ball," who had been several times in confinement, and who was then under prosecution by the archbishop for irregularity of doctrine.

On the Monday after Trinity Sunday, 1381, Wat Tyler entered Canterbury, denouncing death to the archbishop, who, however, was absent: after terrifying the monks and the clergy of the cathedral, he forced the mayor, aldermen, and commons of the town to swear to be true to Richard and the lawful commons of England: then beheading three rich men of Canterbury, Wat marched away towards London, followed by five hundred of the poor towns-folk. On his march recruits came to him from all quarters of Kent and Sussex; and by the time he reached Blackheath (11th June) there were, it is said, one hundred thousand desperate men obeying the orders of Wat Tyler. While at this spot the widow of the Black Prince, the young king's mother, fell into their hands; but, in the

* This knight was tutor or guardian to the young king, and possessed great influence at court. His melancholy end will be noticed presently.

midst of their fury, they respected her, and after granting a few kisses to some dirty-faced and rough-bearded men, she was allowed, with her retinue and maids of honour, to proceed quietly to London, the leaders even engaging to protect her and her son. While this host was bivouacked about Blackheath and Greenwich, John Ball, the priest of Kent, kept them to their purpose by long orations or sermons, in which he insisted that all men were equal before God, and ought to be so before the laws,—and so far he was right; but it appears that he went on to recommend an equality of property, which is impracticable, and a destruction of all the upper classes, which was monstrous. It has been suspected, and not without probability, that Ball's real views may have been somewhat misrepresented by his enemies, but the nature of his discourses may be collected from his standing text, which was—

When Adam delved, and Eve span,
Who was then a gentleman?

His eloquence had such an effect on the multitude, that, forgetting his own doctrines of equality, they vowed that they would make him primate and chancellor of England. They occupied all the roads, killed all the judges and lawyers that fell into their hands, and made all the rest of the passengers swear to be true to King Richard and the commons, to accept no king whose name was "John,"* and to pay no tax except the fifteenths which had been paid by their forefathers. The young king with his mother, with his cousin Henry of Bolingbroke, with Simon, archbishop of Canterbury and chancellor, Sir Robert Hales, treasurer, and some other members of the government, threw himself into the Tower of London. The Duke of Lancaster was in Scotland negotiating a peace, and Gloucester and York, the other uncles of the king, were absent. Some of the council were of opinion that Richard should go and speak with the insurgents, but the archbishop and the treasurer strongly objected to this measure, and said that nothing but force should be used "to abate the pride of such vile rascals." On the 12th of June, however, Richard got into his barge, and descended the river as far as Rotherhithe, where he found a vast multitude drawn up along shore, with two banners of St. George and many pennons. "When they perceived the king's barge," says Froissart, "they set up shouts and cries as if all the devils from hell had come into their company." Startled and terrified, the persons with the king put about the boat, and, taking advantage of the rising tide, rowed back with all speed to the Tower. The commons, who had always professed the greatest attachment to Richard's person, now called aloud for the heads of all the ministers; and marching along the right bank of the river to Southwark, and then to Lambeth, destroyed the Marshalsea

* John was an unhappy name in English history; and John of Gaunt, Duke of Lancaster, the king's uncle, was held guilty of all the oppressions the people had recently suffered. The notion, moreover, of his having designs on the crown was as prevalent as ever.

and King's Bench, and burned the furniture and all the records and books in the palace of the primate. At the same time the men of Essex advanced along the left bank of the river, and after destroying a mansion of the lord treasurer's at Highbury, threatened the north-eastern part of London. Walworth, the mayor, caused the moveable part of London-bridge to be drawn up, to prevent the men of Kent from crossing the river; but on the following day a passage was yielded to them through fear, and the insurgents entered the city, where they were presently joined by all the rabble. At first their demeanour was most moderate;—"they did no hurt, they took nothing from any man, but bought all things they wanted at a just price." But the madness of drunkenness was soon added to political fury. The rich citizens, hoping to conciliate the mob, had set open their wine-cellars for them, to enter at their pleasure, and, when the peasants had once tasted of this rare luxury, they thought they never could have enough of it, and seized it and other strong drinks by force wherever they could find them. Thus excited, they went to the Savoy, the house of the Duke of Lancaster, "to which there was none in the realm to be compared in beauty and statefulness." They broke into this palace, and set fire to it. To show that plunder was not their object, the leaders published a proclamation ordering that none, on pain of death, should secrete or convert to his own use anything that might be found there, but that plate, gold, and jewels should all be destroyed: and so particular were they on this head, that a fellow who hid a silver cup under his clothes was thrown into the Thames, cup and all. It would have been well had the prohibition extended to the duke's wines; but they drank there immoderately, and thirty-two of the rioters, engaged in the cellars of the Savoy, were too drunk to remove in time, and were buried under the smoking ruins of the house. Newgate was then demolished; and the prisoners who had been confined there and in the Fleet joined in the work of havoc. The Temple was burnt, with all the books and ancient and valuable records it contained; and about the same time a detachment set fire to the priory of St. John of Jerusalem, in Clerkenwell, which had been recently built by Sir Thomas Hales, the prior of the order, and treasurer of the kingdom. They now also proceeded to the shedding of blood: to every man they met they put their watchword—"For whom holdest thou?"—the answer was—"With King Richard and the true commons:" and whosoever knew not that watchword, off went his head. They probably felt that antipathy to foreigners common to uneducated people; but against the Flemings, who it was popularly said fattened on their miseries, they bore the most deadly rancour. The sanctuary of the church was disregarded, and thirty Flemings were dragged from the altar into the streets, and beheaded amidst shouts of triumph and savage joy; thirty-two more were seized in the Vintry,



RUINS OF THE SAVOY PALACE, STRAND. 1711.

and underwent the same fate. Many of the rich citizens were massacred in attempting to escape : those who remained did nothing for the defence of the city ; and all that night London was involved in fire, murder, and debauchery.

On the morning of the 14th it was resolved to try the effect of concession, and of promises which the court had no intention of keeping, nor had it the power of so doing, had the will been ever so strong. A proclamation was issued to a multitude that crowded Tower-hill, preventing the introduction of provisions into the fortress, and clamouring for the heads of the chancellor and treasurer ; and they were told that, if they would retire quietly to Mile End, the king would meet them there, and grant all their requests. The gates were opened, the drawbridge was lowered, and Richard rode forth with a few attendants without arms. The commonalty from the country followed the king : "but all did not go, nor had they the same objects in view." On the way Richard's half-brothers, the Earl of Kent and Sir John Holland, alarmed for their own safety, put spurs to their horses, and left him. On arriving at Mile End, Richard saw himself surrounded by upwards of sixty thousand peasants ; but their demeanour was mild and respectful, and they presented no more than four demands, three of which were wise and moderate, and the exceptionable one, which went to fix a maximum for the price of land, was not more absurd than an act of their rulers in the preceding reign, which fixed the maximum price of agricultural labour. These four demands of the peasants were—
1. The total abolition of slavery for themselves and their children for ever. 2. The reduction of

the rent of good land to fourpence the acre. 3. The full liberty of buying and selling, like other men, in all fairs and markets. 4. A general pardon for all past offences. The king, with a gracious countenance, assured them that all these demands were granted ; and, returning to town, he employed upwards of thirty clerks to make copies of the charter containing the four clauses. In the morning these copies were sealed and delivered, and then an immense body of the insurgents, consisting chiefly of the men of Essex and Hertfordshire, quietly withdrew from the capital : but more dangerous men remained behind. The people of Kent, who had been joined by all kinds of miscreants, had committed some atrocious deeds on the preceding day, while the king was marching to Mile End. Almost as soon as his back was turned, with a facility which excites a suspicion of treachery or disaffection on the part of the garrison,* they got into the Tower, where they cut off the heads of the Archbishop of Canterbury, the chancellor ; Sir Robert Hales, the treasurer ; William Apuldore, the king's confessor ; Legge, one of the farmers of the tax, and three of his associates. The Princess of Wales, who was in the Tower, was completely at their mercy ; but the *ci-devant* "Fair Maid of Kent" was again quit for a few unsavoury kisses. The horror of the scene, however, overpowered her ; and she was carried by her ladies in a senseless state to a covered boat, in which she was rowed across the

* There were six hundred men-at-arms, and as many archers, in the Tower. The rebels or insurgents were miserably armed and equipped. "Of those commons and husbandmen," says Holinshed, "many were weaponed only with sticks. . . . Among a thousand of that kind of persons ye should not have seen one well armed."

river. As soon as he could the king joined his mother, who had been finally conveyed to a house called the Royal Wardrobe, in Carter-lane, Bernard's Castle Ward.

Wat Tyler and the leaders with him rejected the charter which the men of Essex had so gladly accepted. Another charter was drawn up, but it equally failed to please, and even a third, with still larger concessions, was rejected with contempt.* The next morning the king left the Wardrobe, and went to Westminster, where he heard mass and paid his devotions before a statue of "our Lady" in the abbey, which had the reputation of performing many miracles, particularly in favour of English kings. After this he mounted his horse, and with a retinue of barons and knights rode along the "causeway" towards London. On coming into West Smithfield, he met Wat Tyler, who was there with a great multitude. The mayor and some other city magistrates had joined the king, but his whole company, it is said, did not exceed sixty persons, who were all on horseback. In the front of the Abbey of St. Bartholomew, Richard drew rein, and said that he would not go thence until he had appeased the rioters. Wat Tyler, on seeing him, said to his men, "Here is the king! I will go speak with him. Move not hand or foot

* According to Knyghton, Wat Tyler insisted on the total repeal of the forest or game laws, and that all warrens, waters, parks, and woods should be common, so that the poor as well as the rich might freely fish in all waters, hunt the deer in forests and parks, and the hare in the field.

unless I give you a signal." Wat, who had procured arms and a horse, rode boldly up to Richard, and went so near that his horse's head touched the flank of Richard's steed. "King!" said he, "dost thou see all those men there?" "I see them," replied the king, "why dost thou ask?" "Because they are all at my will, and have sworn by their faith and loyalty to do whatsoever I should bid them." During this parley the Tyler played with his dagger, and, it is said by some, laid hold of Richard's bridle. It is probable that this uneducated man, intoxicated by his brief authority, was coarse and insolent enough; but to suppose that he intended to kill the king is absurd. Some say that Richard ordered his arrest; others that John Walworth, the lord mayor, thinking that he intended to stab the king, rode up, and plunged a short sword into his throat without any orders. All accounts agree in stating that, whether with sword, dagger, or mace, it was the mayor that struck the first blow. Wat Tyler turned his horse's head to rejoin his men, but Ralph Standish, one of the king's esquires, thrust his sword through his side, "so that he fell flat on his back to the ground, and beating with his hands to and fro for a while, gave up his unhappy ghost." When the men of Kent saw his fall they cried out, "We are betrayed! They have killed our captain and guide!" and the foremost men in that disordered array began to put their arrows on the string. The personal intrepidity of the royal boy—for Richard was only in his



DEATH OF WAT TYLER.—Northcote.

fifteenth year—saved his life. He rode gallantly up to the insurgents and exclaimed, "What are ye doing, my lieges? Tyler was a traitor—I am your king, and I will be your captain and guide." On hearing these words, many slipped away—others remained; but, without a leader, they knew not what to do. The king rode back to his lords, and asked what steps he should take next. "Make for the fields," said the lord mayor: "if we attempt to retreat or flee, our ruin is certain; but let us gain a little time, and we shall be assisted by our good friends in the city, who are preparing and arming with all their servants." The king and his party made for the northern road, and the mob, wavering and uncertain, followed him to the open fields about Islington. Here 1000 men-at-arms (Froissart says from 7000 to 8000) joined the king, under the command of Sir Robert Knowles. The insurgents now thinking their case hopeless, either ran away through the corn fields, or, throwing their bows on the ground, knelt and implored for mercy. "Sir Robert Knowles was in a violent rage because they were not attacked and slain in a heap, but the king would not consent, saying that he would have his full revenge on them in another way, which in truth he afterwards had."

While these events were passing in London and its neighbourhood, the servile war had spread over a great part of England—on the southern coast, as far as Winchester, on the eastern as far north as Scarborough. As the nobles shut themselves up in their strong castles, but little blood was shed. Henry Spencer, the bishop of Norwich, despised this safe course; he armed his retainers, collected his friends, and kept the field against the insurgents of Norfolk, Cambridge, and Huntingdon. He surprised several bodies of peasants, and cut them to pieces: others he took prisoners. Then, putting off the complete armour which he wore, and laying down the sword, he took up the crucifix, confessed his captives, gave them absolution, and sent them straight to the gibbet or the block.*

Soon after the death of Wat Tyler, Richard found himself at the head of 40,000 horse, and then he told the villains that all his charters meant nothing, and that they must return to their old bondage. The men of Essex, whose conduct had been the mildest and most rational, made a stand, but they were defeated with great loss. Then courts of commission were opened in different towns to condemn rather than to try the chief offenders. Jack Straw and John Ball, the strolling preachers, Lister and Westbroom, who had taken to themselves the titles of kings of the commons in Norfolk and Suffolk, with several hundred more, were executed. At first they were beheaded: afterwards they were hanged and left on the gibbet, to excite horror and terror; but their friends cut down the bodies, and carried them off; upon which the king ordered that they should be hanged in strong iron chains.†

According to Holinshed the whole number of executions amounted to 1500.

When parliament assembled, it was seen how little the upper classes of society were prepared for that recognition of the rights of the poor, to which in the present day no one could demur without incurring the suspicion of insanity. In truth, it would have belied all history and all experience if the victorious party in such a contest should have immediately followed up their success by giving in to the demands of their opponents. The king had annulled, by proclamation to the sheriffs, the charters of manumission which he had granted to the insurgents, and this revocation was warmly approved by both lords and commons, who, not satisfied with saying that such enfranchisement could not be made without their consent, added, that they would never give that consent, even to save themselves from perishing altogether in one day. There was a talk indeed about the propriety and wisdom of abolishing villinage; but the notion was scouted, and the owners of serfs showed that they neither doubted the right by which they held their fellow-creatures in a state of slavery, nor would hesitate to increase the severity of the laws affecting them. They passed a law by which "riots, and rumours and other such things," were turned into high treason,* a law most vaguely expressed, and exceedingly likely to involve those who made it in its fangs. But this parliament evidently acted under the impulses of panic and of revenge for recent injuries. The commons presented petitions calling for redress of abuses in the administration: they attributed the late insurrection to the extortions of purveyors, to the venality and rapacity of the judges and officers of the courts of law, to the horrible doings of a set of banditti called Maintainers, and to the heavy weight of recent taxation; but they said not a word about that desire for liberty which was in fact the main torrent in that inundation, the others being but as tributary streams swelling its waters. When the king demanded a supply, the commons refused, averring that a new tax would provoke a new insurrection. When the commons, in their turn, asked for a general pardon, *not* for the insurgents, but for themselves and others, for *illegal* acts committed by them *in putting down the rebels*, the king gave them to understand that the commons must make their grants before he dispensed his favours. This discussion was curious: when the king pressed again for money, they told him that they must have time for consideration; and then the king told the commons that he too must have time to deliberate on their petition of pardon. The commons gave way first, and voted that the tax upon wool, woollfells, and leather should be continued for five years. The obnoxious poll-tax was not mentioned. The king then gave the general pardon requested, *for all loyal subjects*; and this grace was a few weeks later extended to the peasantry. †

A.D. 1382. The king being now in his sixteenth

* Froissart.—Knyghton.—Walsingham.—Stow.—Holinshed.

† This is believed to be the first introduction of this disgusting practice.

year, was married to Anne of Bohemia, daughter of the late Emperor Charles IV., an accomplished and excellent princess, who deserved a better and a wiser husband. A few days after the marriage, on January the 24th, parliament re-assembled, and Lancaster, yearning after his kingdom of Castile, proposed carrying an army into Spain. He only wanted sixty thousand pounds, but after a warm debate, the duke was defeated.

At this time there were two popes, Urban VI., an Italian, and Clement VII., a Frenchman. When there was no schism, the pope was generally a peace-maker; but on occasions like the present, each of the rival pontiffs tried to arm Europe in his cause. France, Scotland, Spain, Sicily, and Cyprus were for Clement; England, Flanders, and the rest of Europe for Urban, who, on good grounds, considered France his greatest enemy. The Italian pope, after looking about for a brave and sure champion, fixed his eyes on the warlike Bishop of Norwich, who had so lately distinguished himself in the servile war of England. At the same time, the Flemings, who were devoted adherents of Urban, were sorely pressed by the French; and they renewed their applications to England for assistance.* After preaching a sort of crusade, the Bishop of Norwich asked in the pope's name a tenth on church property, obtained the produce of a fifteenth on lay property, and raised two thousand five hundred of the best lancers in the land, and about an equal number of archers, and so passed over the Channel to make war, "for he was young and adventurous, and loved the profession of arms above all things."† The war in which this military churchman engaged, presented two aspects: under one, it was a sacred crusade for the pope, but under the other, it was a conflict waged in union with, and for the rights and independence of the burghers and commons of Flanders against the aristocracy. He was so fond of war, that he probably cared little how he indulged in it. After the murder of James Von Artaveldt, the cause of democracy declined; and thirty-six years after that event, the Flemings were almost reduced to extremities. In this state they fixed all their hopes on Von Artaveldt's son, who had been named Philip, after his godmother Philippa, the wife of Edward III. Philip Von Artaveldt, warned by his father's fate, had passed his life in a quiet and happy retirement; and in 1381 he was dragged, with his eyes open to the worst consequences, to head the council and lead the armies of the dispirited people. His character and his fate form one of the most interesting episodes in the history of modern Europe. For about fifteen months, which included the whole of his public life, his career was as brilliant as a romance: he forced the enemy to raise the siege of Ghent, the centre and soul of the confederacy; with the weavers and other artisans of Ghent he defeated the French, the count, and

the whole chivalry of Flanders; he took Bruges, burnt Elchin, a town in France, and laid siege to the strong fortress of Oudenarde; but in the month of November, 1382, he was defeated in the sanguinary battle of Rosebecque, and (in this more fortunate than his father) was killed by the enemy. After that dreadful defeat, the cause of the commons again declined: many towns submitted, and Ghent was besieged or threatened, but without effect.*

Affairs were in this state at the arrival of the English force, whose main object it was to assist the free burghers of Ghent. The Bishop of Norwich led his little army to Gravelines, which he stormed and took: he next defeated an army of the Count of Flanders, took the town of Dunkirk, and occupied the whole coast as far as Sluys: he then marched with an impetuosity which astonished more regular warriors to lay siege to Ypres, where he was joined by twenty thousand of the men of Ghent. Meanwhile, the count implored the protection of the young King of France, who, convoking the ban and the arriere ban, sent a splendid army, in which were counted twenty-six thousand lances, across the frontier. The bishop made one furious assault; but, on the approach of the French, he ran back to the coast more rapidly than he had advanced from it. A part of his army got back with considerable booty to Calais; the bishop, with the rest, threw himself into Gravelines—where the French were glad to be rid of him, by permitting him to destroy the fortifications of the place, and then embark with bag and baggage. The French chroniclers say that he made but a bad use of the pope's money, and that the issue of the expedition was owing to his own folly and precipitation; but in England his failure was attributed to the jealousy of the Duke of Lancaster. The bishop, on his return, was prosecuted by parliament, and was for some time deprived of his temporalities. At the same time, four of his principal officers were condemned for having sold stores and provisions to the enemy.

A.D. 1384. In her jealousy of the powers of his uncles, the Princess of Wales had surrounded her son with ministers and officers who were chiefly men of obscure birth and fortune. Richard, who lived almost entirely in the society of these individuals, contracted an exclusive affection for them, and, as soon as he was able, he began to heap wealth and honours upon them. Hence there arose a perpetual jealousy between the favourites and the king's uncles, and a struggle in which both parties seem to have resorted to the most nefarious proceedings. A dark mystery will for ever hang over most of these transactions. Once the Duke of Lancaster was obliged to hide himself in Scotland, and he would not return until Richard publicly proclaimed his conviction of his innocence, and allowed him to travel always with a strong body-guard. In the month of April of this year, just after the duke had done good service against the Scots, the

* In the preceding year they had shown themselves bad negotiators, for, at the moment of soliciting a favour, they demanded payment of two hundred thousand florins, a debt of Edward III., which they asserted had been due to them forty years.

† Froissart.

* Froiss.—Barante, Hist. des Ducs de Bourgogne.

parliament met at Salisbury. One day during the session, John Latimer, a Carmelite friar, a native of Ireland, gave Richard a parchment, containing the particulars of a conspiracy to place the crown on the head of his uncle. The king communicated the contents to Lancaster, who swore that they were all utterly false,—offered to fight in proof of his innocence, and insisted that his accuser should be placed in safe custody to be examined by the council. The monk was accordingly committed to the care of John Holland, the king's half-brother, who is said to have strangled him with his own hands during the night. The king's friends asserted that the friar had killed himself. The Earl of Buckingham swore that he would kill any man that dared to accuse his brother Lancaster of treason. The Lord Zouch, whom the friar had named as the author of the memorial, declared upon his oath that he knew nothing about it, and the matter dropped. Some suspicions, however, lingered in the mind of Richard, and an attempt was made some time after to arrest Lancaster. But the duke threw himself into his strong castle of Pontefract, and stayed there till the king's mother brought about a reconciliation, and obtained a pardon for her own son, Sir John Holland.

Truces with Scotland which had been negotiated by the Duke of Lancaster, were prolonged till the month of May, 1385, when the French, in order to bring about the renewal of hostilities, sent John de Vienne, lord admiral of France, with one thousand men-at-arms, and forty thousand francs in gold, and other supplies to induce the Scots to make an inroad into England. The French knights soon complained bitterly of the pride of the Scots, the poverty of the land, and the lack of amusements, such as banquets, balls, and tournaments. The common soldiers were not sufficiently respectful to the women; and, on the whole, these allies agreed very badly. At last, however, the French and Scots broke into Northumberland; but Richard, who now took the field for the first time, came up from York, and forced them to retire. With eighty thousand men, Richard crossed the borders, burnt Edinburgh, Perth, and other towns; but then he was obliged to retreat—for information was brought that John de Vienne had crossed the Solway Frith, and was besieging Carlisle. The French and Scots marched off by the west, and returned towards Edinburgh, boasting that they had done as much mischief in England as the English had done in Scotland. Richard then disbanded his army, without ever having had an opportunity of measuring swords with the enemy. During this campaign, the royal quarters had been disgraced by a vile murder, and by frequent quarrels between the king's uncles and his favourites. At York, during the advance, Sir John Holland assassinated one of the favourites, and the grief, shame, and anxiety, caused by this event broke the heart of the Princess of Wales, who died a few days after. On the retreat from

Scotland, Sir Michael de la Pole, another of the favourites, who was then chancellor, excited some fresh jealousy in the mind of Richard, who thereupon had a violent and indecent altercation with his uncle Lancaster. After the campaign the king made great promotions to quiet the jealousy of his relations;—honours fell upon them, but these were nothing compared to the honours and grants conferred on the king's minions. Henry of Bolingbroke, Lancaster's son, was made Earl of Derby; the king's uncles, the Earls of Cambridge and Buckingham, were created Dukes of York and Gloucester; Michael de la Pole was created Earl of Suffolk; and Robert de Vere, a still more influential favourite, Marquis of Dublin, receiving, at the same time, the extraordinary grant of the whole revenue of Ireland, out of which he was to pay a yearly rent of five thousand marks to the king. He was soon after made Duke of Ireland. As Richard had no children, he declared at the same time that his lawful successor would be Roger, Earl of March, the grandson of Lionel, Duke of Clarence.*

Soon after these arrangements, the Duke of Lancaster was enabled to depart to press his claim to the throne of Castile by force of arms. A disputed succession in Portugal, and a war between that country and Spain, seemed to open a road for him. The king was evidently glad to have him out of England. Parliament voted supplies, one half of which were given to the duke; and in the month of July, he set sail for the Peninsula, with an army of ten thousand men. Lancaster landed at Coruña, opened a road through Galicia into Portugal, and formed a junction with the king of that country, who married Philippa, the duke's eldest daughter by his first wife. At first, the duke was everywhere victorious; he defeated the Spaniards in a pitched-battle, and took many towns; but, in a second campaign, his army was almost annihilated by disease and famine; and his own declining health forced him to retire to Guienne. In the end, however, he concluded an advantageous treaty. His daughter Catherine, the granddaughter of Peter the Cruel, was married to Henry, Prince of Asturias, the heir of the reigning King of Castile. Two hundred thousand crowns were paid to the duke for the expenses he had incurred; and the King of Castile agreed to pay forty thousand florins by way of annuity to the Duke and Duchess of Lancaster. The issue of John of Gaunt reigned in Spain for many generations.

Encouraged by the absence of the duke with so many choice warriors, the French determined to invade England. Never had that nation made such mighty preparations. Upwards of a hundred thousand men, including nearly all the chivalry of France, were encamped in Flanders, and an immense fleet lay in the port of Sluys ready to carry them over. This fleet was composed of ships collected in all maritime countries from Cadiz to Dantzic. Charles VI., who determined to take a part in the expedi-

* Froissart.—Walsing.—Knyght.—Rot. Parl.—Rymers.

tion, went to Sluys, and even embarked; but this young king was entirely in the power of his intriguing and turbulent uncles, who seem to have determined (not unwisely, perhaps) that the expedition should not take place. There were other impediments and causes of delay, and in the end the army was disbanded. The fleet was dispersed by a tempest, and many of the ships were taken by the English. The expenses incurred by France in these preparations were enormous, and ground the people who had to pay them to the very dust. That country indeed was so exhausted by the outlay that there was no fear of its making any such great attempt for many years to come.

Richard gained no increase of comfort by the absence of Lancaster, whose younger brother, the Duke of Gloucester, was far harsher than John of Gaunt had ever been. At the meeting of parliament, in the month of October, the Duke of Gloucester headed an opposition which determined to drive Richard's favourites de la Pole and de Vere from office. They began with de la Pole, who, after a weak attempt to save him, was dismissed.* After his expulsion, the commons impeached him of high crimes and misdemeanors, and he was sentenced to pay a heavy fine and to be imprisoned. Gloucester and his party then said that no good government could be expected until a permanent council was chosen by parliament to reform the state of the nation—a council like those which had been appointed in the reigns of John, Henry III., and Edward II. Richard said he would never consent to any such measure, and threatened to dissolve the parliament. The commons then coolly produced the statute by which Edward II. had been deposed; and while he was agitated by this significant hint, one of the lords reminded him that his life would be in danger if he persisted in his refusal. Upon this Richard yielded, and the government was substantially vested for a year in the hands of eleven commissioners, bishops and peers, to whom were added the three great officers of the crown. At the head of all was placed his uncle Gloucester, whom from that moment he hated with an intensity which seems almost incompatible with his light, frivolous character.†

The king was now twenty years of age, but he was reduced to as mere a cipher as when he was but eleven. In the month of August in the following year, 1387, acting under the advice of De la Pole and Tresilian, the chief justice, he assembled a council at Nottingham, and submitted to some of the judges who attended it this question,—whether the commission of government appointed by parliament, and approved of under his own seal, were legal or illegal? These judges certified under their hands and seals that the commission was illegal, and that all those who introduced the measure were

liable to capital punishment; that all who supported it were by that act guilty of high treason; and in short, that both lords and commons were traitors. On the 11th of November following, the king, who had returned to London, and who seems thus early to have formed the absurd idea of governing the country by a junta or council of his own choosing, was alarmed by the intelligence that his uncle Gloucester and the Earls of Arundel and Nottingham, the constable, admiral, and marshal of England, were approaching the capital with 40,000 men. The decision of the judges had been kept secret, but one of the number betrayed it to a friend of Gloucester. As soon as Richard's cousin the Earl of Derby, Lancaster's son and heir, learned the approach of his uncle of Gloucester, he quitted the court with the Earl of Warwick, went to Waltham Cross, and there joined him. The members of the Council of Eleven were there already. On Sunday the 17th of November the duke entered London with an irresistible force and "appealed" of treason the Archbishop of York, de Vere, now Duke of Ireland, de la Pole, Earl of Suffolk, Robert Tresilian, chief justice, and Sir Nicholas Brember, Knight, and lord mayor of London. The favourites instantly took to flight. De la Pole, the condemned chancellor, who had returned to court, and seemed dearer than ever to his master, succeeded in reaching France, where he died soon after; de Vere, the Duke of Ireland, got to the borders of Wales, where he received royal letters authorizing him to raise an army, and begin a civil war. He collected a few thousand men, but was met on the banks of the Isis, near Radcot, and thoroughly defeated by Gloucester and Henry of Bolingbroke. He then fled to Ireland and afterwards to Holland, where he died about four years after. The Archbishop of York was seized in the north, but was allowed to escape by the people: he also finished his days not long after, in the humble condition of a parish priest in Flanders. Tresilian and Brember remained concealed in or about London. After the defeat of his army under de Vere, Richard, who was only courageous by fits and starts, lost all heart, and retired into the Tower. His uncle Gloucester, who believed on pretty good grounds that the king and the favourites had intended to arrest him secretly and put him to death, showed little mercy. He drove every friend of Richard, even down to his confessor, away from the court, and threw some ten or twelve of them into prison. The "wonderful parliament," which met in the beginning of the year 1388, carried out the impeachments he had made, and gave him their full support. The five obnoxious councillors were found guilty of high treason, their property was confiscated, and Tresilian and Brember the mayor, who were discovered, were executed, to the joy of the people.

With the cause of Brember's great unpopularity we are not acquainted; but the chief justice had made himself odious by his "bloody circuit" against the peasants who had been engaged in

* According to Knyghton, when Richard first received the message of Parliament, requesting that De la Pole Earl of Suffolk and chancellor might be removed, he replied with boyish petulance, that he would not for them remove the meanest scullion from his kitchen.

† Rot. Parl.

the insurrection. The judges who had signed and sealed the answer at Nottingham were next impeached. Their only plea was, that they had acted under terror of the king and the favourites: they were capitally convicted; but the bishops interceded in their behalf, and, instead of being sent to the scaffold, they were sent into exile for life to Ireland. Blake, however, who had drawn up the questions at Nottingham, was executed, and so was Usk, who had been secretly appointed under-sheriff to seize the person of the Duke of Gloucester. The king's confessor, who swore that no threats had been used with the judges at Nottingham, was also condemned to exile in Ireland. It was hoped that the shedding of blood would stop here, but such was not the intention of Gloucester. After the Easter recess he impeached four knights, and these unfortunate men were all convicted and executed. Of these, the fate of Sir Simon Burley excited most sympathy: he had been the much-esteemed friend of Edward III. and the Black Prince; he had acted as guardian to Richard; had negotiated his marriage; and was tenderly loved both by the king and the queen. Richard was not so base as to abandon this worthy knight without making an effort; but his uncle Gloucester told him that his keeping the crown would depend on the immediate execution

of this individual. The young queen—the “good Queen Anne,” as she was called by the people—in vain begged on her knees that he might be spared: in vain Henry of Bolingbroke, who had been Gloucester's right hand in this enterprise, added his most earnest solicitations. The iron-hearted Gloucester had a violent quarrel on this occasion with his nephew Henry, who never forgave him.*

For about twelve months Richard left the whole power of government in the hands of his uncle and of the council or commission. It was during this interval that the battle of Otterbourne, famous in song under the name of Chevy Chase, was fought (15th August, 1388) between the Scottish Earl Douglas, and the Lord Harry Percy, the renowned Hotspur. Douglas was slain, but the English were in the end driven from the field, after both Hotspur and his brother, Lord Ralph Percy, had been taken prisoners. At length Richard gave a proof of that decisive promptitude which visited his mind at uncertain intervals. In a great council held in the month of May, 1389, he suddenly addressed his uncle—“How old do you think I am?” “Your highness,” replied Gloucester, “is in your twenty-second year.” “Then,” added the king, “I am surely of age to manage

* Rot. Parl.—Knyght.



FIELD OF THE BATTLE OF CHEVY CHASE.—Bird.

my own affairs. I have been longer under the control of guardians than any ward in my dominions. I thank ye, my lords, for your past services, but I want them no longer." Before they could recover from their astonishment he demanded the great seals from the archbishop, and the keys of the Exchequer from the Bishop of Hereford; and within a few days he drove Gloucester from the council, and dismissed most of the officers he had appointed without meeting with any opposition. He informed the people, by proclamation, that he had now taken the reins of government into his own hands; but, in fact, this was far from being the case. Richard had not the needful application to business, and the chief administration of affairs was left to another uncle, the Duke of York, and to his cool-headed and calculating cousin, Henry of Bolingbroke, Earl of Derby.*

For some years this government was undisturbed and the nation tranquil; but Richard was evidently simulating or dissimulating the whole time. Lancaster returned from the continent after an absence of more than three years, and, from circumstances with which we are not sufficiently acquainted, he became all at once exceedingly moderate and popular. He conducted his brother Gloucester and the nobles of his party to court, where an affecting reconciliation took place, the king playing his part so ably that nobody seems to have doubted the sincerity with which he embraced his "dear uncle" Gloucester. The duke was re-admitted into the council; Lancaster was created Duke of Aquitaine for life,† and intrusted with the negotiation of a peace with France, the parliament voting a liberal sum to defray his expenses at a sort of congress held at Amiens. Hostilities had been suspended by a succession of armistices, and in 1394 a truce was concluded for four years. This truce also embraced Scotland, the king of which country, Robert II., had died the 19th of April, 1390, leaving the crown to his eldest son John, Earl of Carrick, who took the name of Robert III.‡

A. D. 1394.—After the death of the good Queen Anne, which happened at Shene, on Whit Sunday, the king collected a considerable army, and crossed over to Ireland, where the native chiefs had been for some time making head against their English oppressors, and where some of the English themselves had revolted. This campaign was a bloodless one: the Irish chiefs submitted; Richard entertained them with great magnificence, knighted some of them, and, after spending a winter in the country, and redressing some abuses, he returned home, and was well received by his subjects. Although the council was divided on the matter, Richard at last decided on contracting a matrimonial alliance with France; and in the month of

* Walsing.—Knyght.—Rot. Parl.

† This grant was subsequently recalled.

‡ The same popular prejudice against the name of John, at least for a king, which we have seen displayed by the English followers of Wat Tyler, was also entertained at this time by the Scots. It is commonly traced to the unfortunate reigns of John of England, John of France, and John Balliol.

October, 1396, he passed over to the continent, and married Isabella, the daughter of Charles VI.—a princess, a miracle of beauty and of wit, according to Froissart, but who was little more than seven years old. The blessing of a peace, or at least of a truce, for twenty-five years, was the consequence of this union, and yet the marriage was decidedly unpopular in England. The Duke of Gloucester had always opposed it; and the people, whose favour he had never forfeited, now considered him in the light of a champion for the national honour. "Our Edwards," said the duke, "struck terror to the heart of Paris, but under Richard we court their alliance, and tremble at the French even in London." It is said that the duke's declamations were the more vehement, because he suspected what would follow to himself; and it is certain that Richard asked assistance from Charles VI., to be given in case of need, and that this alliance with France gave him courage to undertake a scheme which his deep revenge had nourished for many years. The year after his marriage, in the month of July, Richard struck his blow with consummate treachery: after entertaining him at dinner, in his usual bland manner, he arrested the Earl of Warwick. Two days after he craftily induced the primate to bring his brother, the Earl of Arundel, to a friendly conference; and then Arundel was arrested. He had thus got two of his victims: to entrap the third, and the greatest of all, he went with a gay company to Pleshy Castle, in Essex, where his uncle Gloucester was residing with his family. The duke, suspecting no mischief, came out, with all his household, to meet the royal guest, and, while Richard entertained the duchess with friendly discourse, Gloucester was seized by the earl marshal, carried with breathless speed to the river, put on board ship, and conveyed to the castle of Calais. A report ran that the duke was murdered: to quiet the agitation, Richard issued a proclamation stating that the recent arrests had been made by the assent of the chief officers of the crown, and with the knowledge and approbation of his uncles of Lancaster and York, and his cousin Henry, Earl of Derby.*

A few days after Richard went to Nottingham Castle, and there, taking his uncles Lancaster and York, and his cousin Henry, by surprise, he made them, with other noblemen, put their seals to a parchment, by which Gloucester, Arundel, and Warwick were "appealed" of treason in the same manner that they (with Henry of Bolingbroke among them) had appealed the king's favourites ten years before. A parliament was then summoned to try the three traitors, for so they were now called by men, like Henry of Bolingbroke, who had been partakers in all their acts, and by others who had supported them in their boldest measures. These men can only escape the suspicion of being a set of fickle and unprincipled scoundrels by our admitting that many circumstances remain untold; and

* Rot. Parl.—Rymer.

indeed the contemporary accounts of the transaction are unusually vague and unsatisfactory. One great key to the secret might be found in the terror inspired by Richard's masterly craft and his display of military force. On the 17th of September, he went to parliament with six hundred men-at-arms wearing his livery, and a body-guard of choice archers. The Commons, who had received their lesson, began by impeaching Thomas Arundel, Archbishop of Canterbury, of high treason. Fearing the primate's eloquence, Richard artfully prevented his attending in the Lords, and he was, at the king's will, banished for life. On the following day his brother, the Earl of Arundel, who offered to prove his innocence by wager of battle, who challenged a trial by jury, and who at last pleaded a general and particular pardon, was condemned and immediately beheaded on Tower Hill. On the 21st of September, a writ was issued to the Earl Marshal, governor of Calais, commanding him to bring the body of his prisoner, the Duke of Gloucester, before the king in parliament, that he might answer to the lords who had appealed him of treason. On the 24th (and three days were probably then scarcely enough for a king's messenger to travel to Calais and back) an answer was returned to the Lords, that the Earl Marshal could not produce the duke, for that he, being in custody in the king's prison in Calais, had died there. This parliament, which was assembled to procure his death, cared little how he had died, and made no inquiries. The Lords appellants demanded judgment; the Commons seconded their demand, and the dead duke was declared to be a traitor, and all his property was confiscated to the king. On the next day a document, purporting to be Gloucester's confession taken by Sir William Rickhill, one of the justices who had been sent over to Calais in the preceding month for that sole purpose, as was pretended, was produced and read in parliament.* On the 28th, Gloucester's friend, the Earl of Warwick was brought before the bar of the House: the earl pleaded guilty, but his sentence was commuted into perpetual imprisonment in the Isle of Man. In passing sentence on these nobles, there were many who condemned themselves. The Duke of York, the Bishop of Winchester, and Sir Richard Scroop had been members of the commission of eleven; the Earl of Derby and the Earl of Nottingham had been two out of the five who entered London in arms and appealed the favourites of treason. After their recent experience of the king, nothing but fatuity could make them repose confidence in any of his assurances, or in the steadiness of parliament; but for want of any better security, they extracted from Richard a declaration of their own innocence in regard to all past transactions. This declaration

* Rickhill saw the Duke alive, at Calais on the 7th of September. The real object of his mission, and the real circumstances of Gloucester's death, are involved in a mystery never likely to be cleared up. But it seems that the universal impression, not only in England but also on the continent, was correct, and that he was secretly murdered, and in a manner not to disfigure the corpse, which was afterwards delivered to his family.

was made in full parliament. After this the king, who was very fond of high-sounding titles, and a great conferrer of them, made several promotions of his nobles. Among these, his cousin Henry Bolingbroke was created Duke of Hereford; Mowbray, the Earl of Nottingham, Duke of Norfolk; and the king's half-brother, John Holland, who had committed the murder at York, was made Duke of Exeter.*

Gloucester's "wonderful" parliament of 1386 had taken an oath that nothing there passed into law should be changed or abrogated; and now the very same men, with a few exceptions, took the same oath to the decisions of the present parliament, which undid all that was then done. The answers of the judges to the questions put at Nottingham, which had then been punished as acts of high treason, were now pronounced to be just and legal. It was declared high treason to attempt to repeal or overturn any judgment now passed; and the issue made of all the persons who had been condemned were declared for ever incapable of sitting in parliament or holding office in council. "These violent ordinances, as if the precedent they were then overturning had not shielded itself with the same sanction, were sworn to by parliament upon the cross of Canterbury, and confirmed by a national oath, with the penalty of excommunication denounced against its infringers. Of those recorded to have bound themselves by the adjuration to Richard, far the greater part had touched the same relics for Gloucester and Arundel ten years before, and two years afterwards swore allegiance to Henry of Lancaster."† Before this obsequious parliament separated, it set the dangerous precedent of granting the king a subsidy, *for life*, upon wool; and a commission was granted for twelve peers and six commoners, "all persons well affected to the king," to sit after the dissolution, and examine and determine certain matters as to them should seem best. These eighteen commissioners usurped the entire rights of the legislature: they imposed a perpetual oath on prelates and lords to be taken before obtaining possession of their estates, that they would maintain the statutes and ordinances made by this parliament, or afterwards by the lords and knights, having power committed to them by the same; and they declared it to be high treason to disobey any of their ordinances. Thus, with the vote of a revenue for life, and with the power of parliament notoriously usurped by a junto of his creatures, Richard was not likely soon to meet his people again, and he became as absolute as he could wish. Some people, admitting the follies and extravagances of this king, profess to be blind to any serious state crime in him that can justify the contempt and hatred in which he was held by his subjects; but we think that the few preceding lines are sufficient to clear their vision in this respect.

Richard was elated with his success, and he

* Rot. Parl.—Froiss.—Knight.
† Hallam. Midd. Ages, iii. 115.

gloried in his dissimulation, which he fondly hoped had overthrown all opposition. He began to reign much more fiercely than before. "In those days," says Froissart, "there was none so great in England that durst speak against anything that the king did. He had a council suitable to his fancies, who exhorted him to do what he *list*: he kept in his wages ten thousand archers, who watched over him day and night." This high and absolute bearing was, however, of short duration. The people, a share of whose attachment or respect had been preserved by Gloucester even in his worst moments, because he always showed a concern for the public interest, were soon disgusted with Richard, who appeared only to crave power and money that he might lavish them on his minions and indulge himself in an indolent and luxurious life. His grandfather, Edward III., had maintained a magnificent court; but his was a homely affair compared to that kept by Richard. Never had the nation seen—nor did it see for long after—such gorgeousness in furniture and apparel, such pageants, such feasting, and such Apician extravagance and delicacy in repasts. Putting aside the tailors, the drapers, and the hosts of servants, all clad in costly liveries, Richard's cooks and adjutants of the kitchen alone formed a little army. In some respects his taste and magnificence might have benefited the nation, but they were carried to excess, and the spectators of his riotous living were but too often a beggared and a starving people.

A general murmur was soon raised against the late parliament: people said that it had not been freely chosen; that it had with bad faith and barbarity revoked former pardons and connived at illegal exactions; that it had been a party to the shameful impunity of the murderers of Gloucester; and that it had assisted the king in destroying the liberties of the kingdom. Matters were approaching this state when the mutual distrusts of two great noblemen, and the fears they both entertained of the cunning and vindictive spirit of the king, hurried on the catastrophe. Henry of Bolingbroke, now Duke of Hereford, and Mowbray, now Duke of Norfolk, were the only two that remained of the five appellants of 1386. To all outward appearance they enjoyed the favour and confidence of the king; but they both knew that their original sin had never been forgiven. The Duke of Norfolk, who, much to his honour, had shown a reluctance to join in the prosecution of his former friends, seems to have been the more alarmed or the more communicative of the two. Overtaking the Duke of Hereford, who was riding on the road between Windsor and London, in the month of December, during the recess of parliament, Mowbray said, "We are about to be ruined." Henry of Bolingbroke asked "For what?" and Mowbray said, "For the affair of Radcot bridge." "How can that be after his pardon and declaration in parliament?" "He will annul that pardon," said Mowbray, "and our fate will be like that of others before us. It is a marvellous and treacherous

world this we live in!" And then he went on to assure Hereford (what must have been unnecessary) that there was no trust to be put in Richard's promises or oaths, or demonstrations of affection, and that he knew of a certainty that he and his minions were then compassing the deaths of the Dukes of Lancaster, Hereford, Albemarle, and Exeter, the Marquis of Dorset, and of himself. Henry then said, "If such be the case, we can never trust them;" to which Mowbray rejoined, "So it is, and though they may not be able to do it now, they will contrive to destroy us in our houses ten years hence."*

This reign, as abounding in dark and treacherous transactions, is rich in historical doubts. It is not clear how this conversation was reported to Richard, but the damning suspicion rests upon Henry of Bolingbroke. When parliament met, after the recess, in the month of January, 1398, Hereford was called upon by the king to relate what had passed between the Duke of Norfolk and himself, and then Hereford rose and presented in writing the whole of the conversation as we have related it. Norfolk did not attend in parliament, but he surrendered on proclamation, called Henry of Lancaster a liar and false traitor, and threw down his gauntlet. Richard ordered both parties into custody, and instead of submitting the case to parliament, referred it to a court of chivalry, which, after many delays, awarded that wager of battle should be joined at Coventry on the 16th of September. As the time approached, Richard was heard to say, "Now I shall have peace from henceforward;" but, on the appointed day, when the combatants were in the lists, and had couched their lances, throwing down his warder between them, he took the battle into his own hands. After consulting with the committee of parliament—the base eighteen (who had just been appointed)—to the surprise and bewilderment of all men, he condemned Hereford to banishment for ten years, and Norfolk for life. Hereford, apparently confident in his abilities and many resources, went no farther than France: Norfolk made a pilgrimage to Jerusalem, and not long after died broken-hearted at Venice. On the death of the Duke of Lancaster, which happened about three months after the exile of his son Hereford, Richard seized his immense estates and kept them, notwithstanding his having, before his departure out of England, granted letters patent to Hereford, permitting him to appoint attorneys to represent him and take possession of his lawful inheritance.† The illegality and dishonour of this proceeding did not prevent the court lawyers from justifying it. But now there was no law in the land except what proceeded from the will of Richard, who, after ridding himself, as he fancied, for ever, of the two great peers whom he feared and hated, set no limits to his despotism. He raised money by forced loans;

* Rot. Parl. This is the account which Hereford gave in parliament.

† Rot. Parl.—Bymer.

he coerced the judges, and in order to obtain fines he outlawed seventeen counties by one stroke of the pen, alleging that they had favoured his enemies in the affair of Radcot bridge. He was told by some friends that the country was in a ferment, and that plots and conspiracies were forming against him; but the infatuated man treated them with contempt, and chose this very moment for leaving England. In the end of the month of May, 1399, he sailed from Milford Haven with a splendid fleet, which however conveyed more courtiers and parasites than good soldiers. After some delay he took the field against the Irish on the 20th of June, and a fortnight after his cousin, the Duke of Hereford, landed at Ravenspur in Yorkshire. The duke had not escaped from France without difficulty, and all the retinue he brought with him consisted of the exiled Archbishop of Canterbury, the son of the late Earl of Arundel, fifteen knights and men-at-arms, and a few servants.

But the wily Henry was strong in the affections of the people: he knew by the grief shown when he set out on his exile that many thousands would be glad to see him back; and both he and the archbishop had many personal friends among the nobles. As soon as he landed, he was joined by the great Earls of Northumberland and Westmoreland; and as he declared that he only came for his right, or for the estates belonging to his father, he was speedily reinforced by many who did not foresee, and who, at that stage, would not have approved his full and daring scheme. He marched with wonderful rapidity towards the capital, and arrived there at the head of sixty thousand men. His uncle, the Duke of York, having no confidence in the Londoners, quitted the city before his approach, and, as regent of the kingdom during Richard's absence, raised the royal standard at St. Alban's. The Londoners received Hereford as a deliverer, and still further strengthened his army. A general panic prevailed among the creatures of Richard, some of whom shut themselves up in Bristol Castle. The Duke of York, with such forces as he could collect, moved towards the west, there to await the arrival of Richard, to whom messengers had been dispatched. After staying a few days in London, Henry of Bolingbroke marched in the same direction, and so rapid was his course that he reached the Severn on the same day as the regent. The Duke of York had discovered before this that he could place no reliance on his troops: he was himself a man of no energy, and probably his resentment for the murder of his brother Gloucester was greater than his affection for his nephew Richard. Henry of Bolingbroke was also his nephew, and when he agreed to meet that master-mind in a secret conference, the effect was inevitable. York joined his forces to those of Henry, turned aside with him, and helped him to take Bristol castle. Three members of the standing committee of eighteen, the Earl of Wiltshire, Bussy, and Green were found in the castle, and executed, without trial, but to the

infinite joy of the people, who had clamoured for their deaths. Henry then marched towards Chester, but York stopped at Bristol.*

For three weeks Richard remained ignorant of all that was passing. Contrary winds, and storms, are made to bear the blame of this omission, but it is probable that some of the messengers had proved unfaithful. When he received the astounding intelligence, his first remark was, that he sorely regretted not having put Henry to death, as he might have done. From Dublin he dispatched the Earl of Salisbury with part of his forces, and then he repaired himself to Waterford, with the intention of crossing over with the rest. Salisbury landed at Conway, and was reinforced by the Welsh; but the king did not appear so soon as was expected, and the earl was soon deserted by his whole army, both Welsh and English. A few days after, when Richard at last arrived at Milford Haven, he was stunned by bad news of every kind; and on the second day after his landing, the few thousands of troops which he had brought with him from Ireland deserted him almost to a man. At midnight, disguised as a priest, and accompanied only by his two half-brothers, Sir Stephen Scroop, his chancellor, the Bishop of Carlisle, and nine other individuals, he fled to Conway, to seek refuge in the strong castle there. At Conway he found the Earl of Salisbury and about one hundred men, who, it appears, had already consumed the slender stock of provisions laid up in the fortress. Richard then dispatched his two half-brothers to Chester, Henry's head-quarters, to ascertain what were his intentions. Henry put them under arrest. Soon after sending them, Richard rode to the castles of Beaumaris and Caernarvon: they were both bare of provisions, and he returned in despair, and probably in hunger, to Conway Castle. A romantic and touching story is usually told, on the faith of two anonymous manuscripts, according to which, Richard was lured from his stronghold by the ingenious treachery of the Earl of Northumberland; but we are inclined to believe that famine drove him from Conway castle, and that, in a hopeless state, he surrendered to Northumberland, who, however, very probably offered him delusive terms.† At the castle of Flint, Henry of Bolingbroke met him, and bent his knee, as to his sovereign. "Fair cousin of Lancaster," said Richard, uncovering his head, "you are right welcome." "My lord," answered Henry, "I am come somewhat before my time; but I will tell you the reason. Your people complain that you have ruled them harshly for twenty-two years; but if it please God I will help you to rule them better." The fallen king replied, "Fair cousin, since it pleaseth you, it pleaseth me well." The trumpets then sounded to horse, and, mounted on a miserable hackney, Richard rode a prisoner to Chester. No

* Walsing.

† It is said that the sea was open to him, and that he might have escaped to Guenne; but it is by no means clear that, at this moment, he had either a ship or provisions for such a voyage. Besides, after such repeated desertions, he may well have feared trusting himself in the hands of a few sailors. And then, again, he knew that quitting his kingdom at this moment would be equivalent to an abdication.



'MEETING OF RICHARD AND BOLINGBROKE AT FLINT CASTLE.'

(Richard is disguised as a Priest, and Bolingbroke is represented in mourning for the death of his father, John of Gaunt.)

one appeared to pity his fate; and if we are to believe Froissart, his very dog left his side to fawn upon his destroyer. At Lichfield, while on the way from Chester to the capital, the king eluded the vigilance of his guards, and escaped out of a window; but he was retaken, and from that time treated with greater severity. On their arrival in London, Richard was cursed and reviled by the populace, and thrown into the Tower. Henry was received by the mayor and the principal citizens; while at Chester, writs were issued in Richard's name for the meeting of parliament on the 29th of September. On the day of that meeting, a deputation of lords and commons, which included the Archbishop of Canterbury, the Earl of Northumberland, two justices, two doctors of laws, with many others, ecclesiastics and laymen, waited on the king in the Tower, who there, *according to the reporters,*

made, "with a cheerful countenance," a formal renunciation of the crown, acknowledged his unfitness for government, absolved all his subjects from homage and fealty, gave his royal ring to his cousin Henry, and said, that he of all men should be his successor, if he had the power to name one. Whether all this passed as thus stated by the triumphant party of Lancaster is of little consequence, and Henry was too sagacious to rest his title to the crown upon what could never be considered in any other light than that of a compulsory resignation. The only right that Henry could pretend, was a concise and obvious one; but in his "abundant caution, and to remove all scruple," he determined to prop himself with all sorts of devices, and to heap title upon title. Of these accumulated pretensions, some were nugatory or conflicting, and in reality weakened instead of strengthening his claim; but the lawyers were gratified, and possibly some delicate consciences were tranquillized by each of the clauses. On Tuesday, the 30th day of September, the parliament having met in Westminster Hall, the resignation of Richard was read. All the members then stood up, and signified their acceptance of it, and a great concourse of people outside the hall shouted with joy. Thirty-three articles of impeachment against Richard were afterwards read, and being declared guilty on every charge, his deposition was pronounced; thus a deposition was

* From the Harleian MS. 1319, a History of the Deposition of Richard II., in French verse, professing to be "composed by a French gentleman of mark, who was in the suite of the said king, with permission of the King of France." "The several illuminations contained in this book," says a MS. note by Bishop Percy, appended to the volume, "are extremely valuable and curious, not only for the exact display of the dresses, &c. of the time, but for the finished portraits of so many ancient characters as are presented in them." These interesting and beautiful illuminations are sixteen in number; our copies of three of them, which have been carefully traced from the originals, will convey some notion of the style of minute and high finish in which they are executed. The whole have been engraved in the 20th volume of the *Archæologia*, where the poem is printed with an English translation, and ample explanatory notes, by the Rev. John Webb, M.A., F.A.S., Rector of Tretire, in Herefordshire; pp. 1—423.



BOLINGBROKE CONDUCTING RICHARD II. INTO LONDON. Harl. MS. 1319.

added to an act of abdication. Only one voice was raised in his favour. Thomas Merks, Bishop of Carlisle, spoke manfully in vindication of his character; but as soon as he sat down, he was arrested and removed to the abbey of St. Albans.*

* Among the many doubts that beset this remarkable part of our history, it is doubted whether Bishop Merks's speech be not a fabrication.

During these proceedings Henry remained seated in his usual place near to the throne, which was empty, and covered with a cloth of gold. As soon as eight commissioners had proclaimed the sentence of deposition, he rose, approached the throne, and having solemnly crossed himself, said, "In the name of God the Father, Son, and Holy Ghost, I, Henry of Lancaster, challenge this realm of England,



PARLIAMENT ASSEMBLED FOR THE DEPOSITION OF RICHARD II. Harl. MS. 1319.

(The Earl of Westmoreland on the right of the Throne; the Earl of Northumberland of the left; Henry of Bolingbroke behind the latter.)

because I am descended by right line of blood from the good lord King Henry III., and through that right, that God of his grace hath sent me, with help of my kin and of my friends, to recover it; the which realm was in point to be undone for default of government and undoing of the good laws." He knelt for a few minutes in prayer on the steps, and then was seated on the throne by the Archbishops of Canterbury and York.*

* Rot. Parl.—Knyght—Brady.

The history of Scotland during this period is so intermixed with that of England, and has necessarily in consequence been so fully detailed in the preceding narrative, that no further summary of it is required. The reign of the meek and pious, but feeble-minded Robert III. continued down to the date at which we are now arrived, without furnishing any events beyond what have been above related.

CHAPTER II.

THE HISTORY OF RELIGION.



HE papal dominion in Europe reached its height about the beginning of the thirteenth century, and maintained itself with little outward evidence of decline nearly throughout the century. Boniface VIII. was as arrogant an assertor of the supremacy of the successor

of St. Peter over all other earthly powers and principalities, as his predecessor Innocent III., but he was not so fortunate in the time and circumstances in which he attempted to compel submission to his high pretensions. In truth, it was not in the nature of things that such a dominion should last; it was thrown up, as it were, into the air, by a violent, volcanic force; and the greater the height it had attained, the nearer it was to the commencement of its descent and downfall. The very success of Innocent, by the extravagance of the assumptions to which it gave rise in himself and those who came after him, and the dream of security in which it lulled them, was more fatal than anything else could have been to the stability of their colossal sovereignty; its pressure, thus aggravated, awoke and gradually diffused a spirit of resistance both among kings and people; till at length Philip le Bel began, and Wycliffe, nearly a hundred years later, carried forward, the great rebellion, which after little more than another hundred years was to be fought out triumphantly by Luther. But for nearly a century before the time of Philip le Bel the causes which were preparing this conflict were in active though hidden operation, and the proud pontificate of Innocent may be properly fixed upon as the culmination of the papacy—the point at which it both attained its highest rise and commenced its decline. From the time of Boniface the decline became apparent, and has been progressive to our own day. “Slowly,” as it has been finely said, “like the retreat of waters, or the stealthy pace of old age, that extraordinary power over human opinion has been subsiding for five centuries.”*

In no country were the exactions and encroachments of the Roman pontiffs, in the thirteenth century, carried to a more exorbitant extent than in England. The good nature of the people, and

* Hallam, Middle Ages, ii. 339.

something perhaps of a turn for superstition in their temper or their habits, their insular separation from the rest of Europe, and their wealth, which even at this period was considerable, concurred with the political circumstances of the country, which from the latter years of Henry II. had been eminently favourable to the spread of this foreign usurpation, in making England the great field of papal imposition and plunder. Throughout this century the bishoprics were filled either by the direct nomination of the pope, or, what was perfectly equivalent, by his arbitration in the case of a disputed election. The course that was taken in regard to this matter may be illustrated by the history of the succession of the archbishops of Canterbury. On the death of Cardinal Langton, in 1228, the chapter chose as his successor one of their own number, Walter de Hemesham; but both the king and the bishops of the province having appealed to Rome against this election, the pope annulled it, and appointed Richard le Grand, or Weathershead, chancellor of Lincoln, to be archbishop. Le Grand died in 1231, on which three successive elections were made by the chapter and set aside by the pope; and at last Edmund Rich, treasurer of Salisbury, whom the pope recommended, was chosen and consecrated. Archbishop Edmund died in 1242, when King Henry first compelled the chapter by threats, and almost by force, to nominate Boniface of Savoy, the queen’s uncle, and then purchased the confirmation of the election at Rome. On occasion of the preceding vacancy the pope had made no scruple in setting aside the original selection of the chapter, although the king had concurred in it. On the death of Boniface, in 1270, William Chillenden, their sub-prior, was elected by the chapter; but the pope nominated Robert Kirwarby, and he became archbishop. Exactly the same thing was repeated in 1278, when Kilwarby resigned on being made a cardinal; the monks elected Robert Burnel, bishop of Bath and Wells, but John Peckham, a Franciscan friar, was nevertheless appointed to the see by the pope of his own authority. The next time the chapter at once elected the person who it was understood would be agreeable to the pope, namely, Robert Winchelsey, who succeeded Peckham in 1293, and fought the battle of the clergy against the crown with great valour during a twenty years’ occupation of the see. The right of nominating to inferior benefices was seized in a still more open manner. It had been a frequent practice of the popes to request

bishops to confer the next benefice that should become vacant on a particular clerk. Gradually these recommendations, which were called mandates, became more frequent; but it was not till the time of Gregory IX. (A.D. 1227—1241) that they were distinctly avowed to be of an authoritative character. Even that pope claimed, in words, no more than the right of nominating one clerk to a benefice in every church. But he and Innocent IV. are asserted to have, in fact, placed Italian priests by their mandatory letters in all the best benefices in England. In the three last years of Gregory IX. it is said that three hundred Italians were sent over to this country to be provided for in the church. It was solemnly stated by the English envoys to the council of Lyons (held in 1245) that Italian priests drew from England at this time sixty or seventy thousand marks every year—a sum greater than the whole revenue of the crown. Nor did these foreigners even spend their incomes in the country. Most of them continued to reside at Rome, or elsewhere in Italy, where, in general, they held other preferments: it is affirmed that in some cases fifty or sixty livings were accumulated in the possession of one individual. At length the universal right of nomination to church livings was asserted in plain terms by Clement IV., in a bull published in 1266. Nor was even this the utmost extent to which the claim was carried. By what was called a reservation, the pope assumed the power of reserving to himself the next presentation to any benefice he pleased which was not at the time vacant; or by another instrument, called a provision, he at once named a person to succeed the present incumbent. In this way all the benefices in the kingdom, both those that were vacant and those that were not, were turned to account, and made available in satisfying the herd of clamorous suitors for preferment and dependants on the holy see. In a letter addressed to the pope by the king, the prelates, and barons of England, in 1246, complaint is made that the foreigners upon whom livings were thus bestowed not only did not reside in the country, nor understand its language, but, even in their absence and incompetency, appointed no substitutes to perform their duties. In the numerous churches filled by them, it is declared there was neither almsgiving nor hospitality, nor any preaching or care of souls whatever. The Italians, it is moreover affirmed, were invested with their livings without trouble or charges, whereas the English were obliged to prosecute their rights at Rome at a great expense. The letter also touches upon some of the other vexatious modes by which the holy see laboured to extend its power or to gratify its rapacity, particularly the great grievance of drawing all causes of importance to be heard and decided at Rome. This was a material part of the scheme for bringing the civil under subjection to the ecclesiastical power, which had been pursued with such pertinacity from the time of Anselm and the first Henry. It was also a means of drawing much

wealth from the country, and augmenting the ample stream, fed by multiplied contrivances of exaction and drainage, that was constantly flowing thence into the papal treasury. The entire taxation or tribute annually paid, under a variety of names, by England to Rome, must have amounted to an immense sum. Gregory IX. is said to have, in one way and another, extracted from the kingdom, in the course of a very few years, not less than nine hundred and fifty thousand marks,—a sum which Mr. Hallam estimates as equivalent to fifteen millions at present.*

In 1376, the commons, in a remonstrance to the king against the intolerable extortions of the court of Rome, affirmed that the taxes yearly paid to the pope out of England amounted to five times as much as all the taxes paid to the crown. A considerable portion, indeed, of the revenue thus extracted by the Roman pontiff was levied directly from the clergy themselves, in the form of Peter-pence, annates, or first-fruits, fees upon institution to benefices, &c.; but it did not the less on that account come ultimately out of the property and industry of the nation. The church was but the vast conduit or instrument of suction by which the money was drawn from the country. It is calculated, from a statement of the historian Knyghton, that in the early part of the fourteenth century the annual revenue of the church amounted to the enormous sum of seven hundred and thirty thousand marks, which was more than twelve times the amount of the whole civil revenue of the kingdom in the reign of Henry III.† Very nearly one-half of the soil of England was at this period in the possession of the church. At the same time, as we have seen, all the richest benefices were in the hands of foreigners. Where a cure thus held by a non-resident incumbent was served at all, it was intrusted to a curate, who appears to have been usually paid at the most wretched rate. In his account of the great pestilence of 1349, Knyghton observes, that before that plague a curate might have been hired for four or five marks a-year, or for two marks and his board; but that so many of the clergy were swept away by it, that for some time afterwards no one was to be had to do duty for less than twenty marks or pounds a-year. To remedy this evil a constitution or edict was published a few years afterwards by the authority of the Archbishop of Canterbury, forbidding any incumbent to give, or any curate to demand, more than one mark a-year above what had been given to the curate of the same church before the plague.

The extensive and more systematic form given to the canon law in the course of the thirteenth century considerably aided the pope and the church in their contest with the civil power. We extract from Mr. Hallam the following summary of the additions made during this period to the *Decretum* of Gratian, originally the great text-book of that

* Mid. Ages, ii. 306.
† Macpherson, An. of Com. i. 519.

jurisprudence.* "Gregory IX. caused the five books of Decretals to be published by Raimond de Pennafort in 1234. These consist almost entirely of rescripts issued by the later popes, especially Alexander III., Innocent III., Honorius III., and Gregory himself. They form the most essential part of the canon law, the Decretum of Gratian being comparatively obsolete. In these books we find a regular and copious system of jurisprudence, derived, in a great measure, from the civil law, but with considerable deviation, and possibly improvement. Boniface VIII. added a sixth part, thence called the *Sext*, itself divided into five books, in the nature of a supplement to the other five, of which it follows the arrangement, and composed of decisions promulgated since the pontificate of Gregory IX." "The canon law," proceeds Mr. Hallam, "was almost entirely founded upon the legislative authority of the pope; the decretals are in fact but a new arrangement of the bold epistles of the most usurping pontiffs, and especially of Innocent III., with titles or rubrics comprehending the substance of each in the compiler's language. The superiority of ecclesiastical to temporal power, or, at least, the absolute independence of the former, may be considered as a sort of key-note which regulates every passage in the canon law. It is expressly declared that subjects owe no allegiance to an excommunicated lord, if after admonition he is not reconciled to the church. And the rubric prefixed to the declaration of Frederic II.'s deposition in the Council of Lyons asserts that the pope may dethrone the emperor for lawful causes. These rubrics to the decretals are not perhaps of direct authority as part of the law; but they express its sense, so as to be fairly cited instead of it. By means of her new jurisprudence, Rome acquired in every country a powerful body of advocates, who, though many of them were laymen, would, with the usual bigotry of lawyers, defend every pretension or abuse to which their received standard of authority gave sanction."†

But a still higher power assumed by the popes than even that of declaring or making the law was that of dispensing with its strongest obligations in any particular case at their mere will and pleasure. They assumed and exercised this power in particular in regard to the canonical impediments to marriage, and in regard to oaths. By the ancient laws of the church, marriages were forbidden both between blood relations and relations by affinity within the seventh degree. "It was not until the twelfth century," says Mr. Hallam, "that either this or any other established rules of discipline were supposed liable to arbitrary dispensation; at least the stricter churchmen had always denied that the pope could infringe canons, nor had he asserted any right to do so. But Innocent III. laid down as a maxim, that out of the plenitude of his power he might lawfully dispense with the law; and accordingly granted, among other instances of this prerogative, dispensations from impediments of

marriage to the Emperor Otho IV. Similar indulgences were given to his successors, though they did not become usual for some ages. The fourth Lateran Council, in 1215, removed a great part of the restraint, by permitting marriages beyond the fourth degree, or what we call third cousins; and dispensations have been made more easy when it was discovered that they might be converted into a source of profit. They served a more important purpose, by rendering it necessary for the princes of Europe, who seldom could marry into one another's houses without transgressing the canonical limits, to keep on good terms with the court of Rome, which, in several instances that have been mentioned, fulminated its censures against sovereigns who lived without permission in what was considered an incestuous union."* And as uncanonical unions could be legalized by the pope, so it was held, and equally to the benefit of the holy see, that any illegitimacy of birth could be entirely removed by the same authority. With regard to oaths, again, it was expressly laid down as the law, not only that any oath extorted by fear might be annulled by ecclesiastical authority, but that an oath disadvantageous to the church was essentially, and from the first, without any force, whether it were formally dispensed with or not. These convenient principles required very little ingenuity to be so applied as to get rid of the obligation of any oath whatever.

As in preceding ages, new monasteries still continued to be founded, and additions to be made, by the gifts and bequests of the pious, to the landed property of the clergy; although in England the zeal which displayed itself in these ways perhaps rather declined after the twelfth century. Indeed, independently of the restraints which, as we shall presently see, the law now began to place upon the disposition to make over estates to the church, both the motive and the means of that kind of liberality were of course diminished by the extent to which it had been already carried. When the clergy were in possession of nearly half the land of the kingdom, it must have appeared to the most excited devotee less necessary than it formerly might have been to augment their endowments. But the rise in the thirteenth century of the new religious orders of the Mendicant Friars amply compensated for any falling off in the old rate of increase of the houses of the regular monks. The Dominicans or Black Friars (called also Friar Preachers), instituted by St. Dominic de Guzman, and the Franciscans or Gray Friars (called also Cordeliers), founded by St. Francis of Assisa, were formally established by the authority of Pope Honorius III., in 1216 and 1223. Of many other orders which soon sprung up in imitation of these, all were eventually suppressed except two,—the Carmelites, or White Friars, and the Augustines, also known, as well as the Franciscans, by the name of Gray Friars, from the colour of their cloaks. The success of this novel mode of appeal to the religious passions of

* See note, p. 610.

Mid. Ages, ii. 289.

* Mid. Ages, 296. by Google



DOMINICAN, OR BLACK FRIAR.



FRANCISCAN OR GREY FRIAR.

the time was prodigious. The profession of poverty, the peculiar distinction of the Mendicant Friars, was well calculated to work a powerful effect, thus exhibited in contrast with the wealth and grasping spirit of the other clergy of all degrees and kinds—secular and regular, priests and monks, alike. It is true the poverty of the Mendicants like the same vow of the elder orders of monks, in no long time became, in so far as the community of the brethren was concerned, a profession merely, and their establishments gradually accumulated extensive estates and ample revenues; but it served its purpose in the first instance, as well as if it never was to give way to this corruption. And the individual friar mendicant always continued, it is to be remembered, to present the show, and, it must be admitted to a great extent, the reality, also, of destitution and a hard rule of life. The very name of the mendicants was a standing proclamation of their sympathy with the humbler and more numerous classes, and their indifference to the pomp and pre-eminence which appeared to be so much coveted by the other clergy. Meanwhile their activity in preaching, and in all the ministrations of religion, and the pains they took to win the favour of the multitude, completely distanced whatever had been before attempted in the same line. Nor must it be omitted, that among the means of influence of which they availed themselves, while some were perhaps less creditable, others were of

the highest and most legitimate description; for it was not long before the Franciscans and Dominicans became the most distinguished of the clergy in all the learning of the age, and numbered in their ranks the most eminent names in every department of such scholarship and philosophy as were then in vogue. With all these arts and real merits, it was impossible that, with the support of authority, the concurrence of favouring circumstances, and wise management in the direction of their proceedings, they should have failed to be at once taken up and borne along by a gale of popular enthusiasm. Accordingly we find the historian, Matthew Paris, in the middle of the thirteenth century, already complaining that nobody confessed except to these new-fashioned monks—errant, and that the parish churches were deserted. But in course of time, many of the parochial cures came to be served by mendicant friars, to whose communities the advowsons of the livings had been made over by admirers of the order. So rapidly did the members of these new orders increase, that in less than ten years after the institution of that of the Franciscans the delegates to its general chapter formed alone a multitude of more than five thousand persons. "And by an enumeration in the early part of the eighteenth century, when the Reformation must have diminished their amount at least one-third, it was found that even then there were twenty-eight thousand Franciscan nuns in

nine hundred nunneries, and one hundred and fifteen thousand Franciscan friars in seven thousand convents, besides very many nunneries, which, being under the immediate jurisdiction of the ordinary, and not of the order, were not included in the returns.”*

All these troops of religious persons were bound in their whole interests and affections to the church, not only by their voluntary vows, but by the strong incorporating tie of celibacy, the practice of which, in conformity to what had certainly been the distinctly-declared law of the church from very early times, was now also enforced upon all descriptions of the clergy with a strictness greatly beyond what it had heretofore been found possible to maintain. In the reign of Henry I. it is stated that more than half the English clergy were married; but after the twelfth century, although a few occasional violations of the rule may have still occurred, celibacy was certainly the general practice as well as the law of the church.

The rise of the Mendicant orders probably more than made up to the church for the destruction of the Templars in the beginning of the next century; it was the substitution of a force strong with the inspiration of a new principle, and happily adapted to the time, for another, the first vigour of which, as well as its fit occasion, was in a great degree worn out. And as to the era of the Templars belonged the Crusades, so with the Mendicant Friars appeared the Inquisition, of which, indeed, St. Dominic is commonly reputed the founder, or at least the first suggester. The crusades which took place in this age were animated by little or nothing of the old spirit. In the preceding Book we noticed the fourth, which was undertaken in 1203, but which was eventually diverted from an expedition against the infidels in Palestine to a war with the Greeks in Constantinople. Both this and the fifth crusade (A.D. 1218) were undertaken at the instigation of the energetic Innocent III.; but even his breath was impotent to blow up again into a blaze the dying fire. As Gibbon observes, “except a king of Hungary, the princes of the second order were at the head of the pilgrims; the forces were inadequate to the design; nor did the effects correspond with the hopes and wishes of the pope and the people.” Of the sixth and seventh crusades, both conducted by St. Louis, the former (which set out in 1248) issued in the captivity, the latter (in 1270) in the death of the enthusiastic monarch: and ere the century had closed the Christians were driven for ever from their last narrow footing in the Holy Land. Meanwhile, in the midst of these abortive attempts to revive crusading in the East, a new species of crusades, as they were also called, was introduced in the West,—namely, military expeditions against the unconverted heathens in various parts—against the Jews, against the Albigenses, and other heretics; the object being in each case to extirpate indifferently either the misbelief or the misbelievers.

* Southey, *Book of the Church*, l. 323.

Here, then, was exactly the object of the Inquisition, to which, therefore, these expeditions may be regarded as the natural transition from the original crusades. Both the crusades and the inquisition equally operated, though in different ways, to uphold for their season the fabric of the papal ascendancy.

It was in the nature, however, of most, if not of all of these stimulants, to contribute something to the weakening, in the end, of the system upon which they apparently bestowed an immediate strength. Even the strict celibacy of the clergy, if it invigorated the internal organization of the church, tended to loosen its roots in the general soil of human society. Nor did the Mendicant orders themselves always continue to be the same manageable and subservient allies of the papal power which they were at first; when certain questions came to be debated between the church and the people, the constitution and position of these bodies inevitably led them to a great extent to side with the latter. But especially the various usurpations and extravagant assumptions of the church, whatever temporary advantages may have accrued from them, all proved incumbrances and sources of debility in the long run, and, by the manner in which they outraged the natural feelings and common sense of men, became the main provocatives of the alienation and hostility under which this once sovereign power in human affairs gradually sunk. Excommunications, interdicts, dispensations, the inquisition, the arrogant pretensions of the ecclesiastical courts, the oppressive exactions of the popes, the enormous wealth of the clergy, and their still unsatisfied rapacity, had all been long preparing the elements of the mighty explosion to which indulgences and Luther at last set the match.

Meanwhile many less violent efforts were made to shake off the yoke, or at least to mitigate its pressure. In our own country, as we have already seen, from the time of Henry I., and more especially from that of Henry II., both the crown and the parliament had repeatedly attempted, with various success, to check the encroachments of the ecclesiastical power. In the course of the period now under review some important measures were adopted against the more glaring and intolerable evils of this foreign tyranny. Even during the feeble reign of Henry III. considerable progress was made in restraining the jurisdiction of the ecclesiastical tribunals. “The judges of the king’s courts,” says Mr. Hallam, “had until that time been themselves principally ecclesiastics, and consequently tender of spiritual privileges. But now, abstaining from the exercise of temporal jurisdiction, in obedience to the strict injunctions of their canons, the clergy gave place to common lawyers, professors of a system very discordant from their own. These soon began to assert the supremacy of their jurisdiction, by issuing writs of prohibition whenever the ecclesiastical tribunals passed the boundaries which approved use had established. Little accustomed to such control,

the proud hierarchy chafed under the bit; several provincial synods reclaim against the pretensions of laymen to judge the anointed ministers whom they were bound to obey; the cognizance of rights of patronage and breaches of contract is boldly asserted; but firm and cautious, favoured by the nobility, though not much by the king, the judges receded not a step, and ultimately fixed a barrier which the church was forced to respect.* In the next reign we find an archbishop of Canterbury unreservedly admitting the right of the King's Bench to issue prohibitions. The question was finally settled in the thirteenth year of Edward I., by the statute entitled 'Circumspecte agatis,' which, under the form of an order to the judges to respect the privileges of the spiritual jurisdiction, in fact restrained them, by express enumeration, within certain specified limits. Ten years before this, by the statute of Westminster the First, it had been provided that clerks charged with felony should be first indicted by solemn inquest in the King's Court, and that, being then delivered to the ordinary, if found guilty by such inquest, they should in no

* Middle Ages, ii. 317.

manner be let free without due purgation,—words which were afterwards construed to mean that their property, both real and personal, should be forfeited to the crown. In the seventh year of this reign, also, as will be more particularly noticed in the next chapter, the making over of lands to religious persons or societies was for the first time effectually restrained, by what is commonly called the first statute of mortmain. By another statute, passed in the thirty-fifth year of his reign, Edward prohibited all abbots, priors, or other religious persons of whatsoever condition, from henceforth sending any money, under any name or pretence whatsoever, as a payment to their superiors beyond the sea. It is also stated that one of this king's subjects having obtained a bull of excommunication against another, Edward ordered him to be executed as a traitor, according to the ancient law and was only induced to commute the punishment into banishment out of the realm on a representation made by the chancellor and treasurer, on their knees, that the law in question had not for a long time been put in execution.*

* See Blackstone, by Coleridge, iv. 110, and the authorities there quoted.



ARCHBISHOP READING A PAPAL BULL. Harl. MS. 1319.

One of the principal charges made by the parliament against Edward II., on his deposition, was, that he had given allowance to the bulls of the see of Rome. "But Edward III.," says Blackstone, "was of a temper extremely different; and to remedy these inconveniences first by gentle means, he and his nobility wrote an expostulation to the pope; but receiving a menacing and contemptuous answer, withal acquainting him that the emperor,

and also the king of France, had lately submitted to the holy see, the king replied, that if both the emperor and the French king should take the pope's part, he was ready to give battle to them both in defence of the liberties of the crown. Hereupon more sharp and penal laws were devised against provisors, which enact, severally, that the court of Rome shall not present or collate to any bishopric or living in England; and that whoever

disturbs any patron in the presentation to a living by virtue of a papal provision, such provisor shall pay fine and ransom to the king at his will, and be imprisoned till he renounces such provision; and the same punishment is inflicted on such as cite the king, or any of his subjects, to answer in the court of Rome. And when the holy see resented these proceedings, and Pope Urban V. attempted to revise the vassalage and annual rent to which King John had subjected his kingdom, it was unanimously agreed by all the estates of the realm in parliament assembled, 40 Edw. III., that King John's donation was null and void, being without the concurrence of parliament and contrary to his coronation oath; and all the temporal nobility and commons engaged, that if the pope should endeavour, by process or otherwise, to maintain these usurpations, they would resist and withstand him with all their power.* By subsequent statutes, passed in the reign of Richard II., it was enacted that no alien should be capable of being presented to any ecclesiastical preferment, and that all liegemen of the king accepting of a living by any foreign provision should forfeit their lands and goods, and be banished from the realm, and the benefice made void. It was also provided that any person bringing over any citation or excommunication from beyond sea, on account of the execution of the above-mentioned statutes, should "be taken, arrested, and put in prison, and forfeit all his lands and tenements, goods and chattels, for ever, and incur the pains of life and of member." Finally, by the famous statute commonly called the Statute of Præmunire,† passed in 1392, it was "ordained and established," in still more comprehensive terms, that any person purchasing in the court of Rome or elsewhere, any provisions, excommunications, bulls, or other instruments whatsoever, and any person bringing such instruments within the realm, or receiving them, or making notification of them, should be put out of the king's protection; that their lands and goods should be forfeited; and that they themselves, if they could be found, should be attached and brought before the king and council, there to answer for their offence. The popes maintained the struggle for some time, even after the passing of this statute, continuing at least to present, as before, to all English benefices the incumbents of which had died at Rome; but the king and the parliament were resolute and steady in their resistance; in no instance were these foreign presentations permitted to have effect; and at last, although the Roman pontiff still formally conferred many of the chief benefices by presentations and provisions, these instruments were issued only in favour of persons who had been previously nominated by the crown. The victory, therefore,

obtained by the civil over the ecclesiastical power, in this great battle, was complete.

These efforts of the legislature, however, were only one of the forms in which a spirit expressed itself that was now extensively diffused over the nation. While the king, lords, and commons were repelling the encroachments of the papal power by the statutes of provisors and præmunire, a great reformer and his disciples were shaking the church at once in its doctrine, its discipline, and the whole fabric of its polity. This was John de Wycliffe, whom we have already had occasion to mention in the preceding Chapter. He was born about the year 1324, in the parish from which he takes his name, in Yorkshire; and having previously distinguished himself at Oxford by an extraordinary proficiency in almost every branch of learning then cultivated, he had so early as 1356, in a treatise entitled 'Of the Last Age of the Church,' assailed the high-flown notions then commonly held on the subject of the authority of the pope. A few years later he began to direct his attacks against the Mendicant orders; but it was not long before the church in general, and all orders in it, became the subject of his unsparing and indiscriminate invective. In one of his works we find him enumerating twelve classes of religious persons, beginning with the pope and ending with the mendicant friars, all of whom he denounces as anti-Christ and the proctors of Satan. This general corruption of the church Wycliffe traced chiefly to the profusion of wealth with which it had been endowed in later times: his favourite topic was the recommendation of the poverty of the first teachers of the Gospel; and by his own example, and that of a body of disciples whom he called his poor priests, and who, like himself, went about preaching his doctrines barefoot and clothed in the coarsest attire, he gave the strongest evidence of the reality of his convictions, and made a prodigious impression upon the popular mind. The coincidence of many of his views, also, with the objects of one of the political parties which divided the state, obtained for him the countenance and support of some of the greatest of the nobility. We have already related the circumstances of his appearance before the Bishop of London at St. Paul's, in the last year of the reign of Edward III., on which occasion he was supported by personages of no less consequence than the Duke of Lancaster, and Percy, the Lord Marshal.* A paralytic stroke terminated the stormy career of Wycliffe on the 31st of October, 1384, at his rectory of Lutterworth, in Leicestershire. During his life, those of his novel views that made the greatest apparent impression and progress were those respecting the constitution of the church, and the subject of ecclesiastical authority. When he latterly began to attack the doctrines of the church, he seems to have met, in the first instance, with less success even among the common people, and his patrons among the higher

* See Blackstone, iv. 111.

† This statute (the 16th Rich II. c. 5), and also the offence against which it is directed, are so called from the words "Præmunire," or "Præmonere facias," used to command a citation of the party in the writ for the execution of this and the preceding statutes respecting provisions. It does not clearly appear that the statute of Præmunire was ever regularly passed by the parliament; but it has been repeatedly recognised as a statute by subsequent acts of the legislature.

ranks generally declined supporting him in that new course. But here, also, it was eventually found that he had awakened a spirit of inquiry by his preaching and his writings which did not die when he himself was taken from among men. What the opinions of Wycliffe really were on many points of theology has been matter of much disputation; and his own writings, voluminous as they are, seem scarcely to afford the materials for a complete and consistent exposition of his creed: his views enlarged or varied as he prosecuted his inquiries; and much that he has written is so obscure as to defy any very precise or satisfactory interpretation. But, whatever became of some of his peculiar notions, the principle of his mode of investigating the truths of Christianity took root and flourished, and in no long time came to bear abundant fruit. Wycliffe's fundamental position was, that the knowledge of the revealed will of God was to be found in the Scriptures only, and, moreover, was to be found there, not by the church alone, or its recognised heads, but by every private individual who should earnestly and humbly address himself to the search. English translations of many parts, perhaps of the whole, of the Scriptures existed before the time of Wycliffe, but they appear to have been entirely unknown to the great body of the people. In his writings and discourses the paramount authority of the Holy Books was acknowledged and inculcated in the most explicit terms; whatever he advanced he endeavoured

to rest upon their testimony; and he at once familiarized the popular ear to many passages of the word of God to which it had never before listened, and excited, by these quotations, the anxious curiosity of men to obtain access to the whole of the sacred volume. It is Wycliffe's highest title to the gratitude of his countrymen and to everlasting renown, and at the same time the most conclusive vindication that now remains of the sincerity of his professions, as well as our best evidence of the true learning and laborious industry of the man, that, like his great successor Luther, he devoted several years of his life to the completion of a translation of both the Old and New Testaments into his native tongue. This is the oldest English version of the Scriptures that is now extant,—the next that has come down to us after the partial Saxon version attributed to Alfred.* Many copies of this translation are said to have been dispersed by the care of the author and his disciples; and the effects which it had produced became very perceptible not many years after the death of Wycliffe, when, under the new name of the Lollards, the inheritors of his opinions, in formidable numbers, again awoke the cry of reformation. The history of the Lollards, however, must be reserved for the next period, to which chiefly it belongs.

* Wycliffe's translation of the New Testament has been twice printed; first in folio, under the care of the Rev. J. Lewis, Lon. 1731; secondly, in 4to., edited by H. H. Baber, Lon. 1810. The translation of the Old Testament still remains in manuscript.



SPECIMEN FROM A COPY OF WYCLIFFE'S BIBLE, in the British Museum. Royal MS. I. C. viii.

CHAPTER III.

HISTORY OF THE CONSTITUTION, GOVERNMENT, AND LAWS.



Now emerge, as it were, from the twilight in which we have hitherto journeyed, and we enter upon a path illumined by, at least, some portion of the light of day; or, to lay aside figurative language, enter now upon the

period of the commencement of the authentic legislative records of England, enacted by the great national council or parliament. Of the formation of the parliament, or rather of its settlement into the form which it still retains, we must first speak; though, while engaged with that part of our subject, we must still continue our course in comparative darkness.

As we have already seen, the Commune Concilium, or great council of the realm, was, in the first ages after the Conquest, composed only of the tenants in chief, or immediate vassals of the king. Of these, one portion consisted of the bishops and abbots, or heads of religious houses holding immediately of the crown. It has been the opinion of the most eminent English lawyers that these spiritual lords sat in parliament by virtue of their baronies. From this opinion Mr. Hallam dissents. "I think," says he, carrying his view back to the Saxon Witenagemote, "that this is rather too contracted a view of the rights of the English hierarchy, and, indeed, by implication, of the peerage. For a great council of advice and assent in matters of legislation or national importance was essential to all the northern governments. And all of them, except perhaps the Lombards, invited the superior ecclesiastics to their councils; not upon any feudal notions, which at that time had hardly begun to prevail, but chiefly as representatives of the church and of religion itself; next, as more learned and enlightened counsellors than the lay nobility, and in some degree, no doubt, as rich proprietors of land. It will be remembered, also, that ecclesiastical and temporal affairs were originally decided in the same assemblies, both upon the continent and in England. The Norman Conquest, which destroyed the Anglo-Saxon nobility, and substituted a new race in their stead, could not affect the immortality of church possessions. The bishops of William's age were entitled to sit in his councils by the

general custom of Europe, and by the common law of England, which the Conquest did not overturn. Some smaller arguments might be urged against the supposition that their legislative rights are merely baronial; such as that the guardian of the spiritualities was commonly summoned to parliament during the vacancy of a bishopric, and that the five sees created by Henry VIII. have no baronies annexed to them; but the former reasoning appears less technical and confined."*

The lay portion of the great council consisted of the earls and barons, meaning by the latter those holding of the king. It is agreed that the only baronies known for two centuries after the Conquest arose from the tenure of land held immediately of the crown. As to the exact nature, however, of these baronies, the opinions of some of the most eminent legal antiquaries vary; Selden holding that every tenant *in capite*, or in chief, by knight service, was a parliamentary baron by reason of his tenure; Madox, on the other hand, that tenure by knight's service in chief was always distinct from that by barony, but in what the distinction consisted he has not clearly explained. "The distinction," says Mr. Hallam, "could not consist in the number of knight's fees, for the barony of Hwayton consisted of only three, while John de Baliol held thirty fees by mere knight service. Nor does it seem to have consisted in the privilege and service of attending parliament, since all tenants in chief were usually summoned. But whatever may have been the line between these modes of tenure, there seems complete proof of their separation long before the reign of John. Tenants in chief are enumerated distinctly from earls and barons in the charter of Henry I."†

It is evident, however, from a passage in the Great Charter of King John, that by that time at least all tenants in chief were entitled to a summons; the greater barons by particular writs, the rest through a writ directed to their sheriff;—without a summons a baron certainly could not sit by mere right of his tenure. It is not ascertained how long the inferior tenants in chief continued to sit personally in parliament; but the attendance of these, some of whom were too poor to have received knighthood, became intolerably vexatious to themselves and was not agreeable to the king. This led at last to the complete establishment of a practice from which the most important results were

* Middle Ages, vol. iii. p. 6.

† Ibid., vol. iii. p. 13.

to flow—the adoption of the principle of representation.

Among the few earlier instances of apparent representation which have been collected, the most remarkable belongs to the year 1255, the thirty-eighth of Henry III. In that year a writ was issued, which, after reciting that the earls, barons, and other great men, were to meet at London three weeks after Easter, with horses and arms, for the purpose of sailing into Gascony, required the sheriff to compel all within his jurisdiction, who held twenty pounds a-year of the king in chief, or of those in ward of the king, to appear at the same time and place; and that, besides those mentioned, he should cause to come before the king's council at Westminster, on the fifteenth day after Easter, two good and discreet knights of his county, whom the men of the county should have chosen for this purpose, in the stead of all and each of them, to consider, along with the knights of other counties, what aid they would grant the king in such an emergency.

At length, in the year 1265, the forty-ninth of Henry III., who was then a captive in the hands of Simon de Montfort, Earl of Leicester, Lord High Steward of England, writs were issued in the king's name to all the sheriffs, directing them to return two knights for their county, with two citizens or burgesses for every city and borough within it. In regard to the question whether the knights were elected by none but the king's tenants in chief, or by all freeholders without distinction, the legal antiquaries are divided.* But here the really great innovation is the appearance of the burgesses in the national assembly—an innovation destined to exercise a most momentous influence on the future destinies not only of England and Europe, but of the world.

Before the Norman Conquest several of the towns had been populous, rich, and of considerable importance. Immediately after that great revolution, as we have had occasion to show in a former Chapter,† a considerable decay seems to have taken place in most of them. The burgesses were grievously oppressed by the tallages and other exactions to which they were subjected by the king or other lord who was held to be the proprietor of the town. Although some of these payments were of fixed amount, others appear to have been levied at the discretion of the lord, and from such of the burgesses as he chose to select.

“One of the earliest and most important changes in the condition of the burgesses,” says Mr. Hallam, “was the conversion of the individual tributes into a perpetual rent from the whole borough. The land was then said to be affirmed, or let in fee-farm to the burgesses and their successors for ever.”‡ This was called burgage-tenure, which is said by Littleton to be “tenure

in socage,”* and is by Blackstone said to be “only a kind of town socage; as common socage, by which other lands are holden, is usually of a rural nature.”†

Beginning with the reign of Henry I. the towns gradually rose in importance and independence. From that prince the city of London received a charter, which, besides other immunities, grants to the citizens the right of choosing their own sheriff and justice, to the exclusion of every external jurisdiction. The right of choosing magistrates began to be more generally given from the reign of John. In the mean time, however, the voluntary incorporations of the burgesses, which had existed in the Saxon times under the name of guilds (from *gildan*, to pay or contribute), had gradually acquired more and more of the character of associations for the protection and regulation of trade.

From the middle of the twelfth to that of the thirteenth century the trading towns greatly increased in prosperity. London was distinguished above the rest for the number and wealth of its citizens, who were remarkable for their free and insurgent spirit. They bore a part in deposing William Longchamp, the chancellor and justiciary of Richard I., as well as in the great struggle for Magna Charta, in which the privileges of their city are specially confirmed; and the mayor of London was one of the twenty-five barons to whom the maintenance of its provisions was delegated. Nevertheless, until the date of the writs above mentioned, of Simon de Montfort, Earl of Leicester,—namely, the 12th of December, 1264,—we have no clear evidence that the cities and boroughs had any regular place in the national councils. At the same time it is remarkable that no writer of the time notices the calling of the burgesses to parliament by De Montfort as an innovation, nor are the writs so expressed as to lead us to suppose that the practice was then introduced for the first time.

But though the trading part of the community held from this time a regular place in the national council, they appeared there at first in a very humble and unimportant character, scarcely daring to raise their eyes in presence of the haughty prelates and nobles. “To grant money,” says Mr. Hallam, “was the main object of their meeting; and if the exigencies of the administration could have been relieved without subsidies, the citizens and burgesses might still have sat at home, and obeyed the laws which a council of prelates and barons enacted for their government. But it is a difficult question, whether the king and the peers designed to make room for them, as it were, in legislation, and whether the purse drew after it immediately, or only by degrees, those indispensable rights of consenting to laws which they now possess.”‡

The business of the commons appears to have been, from the first, to petition for redress of grievances, as well as to provide for the necessities of the crown. And in fact the high court of par-

* Matthew Paris gives, for the first time, in 1246, the name of parliament to the great council of the barons. The word parliament, Barrington observes (On the Statutes, p. 56), seems anciently to have been used for any kind of conference.

† See Book III., Chapter vii.

‡ Middle Ages, iii. 32.

* Middle Ages, iii. 162. † Com. ii. 62. ‡ Ib. vol. iii. p. 64.

liament, as far as they at their first introduction into it, and for a considerable time after, were concerned, is to be viewed not so much in the light of a legislative council or assembly as in that of a court of justice, in which, on condition of paying certain fees, by no means very low ones, in the shape of subsidies, they enjoyed certain privileges in the capacity of suitors. Indeed, it is impossible to understand fully the character of the English parliament, especially in the earlier stages of its history, without viewing it more as a judicial than as a legislative establishment.

With regard to the question at what time parliament was divided into two houses, we extract the following passage from Mr. Hallam:—"It has been a very prevailing opinion that parliament was not divided into two houses at the first admission of the commons. If by this is only meant that the commons did not occupy a separate chamber till some time in the reign of Edward III., the proposition, true or false, will be of little importance. They may have sat at the bottom of Westminster Hall while the lords occupied the upper end; but that they were ever intermingled in voting appears inconsistent with likelihood and authority. The usual object of calling a parliament was to impose taxes; and these, for many years after the introduction of the commons, were laid in different proportions upon the three estates of the realm. Thus, in the twenty-third of Edward I., the earls, barons, and knights gave the king an eleventh, the clergy a tenth, while he obtained a seventh from the citizens and burgesses: in the twenty-fourth of the same king the two former of these orders gave a twelfth, the last an eighth: in the thirty-third year a thirtieth was the grant of the barons and knights and of the clergy, a twentieth of the cities and towns. In the first of Edward II. the counties paid a twentieth, the towns a fifteenth: in the sixth of Edward III. the rates were a fifteenth and a tenth. These distinct grants imply distinct grantors; for it is not to be imagined that the commons intermeddled in those affecting the lords, or the lords in those of the commons. In fact, however, there is abundant proof of their separate existence long before the seventeenth of Edward III., which is the epoch assigned by Carte, or even the sixth of that king, which has been chosen by some other writers. Thus the commons sat at Acton Burnell in the eleventh of Edward I., while the upper house was at Shrewsbury. In the eighth of Edward II. 'the commons of England complain to the king and his council,' &c. These must surely have been the commons assembled in parliament, for who else could thus have entitled themselves? In the nineteenth of the same king we find several petitions, evidently proceeding from the body of the commons in parliament, and complaining of public grievances. The roll of 1 Edward III., though mutilated, is conclusive to show that separate petitions were then presented by the commons, according to the regular usage of subsequent times; and,

indeed, the preamble of 1 Edward III., stat. 2, is apparently capable of no other inference.*"

Having thus put the reader in possession of the few leading facts, that have been established on sufficient evidence, respecting the formation of the legislative body, we shall proceed to give an account of the legislation itself during the present period of our history.

The principal legislative acts worthy of notice in the reign of Henry III. are his confirmation of the Great Charter and of the Charter of the Forest. "These," observes Sir Matthew Hale, "were the great basis upon which the settlement of the English laws stood in the time of this king and his son. There are also some additional laws of this king yet extant which much polished the common law,—namely, the statutes of Merton and Marlbridge, and some others."† To this reign belongs Bracton's Treatise, of which Sir Matthew Hale gives the following account:—"It yields us a great evidence of the growth of the laws between the times of Henry II. and Henry III. If we do but compare Glanville's book with that of Bracton, we shall see a very great advance of the law in the writings of the latter over what they are in Glanville. It would be needless to instance particulars. Some of the writs and processes do, indeed, in substance agree, but the proceedings are much more regular and settled as they are in Bracton above what they are in Glanville. The book itself, in the beginning, seems to borrow its method from the civil law. But the greatest part of the substance is, either of the course of proceedings in the law known to the author, or of resolutions and decisions in the courts of King's Bench and Common Bench, and before justices itinerant; for now the inferior courts began to be of little use or esteem."‡

There are one or two statutes or ordinances of Henry III., upon which, though not acts of parliament, it seems proper to make a few remarks. And first in respect to the *Assisa Panis et Cervisie*, the Assize of Bread and Ale, which, however, though generally given as a statute of 51 Henry III., is printed in the Record Commission edition of the Statutes as of uncertain date, what is remarkable is, that to the parliament or council at which it was passed, held at Winchester, were called not only "*omnes magnates terrae*," all the great men of the land, but "*omnes uxores comitum et baronum qui in bello occisi fuerunt, vel captivorum*,"—that is, all the wives of the earls and barons who were slain in battle or captive.§

The *Statutum de Scaccario*, the Statute of the Exchequer, which is usually attributed to the fifty-first year of Henry III., though printed by the Record Commission among the statutes of uncertain date, is remarkable, if we assume the common date, as being the first in the French language, and just two centuries after the Conquest. Barrington

* Middle Ages, vol. iii. pp. 54—56.

† History of the Common Law of England, chap. vii.

‡ Ibid.

§ Annal. Waverl., quoted by Barrington, On the Statutes, p. 41.

considers this fact as showing that the reason usually assigned for our laws being in the French language,—namely, that it was the will of the conquering Normans,—is by no means satisfactory; and he conceives the practice to have arisen from there “being a standing committee in parliament to receive petitions from the provinces of France which formerly belonged to the crown of England.” “This conjecture,” he adds, “seems to be strongly confirmed by the statutes having continued to be in English from the time in which we *fortunately* were dispossessed of the French provinces, as most of the statutes in the reign of Henry VI. continue to be in French.” “Another reason,” he proceeds, “for the statutes being in French arose from the general affectation which prevailed at this time of speaking the French language, inasmuch that it became a proverb, that *Jack would be a gentleman if he could speak French*. It was very corrupt indeed, and therefore Chaucer says [of his Prioress, in the Canterbury Tales,—

Full well she sauge the service divine,
Entuned in her nose full sweetly,
And French she spake full fair, and fetisly,*
After the school of Stratford atte Bow;
For French of Paris was to her unknow.”

Barrington further says—“I cannot conclude these observations without taking notice that the present statute of Henry III., in French, is inserted between others in Latin; and that, during the same session of parliament, there is an instance in the statute of Westminster the Second (which is, properly speaking, a *Capitularium*)† of French chapters being inserted in the same law, preceded and followed by chapters in Latin. From a very diligent and attentive perusal of the Statute-Book, the best general rule which can be given with regard to an act of parliament being in Latin or French is, that where the interests of the clergy are particularly concerned the statute is in Latin. I do not, however, pretend to say that this rule is without exceptions.” †

We may add to what has been said on this subject the following remark in the Introduction to the edition of the Statutes by the Record Commission:—“Nothing is known with certainty on this subject; and at the present day it is utterly impossible to account, in each instance, for the appearance of the statute in French or in Latin. It seems, on the whole, to be highly probable that, for a long period of time, charters, statutes, and other public instruments were drawn up indiscriminately in French or Latin, and generally translated from one of those languages into the other before the promulgation of them, which in many instances appears to have been made at the same time in both languages.”

The title of *Capitalis Justitiarius Angliæ*, i.e., Chief Justiciary of England, ended in Philip Basset, (the third of his family who had held the office), who was advanced to that place in the forty-fifth

of Henry III.; and the first who had the office of *Capitalis Justitiarius ad placita coram Rege tenenda*, i.e., Chief Justice of the King's Bench, was Robert de Bruis, appointed in the fifty-second of Henry III.*

The salary of the Justices of the Bench (i.e. of the Common Pleas) in the twenty-third year of this reign was 20*l.*; in the forty-third year, 40*l.* In the twenty-seventh year the Chief Baron of the Exchequer had 40 marks; the other barons 20 marks; and in the forty-ninth year, 40*l.* per annum. The salary of the Justices *Coram Rege* (of the King's Bench) was, in the forty-third year, 40*l.* per annum. The Chief Justice of the Common Pleas had, in the forty-fourth of Henry III., 100 marks per annum; and another who succeeded in this same year, had 100*l.* per annum. In the thirty-fifth of Henry III. the Chief Justice of the King's Bench had 100 marks per annum.†

We come now to the time of Edward I., who has been styled the English Justinian, not because he resembled that monarch in making either a digest or a code, but because, according to Sir Matthew Hale, “in his time the law, *quasi per saltum*, obtained a very great perfection.”

We shall divide the enactments of this prince, to which we propose more particularly to call the reader's attention, into two classes—1. Those of a political or constitutional nature—2. Those that regard the rights of private property and the administration of justice between man and man. And we shall be guided in our notice of them not so much by the mere chronological order, as by what may appear their relative degree of importance.

I. The first in importance in the first class are the several confirmations of the Great Charter and of the Charter of the Forest.‡ In the thirteenth year of this reign the king was entreated by the parliament to confirm all former charters; a form of *inspeximus*§ and confirmation was accordingly agreed upon. In the twenty-fifth year there was a more solemn confirmation of the Great Charter in the statute called *Confirmatio Chartarum*. This statute ordained that the Charters of Liberties and of the Forest should be kept in every parish; and that they should be sent under the king's seal as well to the justices of the Forest as to others, to all sheriffs and other officers, and to all the cities in the realm, accompanied by a writ commanding them to publish the said charters, and declare to the people that the king had confirmed them in all points. All justices, sheriffs, mayors, and other ministers were directed to allow them when pleaded before them; and any judgment contrary thereto was to be null and void. The charters were to be sent under the king's seal to all cathedral churches throughout the realm, there to remain, and to be read to the people twice a-year. It was ordained that all archbishops and bishops

* “Neatly.”—We have corrected the quotation, which is given by Barrington from a very bad text.

† That is, a collection of laws, and not a single law.

‡ Observ. on Stat. pp. 47, 48.

* Dugd. Orig. 38.

† Ibid. 104.

‡ The Charter of the Forest was first granted in the 9th of Henry III. (A.D. 1224.)

§ That is, an inspection and ratification of the former verbatim.

should pronounce sentence of excommunication against those who, by word, deed, or counsel, did contrary to the aforesaid charters. It was likewise ordained that such aids and tasks as had been granted to the king by the people of his realm "beforetime towards his wars and other business, of their own grant and good will, however they were made," should not be drawn into custom or precedent. Moreover, the king granted for him and his heirs, that no aids or prises should be taken but by consent of the realm, saving the ancient aids and prises due and accustomed. Mr. Reeves remarks* that this is the first mention in the Statute-Book of a renunciation of right to levy money on the subject without consent of parliament. There had been a like declaration in the charter of John, but it was omitted in that of Henry III. Further, because there had been a particular outcry against a tax of forty "soudz" † upon every sack of wool, it was declared that this should not be again levied without the "common assent and good will of the commonalty of the realm."

The next notice of the two charters of liberties is in the preamble to the statute *De finibus Læ-ratis*, 27 Edw. I., where the king refers to the former confirmations of them, and again solemnly ratifies them. In this ratification, however, there is a somewhat ominous clause, "saving always our oath, the right of our crown, and our exceptions and challenges, and those of all other persons."

In the next year something more was done for the confirmation of the charters in the statute of *Articuli super Chartas*, 28 Edw. I. This Act mentions that the charters, notwithstanding the several confirmations of them, were not observed, and this is attributed to there being no specific penalty prescribed for the violation of them. To remedy this the charters are directed to be delivered to every sheriff in England, under the king's seal, to be read four times a-year before the people in the full county. For the punishing of offenders it is enacted that "there shall be chosen, in every shire court, by the commonalty of the same shire, three substantial men, knights, or other lawful, wise, and well-disposed persons, which should be justices sworn and assigned by the king's letters patent under the great seal, to hear and determine without any other writ, but only their commission, such complaints as shall be made upon all those that commit or offend against any point contained in the foresaid charters, in the shires where they be assigned, as well within franchises as without, and as well for the king's officers out of their places as for others; and to hear the complaints from day to day without any delay, and to determine them, without allowing the delays which be allowed by the common law. And the same knights shall have power to punish all such as shall be attained of any trespass done contrary to any point of the foresaid charters, where no

remedy was before by the common law, as before is said, by imprisonment, or by ransom, or by amerciamment, according to the trespass." The statute expressly declares that this special proceeding shall only be in cases where there was no remedy before by the common law. If the three commissioners could not attend, two were declared sufficient. The king's sheriffs and bailiffs were to be attendant on these commissioners.

The next public Act upon the subject of the charters is the *Ordinatio Forestæ*, 33 Edw. I., containing some regulations respecting the purlicus of the forests. In the following year there was another "Ordinance of the Forest."

The famous statute *de Tallagio non concedendo* was first passed in the year 1297 (the 25th of Edward I.), but in more explicit terms, and in the form in which it was always afterwards referred to, in 1306, the last year but one of the reign. This statute was occasioned by the question about levying money for foreign wars. In its latter and more complete form it declares that no tallage or aid (which Mr. Reeves thinks* included those feudal aids that had been excepted in the statute of *Confirmatio Cartarum*) should be imposed or levied by the king or his heirs without the will and assent of the archbishops, bishops, earls, barons, knights, burgesses, and other freemen of the land. Nothing was to be taken by way of male-tolt † of sacks of wool. In regard to purveyance, it was declared that no officer of the king should take any corn, leather, cattle, or other goods, of any one without the consent of the owner. The following general declaration was also made in favour of the liberties of the subject: "That all men, both clerks and laymen, should have their laws, liberties, and free customs, as largely and wholly as they had used to have the same at any time when they had them best; and if any statutes had been made by the king, his ancestors, or any customs brought in contrary to them, or any manner of article contained in the present charter, that such manner of statutes and customs should be void and frustrate for evermore." Finally, all archbishops and bishops, for ever, were directed to read the statute in their cathedral churches, and openly pronounce a curse against all those who violated it in any point. The king put his seal to this statute or charter, as did the archbishops, bishops, and others, who all voluntarily swore to observe the tenor of it,—a sanction attended with the same solemnities as the several confirmations of the charters of liberties.

Of the same nature with the political statutes already mentioned were the *Statuta Walliæ*, 12 Edw. I., by which Wales was in a great measure put on the same footing as England with respect to its laws and their administration.

* Hist. Eng. Law. vol. ii. p. 106.

† Otherwise male-tent, and male toute. It is supposed by some to have been a kind of excise; by others, an impost laid on by the royal authority without consent of Parliament. Others conceive that the male-tolt was a duty upon mail—a notion which the act mentioned in the text is sufficient to confute.

* Hist. of Eng. Law, vol. ii. p. 102.

† This word is put 'shillings' in the translation, but it could hardly be that; it was more probably 'pence' or 'halfpence,'—sow.

II. The other statutes of this king relate more particularly to the administration of justice between subjects; and though they contain many chapters and clauses which may be considered as bearing upon the general or political interests of the country at large, as indeed in a certain sense all law may be viewed as doing, yet it will be convenient to class them under a separate head, as we previously intimated. Of these the principal are, the Statute of Westminster the First, Statute of Gloucester, Statute of Westminster the Second, of Westminster the Third, and *Articuli super Chartas*.

The statute 3 Edw. I., or of Westminster the First (so called to distinguish it from subsequent statutes, likewise named from parliaments held at Westminster in this reign), contains fifty-one chapters on a variety of subjects, and was made, says the preamble, "because the state of the holy church had been evil kept, and the prelates and religious persons of the land grieved many ways, and the people otherwise intreated than they ought to be, and the peace less kept, and the laws less used, and the offenders less punished than they ought to be." This collection of statutes, though usually termed the 'Statute of Westminster the First,' is, in fact, as we before observed, not one law but a body of laws, made at Westminster in Edward's first parliament. The same remarks will apply to the other *capitularia*, called the Statutes of Westminster, as well as to other documents, each of which is not a statute but a body of statutes, each chapter being a distinct law, generally on one subject, though sometimes the same chapter refers to different subjects. Technically, however, all the Acts passed in any one session of parliament are considered as forming only one statute, of which they are severally the chapters. A few of the subjects treated in the Statutes of Westminster the First more especially demand our attention here.

Chapter V. is as follows:—"And because elections ought to be free, the king commandeth, upon great forfeiture, that no man by force of arms, nor by malice, or menacing, shall disturb any to make free election." It has been supposed by some that this law referred rather to the election of sheriffs, coroners, and other officers, than to any representatives of the people in the parliament. However, it is admitted by the same parties that, as it is in general words, it may have a construction which will extend it to elections that have been appointed since for any purpose whatever.

Concerning wrecks of the sea, it is agreed, says Chapter IV., that when a man, a dog, or a cat escape quick (alive) out of the ship, such ship or barge, or anything therein, shall not be adjudged wreck; but the goods shall be saved and kept by view of the sheriff, coroner, or king's bailiff, and delivered into the hands of such as are of the town where the goods were found; so that, if any within a year and a day sue for them, and prove them to be his, or his lord's, and that they perished in his keeping, they shall be restored; if not, they

shall remain to the king; and where wreck be longed to another than to the king, he shall have it in like manner.

Chapter XII. of this statute deserves consideration on account of the discussion to which it has given rise, some being of opinion that the *peine forte et dure* (which will be explained presently) arose out of it. The words of the Chapter are, "That notorious felons, and which openly be of evil name, and will not put themselves in enquests of felonies that men shall charge them with before the justices at the king's suit, shall have strong and hard imprisonment (*prison forte et dure*), as they which refuse to stand to the common law of the land: but this is not to be understood of such prisoners as be taken of light suspicion."*

Britton describes this penance in the following terms:—"If they will not put themselves upon the country, let them be put to their penance until they pray to do it; and let their penance be this: that they be bare-footed, ungirded, and bare-headed, in their coat only, in prison upon the bare ground, continually, night and day; that they eat only bread made of barley and bran; that they drink not the day they eat, nor eat the day they drink; nor drink anything but water the day they do not eat; and that they be fastened down with irons."†

Lords Chief Justices Coke ‡ and Hale § have both given their opinion, that the *peine forte et dure*,—the punishment of pressing to death,—was anciently a punishment by the common law, and not such as any judges could have framed upon the general direction of this Act. But they both seem to have supposed that, though the statute could not, from the generality of its terms, have established that terrible punishment, it referred to that punishment already established and well known, which is proved by Barrington,|| from a record in Rymer, not to have been the case, the statute meaning nothing more than confinement after the mode above described by Britton, as the word *prison* implies. As to the mode in which the *peine forte et dure* arose out of it, Barrington has the following ingenious conjecture:—"I should conceive, upon the whole, that the words in the present statute, which have occasioned these observations, namely, *prison forte et dure*, have been misconstrued, by substituting in the room of *prison* the word *peyne*. The record cited from Rymer proves beyond a possibility of doubt that, soon after this statute, the punishment was merely imprisonment, and an injunction to the officers, in whose custody the criminal was, not to provide him with any nourishment. I should imagine that the alteration in this punishment, by the different tortures afterwards used, arose from justices in eyre and justices of gaol-delivery not staying above two or three days in a county town, and who therefore could not wait for this tedious method of forcing the criminal to plead; as the record from Rymer shows that, in the instance already observed upon, the criminal

* Chap. xii. † Britton, iv. 11. ‡ Inst. 178, 179.

|| Hist. of the Pleas of the Crown, c. 43, sub. 46.

§ Obs. on Stat. p. 59.

had been forty days in this close confinement. It seems likewise clear that, whatever this punishment might have been by the common law, this statute hath superseded it; and it is a presumption (against even such great authorities as Lord Chief Justice Coke and Lord Chief Justice Hale) that there was no such punishment by the common law, as it is admitted that a traitor cannot receive this punishment, because the words of the statute confine it to the case of felons; the argument is also very strong, that, if felons were subjected to this sentence, traitors would still less have escaped it.*

The judgment of *peine forte et dure*, which, as latterly administered, consisted in pressing the prisoner to death by loading him with heavy weights,—a sharp stone, or piece of timber, being also sometimes, *by way of favour*, laid under his back,—to accelerate the extinction of life, was submitted to with the object of avoiding the corruption of blood and escheat of lands which would have followed conviction after a plea. Instances of the application of this torture, or of the preliminary and warning process of tying the thumbs together with whipcord, which appears to have been introduced in later times, from motives of humanity, without any statutory sanction, occur down to a comparatively recent period. A prisoner was forced to plead at the Old Bailey, by tying his thumbs together, in the year 1734. At last, however, the *peine forte et dure* was in effect abolished by the statute 12 Geo. III. c. 20, which enacted that every prisoner who, being arraigned for felony, should stand mute or not answer directly to the offence, should be convicted of the same, and the same judgment and execution thereupon awarded as if he had been convicted by verdict or confession of the crime.

The Statute of Gloucester consists of fifteen chapters, most of which relate to the amendment of the common law as then practised. One of its chapters (the 8th) enacts that the cause of action in the king's superior courts shall amount at the least to forty shillings.

In the next year was passed the famous statute 7 Edw. I., entitled *De Viris Religiosis*, and commonly referred to as the first statute of mortmain. The object of this law was to enforce and to extend a provision of Magna Charta, which prohibited all gifts of land to religious societies without the consent of the lord of the fee. Notwithstanding that provision, religious men continued to appropriate lands, whereby services due for such lands were withdrawn and the incidents of tenure were diminished. The statement of Baker in his Chronicle, even allowing for a little exaggeration, that the number of monasteries built in the reign of Henry I. was so great that almost all the labourers of the country became bricklayers and carpenters, conveys an idea of the extent to which this had proceeded. It was now ordained, in the most comprehensive expressions that could be devised, that no person, religious or other, should buy or

sell, or under the colour of any gift or lease, or by any other "craft or engine," appropriate to himself any lands or tenements, so as such lands should anyway come into mortmain,* under pain of forfeiture of the same. Notwithstanding the care with which this statute was worded, a method of evading it was soon discovered by the ecclesiastics; for, as the statute extended only to gifts and conveyances between the parties, the religious houses set up a fictitious title to the land which they wished to have, and brought an action to recover it against the tenant, who by fraud and collusion made no defence, and thereby judgment was given for the religious house, which then *recovered* the land by sentence of law upon a supposed prior title. "And thus," observes Blackstone, "they had the honour of inventing those fictitious adjudications of right which are since become the great assurance of the kingdom under the name of *Common Recoveries*."† This was also again defeated by another provision in 13 Edw. I. c. 32. Another provision was made, by statute 35 Edw. I., to check the waste suffered by religious possessions being drained into foreign countries. It is thereby ordained that no abbot, prior, master, warden, or other religious person of whatsoever condition, shall convey any tax imposed by them or their superiors upon their respective religious houses out of the kingdom under heavy penalties.

We now come to the famous collection of laws passed in the 13th of Edward I., commonly known by the name of the Statute of Westminster the Second. The first chapter of this, entitled *De Donis Conditionalibus*, has given rise to more discussion perhaps than any other enactment in the Statute Book. A conditional fee was a fee or gift restrained to some particular heirs, to the exclusion of others. "It was called a conditional fee," says Blackstone, "by reason of the condition expressed or implied in the donation of it, that, if the donee died without such particular heirs, the land should revert to the donor." "Now," he proceeds, "with regard to the condition annexed to these fees by the common law, our ancestors held that such a gift (to a man and the heirs of his body) was a gift upon condition that it should revert to the donor if the donee had no heirs of his body; but if he had, it should then remain to the donee. They therefore called it a fee-simple on condition that he had issue; so that, as soon as the grantee had any issue born, his estate was supposed to become absolute by the performance of the condition, at least for three purposes:—1. To enable the tenant to alien the land, and thereby to bar not only his

* In "mortuam manum"—literally, into a dead hand. Lands made over to corporate bodies of any description, whether clerical or civil, are now said to go into mortmain; but the term seems at first to have been used only in reference to religious bodies, which indeed were formerly the only corporations. As religious or professed persons were considered dead in law, lands coming to them were said to pass into dead hands. In the preamble to the present statute the reference is exclusively to religious corporations, and the effect of lands passing into their possession is described to be that thereby "the services that are due of such fees, and which at the beginning were provided for defence of the realm, are wrongfully withdrawn, and the chief lords do lose their escheats of the same."

† Com. II. 571.

own issue but also the donor of his interest in the reversion; 2, to subject him to forfeit it for treason, which he could not do till issue born longer than for his own life, lest thereby the inheritance of the issue, and reversion of the donor, might have been defeated; 3, to empower him to charge the land with rents, commons, and certain other incumbrances, so as to bind his issue. However, if the tenant did not, in fact, alien the land, the course of descent was not altered by this performance of the condition; for which reason, in order to subject the lands to the ordinary course of descent, the donees of these conditional fee-simples took care to alien as soon as they had performed the condition by having issue, and afterwards repurchased the lands, which gave them a fee-simple absolute, that would descend to the heirs general, according to the course of the common law.* Now the feudal aristocracy, to put a stop to this practice, obtained the chapter *De Donis* in the statute of Westminster the Second, which enacted that thenceforth the will of the donor be observed; and that the tenements so given (to a man and the heirs of his body) should at all events go to the issue, if there were any; or, if none, should revert to the donor. "Upon the construction of this Act of parliament," proceeds Blackstone, "the judges determined that the donee had no longer a conditional fee-simple, which became absolute and at his own disposal the instant any issue was born; but they divided the estate into two parts, leaving in the donee a new kind of particular estate, which they denominated a *fee-tail*;† and vesting in the donor the ultimate fee-simple of the land, expectant on the failure of issue, which expectant estate is what we now call a reversion."

"The perpetuities," says Barrington, "established by this statute, in process of time, had so much contributed to the increase of power in the great barons that, about two centuries afterwards, it was in a great measure evaded by the invention of what is called a *common recovery*" (of which we shall speak in the proper place): "it was impossible for the crown to procure a repeal of the law in the House of Lords, and therefore the judges had probably an intimation that they must, by *astutia*, as it is called, render a statute of no effect, which the king could not extort an alteration of from one part of the legislature."‡ Barrington adds, in a note, that the statute of Westminster the Second, in reference to Chapter I. of it, has been called the Statute of Great Men.

A considerable portion of this statute, which consists of fifty chapters, treats of improvements in the administration of justice, as far as the jurisdiction of the courts and the course of proceeding are concerned.

The 30th chapter contains the law respecting the justices of *nisi prius*, which has since been called the Statute of *Nisi Prius*. It ordained that two

justices sworn should be assigned, before whom only, associated with one or two of the discreetest knights of the shire into which they came, should be taken all assizes of novel disseisin, mortdauncetor, and attaints. It was also ordained that no inquest should be taken before any of the justices of the bench, *unless* a certain day and place were appointed in the county, in presence of the parties, and the day and place inserted in a judicial writ, in certain prescribed words, declaring that the inquest should be taken at Westminster unless (*nisi*) certain persons named (namely, the judges of assize) should come to those parts before a certain day,—by which day the said judges, however, were sure to be there. Thus, the trial in the county was in later times, from the clause in the writ, said to be at *nisi prius* (unless first), though in the form given in the statute the word *prius* is not inserted, as it now is, and indeed was usually at that time. It is proper here to add, that these justices have, by virtue of several statutes, a criminal jurisdiction also. These judges of assize and *nisi prius* superseded the ancient justices in eyre, *justitiarum itinere*.

There were other improvements made in the administration of justice by this statute, such as an execution given against land by the writ called *Elegit*, the introduction of bills of exception, and the proceeding by *scire facias*, to revive a judgment of a year's standing. These we shall only name, partly because our space is limited, and partly because a satisfactory explanation of them would be difficult, if not impossible, in a popular work. The mere mention of them, however, will help to convey some idea of the importance of this statute of Westminster the Second in the history of English law.

The next statute of this year, 13 Edw. I., is the Statute of Winchester, containing some provisions for enforcing the ancient police, and ordaining some new regulations. This statute throws considerable light on the state of society then existing. The preamble recites, that when robberies, murders, &c. were committed, the inhabitants of the county were more willing to excuse the offender than to punish for the injury to a stranger; and that if the felon was not himself an inhabitant of the county, yet the receiver of the stolen goods frequently was so, which produced the same partiality in juries, who did not give proper satisfaction in damages to the party robbed.* To remedy this, a penalty is established by the statute, making the people of the county answerable for the felonies done among them. It further directs that *cries*, that is the *hue*† and *cry*, should be solemnly made in all counties, hundreds, markets, &c., so that none might excuse himself by ignorance. It also directs that the walls of the great towns shall be shut from sun-setting to sun-rising, and that watch-

* We give this preamble from Barrington, who observes in a note, "I have given the substance of this preamble, which is absolutely unintelligible in the common translation."—P. 105.

† Barrington thinks that *hue* comes from the word *huer* to pursue; and therefore that *hue* and *cry* will mean pursuit and cry;

* Com. ii. 110, 111.

† From the French *teller* or the barbarous Latin *tullare*, to cut.

‡ Oba. on Stat. p. 22.

men shall be set; that the highways shall be cleared of wood to the breadth of two hundred feet, in order to prevent the felon's concealing himself; and that every man, according to his substance, shall have arms in his house, in order to pursue the felon effectually.

The statute called *Quia Emptores*, from the two first words of it, belongs to the 18th Edw. I. It was occasioned by the consequences of the restraint imposed on the alienation of land. "For-as-much," says the Act, "as purchasers of lauds and tenements of the fees of great men and other lords have entered into their fees, to the prejudice of the lords, the freeholders of such great men having sold their lands and tenements to be holden in fee of their feoffors, and not of the chief lords of the fees, whereby the same chief lords have many times lost their escheats, marriages, and wardships of lands and tenements belonging to their fees," it is ordained, "that from henceforth it shall be lawful to every freeman to sell at his own pleasure his lands and tenements, or part of them, so that the feoffee shall hold the same lands or tenements of the chief lord of the same fee, by such service and customs as his feoffor held before." This, therefore, was a permission to alienate in such a manner that the new holder of the land became the immediate vassal of the chief lord, but a prohibition of subinfeudation, by which the new holder of the land became the immediate vassal of the former tenant, who thus constituted himself what was called a mesne, that is, an intermediate, lord.

Another Act usually printed as of this year, though inserted by the Record Commission among the statutes of uncertain date, is the *Modus levandi Fines*, stating the course to be pursued in levying a fine. "A fine," says Blackstone, "is sometimes said to be a feoffment of record, though it might with more accuracy be called an acknowledgment of a feoffment of record; by which is to be understood that it has at least the same force and effect with a feoffment in the conveying and assuring of lands, though it is one of those methods of transferring estates of freehold by the common law, in which livery of seisin is not necessary to be actually given, the supposition and acknowledgment thereof in a court of record, however fictitious, inducing an equal notoriety. But, more particularly, a fine may be described to be an amicable composition or agreement of a suit, either actual or fictitious, by leave of the king or his justices, whereby the lands in question become, or are acknowledged to be, the right of one of the parties. In its original it was founded on an actual suit, commenced at law for recovery of the possession of land or other hereditaments; and the possession thus gained by such compositions was found to be so sure and effectual that fictitious actions were, and continued to be, every day commenced, for the sake of obtaining the same security."^{*}

A *fine* (from the Latin *finis*, an end) is so called, says the statute 18 Edw. I., because it puts an end to all suits concerning the matter in question. The statute 18 Edw. I., *Modus levandi Fines*, did not originate fines, but declared and regulated the manner in which they should be levied or carried on. Upon the detail of these technical minutiae, however, we cannot enter here; but we shall have occasion to return in a future chapter to the subject of fines, which makes an important figure in the history of English tenures.

It remains to give some account of the jurisdiction of the various courts in this reign.

The different courts are mentioned by Fleta in the following order: 1. The High Court of Parliament, of which, having already spoken, and having again to speak, we shall not say more here. 2. The Court of the Seneschal, Dapifer, or Steward of the Household, who is described by Fleta* as filling the place of the chief justiciary (an office, as was before observed, abolished in the last reign), who used to determine the king's own causes, and administer justice without writ. The jurisdiction of this court both before and after the passing of the statute, may be learned from the 3rd chapter in the statute, *Articuli super Chartas*, 28 Edw. I., expressly made to limit it. It is thereby ordained that this court "from henceforth shall not hold plea of freehold, neither of debt nor of covenant, nor of any contract made between the king's people, but only of trespass done within the house, and of other trespasses done within the verge, and of contracts and covenants that one of the king's house shall have made with another of the same house, and in the same house, and none other where. And they shall plead no plea of trespass, other than that which shall be attached by them before the king depart from the verge where the trespass shall be committed; and shall plead thence speedily from day to day, so that they may be pleaded and determined before that the king depart out of the limits of the same verge where the trespass was done. And if it so be that they cannot be determined within the limits of the same verge, then shall the same pleas cease before the steward, and the plaintiffs shall have recourse to the common law." The verge or bounds of the household contained twelve miles,† which circuit or space, was called the *virgata regia*, because it was within the government of the marshal, who carried a *virga* (rod) as the badge of his office. Before the passing of the statute above quoted, the steward of the household appears to have exercised a very considerable portion of the powers of the chief justiciary, and to have been virtually the high steward (of which officer we hear little or nothing, he being, for the reasons mentioned in last Book, probably considered as in a state of abeyance). The judicial functions which, as shown in last Book, the chief justiciary had borrowed from the steward on the extinction of the

* Com. ii. 249.

* Fleta, 66.

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office of the former, appear to have returned again to the latter.

3. The next court of the king mentioned in Fleta, is that held in his Chancery, over which, says Fleta, was set some discreet person, as a bishop, or other dignified ecclesiastic; and to him was committed the keeping of the great seal. 4. After this, he places a court held before auditors specially appointed a *latere regis*, as it was called, that is, from the persons usually in attendance upon the king. The business of these auditors was, not to determine, but to report to the king what they had heard. 5. His justices, before whom, and no others, (except himself and his council, or special auditor,) false judgments and errors of justices were reversed and corrected. 6. Next to these, are ranked "the justices sitting at the Exchequer;" and 7, those in *banco* at Westminster. 8. The justices of gaol-delivery. 9. Those assigned to take assizes, jurors, inquisitions, certificates, and attaints. 10. The justices itinerant or in eyre, "appointed to the first assizes for hearing and determining all pleas criminal and civil." 11. The justices itinerant for pleas of the forest. All these were the king's courts. There were, besides, the county, town, and hundred courts; those in the king's manors, and those in cities and boroughs.*

Some account has already been given in last Book of the trial by jury, or rather of what it originally was. It appears from Fleta and Britton, that at the time of which we are now writing, the jurors were still considered as *witnesses*; and to call witnesses before them would have been contrary to the supposition by which they sat as jurors, viz., that they knew more about the matter in question than any other equal number of men. Coming from the vicinage where the fact took place, they were better able than any others to *speak the truth*, as they were sworn to do, and that from their own knowledge, and not from testimony brought before them in court. When the condition of society was so changed, that, notwithstanding the supposition of their personal knowledge of the fact, they were in reality wholly ignorant of it; and it was necessary that evidence should be brought before them, before they could pronounce on the guilt or innocence of the party; then the old proceeding became productive of injustice and oppression, till it was at length reformed by the calling of witnesses to furnish the twelve jurors with the necessary information. But this last improvement was not thoroughly effected till the time of Edward VI. and Queen Mary. The first evidence admitted consisted of written evidence; such as depositions, informations, and examinations, taken out of court: this led gradually to a sparing use of oral testimony.†

"The inclination in favour of juries," says Mr. Reeves, "had gone so far in this reign, that there seemed a backwardness to allow the trial by duel,

when a defendant insisted upon it as his right; which could only be in an appeal. Should there be any slip in the proceedings of which the defendant had omitted to avail himself, the judge was *ex officio* to examine and point it out, in order to stop the duel. Fleta says that this was a trial not to be resorted to rashly, if by any possible means it could be avoided. Another alteration in our criminal proceedings was, that the eyre was no longer to be a time of limitation for the prosecution of offenders; but they might be prosecuted at any distance of time."* The eyres were every seven years, and sometimes at shorter intervals: no one could be indicted for anything done before the preceding eyre.

We shall conclude our account of the state of the law in this reign with some remarks by Lord Chief Justice Hale, on various points not included in what has preceded. With regard to the rolls of judicial proceedings, especially those in the King's Bench and Common Pleas, and in the eyres, he says, "I have read over many of them, and do generally observe—1. That they are written in an excellent hand. 2. That the pleading is very short, but very clear and perspicuous; neither loose or uncertain, nor perplexing the matter either with impropriety, obscurity, or multiplicity of words: they are clearly and orderly digested—effectually representing the business that they intend. 3. That the title and the reason of the law upon which they proceed (which many times is expressly delivered upon the record itself) is perspicuous, clear, and rational. So that their short and pithy pleadings and judgments do far better render the sense of the business, and the reasons thereof, than those long, intricate, perplexed, and formal pleadings, that oftentimes of late are unnecessarily used."†

With regard to the reports, he says, "they are VERY GOOD, but VERY BRIEF. Either the judges then spoke less, or the reporters were not so ready-handed, as to take all they said. Some of these reports, though broken, yet the best of their kind, are in Lincoln's Inn library."‡ With respect to the law treatises written in this reign, such as those books known by the names of Fleta, the Mirror, Britton, and Thornton, he says that, by comparing them with Bracton, "there appears a growth and a perfecting of the law into a greater regularity and order." Lord Chief Justice Coke observes, that "in the reign of Edward II., Edward I., and upwards, the pleadings were plain and sensible, but nothing curious; evermore having chief respect to the matter, and not to forms of words."§

We have mentioned the title of *Capitalis Justitarius* (or chief justice) as having been borne by the chief of the King's Bench, in the latter part of the reign of Henry III. The first mention of *capitalis justitarius* of the bench (Common Pleas) is in the first year of Edward I.

* Fleta, 66.

† Reeves's Hist. of Eng. Law, vol. ii. p. 271.

* Reeves's Hist. of Eng. Law, vol. ii. p. 272.

† Hist. of Com. Law, c. 7.

‡ Hist. of Com. Law, c. 7.

§ l. 1. Hist. 304. a.

In the reign of Edward II. begin the year-books, so called because they were published annually from the notes of certain persons who were paid a stipend by the crown for the work. These contain reports of cases adjudged from the beginning of this reign to the end of Edward III., and from the beginning of Henry IV. to the end of Henry VIII. It may be useful to add a short explanation of the technical meaning of the terms "report" and "record." A record is a concise entry of all the effective steps made in a judicial proceeding. A report is a short note of the progress towards making those steps; of the debate in court concerning some of them; the decision and the grounds on which it is supported.

We may here notice the compilation entitled the 'Mirror of Justices,' about the antiquity of which much difference of opinion has existed; some pronouncing it older than the Conquest—others ascribing it to the time of Edward II.; both which opinions may be partly right. A work as old as the earlier date may have been taken up in the reign of Edward II., and worked into the present form, which partakes somewhat of the marvellous, or even the monstrous. "This book," observes Mr. Reeves, "should be read with great caution, and some previous knowledge of the law as it stood about the same period; for the author certainly writes with very little precision. This, with his assertions about Alfred, and the extravagant punishments inflicted by that king on his judges, has brought his treatise under some suspicion."*

Mr. Reeves gives the following account of the foundation of Lincoln's Inn:—

"There is nothing but a vague tradition to give us any trace of the places where the practisers and students of the law had their residence before the reign of this king. But in the reign of Edward II. we are informed that such places were called *hostels*, or *inns of court*, because the inhabitants of them belonged to the king's courts. It is reported that William, *Earl of Lincoln*, about the beginning of this reign, being well affected to the study of the laws, first brought the professors of them to settle in a house of his, since called *Lincoln's Inn*. The earl was only lessee under the bishops of Chichester; and many succeeding bishops, in after times, let leases of this house to certain persons, for the use and residence of the practisers and students of the law; till, in the 28th year of the reign of Henry VIII., the Bishop of Chichester granted the inheritance to Francis Sulyard and his brother Eustace, both students; the survivor of whom, in the twentieth year of Queen Elizabeth, sold the fee to the benchers for 520*l.*"†

Since the separation of the Chancery from the *Aula Regis*, the rolls and records of the former had been kept separate, and of late they had greatly multiplied. To relieve the chancellor of that duty, a particular officer was appointed for the keeping of them. With the consent of the

chancellor, John de Sandale, William de Armys was appointed *keeper*, or *master of the rolls*, in the twentieth year of this reign.*

As we have before observed, the reign of a single weak prince interpolated here and there in the course of a long line of princes, most of whom are energetic and able, will finally be found to advance the liberty of the subject. Thus, compare the state of things under Henry II. or Richard I., with that under Edward I., and we find the effect of the interpolation of the two feeble princes John and Henry III. The royal prerogative had declined considerably from Henry II. to Edward I.: and when we again compare the reign of Edward III. with that of Edward I., we are struck with the change, produced no doubt in great part by the feeble reign of Edward II. When we come to look at the state of things under Edward III., notwithstanding his vigorous and warlike character, and notwithstanding even his great victories over the French, and the *prestige* of military glory attached to his name, we find the royal prerogative sensibly declining, as exemplified in the statutes respecting purveyance, the jurisdiction of the steward's and marshal's courts, the power of alienation accorded to the king's tenants *in capite*, &c. The Great Charter and the Charter of the Forest were confirmed no less than *fifteen* times in this reign. This has by some, indeed, been taken as an indication rather of the king's disposition to break them than of anything else: However, it also indisputably showed a power in the parliament, to which the king deemed it convenient to manifest a semblance of respect. To these two charters was sometimes added a confirmation of all franchises and privileges enjoyed by cities, boroughs, or individuals. Besides this, particular parts of Magna Charta were especially re-enacted. Thus, it was declared by stat. 5 Edw. III. c. 9, that no man should from thenceforth be attached on any accusation, nor forejudged of life or limb, nor his lands, tenements, goods, nor chattels, seized into the king's hands, against the form of the Great Charter and the law of the land; and again, by stat. 28 Edw. III. c. 3, that no man, of what estate or condition soever, should be put out of land or tenement, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought in to answer by due process of law. It may be presumed to have been in the same spirit that the stat. 4 Edw. III. c. 14 was made, ordaining that "a parliament should be holden every year once, and more often if need be;" which enactment was renewed by stat. 36 Edw. III. st. 1, c. 10. It is true that these constant renewals of important laws which we meet with in our earlier reigns, show very lax notions as to the binding force of laws; and, indeed, our earlier kings do not seem to have considered any laws of their predecessors which seemed against their own interests binding on them till they had specially confirmed them; and more-

* Hist. of Eng. Law, vol. ii. 352.

† *Ibid.*, vol. ii. p. 360.

* Reeves, vol. ii. p. 362.

over did not scruple to use the meanest subterfuges to evade them. But sincerity and love of truth are among the last virtues learned by civilized men; and it is vain to look for them in the earlier stages of any people's social progress.

"The statutes now," (14 Edw. III.) observes Barrington, "begin to appear in a new and more regular form; the titles henceforward are almost always English;" (though the body of the statutes continues to be in the French language;) "and the session of parliament is generally held at Westminster, whilst the preamble in every instance makes express mention of the *concurrence of the commons*."^{*}

The most important statute of this reign—at least that which most demands notice in a work like the present—is the Statute of Treasons, the 25th Edw. III. st. 5, c. 2.† It defines far more particularly than had been done before what should be considered as treason. The treasons declared are under the following heads:—To compass or imagine the death of the king, queen, or that of their eldest son and heir; to violate the king's companion, or the king's eldest daughter unmarried, or the wife of the king's eldest son and heir; to levy war against the king in his realm, or be adherent to the king's enemies in his realm, giving to them aid and comfort in the realm, or elsewhere; of which a man must be provably attainted of open deed by people of his own condition; to counterfeit the king's great or privy seal, or his money; to bring into the realm false money counterfeit to the money of England, or the money called *Lushburgh*, or other, like to the money of England, knowing it to be false, to merchandise, or make payment in deceit of the king and his people; to slay the chancellor, treasurer, or the king's justices of the one bench or of the other, justices in eyre or of assize, or any other justices assigned to hear and determine, being in their places, doing their offices. All the above cases, says the statute, shall be judged treason that extends to our lord the king and his royal majesty; and of such treasons the forfeiture of the escheats belongs to the king, as well of lands and tenements holden of another as of himself. Moreover (the statute goes on to say), there is another manner of treason, viz.—when a servant slays his master, a wife her husband, or when a man, secular or religious, slays his prelate, to whom he owes faith and obedience: in these treasons the forfeiture is to go to the lord of the fee. And thus this act divides treasons into *high* and *petit*—the distinction by which they have since been known.

There have been many comments on the words *compass* and *imagine*; and it does not seem probable that any comments would be able to render them very precise. Mr. Barrington observes,

"I have looked into the laws of most countries in Europe on this head, which in general are much more loosely worded than the present statute."^{*}

By the statute 36 Edw. III. stat. 1, c. 15, it was ordered that henceforth pleas should be pleaded in the English tongue, and inrolled in Latin. The reasons stated for this alteration we shall give in the words of the statute (with which reasons, by the by, the French, in which the statute is worded, seems strangely at variance):†—"Because it is often showed to the king by the prelates, dukes, earls, barons, and all the commonalty, of the great mischiefs which have happened to divers of the realm; because the laws, customs, and statutes of this realm be not commonly holden and kept in the same realm, for that they be pleaded, showed, and judged in the French tongue, which is much unknown in the said realm; so that the people which do implead, or be impleaded, in the king's courts, and in the courts of other, have no knowledge nor understanding of that which is said for them or against them by their serjeants and other pleaders;" and because, the king, the nobles, and others who have been in divers regions and countries have observed that they are better governed, because their laws are in their own tongue. The same enactment contains the following clause:—"That, by the ancient terms and forms of the declarations, no man be prejudiced, so that the matter of the action be fully showed in the declaration and in the writ."

Though the language of the courts in all arguments and decisions was henceforward to be English, the *written* language of the laws still continued French, and so continued for some centuries. Moreover, many significant terms and phrases of that language were still retained in debate and conversation upon topics of law.

The history of the courts of justice throws more light perhaps than the discussion of any other question, on the subject of constitutional law. It is for this reason that we have already devoted so much attention to the investigation of the real position and character of the great officers of the king's court:—and, for the same reason we shall continue throughout to devote as much of our space as we can spare to the discussion of the nature and jurisdiction of the respective courts.

In the earlier stages of its history, the parliament appears to have partaken considerably more of the character of a supreme court of judicature than it afterwards did; for not only were suits depending in the courts below brought into parliament by petition of the parties, but also on the motion of the judges themselves, who, in cases of difficulty, would rather take the advice of the parliament than hazard their own judgment. It was

* Obs. on Stat. p. 192.

† Barrington says, with regard to this, "I shall take a very extraordinary liberty with regard to the title of this statute, which I have altered from the *Statute of Purveyance*, to that of the *Statute of Treasons*."—Stat. p. 211. The first chapter related to purveyance as well as the fifteenth.

* Obs. on Stat. p. 213.

† In 18 Edw. III. stat. 2, there is a still more striking instance of this. The *French* preamble of this statute recites that the French king "s'efforce tant come il poet a destruire nostre dit seigneur le roi, ses allies, et subgitz, terres et lieus, et LA LANGUE D'ENGLERE" (enforceth himself as much as he may to destroy our said sovereign lord the king, and his allies, subjects, lands, and places, and the tongue of England).

in this spirit that the statute of treasons (25 Edw. III.) ordains, that when any new case of supposed treason should arise, not expressly within the terms of that act, the judges should not proceed upon their own conceptions of the case, but should take the opinion of the parliament.

Towards the latter end of this reign the commons first began to appear as prosecutors, and, among their other petitions, to exhibit accusations for crimes and misdemeanors against offenders who were thought to be out of the reach of the ordinary course of the law. In these prosecutions the king and lords were considered as judges. Thus began prosecution by impeachment of the commons.

The tribunal next in authority to the parliament was the *council*. As the parliament was often called by this name, much difficulty has arisen in distinguishing them. The king had a council which consisted of all the lords and peers of the realm. This was called the *grand council*, as well as the parliament (being probably the original *commune concilium regni*, before the commons were summoned thither), and was thereby distinguished from the other *council*, which the king had most commonly about him for advice in matters of law. This last council (corresponding somewhat to what has since been called the *Privy Council*) consisted of the treasurer, chancellor, justices, keeper of the rolls, justices in eyre, &c. The method of address to the two councils was, like that to the parliament, by petition.* In consequence of the jealousy entertained of the arbitrary authority of these councils of the king, several statutes were made in this reign to regulate and check it. But, as we shall see in the sequel, it was not to be effectually checked yet for several centuries.

There is nothing more indicative of the form the English government and constitution were gradually assuming, than the decline of the court of the steward and marshal—a tribunal which, when the king was everything, and the nation and the law nothing, was of great power and importance; but now, that there were other powers in the country than that of the king, and when the common law had attained a considerable degree of perfection, was sinking both in jurisdiction and importance. This might be not altogether because lawyers did not preside in this court (for Littleton was at one time steward or judge of this court), but rather from an idea that the rules of decision of the court were framed more upon the king's pleasure than the rules of law.

A large portion of the original power of the court of the steward of the king's household passed to the court of King's Bench. By statute 5 Edw. III. c. 2, it was ordained, that if any one would complain of error in the former court, he should have a writ to remove the record and process before the king in his place, that is, in the King's Bench. The court of the steward was originally the court of the king in his place, since the steward was originally the king's immediate representative. The above provision was re-enacted in statute 10 Edw. III. st. 2, c. 1. "So that," observes Mr. Reeves, "the King's Bench was confirmed in that appellate jurisdiction, which the court of the steward and marshal possessed once over the other courts."*

As the law became complicated and voluminous, it became necessary to have professional lawyers to administer it; and, as shown in the preceding note, the business of the steward of the household's court came to be performed by a deputy, who was a lawyer, and was called the steward of the court of the marshalsea of the household. In like manner it is at least highly probable that the marshal of the marshalsea of the King's Bench was originally the deputy of the marshal of the king's household, who was originally the same as the earl marshal, as appears from a passage of Britton quoted in the preceding Book of this History.

In this reign several regulations were made for the keeping of the peace. Statute 1 Edw. III. c. 16, ordained, "for the better keeping and maintenance of the peace, that in every county, good men and lawful, that were no maintainers of evil, or barrators in the county should be assigned to keep the peace." Three years after, these officers were intrusted with greater powers, having the additional authority to take indictments.†

In the eighteenth year of this reign they were empowered to *hear and determine* felonies and trespasses done against the peace in the same counties, and to inflict punishment according to law and reason, and the circumstances of the fact.‡ The statute 34 Edw. III. c. 1, enacts, that in every county there should be assigned for the keeping of the peace, one lord, and three or four of the most worthy in the county, with some learned in the law. These were to have power to restrain offenders, rioters, &c., and chastise them according to their trespass or offence. "They were," says the act, "to take of all them that be not of good fame, where they shall be found, sufficient surety and mainprise of their good behaviour towards the king

fact, the steward spoken of by Coke as a professor of the common law, was merely the steward of the household's acting deputy. Coke's object always was to magnify the Court of King's Bench, of which he had been chief justice; and if he knew—which is doubtful—he would not like to acknowledge the real magnitude of the original authority of the lord steward's court, from which, as shown in the text, was borrowed the appellate jurisdiction of the Court of King's Bench over the other courts. Coke calls the grand justiciary (the mighty *Capitaneus Justitiarum Anglie*) merely Chief Justice of England; and he bestows upon himself (Sir E. Coke) the same title, instead of his proper one, that of Chief Justice of the King's Bench.

* Hist. of Eng. Law, vol. ii. p. 420.

† 4 Edw. III. c. 2.

‡ 13 Edw. III. st. 2, c. 2.

* Reeves's Hist. of Eng. Law, vol. ii. p. 415.
 † Coke says (2 Inst. 548), that "the steward of the court of the marshalsea of the household is ever a professor of the common law;" and that in the statute *Articuli super Chartas*, c. 3, the words "seneschals et marshals," are to be "understood of the steward of the court of the marshalsea of the household, and not of the steward of the king's household." This, we apprehend, is incorrect. Various statutes, for example (5 Edw. III. c. 2, and 10 Edw. III. st. 2, c. 1.), expressly call that officer "steward of the king's house" (*seneschal del huestiel le roi*) in the singular. Indeed, in the Record Commission edition of the statutes, *seneschal* is singular, not plural, in the passage commented on by Coke in the *Art. sup. Chart.* c. 3. In point of

and his people." On this clause Mr. Reeves remarks, "This was the first authority they had to take sureties for good behaviour; and, indeed, the first mention of it in any statute or law book."* In the statute 36 Edw. III. st. 1, c. 12, the keepers of the peace are for the first time distinguished by the name, which is now so well known, of "justices of the peace." The words of the French statute are, "*justices de la peas.*" And thus, at the close of the reign, the keepers of the peace were become justices, presiding over a court.

In the reign of Richard II. the only act of legislation that peculiarly seems to demand attention is the famous statute of *Præmunire*; and of that, as well as of the other acts of a similar tendency by which it was preceded, an account has already been given in the preceding Chapter.

The subject of the royal revenue now becomes more closely connected than in earlier times with that of the constitution and government, inasmuch as in the present period the king came to be dependent for his income chiefly upon parliamentary grants. The several charters of liberties had considerably curtailed the ancient pecuniary resources of the crown, by the abridgment of the prerogative; and the greater part even of the hereditary estates that survived the reigns of Richard and John was dissipated by the weak profusion of Henry III. This prince was reduced by his own folly, and the circumstances in which he was placed, to the most pitiable state of destitution. From the terms on which he stood with his barons, their assistance in raising money was very grudgingly afforded; and the only extraordinary aids levied by him during his long reign were two-fifteenth, one-thirtieth, and one-fortieth for himself, and one-twentieth for the relief of the Holy Land. According to Matthew Paris, his entire income did not amount, on an average for the whole reign, to more than 24,000 marks, or about 16,000*l.* per annum. His principal resource in his later years was the plunder of the clergy, which he was enabled to effect through the assistance of his friend Pope Alexander IV. In 1256, a tenth part of all ecclesiastical benefices was ordered to be paid for five years into the royal exchequer. The Jews were another still more defenceless class of his subjects from whom he repeatedly extorted larger sums of money. Matthew Paris records that, in the year 1241 alone, they were forced to pay no less than twenty thousand marks; and scarcely a year seems to have passed in which they were not subjected to exactions of the like arbitrary character, though not perhaps to the same amount. One individual, Aaron of York, from whom four thousand marks had been wrung in 1243, was again, in 1250, condemned, on pretence that he had been guilty of forgery, to pay a fine of thirty thousand. Altogether, in the course of his reign, Henry is said to have obtained four hundred thousand marks from the Jews. But this, and all his other sources of

income, regular and irregular, were insufficient to supply the waste occasioned by his imprudent management, his donations to his minions, and the foolish and expensive projects in which he engaged. Towards the end of his reign his debts were declared by himself to amount to nearly three hundred thousand marks. In order to raise money, he was sometimes obliged to pawn the jewels of the crown, and to sell the very furniture of his palace; at other times he went from place to place personally soliciting contributions almost in the fashion of one asking alms.

The reign of Edward I. is an important era in the history of English taxation. The popularity of this monarch's Scottish wars long induced the parliament to be liberal in their supplies, and even made the nation submit without much murmuring to many arbitrary exactions. The church and the Jews (till they were finally expelled from the kingdom in 1290) continued to yield large returns to the royal exchequer. It was upon the liberality of his parliament, however, that Edward wisely placed his chief reliance: this assembly, by the complete establishment of county and borough representation, was now become a national organ; and when the statute *De Tallagio non Concedendo* was passed in 1297, the first decided step may be considered to have been taken towards the great constitutional object of subjecting the public income and expenditure to the public control. It was not, however, till after a long struggle that this object was practically accomplished even to the extent to which it was aimed at by the present statute. The concession of the statute was extorted from Edward, and he made repeated attempts to evade a restriction to which he never had intended to yield further compliance than the pressure of the moment might render convenient. One source of revenue which was greatly improved in the reign of Edward I. was that afforded by the customs on the export and import of goods. Edward considerably raised the rate of these ancient duties by his own authority, and also imposed certain additional duties upon foreign merchants, which came to be distinguished by the name of the new or alien customs. But Edward did not satisfy himself with mere taxation. On pressing emergencies he did not hesitate openly to seize the goods of merchants and the property of his other subjects whenever he could lay his hands upon it. Forced loans formed another of his occasional resources. In short, although the foundations of parliamentary taxation were laid in this reign, by the establishment of the practice of regularly summoning to parliament representatives of the shires and boroughs, and by the passing of the statute *De Tallagio*, most of the old arbitrary modes of raising money by the crown continued to be exercised throughout the whole of it, in the face, indeed, of considerable dissatisfaction and outcry, but without encountering, except in a few instances, any effectual resistance. The old method of taxation by scutages fell into disuse in

* Hist. of Eng. Law, vol. II. p. 473.

this reign; and taxes upon personal property, which had not been known in the first ages after the Conquest, came to be common. Edward, notwithstanding the heavy expenses of his military operations, never was reduced to anything resembling the pecuniary difficulties that his father had suffered. The vigour of his character and his general popularity enabled him, in addition to his arbitrary exactions, to obtain vastly more ample supplies from parliament than had been granted to Henry; and in one way and another the amount of money which he raised, in the course of his long reign, must have been very great. At his death he is said to have left a hundred thousand pounds of accumulated treasure, which he had intended to devote to the prosecution of the Scottish war.

One benefit which the country reaped from the feeble and otherwise calamitous rule of Edward II. was a great reduction of taxation. The law, called the New Ordinances, enacted by the parliament which met in August, 1311,* altogether abolished the new customs. Very few grants were made by parliament in this reign.

The fifty years of the reign of Edward III., on the contrary, were a period both of parliamentary taxation on a large scale, and also of many illegal imposts. The grants by parliament, indeed, now became almost annual, being generally in the form of a certain portion, varying from a fiftieth to a seventh, of the value of the moveable property of persons of all ranks. These repeated grants tended no doubt to establish the practice of the crown coming for supplies to parliament; but Edward also resorted to many arbitrary methods of raising money. Besides granting monopolies, a practice which he is said to have been the first to introduce, and compelling all persons having estates of a certain value to accept of knighthood, he renewed the old practice of imposing tallages on cities and boroughs; he extorted money from the clergy and others by what were called forced loans; he even made direct seizures of merchandise and other property on some occasions, just as his grandfather had done. In 1339 he restored, by his own authority, the new customs which had been abolished in the preceding reign; and all the opposition of the parliament could not prevail upon him to renounce the right he claimed to collect these duties, although he at last consented not to continue them longer than two years. They were maintained, in fact, for a considerably longer period. Another duty which was now regularly levied was that afterwards called the tonnage and poundage duty, being an assessment of two shillings on every tun of wine imported, and of sixpence on every pound of other merchandise either imported or exported, which was originally granted, not by the full parliament, but by annual vote of

* See ante, p. 733.

the representatives of the cities and boroughs only. From 1373, however, it came to be granted by both houses in the usual form. The first parliamentary grant of a specific sum is said to have been made in 1371, when a subsidy of 50,000*l.* was voted to be raised by an average assessment of twenty-two shillings and fourpence on each parish, the number of parishes being taken at forty-five thousand, whereas they turned out to be only eight thousand six hundred, on which the assessment was afterwards raised to one hundred and sixteen shillings on each.* It was also in this reign that the first poll-tax was granted. A poll, or exchequer roll, of the year 1347, makes Edward's entire revenue for that year to have amounted to 154,139*l.* 17*s.* 5*d.* It is probable, however, that this sum does not include many irregular payments. Notwithstanding his numerous resources, Edward was constantly in want of money and oppressed by debts. The straits in which he was involved were occasionally so extreme as to force him to the most painful and degrading expedients. At one time Queen Philippa was obliged to pawn her jewels; on another occasion the crown itself was given in pledge, and remained unredeemed for eight years.

A tax imposed in the second year of the reign of Richard II. is said to be the first that was distinguished by the name of a Subsidy, which afterwards became the common name for a parliamentary grant to the crown. It was in fact a poll or capitation tax, graduated according to the rank and property of each individual. This was followed the same year by the famous poll-tax which occasioned the insurrection of Watt Tyler. This, also, was to be regulated according to each person's ability, it being arranged that no one should pay for himself and his wife less than one groat, or more than sixty. The entire sum proposed to be raised was 160,000*l.* Richard's expenditure, in the latter part of his reign, was extravagantly lavish, and was sustained by various arbitrary exactions, and also by liberal grants almost annually made by a servile parliament. Much of what he thus obtained was wasted in the mere maintenance of his household, which is affirmed to have consisted of ten thousand persons, of whom three hundred were employed in the royal kitchens. The first parliamentary grant for life was made to Richard II.; it consisted of a duty on the exportation of wool, woofels, and leather. In 1382, also, the parliament passed an act (the 5th Rich. II. stat. 2, c. 2) offering a certain discount from the duties on the exportation of wool, woofels, and hides, to all merchants who would pay the Calais duties beforehand, which is supposed to be the first attempt ever made to anticipate the revenue;—a practice which, in later times, gave rise to the national debt.

* See ante, p. 349.

CHAPTER IV.

HISTORY OF THE NATIONAL INDUSTRY.



THE history of English commerce during the thirteenth and fourteenth centuries is in great part the record of a course of legislative attempts to annul the laws of nature, such as probably never was outdone in any other country. A full detail, if our limits would allow us to give it, would serve

no useful purpose here; but a few samples will be found both curious and instructive.

A term which makes a great figure in the commercial regulations of this period is that of the Staple. The word, in its primary acceptation, appears to mean a particular port or other place to which certain commodities were obliged to be brought to be weighed or measured for the payment of the customs, before they could be sold, or in some cases exported or imported. Here the king's staple was said to be established. The articles of English produce upon which customs were anciently paid, were wool, sheep-skins, or woolfels, and leather; and these were accordingly denominated the staples or staple goods of the kingdom. The persons who exported these goods were called the merchants of the staple: they were incorporated, or at least recognized as forming a society with certain privileges, in the reign of Edward II., if not earlier. Hakluyt has printed a charter granted by Edward II., the 20th of May, 1313, to the mayor and council of the merchants of the staple, in which he ordains that all merchants, whether natives or foreigners, buying wool and woolfels in his dominions for exportation, should, instead of carrying them for sale, as they had been wont to do, to several places in Brabant, Flanders, and Artois, carry them in future only to one certain staple in one of those countries, to be appointed by the said mayor and council. It appears that, upon this, Antwerp was made the staple. But although the power of naming the place, and also of changing it, was thus conferred upon the society, this part of the charter seems to have been very soon disregarded. In subsequent times the interferences of the king and the legislature with regard to the staple, were incessant. In 1326 it was, by the royal order, removed altogether from the continent, and fixed at

certain places within the kingdom. Cardiff, in Wales, a town belonging to Hugh Despenser, is the only one of these new English staples the name of which has been preserved. It may be noted, also, that tin is now mentioned as one of the staple commodities. In 1328 (by the statute 2 Edw. III. c. 9.) it was enacted, "that the staples beyond the sea and on this side, ordained by kings in times past, and the pains thereupon provided, shall cease, and that all merchant strangers and privy (that is, foreigners and natives) may go and come with their merchandizes into England, after the tenor of the Great Charter." In 1332, however, we find the king ordaining, in the face of this act, that staples should be held in various places within the kingdom. Acts of parliament, indeed, on all kinds of subjects were as yet accustomed to be regarded by all degrees of people as little more than a sort of moral declarations or preachments on the part of the legislature—expressions of its sentiments—but scarcely as laws which were compulsory like the older laws of the kingdom. Most of them were habitually broken, until they had been repeated over and over again; and this repetition, rather than the exaction of the penalty, appears to have been the recognized mode of enforcing or establishing the law. In many cases, indeed, such a way of viewing the statute was justified by the principle on which it was evidently passed; it was often manifestly, if not avowedly, intended by its authors themselves as only a tentative or experimental enactment, the ultimate enforcement of which was to depend upon the manner in which it was found to work. The Act of parliament was frequently entitled, not a statute, but an ordinance; and in that case it seems to have been merely proposed as an interim regulation, which was not to become a permanent law until some trial should have been had of it, and such amendments made in it as were found by experience to be necessary.* In other cases, again, and those of no rare occurrence, the law was of such a nature that it could not be carried into execution; it was an attempt to accomplish what was impossible. These considerations may account for the numerous instances in which our old laws are merely confirmations, or in other words, repetitions of some preceding law, and also for the extraordinary multiplication which we find of fluctuating or contradictory laws. Of this latter description, those relating to the staple afford an eminent example. In 1334, all the lately established staples were again abolished by

* See on this subject Hallam's *Middle Ages*, iii. 72-75.

the king in a parliament held at York. In 1341, the staple was re-established by a royal act at Bruges, in Flanders. In 1348, again, after the capture of Calais, that town was made the staple for tin, lead, feathers, English-made woollen cloths, and worsted stuffs, for seven years. All the former inhabitants of Calais, with the exception, it is said, of one priest and two lawyers, had been removed, and an English colony, of which thirty-six merchants from London were the principal members, had been settled in their room. In 1353, by the statute called the Ordinance of the Staples (27 Edw. III. st. 2, c. 1), the staple for wool, leather, woolfels, and lead, was once more removed from the continent by act of parliament, and ordered to be held for ever in the following places, and no others—namely, for England, at Newcastle-upon-Tyne, York, Lincoln, Norwich, Westminster, Canterbury, Chichester, Exeter, and Bristol; for Wales, at Carmarthen; and for Ireland, at Dublin, Waterford, Cork, and Drogheda. The “for ever” of this statute remained in force for ten years, and no longer. From the preamble of the statute 43 Edw. III., it appears that it had been ordained, for the profit of the realm, and ease of the merchants of England, that the staple of wools, woolfels, and leather, should be holden at Calais; and that there accordingly it had been holden since the 1st of March, 1363. By this last-mentioned act, however, passed in 1369, it was again, in consequence of the renewal of the war with France, fixed at certain places within the kingdom—being for Ireland and Wales the same that have been just mentioned, but with the substitution in the case of England, of Hull, Boston, Yarmouth, and Queenburgh, for Canterbury, York, Lincoln, and Norwich. In 1376 nevertheless, on the complaint of the inhabitants of Calais, that their city was declining, the staple was restored to that place; and it was now made to comprehend, not only the ancient commodities of wool, woolfels, and leather, and those more recently added, of lead, tin, worsted stuffs, and feathers, but also cheese, butter, honey, tallow, peltry (or skins of all kinds), and what are called “gaule,” which have been supposed to mean osiers for making baskets; these different articles probably comprehending all the ordinary exports from the kingdom. But this restriction of the whole export trade to one market was soon relaxed. In 1378 (by the 2nd Rich. II. stat. 1, c. 3), it was enacted, that all merchants of Genoa, Venice, Catalonia, Arragon, and other countries toward the West, that would bring their vessels to Southampton, or elsewhere within the realm, might there freely sell their goods, and also recharge their vessels with wools, and the other merchandises of the staple, on paying the same customs or duties that would have been payable at Calais; and in 1382 (by the 5th Rich. II. stat. 2, c. 2), all merchants, whether foreigners or natives, were permitted to carry wool, leather, and woolfels, to any country whatever, except France, on payment of the Calais duties

beforehand. In 1384, we find the wool-staple altogether removed from Calais, and established at Middleburgh. In 1388 (by the statute 12 Rich. II. c. 16), it was ordered to be fixed once more at Calais; but in 1390 (by the 14th Rich. II. c. 1), it was brought back to the same English towns in which it had been fixed in 1353. The very next year, however, it was enacted, that instead of these towns, the staple should be held at such others upon the coast as the lords of the council should direct; and it would even appear (from the 15th Rich. II. c. 8), that, at least for a part of the year, the staple of wool and also of tin was still at Calais. “Staples and restraints in England, and a second staple and other restraints at the same time on the continent!” exclaims the historian of our commerce, in noting this fact: “the condition of the merchants who were obliged to deal in staple goods was truly pitiable in those days of perpetual changes.”* It is not quite clear, however, that the English staples were still continued; it is perhaps more probable that they had been abolished when the staple was restored to Calais. However this may be, it appears from the statute 21 Rich. II. c. 17, passed in 1398, that at that time Calais was the only staple; and such it continued to be from this time till it was recovered by the French in 1538, when the staple was established at Bruges. The old staple laws, however, had been considerably relaxed in the course of that long interval.

The history of the staple is an important part of the history of our early foreign commerce, of which it in some degree illustrates the growth and gradual extension from the progressive development of the resources of the country, as well as the artificial bonds and incumbrances against the pressure and entanglement of which the principle of that natural growth had to force its way. We now proceed to quote some further instances of the perplexities, the blunders, and the generally oppressive or annoying character of our ancient commercial legislation.

One of the prerogatives assumed by the crown in those days, somewhat similar in its nature to that of fixing the staple of the foreign trade of the kingdom, was the right of restricting all mercantile dealings whatever, for a time, to a certain place. Thus, Matthew Paris tells us that, in the year 1245, Henry III. proclaimed a fair to be held at Westminster, on which occasion he ordered that all the traders of London should shut up their shops, and carry their goods to be sold at the fair, and that all other fairs throughout England should be suspended during the fifteen days it was appointed to last. The king’s object, no doubt, was to obtain a supply of money from the tolls and other dues of the market. What made this interference be felt as a greater hardship was, that the weather, all the time of the fair, happened to be excessively bad; so that not only the goods were spoilt, exposed as they were to the rain in tents

* Macpherson, *Annals of Com.* i. 604.

only covered with cloth, and that probably imperfectly enough; but the dealers themselves, who were obliged to eat their victuals with their feet in the mud, and the wind and wet about their ears, suffered intolerably. Four years afterwards the king repeated the same piece of tyranny, and was again seconded by the elements in a similar fashion. This time, too, the historian tells us, scarcely any buyers came to the fair; so that it is no wonder the unfortunate merchants were loud in expressing their dissatisfaction. But the king, he adds, did not mind the imprecations of the people.

There was nothing that more troubled and bewildered both the legislature and the popular understanding, during the whole of this period, than the new phenomena connected with the increasing foreign trade of the country. The advantages of this augmented intercourse with other parts of the world were sensibly enough felt, but very imperfectly comprehended; hence one scheme after another to retain the benefit upon terms wholly inconsistent with the necessary conditions of its existence. Of course, in all exchange of commodities between two countries, besides that supply of the respective wants of each which constitutes the foundation or sustaining element of the commerce, a certain portion of what the consumer pays must fall to the share of the persons by whose agency the commerce is carried on. It is this that properly forms the profits of the commerce, as distinguished from its mere advantages or conveniences. The general advantages of the commerce, apart from the profits of the agents, are alone the proper concern of the community: as for the mere profits of the agency, the only interest of the community is, that they shall be as low as possible. From the course, however, that the popular feeling has at all times taken, it might be supposed that the very contrary was the case; for the cry has constantly been in favour of making this agency, as far as possible, a monopoly in the hands of the native merchants, although the effect of the exclusion of foreign competition, if it could be accomplished, really could be nothing else than an enhancement of the profits of the agency, and consequently of the charge upon the consumer. In fact, if the exclusion were not expected to produce this effect, it never would be sought for by the native merchants. That it should be sought for by them is natural enough, but that they should be supported in this demand by the community at large is only an instance of popular prejudice and delusion. In all commerce, and especially in all foreign commerce, a body of intermediate agents, to manage the exchange of the commodities, is indispensable; the goods must be brought from the one country to the other, which makes what is called the carrying trade; they must be collected in shops or warehouses for distribution by sale; even their original production, in many cases, cannot be efficiently accomplished without the regular assistance of a third class of persons,—namely, dealers in money or in credit.

But to the public at large it is really a matter of perfect indifference whether these merchants, ship-owners, and bankers or other capitalists, be natives or foreigners. Not so, however, thought our ancestors in the infancy of our foreign commerce. The commerce itself was sufficiently acceptable; but the foreigners, by whose aid it was necessarily in part carried on, were the objects of a most intense and restless jealousy. Whatever portion of the profits of the commerce fell to their share was looked upon as nothing better than so much plunder. This feeling was even in some degree extended to the whole of the foreign nation with which the commerce was carried on; and in the notion that all trade was of the nature of a contest between two adverse parties, and that whatever the one country gained the other lost, the inflammation of the popular mind occasionally rose to such a height that nothing less would satisfy it than an abjuration of the foreign trade altogether. But it never was long before this precipitate resolution was repented of and revoked.

In the wars between Henry III. and his barons, the latter endeavoured to turn to account against the king the national jealousy of foreigners, which his partiality to his wife's French connexions had greatly exasperated. In 1261 they passed a law which may be regarded as the first attempt to establish what has been called, in modern times, the manufacturing system. It prohibited the exportation of wool, the chief staple of the country, and ordained that no woollen cloths should be worn except such as were manufactured at home. Whatever may be thought of the policy of nursing the infancy of domestic manufactures in certain circumstances by protections of this description, the present attempt was undoubtedly premature, and its authors confessed as much by appending to their prohibition against the importation of foreign cloth an injunction or recommendation that all persons should avoid every superfluity in dress. What were thus denounced as extravagant superfluities were evidently those finer fabrics which could not yet be produced in England. The effect of this law, in so far as it was enforced or obeyed, could only have been to add to the general distress, by embarrassing more or less all classes of persons that had been ever so remotely connected with the foreign trade, and above all others the chief body of producers in the kingdom. If the wool was not to go out of the country, much wealth both in money and in goods would be prevented from coming in, and all the branches of industry which that wealth had hitherto contributed to sustain and feed, would suffer depression.

It would appear that, either from want of skill or a scarcity of woad, in consequence of the usual importations from the continent being checked, dyed cloths could not be obtained in sufficient quantity in England a few years after this time; for it is recorded that many people were now wont to dress themselves in cloth of the natural colour of the wool. Simon de Montford, it seems, professed to

be an admirer of this plainness of apparel, and was accustomed to maintain that foreign commerce was unnecessary, the produce of the country being fully sufficient to supply all the wants of its inhabitants. And so no doubt it was, and would be still, on this principle of rigidly eschewing all superfluities; but that is the principle of the stationary and savage state, not of civilization and progressive improvement.

The prohibition against the importation of foreign cloth, however, appears to have been soon repealed. In 1271, when disputes broke out between Henry and the Countess of Flanders, we find it renewed in terms which imply that the trade had for some time previous been carried on as usual. This second suspension, also, was of short duration; and on various subsequent occasions on which the attempt was made to break off the natural commercial intercourse between the English producers and the Flemish manufacturers, the result was the same; the inconvenience was found to be so intolerable to both countries that it never was submitted to for more than a few months or weeks.

Absurd regulations, however, were from time to time imposed on the trade carried on by foreigners, the temper and principle of which would, if carried out, have led to its complete extinction, and which, half measures as they were, could only have had the effect of diminishing its natural advantages. In 1275, for instance, an order was issued by Edward I., obliging all foreign merchants to sell their goods within forty days after their arrival. If foreigners continued to resort to the country in the face of the additional risks created by this law,—risks of inadequate returns if they complied with it, of detection and punishment if they attempted to evade it,—we may be certain they exacted a full equivalent in the shape of higher prices for their goods; or, if they failed to do this, they must soon have been forced to give up the trade altogether, for there was no other way by which it could be made to yield its usual profits.

No foreign merchants were in those days allowed to reside in England except by special license from the king; and even under this protection, they were subjected to various oppressive liabilities. It was not till 1303 that a general charter was granted by Edward I., permitting the merchants of Germany, France, Spain, Portugal, Navarre, Lombardy, Tuscany, Provence, Catalonia, Aquitaine, Toulouse, Quercy, Flanders, Brabant, and all other foreign countries, to come safely to any of the dominions of the English crown with all kinds of merchandize, to sell their goods, and to reside under the protection of the laws. But even this general toleration was clogged with many restrictions. The goods imported, with the exception of spices and mercery, were only to be sold wholesale. No wine was to be carried out of the country without special license. Above all, no relaxation was granted of the ancient grievous liability under which every resident stranger was placed of being

answerable for the debts and even for the crimes of every other foreign resident. It appears from the records of the Exchequer that, in 1306, a number of foreign merchants were committed to the Tower, and there detained until they consented severally to give security that none of their number should leave the kingdom, or export anything from it, without the king's special license. Each of them was at the same time obliged to give an account of the whole amount of his property, both in money and goods. Security against being subjected to this kind of treatment had been accorded in a few particular instances; but it was not till the year 1353 that the law was formally altered by the Statute of the Staple already mentioned, and the ancient practice was not wholly discontinued till long afterwards.

The general charter of 1303 was followed within four years by a still more extraordinary attempt than any that had yet been made to control the natural course of commerce. In 1307, Edward issued an order prohibiting either coined money or bullion to be carried out of the kingdom on any account. The merchants, therefore, who came from other countries, were now reduced to the necessity of either directly bartering their commodities for the produce of the kingdom, or, if they sold them for money in the first instance, of investing the proceeds in other goods before they could be permitted to return home. This was a restriction so thoroughly opposed to every commercial principle that it could not be rigidly maintained; the very year following its promulgation, an exemption from it was accorded to the merchants of France by the new king, Edward II., and similar relaxations of it were afterwards permitted in other cases. But, although from its nature it did not admit of being strictly enforced, it long continued to be regarded as the law of the country, and repeated attempts were made to secure its observance. In 1335, by the 9th Edw. III. st. 2, it was enacted that no person should henceforth carry out of the kingdom either money or plate without special license, upon pain of forfeiture of whatever he should so convey away. Sworn searchers were appointed to see that the law was observed at all the ports; and it was further ordered that the inn-keepers at every port should be sworn to search their guests: the fourth part of all forfeits was assigned as the reward of the searchers. In 1343, by the 17th Edw. III., nearly the same regulations were repeated, the principal variation being that, to induce them to do their duty more diligently, the reward of the searchers was now raised to a third part of the forfeits, and penalties were provided for their neglect or connivance. We may gather from all this that the law had been extensively evaded. At length permission was given generally to foreign merchants to carry away one half of the money for which they sold their goods; the law is thus stated in the 14th Rich. II. c. 1, passed in 1390, and more explicitly in the 2nd Hen. IV. c. 5,

passed in 1400; but it is still expressly ordered by the former of these statutes that every alien bringing any merchandise into England shall find sufficient sureties before the officers of the customs to expend the value of half of what he imports, at the least, in the purchase of wools, leather, woolfells, lead, tin, butter, cheese, cloths, or other commodities of the land.

The ignorance and misconception from which all this legislation proceeded, are exhibited in a striking point of view by the fact that the above-mentioned original order of Edward I., prohibiting the exportation of money, expressly permits the amount of the money to be remitted abroad in bills of exchange. And at all times, while the exportation of money was forbidden, the remittance of bills seems to have been allowed. But a bill of exchange remitted abroad is merely an order that a certain party in the foreign country shall receive a sum of money which is due to the drawer of the bill, and which would otherwise have to be sent to the country where he resides; if no such money were due, the bill would not be negotiable; every such bill, therefore, if it did not carry money out of the country, produced precisely the same effect by preventing money from coming in. It was fit and natural enough, however, that this simple matter should fail to be perceived in times when it was thought that a great advantage was gained by compelling the foreign merchant to sell his goods for produce instead of for the money which the produce was worth; indeed it may be fairly said, instead of for less money than the produce was worth, for all restraints of this description inevitably operate to enhance the price of what is prevented from being openly bought and sold on the terms that would be naturally agreed upon between the parties themselves.

Another strange attempt of the English commercial legislation of those times was to impose a certain measure upon all foreign cloths brought to the country. By the Act 2 Edw. III. c. 14, passed in 1328, it was ordered that, from the Feast of St. Michael ensuing, all cloths that were imported should be measured by the king's aulnagers, and that all those that were not found to be of a certain specified length and breadth should be forfeited to the king. The dimensions fixed by the statute were, for cloth of ray (supposed to mean striped cloth), 28 yards in length by 6 quarters in breadth; and for coloured cloth, 26 yards in length by 6½ quarters in breadth. The regulation of weights and measures within the kingdom was a proper subject of legislation, and had necessarily engaged attention long before this date; although at a period when science was unknown, the methods resorted to were necessarily very artificial, and sometimes singular enough; Henry I., for example, soon after he came to the throne, in ordaining that the ell or yard should be of uniform length throughout the kingdom, could find no better standard for it than the length of his own arm. It might also have been found expedient, both for fiscal and

other purposes, to direct that all cloth made for sale within the kingdom should be of certain specified dimensions; regulations to that effect have at least been usual down to our own day. But it was to stretch legislation on such matters beyond all reasonable limits to attempt to fix a measure for the cloth made in all foreign countries. Such a law, in so far as it was enforced, could only have the effect of diminishing the supply,—in other words, of raising the prices of foreign goods. But like most of the other absurd restrictions of the same character, the maintenance of this regulation was soon found to be impracticable: if it had been rigorously insisted upon, it would have excluded the manufactured goods of certain foreign countries from the English market altogether; and accordingly, after giving a great deal of useless annoyance both to foreign merchants and their English customers, and after special exemptions from it had been granted to several nations, it was at last repealed by the 27' Edw. III. st. 1, c. 4, passed in 1353, which provided that, "whereas the great men and commons have showed to our lord the king how divers merchants, as well foreigners as denizens, have withdrawn them, and yet do withdraw them, to come with cloths into England, to the great damage of the king and of all his people, because that the king's aulnager surmiseth to merchant strangers that their cloths be not of assize," therefore no foreign cloths should in future be forfeited on that account, but when any was found to be under assize, it should simply be marked by the aulnager, that a proportionate abatement might be made in the price.

This was also the era of various statutes against the supposed mischiefs of forestalling. The statute "De Pistoribus" (attributed by some to the 51st year of Hen. III., by others to the 13th of Edw. I.) contains the following empassioned description and denouncement of this offence: "But especially be it commanded, on the behalf of our lord the king, that no forestaller be suffered to dwell in any town, which is an open oppressor of poor people, and of all the commonalty, and an enemy of the whole shire and country; which for greediness of his private gains doth prevent others in buying grain, fish, herring, or any other thing to be sold coming by land or water, oppressing the poor and deceiving the rich; which carrieth away such things, intending to sell them more dear; the which come to merchants strangers that bring merchandise, offering them to buy, and informing them that their goods might be dearer sold than they intended to sell, and an whole town or a country is deceived by such craft and subtlety." It might be supposed from all this that the forestaller bought the commodity for the purpose of throwing it into the sea or otherwise destroying it; it seems to have been forgotten that, like all other dealers, he bought it only that he might sell it again for more than it cost him, that is to say, that he might preserve it for a time of still higher demand and greater necessity. But for him, when that time of greater

scarcity came, there would be no provision for it; if the people were pinched now, they would be starved then. The forestaller is merely the economical distributor, who, by preventing waste at one time, prevents absolute want at another; he destroys nothing; on the contrary, whatever he reserves from present consumption, is sure to be reproduced by him in full at a future day, when it will be still more needed. Were it otherwise, forestalling would be the most losing of all trades, and no law would be required to put it down. The English laws against forestalling, regrating, and engrossing, however, cannot well be made a reproach to the thirteenth century, seeing that they were formally renewed and extended in the sixteenth,* and were not finally removed from the Statute Book till towards the end of the eighteenth.†

A still more direct attempt to derange the natural balance of supply and demand was made by parliament in 1315, when, with the view of relieving the people from the pressure of a severe famine, it was enacted that all articles of food should be sold at certain prescribed prices. It was strangely forgotten that the evil did not lie in the high prices, but in the scarcity, of which they were the necessary consequence. That scarcity, of course, the act of parliament could not cure. In fact, food became more difficult to procure than ever; for even those who had any to sell, and would have brought it to market if they could have had a fair price for it, withheld it rather than dispose of it below its value. What was sold was for the most part sold at a price which violated the law, and which was made still higher than it would otherwise have been by the trouble and risk which the illegality of the transaction involved. Butcher-meat disappeared altogether; poultry, an article of large consumption in those times, became nearly as scarce; grain was only to be had at enormous prices. The result was, that the king and the parliament, after a few months, becoming convinced of their mistake, hastened to repeal the act.

The same thing in principle and effect, however, was repeated not many years after, by acts passed to fix the wages of labourers,—in other words, the price of the commodity called labour. In 1349 (the twenty-third of Edward I.), after a pestilence which had carried off great numbers of the people, was issued (apparently by the authority of the king, although it is printed as a statute) “an ordinance concerning labourers and servants;” which directed, first, that persons of the class of servants should be bound to serve when required; and secondly, that they should serve for the same wages that were accustomed to be given three years before. This ordinance, indeed, further proceeded to enjoin that all dealers in victual should be bound to sell the same “for a reasonable price,” and inflicted a penalty upon persons offending

against that enactment—although it did not presume expressly to fix a maximum of prices. The next year, by the 25 Edw. III., st. 2,* after a preamble, declaring that servants had had no regard to the preceding ordinance, “but to their ease and singular covetise,” the parliament established a set of new provisions for effecting its object: this act, however, contains nothing on the subject of the prices of provisions. The statute of labourers was confirmed by parliament in 1360 (by the 34 Edw. III. c. 9), and its principle was long obstinately clung to by the legislature, notwithstanding the constant experience of its inefficiency, and indeed of its positive mischief, and its direct tendency to defeat its own proposed object; for a law is rarely harmless because it is of impracticable execution; the unskilful surgery of the body politic, as of the body natural, tears and tortures when it does not cure, and fixes deeper and more firmly the barb which it fails to extract. By the 13 Rich. II. st. 1, c. 8 (passed in 1389-90), it is ordained that, “forasmuch as a man cannot put the price of corn and other victuals in certain,” the justices of peace shall every year make proclamation “by their discretion, according to the dearth of victuals, how much every mason, carpenter, tiler, and other craftsmen, workmen, and other labourers by the day, as well in harvest as in other times of the year, after their degree, shall take by the day, with meat and drink, or without meat and drink, and that every man obey to such proclamations from time to time, as a thing done by statute.” It is also ordered that victuallers “shall have reasonable gains, according to the discretion and limitation of the said justices, and no more, upon pain to be grievously punished, according to the discretion of the said justices.” Finally, provision is made for the correct keeping of the assize (or assessment from time to time) of the prices of bread and ale. The earliest notice of an assize in England is found in the rolls of parliament for 1203, the 5th of John; but the first introduction of the practice is probably of older date. The most ancient law upon the subject that has been preserved is that entitled the *Assisa Panis et Cervisiæ*, commonly assigned to the 51st Hen. III. (A.D. 1266.) The assize of bread and ale, it is to be remembered, determined the prices of these commodities, not arbitrarily, but by a scale regulated according to the market prices of wheat, barley, and oats, so that the prices that were really fixed were those of baking and of brewing. The assize of bread was re-enacted so lately as the beginning of the last century, and was only abolished in London and its neighbourhood about twenty years ago: in regard to other places, although it has fallen into disuse, the old law still remains unrepealed. But various other articles, such as wine, fish, tiles, cloths, wood, coal, billets, &c., have at different times been made subject to assize; and in the case of most of these the assize was a perfectly arbitrary determination of the price. The present period

* By the 5 and 6 Edward VI. c. 14 and 15.

† By the 12 Geo. III. c. 71.

* Commonly entitled Statute the First.

furnishes us with a curious example of the manner in which some of these attempts operated. By an ordinance issued in 1357 (commonly called the 31 Ed. III. st. 2), it was directed that no herrings should be sold for a higher price than forty shillings the last. But, in 1361, we find the king and his council, in a second ordinance (commonly called the statute 35 Edw. III.), frankly confessing that the effect of the attempt to fix prices in this case had been, "that the sale of herring is much decayed, and the people greatly endamaged, that it to say, that many merchants coming to the fair, as well labourers and servants as other, do bargain for herring, and every of them, by malice and envy, increase upon other, and if one proffer forty shillings, another will proffer ten shillings more, and the third sixty shillings, and so every one surmounteth other in the bargain, and such proffers extend to more than the price of the herring upon which the fishers proffered it to sell at the beginning." The ordinance promulgated with the intention of keeping down the price of herrings, had actually raised it. Wherefore "we," concludes the new statute, "perceiving the mischiefs and grievances aforesaid, by the advice and assent of our parliament, will and grant, that it shall be lawful to every man, of what condition that he may be, merchant or other, to buy herring openly, and not privily, at such price as may be agreed betwixt him and the seller of the same herring." This failure, however, did not deter the parliament two years after from fixing a price for poultry (by the stat. 37 Edw. III. c. 3); but the next year, that also was repealed by the 38 Edw. III. st. 1, c. 2, which ordained that all people, in regard to buying and selling and the other matters treated of in the preceding statute, should be as free as they were before it passed, and as they were in the time of the king's grandfather and his other good progenitors.

Notwithstanding, however, the impediments and embarrassments occasioned by all this blind and contradictory legislation, English commerce undoubtedly made a very considerable progress in the course of the space of nearly two centuries included within the present period.

The directing property of the magnet, and its application in the mariner's compass, appear to have become known in Europe towards the end of the twelfth century, and the instrument was probably in common use among navigators soon after the middle of the thirteenth. Both Chaucer the English, and Barbour the Scottish poet, allude familiarly to the compass in the latter part of the fourteenth century. Barbour tells us that Robert Bruce and his companions, when crossing, during the night, from Arran to the coast of Carrick, in 1307,* steered by the light of the fire they saw on the shore,—“for they na needle had nor stane:” the words seem to imply rather that they were by accident without a compass, than that the instrument was not then known. Chaucer, in his

prose treatise on the Astrolabe, says that the sailors reckon thirty-two parts (or points) of the horizon; evidently referring to the present division of the card, of which the people of Bruges are said to have been the authors. Gioia, of Amalfi, who flourished in the beginning of this century, is supposed to have been the first who attached a divided card to the needle; but his card seems to have had only eight winds or points drawn upon it.

The contemporary chroniclers have not recorded the effects produced by the introduction of the compass on navigation and commerce; but it must have given a great impulse to both. A few interesting facts, however, connected with English shipping during the present period have been preserved. Henry III. appears to have had some ships of his own. One of the entries in the Liberate Roll of the tenth year of his reign is as follows:—"Henry, by the grace of God, &c.—Pay out of our treasury to Reynold de Bernevall and Brother Thomas, of the Temple, twenty-two marks and a half, for repairs, &c. of our great ship; also pay to the six masters of our great ship, to wit, to Stephen le Vel, one mark; Germanus de la Rie, one mark; John, the son of Sampson, one mark; Colmo de Warham, one mark; Robert Gaillard, one mark; and Simon Westlegrei, one mark. Witness ourself at Westminster, the 17th day of May, in the tenth year of our reign. For the mariners of the great ship."† The vessel here referred to is, we suppose, the large ship called the Queen, which, in 1232, Henry chartered to John Blanchbally, for the life of the latter, for an annual payment of fifty marks.‡ In an order of the same king to the barons of the Cinque Ports, in 1242, mention is made of the king's galley of Bristol, and of the king's galleys in Ireland. Edward I. probably had a much more numerous navy. When he was preparing for his war with France, in 1294, this king divided his navy into three fleets, over each of which he placed an admiral, this being the first time that that title is mentioned in English history. We are not, however, to suppose that all the ships forming these three fleets were the property of the king; the royal navy was still, as it had heretofore been, chiefly composed of vessels belonging to private merchants which were pressed for the public service. The names of the following king's ships are mentioned in an Issue Roll of the ninth of Edward II.:—the Peter, the Bernard, the Marion, the Mary, and the Catherine; all of Westminister.‡ In the reign of Edward III. we find many ships belonging to Yarmouth, Bristol, Lynne, Hull, Ravensere, and other ports, distinguished as ships of war; but this designation does not seem to imply that they were royal or public property.

* Issues of the Exchequer from Henry III. to Henry VI. inclusive. By Frederick Devon. 4to. Lon. 1837.

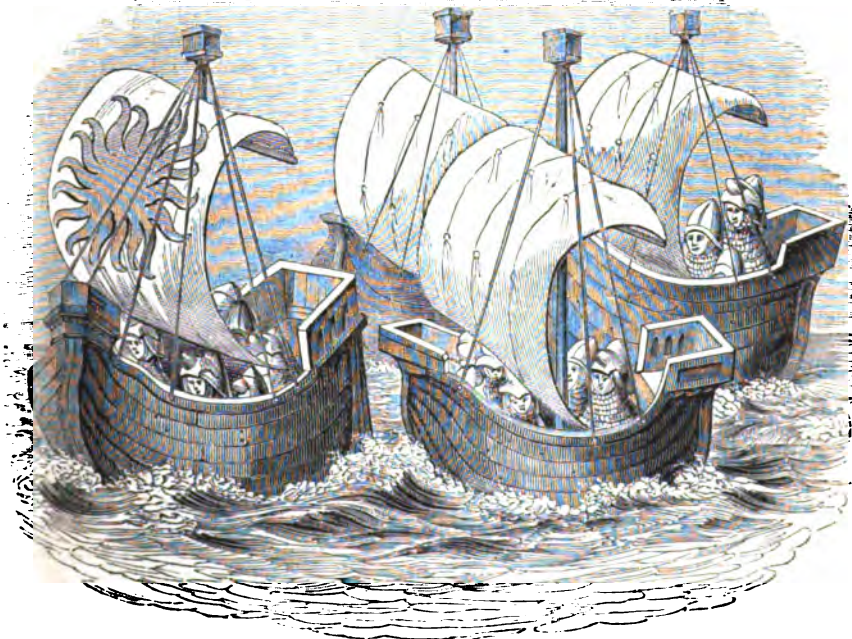
† Maddox's Hist. of Excheq., c. 13, § 11.

‡ Issues of Excheq., ut supra. The editor adds—"The names of other ships are also mentioned."

The dominion of the four seas appears to have been first distinctly claimed by Edward III. At this time the Cinque Ports were bound by their charter to have fifty-seven ships in readiness at all times for the king's service; and Edward also retained in his pay a fleet of galleys, supplied, according to contract, by the Genoese. By far the greater number, however, of the vessels employed in every considerable naval expedition of those times consisted, as we have said, of the private merchantmen. The English mercantile navy was now very considerable. When Henry III., in 1253, ordered all the vessels in the country to be seized and employed in an expedition against the rebel barons of Gascony, the number of them, Matthew Paris tells us, was found to be above a thousand, of which three hundred were large ships. The foreign as well as the English vessels, however, are included in this enumeration; the former as well as the latter were subject to be thus pressed. According to an account given in one of the Cotton manuscripts of the fleet employed by Edward III. at the siege of Calais, in 1346, it consisted of 25 ships belonging to the king, which carried 419 mariners; of 37 foreign ships (from Bayonne, Spain, Flanders, and Guelderland), manned by 780 mariners; of one vessel from Ireland, carrying 25 men; and of 710 vessels belonging to English ports, the crews of which amounted to 14,151 persons. These merchantmen were divided into the south and the north fleet, according as they belonged to the ports

south or north of the Thames. Among the places that supplied the greatest numbers of ships and men were the following:—London, 25 ships with 662 men; Margate, 15 with 160; Sandwich, 22 with 504; Dover, 16 with 336; Winchelsea, 21 with 596; Weymouth, 20 with 264; Newcastle, 17 with 414; Hull, 16 with 466; Grimsby, 11 with 171; Exmouth, 10 with 193; Dartmouth, 31 with 757; Plymouth, 26 with 603; 20 with 325; Fowey, 47 with 170; Bristol, 24 with 608; Shoreham, 20 with 329; Southampton, 21 with 572; Lynne, 16 with 482; Yarmouth, 43 with 1095; Gosport, 13 with 403; Harwich, 14 with 283; Ipswich, 12 with 239; and Boston, 17 with 361. These, therefore, it may be assumed, were at this time the principal trading towns in the kingdom.

It will be perceived that the vessels, if we may judge from the numbers of the men, were of very various sizes; and none of them could have been of any considerable magnitude. A ship, manned by thirty seamen, which the people of Yarmouth fitted out, in 1254, to carry over Prince Edward, afterwards Edward I., to the continent, is spoken of with admiration by the writers of the time for its size as well as its beauty. Some foreign ships, however, were considerably larger than any of the English at this period. Thus, one of the vessels which was lent by the Republic of Venice to St. Louis, in 1270, when he set out on his second crusade, measured 125 feet in length, and carried 110 men. But this was



reckoned a vessel of extraordinary size even in the Mediterranean. In 1360, Edward III., in an order for arresting all the vessels in the kingdom for an expedition against France, directed that the largest ships should carry 40 mariners, 40 armed men, and 60 archers. A ship which was taken from the French in 1385, is said to have been, a short time before, built for the Norman merchants in the East country at a cost of 5000 francs (above 830*l.* sterling), and to have been sold by them to Clisson, the constable of France, for 3000 francs. This was one of eighty vessels of various kinds, ships, galleys, cogs, carracks, barges, lines, balingars, &c., which were captured this same year by the governor of Calais and the seamen of the Cinque Ports. "There were taken," says the historian Walsingham, "and slain in those ships, 226 seamen and mercenaries. Blessed be God for all things." One ship taken by the Cinque Port vessels was valued—her cargo no doubt included—at 20,000 marks. But half a century before this, we read of Genoese galleys, loaded with wool, cloth, and other merchandise, which were reckoned to be worth 60,000*l.* and 70,000*l.* in the money of Genoa.

Some notices that have been preserved of the shipping of Scotland during this period prove its amount to have been more considerable than might be expected. Indeed, that country seems to have had some reputation for ship-building even on the continent. Matthew Paris relates that one of the great ships in the fleet that accompanied St. Louis on his first crusade, in 1249, had been built at Inverness, for the Earl of St. Paul and Blois. The historian calls her "a wonderful ship," in allusion, apparently, to her magnitude. Mention is made in an ancient charter, of one ship which belonged to the Scottish crown in the reign of Alexander III., who died in 1286; and Fordun states that, at this time, the King of Man was bound to furnish his liege lord, the King of Scots, when required, with five warlike galleys of twenty-four oars, and five of twelve oars; and that other maritime vassals contributed vessels in proportion to their lands. One of Alexander's commercial laws was of a singular character, if we may believe this historian. In consequence of several merchant vessels belonging to his subjects having been taken by pirates or lost at sea while voyaging to foreign parts, he prohibited the merchants of Scotland from exporting any goods in their own vessels for a certain time. The consequence, it is affirmed, was, that before the end of a year, numerous foreign vessels arrived with goods of all kinds; and the kingdom obtained a cheaper and more abundant supply of the produce of other countries than it had ever before enjoyed. If any such effect as this was produced, the law, at the same time that it restrained the native shipowners from importing goods, probably removed some restrictions that had previously been imposed on the entry into the kingdom of foreign merchants. In the wars between England and Scotland, in the reign of Edward III., the latter country frequently made considerable naval exer-

tions, sometimes by itself, sometimes in conjunction with its allies. In 1335, a vessel belonging to Southampton, laden with wool and other merchandise, was taken by some Scottish and Norman privateers in the mouth of the Thames; and in the following year, a numerous fleet of ships and galleys equipped by the Scots, attacked and plundered Guernsey and Jersey, and captured several English vessels lying at anchor at the Isle of Wight. In the autumn of 1357, again, three Scottish ships of war, carrying 300 chosen armed men, are stated to have cruised on the east coast of England, and greatly annoyed the trade in that quarter, till the equinoctial gales drove them, along with a number of English vessels, into Yarmouth, where they were taken. These appear to have been unauthorised private adventurers—there being at this time a truce between the two countries. The bold enterprise of the Scottish captain, John Mercer, in 1378, till a stop was put to his career by the public spirit of a citizen of London, John Philpot, has been mentioned in a former page.* Mercer is said to have been the son of a burghess of Perth, one of the most opulent merchants of Scotland, who, the year before, when returning from abroad, had been driven by stress of weather upon the English coast, and there seized and confined for some time in the castle of Scarborough. It was to revenge this injury that the son fitted out his armament. A few years after this, some privateers of Hull and Newcastle captured a Scottish ship, the cargo of which, according to Walsingham, was valued at 7000 marks.

The most ancient record, which presents a general view of the foreign trade of England, is an account preserved in the Exchequer of the exports and imports, together with the amount of the customs paid upon them, in the year 1354. The exports here mentioned are, 31,651½ sacks of wool at 6*l.* per sack; 3036 cwt. (120 lbs.) of wool at 40*s.* per cwt.; 65 woolfels, total value 21*s.* 8*d.*; hides to the value of 89*l.* 5*s.*; 4774½ pieces of cloth at 40*s.* each; and 8061½ pieces of worsted stuff at 16*s.* 8*d.* each:—total value of the exports, 212,338*l.* 5*s.*, paying customs to the amount of 81,846*l.* 12*s.* 2*d.* Wool, therefore, would appear, by this account, to have constituted about thirteen-fourteenths of the whole exports of the kingdom. The customs would seem to have been almost entirely derived from wool; the amount paid by the hides and cloth exported amounts only to about 220*l.* The duty on the export of wool exceeded 40 per cent. on the value. The imports mentioned are, 1831 pieces of fine cloths, at 6*l.* each; 397½ cwt. of wax at 40*s.* per cwt.; 1829½ tuns of wine at 40*s.* per tun; and linens, mercery, grocery, &c., to the value of 22,943*l.* 6*s.* 10*d.*:—making a total value of 38,383*l.* 16*s.* 10*d.* The great excess, according to this statement, of the exports over the imports, has been regarded as evincing the moderation and sobriety of our ancestors. "But when we look at the articles," it has been well observed,

"and find that of raw materials for manufactures which constitute so great a part of the modern imports, there was not one single article imported, and that, on the other hand, the exports consisted almost entirely of the most valuable raw materials, and of cloths in an unfinished state, which may, therefore, also be classed among raw materials, we must acknowledge that it affords only a proof of the low state of manufactures and of commercial knowledge among a people who were obliged to allow foreigners to have the profit of manufacturing their own wool, and finishing their own cloths, and afterwards to repurchase both from them in the form of finished goods."*

This account is probably to be considered as comprehending only those articles from which the revenue of the customs was derived. We know that several other articles besides those mentioned were, at least occasionally, exported. A demand for the tin of Britain, for instance, appears to have always existed on the continent. A Cornish miner, indeed, who had been banished from his native country, is said to have, in the year 1241, discovered some mines of tin in Germany, the produce of which was so abundant that the metal was even imported into England, by which the price in this country was considerably reduced. But this competition certainly did not permanently destroy either the domestic or the export trade in British tin. In 1338 we find Edward III. ordering all the tin in Cornwall and Devonshire, including even what might have been already sold to foreign merchants, to be seized and sent to the continent, there to be sold on his account, the owners being obliged to accept of a promise of payment in two years. In 1348, it is recorded that the merchants and others complained to the parliament that all the tin of Cornwall was bought and exported by Tidman of Limburgh, so that no Englishman could get any of it; they therefore prayed that it might be freely sold to all merchants; but they received for answer that it was a profit belonging to the prince, and that every lord might make his profit of his own. Cornwall had, in 1337, been erected into a duchy in favour of the Black Prince, and settled by Act of parliament on the eldest son of the king, as it still remains. The export of tin is mentioned, in 1390, in the statute 14 Rich. II. c. 7, which declares Dartmouth the only port at which it shall be shipped; and also in the following year, in the 15th Rich. II. c. 8, which repeals the last-mentioned Act, and allows the exportation of the commodity from any port, but provides that it shall be carried only to Calais, so long as wool shall be carried to that place. Lead, butter, and cheese are likewise, as we have seen, enumerated among the "commodities of the land," in which foreign merchants were compelled, by the 14th Rich. II. c. 1, to invest half the money which they should receive for the commodities they imported. The exportation of lead in particular is repeatedly alluded to in the regulations respecting the staple,

* Macpherson, Ann. of Com. 1. 564.

and other acts of parliament; and considerable quantities of that metal are supposed to have been now obtained from the Welsh mines. It may be presumed, also, that iron was occasionally exported during this period, from the statute 28 Edw. III. c. 5 (passed in 1354), which enacts that no iron, whether made in England or imported, shall be carried out of the country. Salted fish, and especially herrings, formed another article of export, at least from the commencement of the thirteenth century, and probably from a much earlier date. Corn appears to have been sometimes exported, sometimes imported, but apparently never without the special license of the crown. Thus we find Edward III., in 1359, granting liberty to the Flemings to trade in England, and to export corn and other provisions from the country on obtaining his special license and paying the customs. In 1376, on the other hand, a permission is recorded to have been granted to import 400 quarters of corn from Ireland to Kendal in Westmoreland. In 1382 a general proclamation was issued, prohibiting, under penalty of the confiscation of the vessel and cargo, the exportation of corn or malt to any foreign country, except to the king's territories in Gascony, Bayonne, Calais, Brest, Cherbourg, Berwick-upon-Tweed, and other places of strength belonging to the king. But twelve years afterwards, by the statute 17 Rich. II. c. 7, all English subjects were allowed to export corn to any country not hostile, on paying the due customs; a power, however, being still reserved to the king's council to stop the exportation if necessary. The introduction of the use of coal as an article both of foreign trade and of domestic consumption is probably to be assigned to this period, though some have been disposed to carry it farther back. The earliest authentic document in which coal is distinctly mentioned is an order of Henry III., in 1245, for an inquisition into trespasses committed in the royal forests, in which inquiry is directed to be made respecting sea-coal ("de carbone maris") found in the forests. This expression appears to imply that coals had before this time been brought to London by sea, and probably from Newcastle. Sea-coal Lane, between Skinner Street and Farringdon Street, is mentioned by that name in a charter of the year 1253. Regulations are laid down for the sale of coals in the statutes of the guild of Berwick-upon-Tweed, which were established in 1284. There is extant a charter of William of Obervell, in 1291, granting liberty to the monks of Dunfermline, in Scotland, to dig coals for their own use in his lands of Pittencrief, but prohibiting them from selling any. It is probable, however, that this description of fuel was not as yet much used for domestic purposes; for the smoke, or smell, of a coal fire was at first thought to be highly noxious. "This same year (1306)," says Maitland, in his History of London, "sea-coals being very much used in the suburbs of London by brewers, dyers, and others requiring great fires, the nobility and gentry resorting thither

complained thereof to the king as a public nuisance, whereby they said the air was infested with a noisome smell, and a thick cloud, to the great endangering of the health of the inhabitants; wherefore a proclamation was issued, strictly forbidding the use of that fuel. But little regard being paid thereunto, the king appointed a commission of Oyer and Terminer to inquire after those who had contumaciously acted in open defiance to his proclamation, strictly commanding all such to be punished by pecuniary mulcts; and for the second offence, to have their kilns and furnaces destroyed." What would these sensitive alarmists of the fourteenth century have said if they could have been informed that the day would come when London should have constantly some ten or twelve tons of coal-dust suspended over it? The prejudice against coal fires, however, seems to have, in no long time, died away. In 1325 we find mention made of the exportation of coals from Newcastle to France; and the first leases of coal-works in the neighbourhood of that town of which there is any account are dated only a few years later. They were granted by the monks of Tynemouth to various persons at annual rents, varying from two to about five pounds. Ten shillings' worth of Newcastle coals are recorded to have been purchased for the coronation of Edward III. in 1327. Before the end of the fourteenth century there is reason to believe that an active trade was carried on in the conveyance of Newcastle coal by sea to London and elsewhere.

Wool, however, was, during the whole of this period, as for a long time afterwards, the great staple of the kingdom. In 1279, in a petition to Edward I., the nobles asserted that the wool produced in England, and mostly exported to Flanders, was nearly equal to half the land in value. English wool appears also to have been in great request in France, in which country, as well as in Flanders, the manufacture of woollen cloth was early established. Little cloth, as we have already had occasion to observe, was made in England, and that little only of the coarsest description, till the wise policy of Edward III., by a grant dated in 1331, invited weavers, dyers, and fullers, from Flanders, to come over and settle in the country, promising them his protection and favour on condition that they should carry on their trades here, and communicate the knowledge of them to his subjects. The first person who accepted of this invitation was John Kempe, a weaver of woollen cloth; he came over with his goods and chattels, his servants and his apprentices. Many of his countrymen soon followed: a few years later other weavers came over from Brabant and Zealand; and thus was established certainly the first manufacture of *fine* woollen cloths in England. It was many years, however, as we have seen, before this infant manufacture was able even to supply the domestic demand, far less to maintain any export trade in woollens. The cloths of the continent, in spite of various legislative attempts to exclude

them, long continued to be imported in considerable quantities. The 4774½ pieces of cloth exported in 1354 were evidently, from their price, of the old coarse fabric of the country. Large quantities of the English wool also continued annually to go abroad. With the view of keeping up the price of the article,* it was enacted by the statute 14 Rich. II. c. 4, passed in 1390, that no denizen of England should buy wool except of the owners of the sheep, and for his own use; in other words, the entire export trade in the commodity was made over to the foreign merchant, and he was at the same time confined to the export trade. The object obviously was to secure to the grower not only his proper profits, but in addition those of the wool-merchant and retailer, in so far as regarded the domestic consumption. But, besides the injury to the native merchant by his exclusion from the export trade, it was strangely forgotten that the monopoly of that trade secured to the foreigner must have deprived the grower of perhaps half his customers,—namely, of all the English dealers who would have purchased the article for exportation; and must thus, by diminishing competition, have tended to depress prices instead of raising them. Such, accordingly, is stated to have been the effect produced. The contemporary historian Knyghton tells us that, in consequence of this prohibition of the export of wool by English merchants, the article lay unsold in many places for two and three years, and many of the growers were reduced to the greatest distress. In 1391, however, although the quantity of wool exported is affirmed to have been that year much less than formerly, the customs on it amounted to 160,000*l.* According to Robert of Avesbury, who is supposed to have died about 1356, the annual exportation of wool from England had, in his day, reached to above a hundred thousand sacks; the customs on which, at the duty of 50*s.* on the sack, would produce a revenue of above 250,000*l.* This estimate, however, is very inconsistent with the official account already quoted of the entire exports and imports for 1354. If it is to be at all received, it ought probably to be assigned to a date considerably later than that at which Avesbury is commonly assumed to have died.

The principal society of foreign merchants at this time established in England appears to have been that of the merchants of Cologne. They had a hall or factory in London called their Gildhall, for the *saisine* (or legal possession) of which they paid thirty marks to the crown in A.D. 1220. "It seems probable," says Macpherson, "that this Gildhall, by the association of the merchants of other cities with those of Cologne, became in time the general factory and residence of all the German merchants in London, and was the same that was afterwards known by the name of the German Gildhall (*Gildhalla Teutonicorum*). It appears that the merchants of Cologne were bound

* For ments garder le haut pris des laines.

to make a payment of two shillings, probably a reserved annual rent (for we are not told upon what occasions it was payable) out of their Guildhall, besides other customs and demands, from all which they were exempted in the year 1235, by King Henry III., who moreover gave them permission to attend fairs in any part of England, and also to buy and sell in London, saving the liberties of the city.* The principal part of the foreign trade, however, seems to have been in the hands of the merchants of the Staple, otherwise called the Merchants of England, who, as noticed above, were incorporated at least as early as the year 1313. This society was composed of native merchants.

It has also been affirmed that there existed, so early as the middle of the thirteenth century, an association of English merchants for trading in foreign parts, called the Brotherhood of St. Thomas Becket of Canterbury, from which originated the afterwards celebrated company of the Merchant Adventurers of England; but this story does not rest on any sufficient authority.†

The historian Walsingham has preserved the record of a remarkable proposal which was made in 1379 to Richard II. by an opulent merchant of Genoa. This foreigner, it is said, submitted to the English king a plan for raising the port of Southampton to a pre-eminence over every other in the west of Europe, by making it the deposit and mart of all the oriental goods which the Genoese used to carry to Flanders, Normandy, and Bretagne, which countries would thenceforth be supplied with these commodities from England. All that the Genoese merchant asked, according to Walsingham, was, that he should be allowed to store his goods in the royal castle of Southampton. It is probable, however, that this was only one of the minor features of his plan, which must have been chiefly dependent for its success upon the resources and connexions of its author, the spirit with which it was taken up and supported by the English king, and the natural aptitude of the port of Southampton to serve as a reservoir of the oriental trade. As yet, it is to be remembered, no direct trade existed between India and Europe; all the produce of the former that found its way to the latter was procured by the merchants of Venice, Genoa, and other cities of Italy, from the emporia in the eastern parts of the Mediterranean, of which the principal at this time were Acre, Constantinople, and Alexandria. It is not very obvious what advantage the Italian importers were to expect from bringing all their goods in the first instance to Southampton, instead of proceeding with them directly to the continental markets. Walsingham says it was expected, if the plan had been carried into execution, that pepper would have been sold in England at four pennies a pound, and other spices at a proportionably low

rate. Silk was now manufactured, and the silk-worm reared, in Italy and other countries of the south of Europe, and little, if any, was brought from Asia; so that spiceries and fruits seem to have been the principal commodities which were received from the eastern trade. The cargo of a Genoese ship, which was driven ashore at Dunster, in Somersetshire, in 1380, consisted of green ginger, ginger cured with lemon-juice, one bale of arquinetta,‡ dried grapes or raisins, sulphur, 172 bales of wadde (perhaps woad), 22 bales of writing paper, white sugar (perhaps sugar-candy), 6 bales of empty boxes, dried prunes, 8 bales of *risæ* (probably rice), 5 bales of cinnamon, 1 pipe "pulveris salvistri," the meaning of which is unknown, and 5 bales of bussus (probably fine Egyptian flax). Some Genoese cogs and carracks, however, bound for Flanders, that were seized on the coast of Kent in 1386, are said to have been laden, not only with spices, but with wines, stuffs of gold and silk, gold, silver, precious stones, &c. The scheme of the Genoese merchant with regard to Southampton was put an end to by its author being murdered in the streets of London by assassins, whom some English merchants are charged with having hired, in the apprehension that his proposal was calculated to be injurious to their interests. It seems to have been one of those bold designs which have more in their character of the prophetic than of the practical; it was a conception that shot ahead of the age, and the attempt to realise it at that time would, probably, in the most favourable circumstances, have proved a failure; but this selection of Southampton for a great European emporium in the fourteenth century may be regarded as in some degree an anticipation of the project which promises to be accomplished in the nineteenth, of bringing that place within two or three hours' distance of London by means of a railway, and thus turning the natural advantages of its position to full account by making it one of the ports of the metropolis.

A few facts remain to be added respecting the commerce of Scotland during this period, in addition to those that have already been incidentally noticed. The chief seat of the Scottish foreign trade continued to be at Berwick till the capture of that town by Edward I. in 1296. A society of Flemish merchants, similar, apparently, to the Teutonic Guildhall of London, was established in that place: the gallantry with which they defended a strong building, called the Red Hall, which was their factory, has been mentioned in the account of the siege.† Berwick, before this catastrophe, is described in the contemporary chronicle of Lanercost as a second Alexandria, for the number of its inhabitants and the extent of its commerce. The sea, it is added, was its wealth; the waters were its walls; and the opulent citizens were

* Both Anderson and Macpherson quote this term from the original statement in the *Federa* (vii. 523), without either explanation or question. We have not been able to discover the meaning of the word.

† See ante, p. 718.

* *Annals of Com.*, i. 263.
† See Wheeler's *Treatise of Commerce*, pp. 10 and 14; and Macpherson, i. 267 and 268.

very liberal in their donations to religious houses. The customs of Berwick were rented from Alexander III. by a merchant of Gascony for 2197l. 8s., a sum which would in those days have bought about 16,000 quarters of wheat. "By the agency of the merchants of Berwick, the wool, hides, woolfells, and other wares, the produce of Roxburgh, Jedburgh, and all the adjacent country, were shipped for foreign countries, or sold upon the spot to the Flemish company. The exportation of salmon appears to have been also a considerable branch of their trade, as we find it some time after an object of attention to the legislature of England, and the regulation of it entrusted to the great officers of the government. When Edward III. wanted two thousand salmon for his own use in the year 1361, he sent orders to procure them for him at Berwick (then belonging to England) and Newcastle—no doubt the places most famous for them in his dominions."* Berwick, however, never recovered from the blow given to its prosperity by the destructive sack of 1296. In the middle of the following century we find the Scottish pearls still exported to the continent. In the statutes of the goldsmiths of Paris, drawn up in 1355, it is ordered that no worker in gold or silver shall set any Scottish pearls along with oriental ones, except in large jewels (that is, figures adorned with jewellery) for churches. The Scottish greyhounds were also at this time in request in other countries. "The trade of driving cattle from Scotland for sale in England, which has continued down to the present day," Mr. Macpherson observes, "is at least as old as the times now under our consideration; for we find a letter of safe conduct granted (12th January, 1359) to Andrew Moray and Alan Erskine, two Scottish drovers, with three horsemen and their servants, for travelling through England or the king's foreign dominions for a year, with horses, oxen, cows, and other goods and merchandise."† An act of the Scottish parliament in 1367 orders the strict levying of the duties formerly imposed of forty pennies in the pound on the price of all horses, and twelve pennies on that of all oxen and cows carried out of the country. Both corn and malt were often imported into Scotland at this period from England and other countries.

From Ireland there was now a considerable exportation both of raw produce and of manufactured goods. In the records of the Exchequer for the first year of Edward I. a notice occurs of some cloth of Ireland having been stolen at Winchester in the preceding reign, along with some cloth of Abingdon, and some cloth of London called burrel. Mention has already been made of the supplies of corn that appear to have been occasionally obtained from Ireland. It seems to have been exported to the continent as well as to England, till an ordinance was issued in 1288, prohibiting corn and other victuals and merchandise from being carried from Ireland anywhere except to England and

* Macpherson, i. 446.

† *Ibid.*, i. 561.

Wales. Yet, in 1291, we find some Flemish merchants mentioned as being in the ports of Waterford, Youghall, and Cork. In 1300, while Edward I. was in Scotland, the people of Drogheda sent him a present of eighty tuns of wine to Kirkcudbright in a vessel belonging to their own port; and the same year several cargoes of Irish wheat, oats, malt, and ale were brought to him, and mostly by the merchants of Ireland and in Irish vessels. In 1322, we find Edward II., when preparing to march into Scotland, giving orders for 9000 quarters of wheat and other grain to be sent from Ireland. By the statute 34 Edward III. c. 17, 18, passed in 1360, liberty was given to all merchants and others, whether aliens or natives, to trade freely to and from Ireland, on paying the ancient customs and duties. "At this time," says Macpherson, "there were some considerable manufactures in Ireland. The stuffs called *saves* made in that country were in such request, that they were imitated by the manufacturers of Catalonia, who were in the practice of making the finest woollen goods of every kind; they were also esteemed in Italy, and were worn by the ladies of Florence, a city abounding with the richest manufactures, and in which the luxury of dress was carried to the greatest height. The annual revenue derived from Ireland, which amounted to nearly 10,000*l.*, gives a very respectable idea of the balance drawn into that country by its commerce and manufactures, though we know next to nothing of the particular nature of them; unless we suppose a great part of the money to have been drawn from the mines, for which, I believe, there is neither authority nor probability."* This year King Edward, understanding, as the record in the 'Fœdera' says, that there were various mines of gold and silver in Ireland, which might be very beneficial to himself and the people of that country, had commissioned his ministers there to order a search for the mines, and to do what would be most for his advantage in the matter. The statute 50 Edw. III. c. 8 (A.D. 1376) makes mention of cloth called *frise* as being made in Ireland, and also of cloth manufactured in England from Irish wool.

The denominations and relative values of the different kinds of English money continued the same in this as in the preceding period. The coinage had been greatly corrupted, partly by clipping, partly by the issue of counterfeits, in the early part of the reign of Henry III.; in consequence of which that king, in the year 1247, called in the old coin, and issued a new penny of a different stamp. In the exchange a deduction of thirteen pence in the pound was made from the nominal value of the old coin, which occasioned great complaints; but the new coin was not depreciated, or made of a less quantity of silver than formerly. The pennies of Henry III. are very common, and there also exist silver halfpence and farthings of his coinage. All the money was now made round. It is also said

* *Ibid.*, i. 562, where the authorities are quoted.

that, in 1257, Henry issued a gold coin of the weight of two silver pennies, which was ordered to pass for twenty pennies of silver. It was however soon recalled, on the complaint of the citizens of London that gold was rated above its value, in being thus made equal to ten times its weight in silver; and no specimens of this earliest English coinage of gold are now known to exist.



PENNY OF HENRY III.

Soon after the accession of Edward I. the country was again found to be inundated with base or light money, consisting chiefly of pieces fabricated on the continent, and known, from their impresses, by the names of mitres, lionines, pollards, crockards, rosaries, staldings, steepings, and eagles,—some being imitations of English money, others professing to be foreign coins. Various laws were made both against the importation of this counterfeit money, and against the clipping of the proper coinage of the realm. The severity with which these crimes were visited upon the Jews in particular has been already recorded.* Edward himself, however, in the latter part of his reign began the pernicious practice of depreciating the coin by diminishing its legal weight. In 1301 he issued a coinage of pennies, of which 243 (instead of 240, as formerly) were coined out of the pound of silver. In 1279 Edward had issued a new silver coin in imitation of one which had been introduced in France, being of the value of four pennies, and called a gross or groat, that is, a great penny. This coinage of groats seems to have been a small one, but some specimens are still extant.

* See ante, p. 693.



PENNY OF EDWARD I.

No coins of Edward II. are certainly known to exist, though it is possible that some of those that have been attributed to his father may be of his coinage; for it was still usual to omit on the legend the numerical distinction of the king's name.

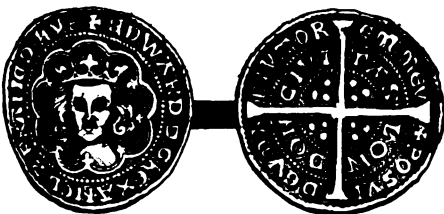


PENNY (SUSPECTED) OF EDWARD II.

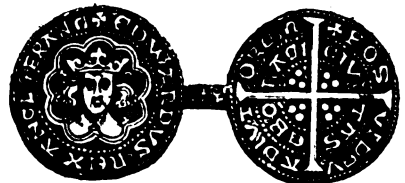
Edward III., in 1344, issued no fewer than six different gold coins,—namely, by one coinage, pieces marked with two leopards to pass for six shillings, others of half that weight and value marked with one leopard, and others marked with a helmet, of half the value of the last; and by a second, nobles of the value of six shillings and eight pence, and halves and quarters of nobles. The second coinage was made necessary by the refusal of the people to take the coins first issued at the value placed upon them. This king also carried the depreciation of the coin much farther than his grandfather had done, by an issue this same year of silver pennies, of which 266 were made out of the pound. Two years after he coined 270 pennies out of the pound of silver; and in 1351 he issued a new groat to be current at the old rate of fourpence, although it scarcely weighed



PENNY OF EDWARD III.



GROAT OF EDWARD III.



HALF-GROAT OF EDWARD III.

more than three pennies and a half even of his last diminished money. There are two groats of Edward III., one with the title of King of France, the other without. It is upon his coins also that we first read the motto *Dieu et mon droit* (God

and my right), which was originally adopted in allusion to the claim to the French crown. He also coined half groats.

The coins of Richard II., which are nobles, half nobles, quarter nobles, groats, half groats,



PENNY OF RICHARD II.



GROAT OF RICHARD II.



HALF-GROAT OF RICHARD II.

pence, and halfpence, are of the same real values with those last coined by his grandfather. It is sometimes difficult to distinguish his silver money, from the want of the numerals, from that of Richard III.

The Scottish money was deteriorated in the course of this period to a still greater extent than the English; the parliament in 1367 having ordered that 352 pennies should be made out of the pound of silver. It is supposed that gold money was first coined in Scotland in the reign of Robert II. (A.D. 1371—1390). There were repeated coinages of money in Ireland; but in 1339 we find a species of coin of inferior quality, and apparently of foreign fabrication, authorised to pass current in that country, on the ground of the insufficient amount of good money. These base pieces were called turneys, or black-money, or sometimes black-mail, from the French word *maille*, anciently used for a piece of money.

Even the legal coins of this period are generally rude in workmanship, and by no means of uniform weight. The standard of weight at this time was scarcely more artificial than that which Henry I. established for measures of length, when he ordered that the ell should be as long as the royal arm. The statute called the Assize of Weights and Measures, which is attributed, in some copies, to the reign of Henry III., in others to that of Edward I., states that, "by consent of the whole realm, the king's measure was made so that an English penny, which is called the sterling, round without clipping, shall weigh *thirty-two grains of wheat dry in the midst of the ear.*" This is the origin of the weight still called a pennyweight, though it now contains only twenty-four grains. The process of coining was equally rude. First, the metal, as appears from an entry in the Red Book of the Exchequer in the reign of Edward I., "was cast

from the melting-pot into long bars; those bars were cut with shears into square pieces of exact weights; then with the tongs and hammer they were forged into a round shape; after which they were blanched, that is, made white or refulgent by nealing or boiling, and afterwards stamped or impressed with a hammer, to make them perfect money. And this kind of hammered money continued through all the succeeding reigns, till the year 1663, when the milled money took place."*

The various necessary and useful arts continued in much the same state throughout the present as in the previous period. With regard, however, to the state of the important art of agriculture in particular, we now derive from various authentic sources much more detailed information than we have hitherto possessed.

Sir T. Cullum, in a history of the parish of Hawsted, in Suffolk, has, from books of accounts, inquisitions, and other documents, given as complete a view of the ancient practices of husbandry in England as can be expected, considering the difficulties of such an inquiry; and we shall now proceed to extract some of the most material statements from his work. In the reign of Edward I., there were fifty messuages or houses in the parish, being only two less than in 1784. Two-thirds of the land in the parish was held by seven persons, and the remaining third was occupied by twenty-six persons. In 1831, when the last census was taken, the number of occupiers in the same parish was only eleven, being one-third only of the number five centuries before. Several of the ancient occupiers were apparently merely labourers, for whom there was no continuous employment, but who, by this occupancy of a small piece of land, were enabled to eke out a subsistence. The traces of cultivation which have been most probably left

* Leake's Historical Account of English Money, 2nd Edit. p. 77.

by this class of the rural population are still visible in many of the southern counties on land now converted into pasture. The manor-house was surrounded by a moat, and occupied a large site, as it comprised three gardens and two court-yards. A pigeon-house, fish-ponds, and a rabbit-warren were the usual appendages of a manorial residence. The rabbit-warren supplied not only food, but materials of dress in common use; and on fast-days the fish-ponds were a valuable resource. From two successive surveys of the manor of Hawsted which are recorded within the present period, it appears that a change was taking place in the proportion of meadow and arable land, the former being to the latter as 24 to 1, at the time of the first survey, and only as about 11 to 1 at the time of the second. This effect is to be attributed to the increasing value of wool, which rendered sheep a profitable stock. The quantity of woodland was only 68 acres in the whole parish of Hawsted; but it is surmised that the hedge-rows and borders of the fields were broad, and interspersed with timber, and also contained patches which furnished a considerable addition to the quantity of fodder. The lord of the manor retained in his own hands 572 acres of arable and 50 of meadow land; pasture for 24 cows, 12 horses, and as many oxen; and 40 acres of woodland. The live stock consisted of 10 horses and 10 oxen, 1 bull, 20 cows, 6 heifers, 6 calves, 92 sheep, 200 two-year-old sheep, 5 geese, 30 capons, 1 cock, and 26 hens. The number of tenants who did suit and service in the manorial court was 32. They performed various services in husbandry, according to the tenure under which they occupied their land, and received from the lord payments in kind and in money, but chiefly in the former. One tenant occupied only three acres, and his condition probably bore a strong resemblance to the Irish cottier of the present day. Plenty was, at least, to be found in the manor-house, and it was occasionally dispensed with a liberal hand. In the reign of Edward II. the estate of the elder Spenser was ravaged by his enemies, who are asserted to have carried away, among other things, 28,000 sheep, 1000 oxen and heifers, 1200 cows with their calves for two years, 500 cart-horses, and 2000 hogs.

The diet of the labourers in husbandry usually consisted, in harvest, of herrings, a loaf of bread, and beer. The principal meals were two—dinner at nine, and supper at five. In the parish of Hawsted the allowance of food to the labourer in harvest was, two herrings per day, milk from the manor dairy to make cheese, and a loaf of bread, of which fifteen were made from a bushel of wheat. Messes of pottage made their frequent appearance at the rustic board. When the crops were harvested, the portions of the produce to which each tenant was entitled would be distributed, and the quantity which he obtained at this period was intended to last until the next harvest. In ancient valuations, both in towns and in rural districts, the inhabitants

are mentioned as having stores of corn of various kinds. Those who purchased corn would do so immediately after harvest; but grain was not an object of internal commerce to any great extent. The famines which occurred during this and the preceding period arose in a great measure from the improvident consumption which ensued immediately after harvest. In 1317 the harvest was all secured by the 1st of September, and wheat fell to one-twelfth of the price at which it had been sold a few weeks before. In the poem called the 'Visions of Pierce Plowman,' written in the time of Edward III., it is said that when the new corn began to be sold,—

"Would no beggar eat bread that in it beanes were,
But of cockit and cleamantyne, or else cleane whete."

Dragnet and siligo were common crops. The former consisted of a mixture of oats and barley, and the latter was a light description of wheat, about one-half the price of wheat.

Many documents relating to the occupancy of land during this period do not contain any clauses binding the tenant to pursue a particular course of husbandry; but in some of them a stipulation is made that the landlord shall not interfere with the mode of culture. There was much jealousy on both sides, each party surrounding himself with various precautions. Two days of grace were allowed for the payment of the rent, and if it were not made within a fortnight the landlord could distrain; and if the rent remained unpaid a month after becoming due, he could re-enter upon the possession of the land. There are records extant showing the value of estates; but as the services of the tenantry were included, the price of the land alone cannot perhaps be accurately determined. Sir T. Cullum supposes 4*d.* an acre to have been about the average rate at which land was let towards the close of the thirteenth century; and that the average price of wheat per quarter was 4*s.* 6*d.*, and the average produce about twelve bushels per acre. Attention appears to have been paid to the quality of the seed; and an item occurs in one year of 3*s.* 4*d.* for exchange of barley seed. A century earlier, according to the law-book entitled 'Fleta,' which contains various notices on agricultural affairs, land often yielded only three times the quantity sown. At a later period, 61 acres in the manor of Hawsted produced 70 quarters of wheat, on an average of three years. The cows belonging to the manor of Hawsted (26 in number) were let to a dairyman for 8*l.* per annum; and even the lactage of the ewes was let at 1½*d.* each for the season. The milk was mixed with that of the cows, and made into cheese. In 'Fleta' directions are given for the collection of manure, the value of which was generally appreciated; but the fertile properties of the soil were most likely exhausted by taking off successive crops of the same kind. The tenants on many manors were not permitted to fold their flocks on their own enclosures, but were compelled to drive them on the lord's demesne land. On a manor in Norfolk all copyholders were

obliged to have sheep in their lord's fold from Pentecost to St. Martin. The tenants who enjoyed the right of foldage were of a superior class. Many of the smaller tenants had no pasture or meadow land, and could therefore scarcely keep any live stock unless where common rights existed. Under these circumstances they would with difficulty derive the means of a scanty subsistence from their allotments. On the manorial farms the case would be somewhat better. In 1386, the produce of the Hawsted manor farm was 69 qrs. of wheat, 54 qrs. of barley, 11 qrs. of pease, 29 qrs. of haras (horses' food), and 65 qrs. of oats. In 1387 the quantity of land sown with wheat was 66 acres, 2 bushels to an acre; barley 26 acres, 4 bushels to the acre; pease 25 acres; haras 25 acres; oats 62 acres, 2½ bushels to the acre.

The persons employed on a manorial farm were, the steward, the bailiff, the head harvest-man, carters, ploughmen, plough-drivers, shepherds, swineherds, and deyses; which last were the lowest order of agricultural labourers. The steward held the manor-courts, and saw that the manorial privileges did not become obsolete. He kept accounts of the farming-stock and of the consumption of the family, and the domestics were under his care. The steward's accounts for the manor of Hawsted are regularly audited, and written out in Latin, probably by the auditor, who, it is supposed, was an ecclesiastic. The bailiff was next in authority, and was, in fact, a practical farmer, who superintended the cultivation of the demesne. The head harvest-man was, in the manor of Hawsted, annually elected by the tenantry from amongst themselves, and was presented by them to the lord. During the year of his appointment he enjoyed an exemption from various services, and obtained other privileges. He had his meals at the lord's table, if he kept house, and if not, a livery of corn, and a horse was kept for him in the lord's stable. In 1283, when 'Fleta' was written, the plough-driver was accustomed to sleep in the same building with his cattle. Women took part in the lighter labours of husbandry. For winnowing corn and tending the young cattle, as also the geese and poultry belonging to the Hawsted manor-farm, for fourteen weeks, a woman received eight bushels of siligo. It has been already observed, that the labours of the field did not proceed so uninterruptedly as at a later period. Except in seed-time, the weeding season, and the hay and corn harvests, there must have been a real lack of occupation. It seems to have been an object to finish harvest in the shortest possible time; and the business of seed-time must have been conducted with equal rapidity. There are items in the Hawsted accounts showing that sixty persons were paid for one day, at 2d. each, to weed the corn. Harvest was a scene of still greater animation. In one year, 520 persons were hired for one day; in another year, 533; and in a third, 538; and yet the number of acres to be reaped did not exceed 200. The old and young of both sexes must have been

a-field. The termination of the harvest was followed by those festivities which are not yet altogether obsolete.

A list of the various trades and handicrafts of the time will afford as good an idea of the general state of the useful arts as more detailed notices of the minute operations of each. Before the 50th Edward III. (1376), the "mysteries," or trades of London, who elected the common council of the city, were thirty-two in number, but they were increased by an ordinance of the above year to forty-eight, which were as follow:—Grocers, masons, ironmongers, mercers, brewers, leather-dressers, drapers, fletchers, armourers, fishmongers, bakers, butchers, goldsmiths, skimmers, cutlers, vintners, girdlers, spurriers, tailors, stainers, plumbers, saddlers, cloth-measurers, wax-chandlers, webbers, haberdashers, barbers, tapestry-weavers, braziers, painters, leather-sellers, salters, tanners, joiners, cappers, pouch-makers, pewterers, chandlers, hatters, woodmongers, fullers, smiths, pinner, curriers, horners.

The incorporation of several of the great city companies took place in this period. Many of them had long subsisted as guilds and fraternities, but now obtained additional powers for regulating their respective crafts. To the goldsmiths, for instance, was assigned the assaying of metals; to the vintners the gauging of wines; and to the fishmongers the inspection of fish. In 1298 the trades of London got up a pageant in honour of the return of Edward III. from Scotland; and at all times when the honour and dignity of the city was concerned, they took from this time a most important share in the proceedings. In the reign of Edward III. there were but two earls and one bishop amongst the honorary members of the Merchant-Tailors' Company; but in the following reign there were four royal dukes, ten earls, ten barons, and five bishops enrolled in the company. Edward III. became a member of the fraternity of linen-armourers, a sort of tailors, who made the padding and lining of armour.*

A large portion of the trade of the country was transacted at fairs and markets. The tradesmen of London had shops in the Cheap, which resembled sheds, and many of them had simply stalls; and travelling occasionally from place to place, they may be considered as having been pedlers as well as tradesmen. The mercers dealt in toys, drugs, spices, and small wares generally; their stocks being of the same miscellaneous description as that which is kept at a village-shop in the present day. The station of the mercers of London was between Bow Church and Friday-street; and here, around the old cross of Cheap, they sold their goods at little standings or stalls, surrounded by those belonging to other trades. The scene would resemble a market or fair. The places at which they transacted their business were let at rates varying from 11s. to 28s. per year.† The trade of

* Herbert's Hist. of the Livery Companies of London.
 † Stowe.

the modern grocer was preceded by that of the pepperer, which was often in the hands of Lombards and Italians, who dealt also in drugs and spices. The drapers were originally manufacturers of cloth: to drape signified to make cloth. The trade of the fishmonger was divided into two branches, the persons belonging to one of which dealt chiefly or altogether in salted fish, then a common article of diet. The skimmers were incorporated during the present period. They were in the habit of attending the fairs, particularly those of Stamford and Winchester. The goldsmiths were also incorporated about the same time. They existed previously as a gild; and all those who were members of the fraternity had their shops in the street of Cheap; but fraudulent traders set up shops in obscure lanes, where they endeavoured to sell goods of inferior metal. Many of the goldsmiths were foreigners. Tailors were employed in making women's garments. The haberdashers dealt in a great number of articles. The dealers in hats were called haberdashers of hats; and those who sold ribbons, &c., haberdashers of small wares. They dealt in articles of dress brought from Milan; and a distinct branch arose out of this trade, the persons engaged in it being called milliners. The vintners were anciently known as the Merchant Vintners of Gascony; and the retail dealers in wine as the Wine-tunners. The division of employments was most complete in connexion with the woollen manufacture.

In the provincial towns, trade was of course conducted on a smaller scale than in London. The exchange of commodities was effected to a great extent at the fairs and at the markets, and they

gave an air of animation and life which would strongly contrast with the dulness by which they were preceded and followed. In the reign of Edward III. Colchester contained 359 houses, some built of mud, others of timber, and none having any but latticed windows; and yet there were only about nine towns in England of greater importance. The number of inhabitants was about 3000. In the year 1301 all the moveable property of the town, including the furniture and clothing of the inhabitants, was worth only 518*l*. Colchester was the centre of resort for a large district, and the trades carried on in it were the twenty-nine following:—baker, barber, blacksmith, bowyer, brewer, butcher, carpenter, carter, cobbler, cook, dyer, fisherman, fuller, furrier, girdler, glass-seller, glover, lincdraper, mercer and spice seller, miller, mustard and vinegar seller, old clothes' seller, tailor, tanner, tiler, weaver, wood-cutter, and wool-comber. The tools of a carpenter at Colchester consisted of a broad-axe, value 5*d*.; another 3*d*.; an adze 2*d*.; a square 1*d*.; a navegor (probably a spoke-shave) 1*d*.; making the total value of the implements of his art only 1*s*. The tools and stock of a blacksmith were valued at only a few shillings, the highest sum being 12*s*. The stock in trade and household goods of a tanner were estimated at 9*l*. 17*s*. 10*d*. A mercer's stock was valued at 3*l*.; his household property at 2*l*. 9*s*. The mustard and vinegar seller was a necessary trade when so much meat was eaten in a salted state. Several trades, including those of the brewer, the baker, and the miller appear to have been carried on by women as well as by men.*

* Eden's State of the Poor, i. 19—24.

CHAPTER V.

THE HISTORY OF LITERATURE, SCIENCE, AND THE FINE ARTS.



AFTER the detailed account given in the last Book of the various branches of science and learning cultivated in the eleventh and twelfth centuries, a very few additional remarks will suffice to indicate the state of knowledge in the thirteenth and fourteenth. The study

of elegant literature was now nearly altogether abandoned in the passion which everywhere raged for metaphysical disputation. Almost the only writer of this period who can be regarded as belonging to the same class with the numerous Latin poets of the preceding age, is William the Breton, the author of the epic on the actions of Philip Augustus, to which we have more than once referred. In the University of Paris, and it was doubtless the same elsewhere, from the beginning of the thirteenth century, the ancient classics seem nearly to have ceased to be read; and all that was taught of rhetoric, or even of grammar, consisted of a few lessons from Priscian. The habit of speaking Latin correctly and elegantly, which had been so common an accomplishment of the scholars of the last age, was now generally lost: even at the universities, the classic tongue was corrupted into a base jargon, in which frequently all grammar and syntax were disregarded. This universal revolt from the study of words and of aesthetics to that of thoughts and of things is the most remarkable event in the intellectual history of the species. Undoubtedly all its results were not evil. On the whole, it was most probably the salvation even of that learning and elegant literature which it seemed for a time to have overwhelmed. The excitement of its very novelty awakened the minds of men. Never was there such a ferment of intellectual activity as now sprung up in Europe. The enthusiasm of the crusades seemed to have been succeeded by an enthusiasm of study, which equally impelled its successive inundations of devotees. In the beginning of the fourteenth century there were thirty thousand students at the University of Oxford; and that of Paris could probably boast of the attendance of a still vaster multitude. This was something almost like a universal diffusion of education and knowledge. The studies

of the former age, exacting as they did a long and laborious course of preparation, and the culture of the taste to the most delicate degree of refinement, were essentially unsuited either to produce such a state of things or to satisfy its demands after it was produced; it required something of a coarser or homelier fabric, something that tasked rather the native vigour of men's minds than their artificial resources and accomplishments, and appealed to passions or senses of a much lower and more common order than those connected with the imagination or the taste. The new studies at once tempted men's curiosity and flattered their vanity; they seemed to promise a positive accession of knowledge and power, instead of a mere barren intellectual gratification. And they did undoubtedly tend to sharpen and strengthen various faculties which were scarcely at all called into exercise by the old mode of education and mental culture. It was no doubt a barbarous mistake to assume that nothing was worth studying except things and notions,—of the three great departments of the intellectual world, the physical, the metaphysical, and the imaginative, to overlook altogether the widest and highest—not to speak of the very partial view that was taken of the two others. But essentially defective and perishable also was the opposite system, which left both the latter wholly unregarded. The brief revival of elegant literature in the twelfth century was a premature spring, which could not last. The preliminary processes of vegetation were not sufficiently advanced to sustain any general or enduring efflorescence; nor was the state of the world such as to call for or admit of any extensive diffusion of the kind of scholarship then cultivated. The probability is, that even if nothing else had taken its place, it would have gradually become feebler in character, as well as confined within a narrower circle of cultivators, till it had altogether evaporated and disappeared. The excitement of the new learning, turbulent and in some respects debasing as it was, saved western Europe from the complete extinction of the light of scholarship and philosophy which would in that case have ensued, and kept alive the spirit of intellectual culture, though in the mean while imprisoned and limited in its vision, for a happier future time when it should have ampler scope and full freedom of range.

Almost the only studies now cultivated by the common herd of students were the Aristotelian logic and metaphysics. Yet it was not till after a struggle of

some length that the supremacy of Aristotle was established in the schools. The most ancient statutes of the University of Paris that have been preserved, those issued by the pope's legate, Robert de Courçon, in 1215, prohibited the reading either of the metaphysical or the physical works of that philosopher, or of any abridgment of them. This, however, it has been remarked, was a mitigation of the treatment these books had met with a few years before, when all the copies of them that could be found were ordered to be thrown into the fire.* Still more lenient was a decree of Pope Gregory IX. in 1231, which only ordered the reading of them to be suspended until they should have undergone correction. Certain heretical notions in religion, promulgated or suspected to have been entertained by some of the most zealous of the early Aristotelians, had awakened the apprehensions of the church; but the general orthodoxy of their successors quieted these fears; and in course of time the authority of the Stagyrte was universally recognised both in theology and in the profane sciences.

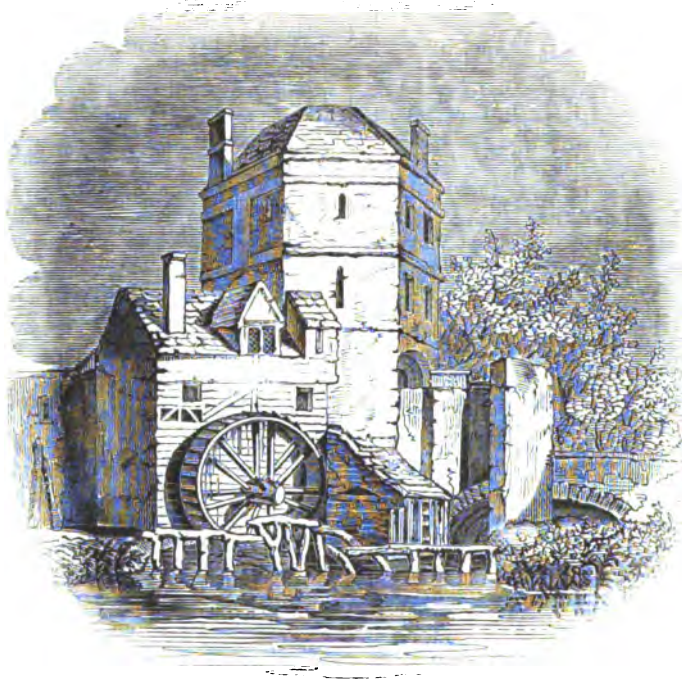
Some of the most distinguished of the scholastic doctors of this period were natives of Britain. Such, in particular, were Alexander de Hales, styled the Irrefragable, an English Franciscan, who died at Paris in 1245, and who is famous as the master of St. Bonaventura, and the first of the long list of commentators on the Four Books of the Sentences; the Subtle Doctor, John Duns Scotus, also a Franciscan and the chief glory of that order, who, after teaching with unprecedented popularity and applause at Oxford and Paris, died at Cologne in 1308 at the early age of forty-three, leaving a mass of writings, the very quantity of which would be sufficiently wonderful even if they were not marked by a vigour and penetration of thought which, down to our own day, has excited the admiration of all who have examined them; and William Occam, the Invincible, another Franciscan, the pupil of Scotus, but afterwards his opponent on the great philosophical question of the origin and nature of Universals or General Terms, which so long divided, and still divides, logicians. Occam, who died at Munich in 1347, was the restorer, and perhaps the most able defender that the middle ages produced, of the doctrine of Nominalism, or the opinion that general notions are merely names, and not real existences, as was contended by the Realists. The side taken by Occam was that of the minority in his own day, and for many ages after, and his views accordingly were generally regarded as heterodox in the schools; but his high merits have been recognised in modern times, when perhaps the greater number of speculators have come over to his way of thinking.

In the mathematical and physical sciences, Roger Bacon is the great name of the thirteenth century, and indeed the greatest that either his country or Europe can produce for some centuries after this time. He was born at Ilchester about

the year 1214, and died in 1292. His writings that are still preserved, of which the principal is that entitled his *Opus Majus* (or Greater Work), shows that the range of his investigations included theology, grammar, the ancient languages, geometry, astronomy, chronology, geography, music, optics, mechanics, chemistry, and most of the other branches of experimental philosophy. In all these sciences he had mastered whatever was then known; and his knowledge, though necessarily mixed with much error, extended in various directions considerably farther than, but for the evidence of his writings, we should have been warranted in believing that scientific researches had been carried in that age. In optics, for instance, he not only understood the general laws of reflected and refracted light, and had at least conceived such an instrument as a telescope, but he makes some advances towards an explanation of the phenomenon of the rainbow. It may be doubted whether what have been sometimes called his inventions and discoveries in mechanics and in chemistry were for the greater part more than notions he had formed of the possibility of accomplishing certain results; but even regarded as mere speculations or conjectures, many of his statements of what might be done show that he was familiar with mechanical principles, and possessed a considerable acquaintance with the powers of natural agents. He appears to have known the effects and composition of gunpowder, which indeed there is other evidence for believing to have been then known in Europe. Bacon's notions on the right method of philosophizing are remarkably enlightened for the times in which he lived; and his general views upon most subjects evince a penetration and liberality much beyond the spirit of his age. With all his sagacity and freedom from prejudice, indeed, he was a believer both in astrology and alchemy; but, as it has been observed, these delusions did not then stand in the same predicament as now: they were "irrational only because unproved, and neither impossible nor unworthy of the investigation of a philosopher, in the absence of preceding experiments."* Another eminent English cultivator of mathematical science in that age was the celebrated Robert Grostête, or Greathead, Bishop of Lincoln, the friend and patron of Bacon. Grostête, who died in 1253, is the author of a treatise on the sphere, which had been printed. A third name that deserves to be mentioned along with these is that of Sir Michael Scott, of Balwirie, in Fife, famous in popular tradition as a practitioner of the occult sciences, but whom his writings, of which several are extant and have been printed, prove to have been possessed of acquirements both in science and literature, of which few in those times could boast. He is said to have been born about the beginning of the thirteenth century, and to have survived till the year 1290. Like Roger Bacon, Scott was addicted to the study of alchemy and astrology; but these were in his eyes also parts of

* Crevier, Histoire de l'Univ. de Paris, i. 312.

* Penny Cyclopædia, iii. 243.



A TOWER which formerly stood on the Bridge at Oxford, traditionally known as ROGER BACON'S STUDY,—the "Bacon's mansion" alluded to by Johnson in his "Vanity of Human Wishes."

natural philosophy. Among other works, a Treatise on Physiognomy and a History of Animals are ascribed to him. He is said to have translated several of the works of Aristotle from the Greek into Latin, at the command of the Emperor Frederic II. He is spoken of as having been eminently skilled both in astronomy and medicine; and a contemporary, John Bacon, himself known by the title of Prince of the Averroists, or followers of the Arabian Doctor Averroes, celebrates him as a great theologian.*

These instances, however, were rare exceptions to the general rule. Metaphysics and logic, together with divinity—which was converted into little else than a subject of metaphysical and logical contention—so occupied the crowd of intellectual inquirers, that, except the professional branches of law and medicine, scarcely any other studies were generally attended to. Roger Bacon himself tells us that he knew of only two good mathematicians among his contemporaries—one John of Leyden, who had been a pupil of his own, and another whom he does not name, but who is supposed to have been John Peckham, a Franciscan friar, who afterwards became archbishop of Canterbury. Few students of the science, he says, proceeded farther than the fifth proposition of the first book of Euclid—the well-known asses' bridge. The study of geometry was still confounded in the popular understanding with the study of magic—a proof that it was a very rare pursuit. In arithmetic,

* See an Article on Michael Scott in Bayle.

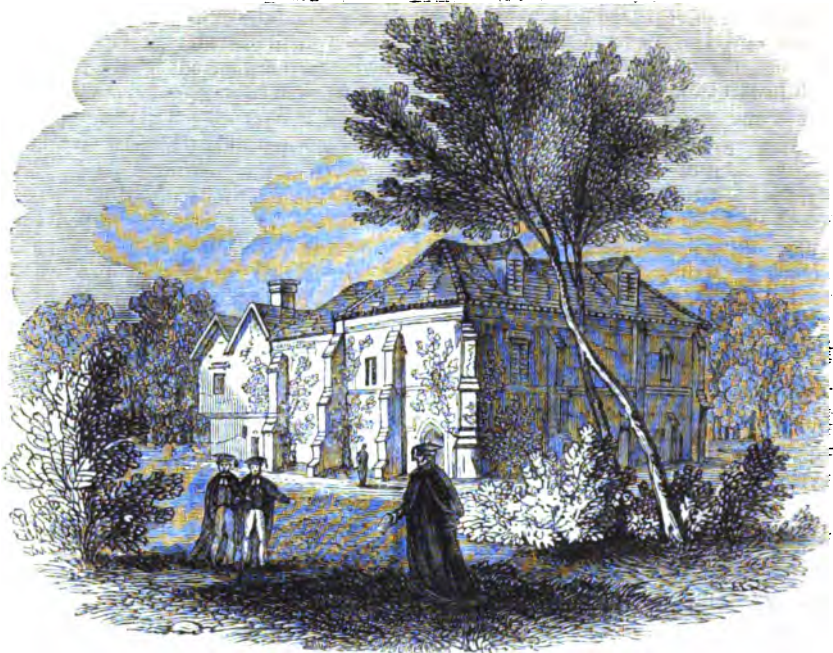
although the knowledge of the Arabic numerals had found its way to Europe before the middle of the fourteenth century, they do not appear to have come into general use till a considerably later date. Astronomy, however, was sufficiently cultivated at the University of Paris to enable some of the members to predict an eclipse of the sun which happened on the 31st of January, 1310.* This science was indebted for part of the attention it received to the belief that was universally entertained in the influence of the stars over human affairs. And as astrology led to the cultivation and improvement of astronomy, so the other imaginary science of alchemy undoubtedly aided the progress of chemistry and medicine. Besides Roger Bacon and Michael Scott in the thirteenth century, England contributed the names of John Daustein, of Richard, and of Cremer, abbot of Westminster, the disciple and friend of the famous Raymond Lully, to the list of the writers on alchemy in the fourteenth. Lully himself visited England in the reign of Edward I., on the invitation of the king; and he affirms in one of his works, that in the secret chamber of St. Katherine in the Tower of London, he performed in the royal presence the experiment of transmuting some crystal into a mass of diamond, or adamant as he calls it, of which Edward, he says, caused some little pillars to be made for the tabernacle of God. It was popularly believed, indeed, at the time, that the English king had been furnished by Lully

with a great quantity of gold for defraying the expense of an expedition he intended to make to the Holy Land. Edward III. was not less credulous on this subject than his grandfather, as appears by an order which he issued in 1329, in the following terms:—"Know all men, that we have been assured that John of Rous and Master William of Dalby know how to make silver by the art of alchemy; that they have made it in former times, and still continue to make it; and, considering that these men, by their art, and by making the precious metal, may be profitable to us and to our kingdom, we have commanded our well-beloved Thomas Cary to apprehend the aforesaid John and William, wherever they can be found, within liberties or without, and bring them to us, together with all the instruments of their art, under safe and sure custody." The earliest English writer on medicine, whose works have been printed, is Gilbert English (or Anglicus), who flourished in the thirteenth century; and he was followed in the next century by John de Gaddesden. The practice of medicine had now been taken in a great measure out of the hands of the clergy; but the art was still in the greater part a mixture of superstition and quackery, although the knowledge of some useful remedies, and perhaps also of a few principles, had been obtained from the writings of the Arabic physicians (many of which had been translated into Latin) and from the instructions delivered in the schools of Spain and Italy. The distinction between the physician and the apothecary was now well understood. Surgery also began to be followed as a separate branch: some works are still extant, partly printed, partly in manuscript, by John Arden, or Arden, an eminent English surgeon, who practised at Newark in the fourteenth century. A lively picture of the state of the surgical art at this period is given by a French writer, Guy de Cauliac, in a system of surgery which he published in 1363: "The practitioners in surgery," he says, "are divided into five sects. The first follow Roger and Roland, and the four masters, and apply poultices to all wounds and abscesses; the second follow Brunus and Theodoric, and in the same cases use wine only; the third follow Saliceto and Lanfranc, and treat wounds with ointments and soft plasters; the fourth are chiefly Germans, who attend the armies, and promiscuously use charms, potions, oil, and wool; the fifth are old women and ignorant people, who have recourse to the saints in all cases."

Yet the true method of philosophising, by experiment and the collection of facts, was almost as distinctly and emphatically laid down in this age by Roger Bacon, as it was more than three centuries afterwards by his illustrious namesake. Much knowledge, too, must necessarily have been accumulated in various departments by the actual application of this method. Some of the greatest of the modern chemists have bestowed the highest praise on the manner in which the experiments of the alchemists, or hermetic philosophers, as they

called themselves, on metals and other natural substances appear to have been conducted. In another field, namely, in that of geography, and the institutions, customs, and general state of distant countries, a great deal of new information must have been acquired from the accounts that were now published by various travellers, especially by Marco Polo, who penetrated as far as to Tartary and China, in the latter part of the thirteenth century, and by our countryman, Sir John Mandeville, who also traversed a great part of the East about a hundred years later. Roger Bacon has inserted a very curious epitome of the geographical knowledge of his time in his 'Opus Majus.'

About the middle of the thirteenth century, both in England and elsewhere, the Universities began to assume a new form, by the erection of colleges for the residence of their members as separate communities. The zeal for learning that was displayed in these munificent endowments is the most honourable characteristic of the age. Within the present period the following colleges were founded at Oxford:—University Hall, by William, archdeacon of Durham, who died in 1249; Baliol College, by John Baliol, the father of King John of Scotland, about 1263; Merton College, by Walter Merton, Bishop of Rochester, in 1268; Exeter College, by Walter Stapleton, Bishop of Exeter, about 1315; Oriol College, originally called the Hall of the Blessed Virgin of Oxford, by Edward II. and his almoner, Adam de Brom, about 1324; Queen's College, by Robert Eglesfield, chaplain to Queen Philippa, in 1340; and New College, in 1379, by the celebrated William of Wykeham, Bishop of Winchester, the munificent founder also of Winchester College. In the University of Cambridge the foundations were, Peter House, by Hugh Balsham, sub-prior and afterwards Bishop of Ely, about 1256; Michael College (afterwards incorporated with Trinity College), by Herby de Stanton, Chancellor of the Exchequer to Edward II., about 1324; University Hall (soon afterwards burnt down), by Richard Badew, Chancellor of the University, in 1326; King's Hall (afterwards united to Trinity College), by Edward III.; Clare Hall, a restoration of University Hall, by Elizabeth de Clare, Countess of Ulster, about 1347; Pembroke Hall, or the Hall of Valence and Mary, in the same year, by Mary de St. Paul, widow of Aymer de Valence, Earl of Pembroke; Trinity Hall, in 1350, by William Bateman, Bishop of Norwich; Gonvil Hall, about the same time, by Edmond Gonvil, parson of Terrington and Rushworth, in Norfolk; and Corpus Christi, or Bennet College, about 1351, by the United Guilds of Corpus Christi and St. Mary, in the town of Cambridge. The erection of these colleges, besides the accommodations which they afforded in various ways both to teachers and students, gave a permanent establishment to the universities which they scarcely before possessed. The original condition of these celebrated seats of learning in regard to all the conveniences of teaching appears to have



THE SCHOOL OF PYTHAGORAS, CAMBRIDGE.

An ancient Hostel, said to have been used for the residence of Students, before the foundation of Colleges.

been humble in the extreme. Great disorders and scandals are also said to have arisen, before the several societies were thus assembled each within its own walls, from the intermixture of the students with the townspeople, and their exemption from all discipline. But when the members of the University were counted by tens of thousands, discipline even in the most advantageous circumstances must have been nearly out of the question. The difficulty would not be lessened by the general character of the persons composing the learned mob, if we may take it from the quaint historian of the University of Oxford. Many of them, Anthony à Wood affirms, were mere "varlets who pretended to be scholars;" he does not scruple to charge them with being habitually guilty of thieving and other enormities; and he adds, "they lived under no discipline, neither had any tutors, but only for fashion sake would sometimes thrust themselves into the schools at ordinary lectures, and when they went to perform any mischiefs, then would they be accounted scholars, that so they might free themselves from the jurisdiction of the burghers." To repress the evils of this state of things, the old statutes of the University of Paris, in 1215, had ordained that no one should be reputed a scholar who had not a certain master. Another of these ancient regulations may be quoted in illustration of the simplicity of the times, and of the small measure of pomp and circumstance that the heads of the commonwealth of learning could then affect. It is ordered that every master reading

lectures in the faculty of arts should have his cloak or gown, round, black, and falling as low as the heels, "at least," adds the statute, with amusing *naïveté*, "while it is new." But this famous seminary long continued to take pride in its poverty as one of its most honourable distinctions. There is something very noble and affecting in the terms in which the rector and masters of the faculty of arts are found petitioning, in 1362, for a postponement of the hearing of a cause in which they were parties: "We have difficulty," they say, "in finding the money to pay the procurators and advocates, whom it is necessary for us to employ—*we whose profession it is to possess no wealth.*" Yet when funds were wanted for important purposes in connexion with learning or science, they were supplied in this age with no stinted liberality. We have seen with what alacrity opulent persons came forward to build and endow colleges, as soon as the expediency of such foundations came to be perceived. In almost all these establishments more or less provision was made for the permanent maintenance of a body of poor scholars, in other words, for the admission of even the humblest classes to a share in the benefits of that learned education whose temples and priesthood were thus planted in the land. It is probable, also, that the same kind of liberality was often shown in other ways. Roger Bacon tells us himself that, in the twenty years in which he had been engaged in his experiments, he had spent in books and instru-

ments no less a sum than two thousand French livres, an amount of silver equal to about six thousand pounds of our present money, and in effective value certainly to many times that sum. He must have been indebted for these large supplies to the generosity of rich friends and patrons.

Notwithstanding the general neglect of its elegancies, and of the habit of speaking it correctly or grammatically, the Latin tongue continued throughout this period to be in England as elsewhere the common language of the learned, and that in which books were generally written that were intended for their perusal. Among this class of works may be included the contemporary chronicles, many of which were compiled in the monasteries, and the authors of almost all of which were churchmen.



MATTHEW PARIS.

From a drawing by himself, in a MS. of the "Historia Major."

The most eminent English historian of the thirteenth century is Matthew Paris, who was a Benedictine monk of the monastery of St. Alban's, and was also much employed in affairs of state during the reign of Henry III. He died in 1259; and his principal work, entitled 'Historia Major,' (the Greater History,) begins at the Norman Conquest and comes down to that year. The portion of it, however, extending to the year 1235 is said to be copied from a work by Roger Windsor, or Wendover, a manuscript of which is in the Cottonian Library. Matthew Paris is one of the

most spirited and rhetorical of our old Latin historians; and the extraordinary freedom with which he expresses himself, in regard especially to the usurpations of the court of Rome, forms a striking contrast to the almost uniform tone of his monkish brethren. Nor does he show less boldness in animadverting upon the vices and delinquencies of kings and of the great in general. These qualities have in modern times gained him much admiration among writers of one party, and much obloquy from those of another. His work has always been bitterly decried by the Catholics, who at one time, indeed, were accustomed to maintain that much of what appeared in the printed copies of it was the interpolation of its Protestant editors. This charge has now been abandoned; but an eminent Catholic historian of the present day has not hesitated to denounce the narrative of the monk of St. Albans as "a romance rather than a history," on the ground of the great discrepancy which he asserts he has found between it and authentic records or contemporary writers, in most instances when he could confront the one with the other.* The 'Historia Major' has been continued to the death of Henry III., by William Rishanger, a monk, as it is supposed, of the same abbey.† Among the other contemporary chroniclers of this period who wrote in Latin, the principal are, Thomas Wykes (in Latin, Vicanus or Wicelus), a canon regular of Osney, near Oxford, whose Chronicle extends from the Conquest to 1304; Walter Hemingford, a monk of Gisborough in Yorkshire, the author of a valuable history from the Conquest to 1347; Robert de Avesbury, register of the court of the Archbishop of Canterbury, whose History of the reign of Edward III. is esteemed for its accuracy, but comes down only to 1356; Nicholas Trivet, prior of a Dominican monastery in London, who wrote a history of national affairs under the title of 'Annals' from 1130 to 1307; Ralph Higden, a monk of St. Wesburg in Chester, whose 'Polychronicon,' which ends in 1357, was translated into English by John de Trevisa, a Cornish divine, before the end of the fourteenth century; Henry Knighton (or Cnifton, as he himself spells the name), a canon of Leicester, the author of a History from the time of King Edgar to 1395, and also of an account of the Deposition of Richard II.; and Adam Merimuth, a canon regular of St. Paul's, whose annals commence in 1302 and extend to 1380.‡ To these may be added various monastic registers, such as those of Mailros, ending in 1270; of Margan, ending in 1232; of Burton, ending in 1263; of Waverley, ending in 1291, &c. John Fordun, the earliest of

* Dr. Lingard, Hist. of Eng. iii. 160. Edit. of 1837.

† The History of Matthew Paris was first printed at London in 1571, in folio. The subsequent editions, also, all in folio, are Zurich, 1606; London, by Dr. W. Wats, 1640; Paris, 1644; and London, 1684. To the latter editions are appended some other historical pieces of the author, under the title of 'Additamenta.' There also exists, in manuscript, an abridgment of Matthew Paris's History, drawn up by himself, and generally referred to as the 'Historia Minor,' or the 'Chronica,' which last appears to have been the original title.

‡ All these have been published, either separately by Hearne and other editors, or in the collections of Gale and Twydes. See ante, p. 614.

the Scottish regular chroniclers, also flourished in the fourteenth century. His *Scotichronicon* brings down the history of Scotland to the year 1385.

Latin was also, throughout a great part of this period, the usual language of the law, at least in writing. All the charters of liberties are in Latin. So is every statute down to the year 1275. The first that is in French is the Statute of Westminster the First, passed in that year, the 3rd of Edward I. Throughout the remainder of the reign of Edward they are sometimes in Latin, sometimes in French, but more frequently in the former language. The French becomes more frequent in the time of Edward II., and is almost exclusively used in that of Edward III. and Richard II. Still there are statutes in Latin in the sixth and eighth years of the last-mentioned king. It is not improbable that, from the accession of Edward I., the practice may have been to draw up every statute in both languages. Of the law treatises, Bracton and Fleta are in Latin; Britton and the *Miroir des Justices*, in French.

Latin was the language in which not only all the scholastic divines and philosophers wrote, but which was also employed by all writers on geometry, astronomy, chemistry, medicine, and the other branches of mathematical and natural science. All the works of Roger Bacon, for example, are in Latin; and it is worth noting that, although by no means a writer of classical purity, this distinguished cultivator of science is still one of the most correct writers of his time. He was indeed not a less zealous student of literature than of science, nor less anxious for the improvement of the one than of the other: accustomed himself to read the works of Aristotle in the original Greek, he denounces as mischievous impositions the wretched Latin translations by which alone they were known to the generality of his contemporaries: he warmly recommends the study of grammar and the ancient languages generally; and deploras the little attention paid to the Oriental tongues in particular, of which he says there were not in his time more than three or four persons in western Europe who knew anything. It is remarkable that the most strenuous effort made within the present period to revive the study of this last-mentioned learning proceeded from another eminent cultivator of natural science, the famous Raymond Lully, half philosopher, half quack, as it has been the fashion to regard him. It was at his instigation that Clement V., in 1311, with the approbation of the Council of Vienne, published a constitution, ordering that professors of Greek, Hebrew, Arabic, and Chaldaic should be established in the universities of Paris, Oxford, Bologna, and Salamanca. He had, more than twenty years before, urged the same measure upon Honorius IV., and its adoption then was only prevented by the death of that pope. After all, it is doubtful if the papal ordinance was ever carried into effect. There were, however, professors of strange, or foreign, languages at Paris a few years after this time, as appears from an

epistle of Pope John XXII. to his legate there in 1325, in which the latter is enjoined to keep watch over the said professors, lest they should introduce any dogmas as strange as the languages they taught.*

French, which had been the language of the court and of the nobility in England from the Conquest, and in some measure, indeed, from the accession of the Confessor, was now also extensively employed in literary compositions. There were at this time two great dialects of the French tongue, which were familiarly distinguished as the *Langue d'oc* and the *Langue d'oïl*, from the two words for *yes*, which were *oc* in the one, and *oïl*, afterwards *oy* or *oui*, in the other. The *Langue d'oc* was the popular speech of the southern; the *Langue d'oïl*, of the northern provinces; Thoulouse being accounted the capital of the former, Paris of the latter; and the river Loire forming (though by no means with strict accuracy) the general line of division.† The French which was brought over to England by the Norman conquerors was, of course, a dialect of the *Langue d'oïl*; and such accordingly our law French always continued to be. But the annexation to the English crown of Poitou and Aquitaine, on the accession of Henry II., immediately established as intimate a connexion between this country and that of the *Langue d'oc*, as had existed for a century before with that of the *Langue d'oïl*. The former had already for some time received a literary cultivation, and had been made to flow in song in the compositions of the troubadours, or professors of the *gay science*, as the Provençal poets called themselves. Duke William IX. of Aquitaine, the father of Henry's Queen Eleanor, had himself been one of the most distinguished of these sires of the minstrelsy of modern Europe, from whom sprung alike Dante and his successors, the cultivators of the *Lingua volgare* of Italy, and the *trouveurs*, or first metrical writers in the dialect of northern France. It appears, at least, to be most probable (although some eminent authorities have maintained a different opinion) that the latter dialect was not made use of for poetical composition till a considerable time after that of the south had begun to be so employed; but it is certain that long poems were already written in it before the close of the twelfth century;

* Crevier, *Hist. de l'Univ. de Paris*, ii. 119 and 227.

† The *Langue d'oc* is also often called the *Provençal tongue*; and to the *Langue d'oïl* exclusively it has been usual to apply the names of the *old French* and the *Romance*, though the latter, at least, really belongs as rightfully to the *Langue d'oc*, meaning, as it does, nothing more than the Roman or Latin dialect, as the provincial Latin of Gaul was denominated, in contradistinction to the original Celtic language of the people. Both the *Langue d'oïl* and the *Langue d'oc*, therefore, were, properly speaking, *Romance*. They were also equally French in every respect except one, namely, that it is from the *Langue d'oïl*, certainly, that the modern French has been principally formed. In the proper sense of this term, however, it is applicable to neither; the French, or Franks, were a Teutonic people, speaking a purely Teutonic tongue, resembling the German, or more nearly the Flemish; and this tongue they continued to speak for several centuries after their conquest of Gaul. This old Teutonic French is denominated by philologists the *Frankish* or *Francic*, and it is altogether of a different family from the modern French, which has come to be so called only from the accident of the country in which it was spoken having been conquered by the French or Franks,—the conquerors, as in other cases, in course of time adopting the language of the conquered, and bestowing upon it their own name.

and, various circumstances now contributing to the depression of the Provençal troubadours, the poets of the Langue d'oyl ere long came to be still more famous than those of the Langue d'oc, and the former to be even generally accounted the idiom the most happily adapted for poetry. Most of these early poets in the language of the north of France were Normans or Englishmen. Yet the Provençal poetry, too, was undoubtedly well known and in high favour in England, especially after the accession of Richard Cœur de Lion. Of the principal poem attributed to that king,* there are two versions, one (that commonly given) in Provençal, the other in Norman; and it is disputed in which dialect it was originally composed.†

In speaking of the French literature of this period, it would be unpardonable to omit noticing its most remarkable product, or that at least of all its remains which has the most of an English interest, the Chronicle of the inimitable Sire Jean Froissart. Froissart was a native of Valenciennes, where he appears to have been born about 1337; but the four books of his Chronicle, which relate principally to English affairs, though the narrative embraces also the course of events in France, Flanders, Scotland, and other countries, comprehend the space from 1326 to 1400, or the whole of the reigns of our Edward III. and Richard II. Froissart, however, is rather of authority as a painter of manners than as an historian of events; for his passion for the marvellous and the decorative was so strong that the simple fact, we fear, would have little chance of acceptance with him in any case when it came into competition with a good story. In his own, and in the next age, accordingly, his history was generally reckoned and designated a romance. Caxton, in his 'Boke of the Ordre of Chevalrye or Knighthood,' classes it with the romances of Lancelot and Percival; and indeed the 'Roman au Chroniques' seems to have been the title by which it was at first commonly known. On the other hand, however, it is fair to remember that a romance was not in those days held to be necessarily a fiction. Froissart's Chronicle is certainly the truest and most lively picture that any writer has bequeathed to us of the spirit of a particular era; it shows "the very age and body of the time his form and pressure." In a higher than the literal sense, the most apocryphal incidents of this most splendid and imaginative of gossips are full of truth; they cast more light upon the actual men and manners that are described, and bring back to life more of the long-buried past than the most careful details of any other historian. The popularity of Froissart's Chronicle has thrown into the shade his other productions; but his highest fame in his own day was as a writer of poetry. His greatest poetical work appears to have been a romance entitled 'Melliader, or the Knight of the Sun of Gold;' and he

also wrote many shorter pieces, chants royaux, ballads, rondeaux, and pastorals, in what was then called the New Poetry, which, indeed, he cultivated with so much success that he has by some been regarded as its inventor.* On his introduction to Richard II., when he paid his last visit to England in 1396, he presented that monarch, as he tells us, with a book beautifully illuminated, engrossed with his own hand, bound in crimson velvet, and embellished with silver bosses, clasps, and golden roses, comprehending all the pieces of Amours and Moralities which he had composed in the twenty-four preceding years. Richard, he adds, seemed much pleased, and examined the book in many places; for he was fond of reading as well as speaking French.

But while Latin was thus the language of the learned, and French of the noble, the body of the people kept to the expressive Teutonic speech of their ancestors—the Saxon or English. Notwithstanding the circumstances which even before the Norman conquest, and more especially after that event, operated to establish the partial use of the French tongue, it is certain that French never made any progress towards becoming the vernacular language of this country. On the contrary, it seems, from the first, to have lost rather than gained ground in the effort to maintain itself in competition with the Saxon, even as a separate speech. Although, however, it neither supplanted the Saxon in the mouths of the general population, nor even, as has been asserted, acquired the predominance in the mixture or fluctuation of the two languages, it unquestionably did, in course of time, infuse itself largely into the vocabulary of the old national tongue. But the essential forms and structure of that tongue it does not seem to have at all affected. So much of it as was received into the body of the Saxon was assimilated in the process, and converted into one substance with the soil which it enriched. The Saxon, however, even in its forms, underwent, undoubtedly, a very considerable change in the course of the eleventh and twelfth centuries. "But that these mutations," says a late able and learned writer, "were a consequence of the Norman invasion, or were even accelerated by that event, is wholly incapable of proof; and nothing is supported upon a firmer principle of rational induction, than that the same effects would have ensued if William and his followers had remained in their native soil. The substance of the change is admitted on all hands to consist in the suppression of those grammatical intricacies occasioned by the inflection of nouns, the seemingly arbitrary distinctions of gender, the government of prepositions, &c. How far this may be considered as the result of an innate law of the language, or some general law in the organization of those who spoke it, we may leave for the present undecided; but that it was in no way dependent upon external circumstances, upon foreign influence or political

* See ante, p. 502.

† For the most complete account of the Anglo-Norman poets see a series of papers by M. de la Rue, in the 12th, 13th, and 14th volumes of the *Archivologia*.

* See Warton, *Hist. of Eng. Poetry*, li. 173 and 200.

disturbances, is established by this undeniable fact—that every branch of the Low German stock, from whence the Anglo-Saxon sprang, displays the same simplification of its grammar. In all these languages there has been a constant tendency to relieve themselves of that precision which chooses a fresh symbol for every shade of meaning, to lessen the amount of nice distinctions, and detect, as it were, a royal road to the interchange of opinion.*

The change here described may be considered as having been the first step in the passage of the Anglo-Saxon into the modern English; the next was the change made in the vocabulary of the language by the introduction of numerous terms borrowed from the French. Of this latter innovation, however, we find little trace till long after the completion of the former. For nearly two centuries after the Conquest the Saxon seems to have been spoken and written with scarcely any intermixture of Norman. It only, in fact, began to receive such intermixture after it came to be adopted as the speech of that part of the nation which had previously spoken French. And this adoption was plainly the cause, and the sole cause, of the intermixture. So long as it remained the language only of those who had been accustomed to speak it from their infancy, and who had never known any other, it might have gradually undergone some change in its internal organization, but it could scarcely acquire any additions from a foreign source. What should have tempted the Saxon peasant to substitute a Norman term, upon any occasion, for the word of the same meaning with which the language of his ancestors supplied him? As for things and occasions for which new names were necessary, they must have come comparatively little in his way; and, when they did, the capabilities of his native tongue were abundantly sufficient to furnish him with appropriate forms of expression from its own resources. The corruption of the Saxon by the intermixture of French vocables must have proceeded from those whose original language was French, and who were in habits of constant intercourse with French customs, French literature, and every thing else that was French, at the same time that they spoke Saxon. And this supposition is in perfect accordance with the historical fact. So long as the Saxon was the language of only a part of the nation (though that was always infinitely the most considerable part in respect of numbers), and the French, as it were, struggled with it for mastery, it remained unadulterated;—when it became the speech of the whole people, of the higher classes as well as of the lower, then it lost its old Teutonic purity (though only in its vocabulary, not in its forms or its genius), and received a large alien admixture from the alien lips through which it passed. Whether this was a fortunate circumstance, or the reverse, is another question. It may, however, be observed, that the Saxon, as has just been intimated, had already lost

some of the chief of its original characteristics, and that, if left to its own spontaneous and unassisted development, it would probably have assumed a character resembling rather that of the Dutch or of the Flemish than that of the German of the present day.

With the exception of several songs and other short poetical pieces—one of the most remarkable of which is a ballad in celebration of Simon de Montfort's victory at Lewes in 1264—a few metrical chronicles and romances, for the most part translated from the French, constitute the only compositions now remaining that can be said to be written in the English, as distinguished from the Anglo-Saxon language, before the end of the reign of Edward I.* The Chronicle of Robert of Gloucester, being a history of England from the landing of Brutus to the accession of Edward I., is a metrical, but anything rather than a poetical, version of the Latin History of Geoffrey of Monmouth. It is supposed to have been written about the year 1280. The similar performance of Robert Mannyng, often called Robert de Brunne (from his monastery of Brunne, or Bourne, in Lincolnshire), which was produced about twenty years later, is scarcely of any higher order of merit. It is translated from two French chronicles, one itself a translation from Geoffrey of Monmouth (and the same that Layamon had already translated into Saxon), by Wace of Jersey, who flourished in the middle of the twelfth century, the other written by Peter Langtoft, a monk of Bridlington in Yorkshire, who lived not long before Mannyng himself.† The language appears in these works in almost the rudest possible state, though Mannyng's style is somewhat less harsh and confused than that of his predecessor. Some improvement, however, is discernible in the next reign in the devotional poems, dull as they are, of Adam Davy, and still more in the romance entitled 'The Life of Alexander,' which has been improperly attributed to that writer. But of all the writers before Chaucer, the one in whose hands the language seems to have made the most remarkable advance in flexibility and correctness, was Laurence Minot, who flourished in the earlier part of the reign of Edward III., and wrote a series of poetical pieces on the warlike achievements of that king, which have gained for him, from an eloquent modern critic, the title of 'the Tyrtaeus of his age.'‡

Towards the close of the reign of Edward III.

* The celebrated romance of the Geste of King Horn, generally quoted as the earliest English romance, must be considered (whether it be translated or original) as rather a Saxon than an English poem, even in the form in which we now possess it. Its language appears to be of the same date with that of the Saxon translation of Wace's *Le Brut*, by Layamon, or the paraphrase of the Gospel histories, entitled '*Ormulum*,' both of which are assigned to the reign of Henry II. The romance of Sir Tristrem, again, which has been supposed to be the production of the Scottish poet Thomas of Erildown, or the Rymur, who lived in the thirteenth century, is now generally considered not to be, in its present form, of that antiquity.

† Hearne published Robert of Gloucester's Chronicle in 2 vols. 8vo. Oxford, 1794; and the second part of Mannyng's, under the title of 'Peter Langtoft's Chronicle,' 2 vols. 8vo., Oxford, 1725. Mannyng accordingly is usually quoted under the name of Langtoft. The first part of Mannyng's Chronicle has never been printed.

‡ Essay prefixed to *Specimens of the British Poets*, by T. Campbell, Esq.

* Preface, by Price, to Warton's *Hist. of Eng. Poetry*, p. 110.

Robert (or, as he ought more probably to be called, William) Langland wrote his singular poem entitled 'The Visions of (that is, concerning) Pierce Plowman,' in a diction and fashion of versification both of which seem to have been intended as imitations of a Saxon model. The lines here are constructed upon the principle, not of rhyme, but of alliteration; and instead of the introduction of any new words or forms of expression, the aim of the author evidently is to revive as many as possible of those that had become obsolete. In vigour, animation, and general poetical merit, however, Langland far excels any of the writers that have yet been named.

But he does not distance his predecessors nearly so far as he is himself distanced by his immortal contemporary, Geoffrey Chaucer, the true father of our English literature. Compared with the productions of this great writer, all that precedes is barbarism. It is curious that at the very time when the author of the 'Visions of Pierce Plowman' was labouring to reinvigorate the language by the restoration of its lost forms, another mind should have entered upon the work of its renovation by the opposite process, of moulding it to a spirit and manner of expression different, in various respects, from what it had ever before known. Yet it was no doubt the same feeling of dissatisfaction with its existing state that prompted the endeavours of both. The mightier genius, however, undoubtedly chose the wiser course. To Chaucer our language principally owes the foundations of its still enduring constitution, as well as the whole body of our poetry much of its peculiar and characteristic spirit. He is the father of our literature in a much higher and truer sense than in that of merely standing formally and by accident at its head. It has been made in great part what it is through the example which he set to his successors, and the influence and inspiration of the works which he bequeathed to them. But for two hundred years Chaucer had no successor; in that early morn of his language he produced compositions which the most gifted of his countrymen were scarcely able to appreciate, far less to rival, till after the commencement of altogether a new era of civilization. Nor has there even yet arisen among us any poet, Shakspeare alone excepted, surpassing, in the entire assemblage of his various qualities, this wonderful minstrel of the fourteenth century. Spenser's is a more aerial, Milton's a loftier song; but the poetry of neither of these displays anything of the rich combination of contrasted excellencies that gives so much life and splendour to that of Chaucer—the sportive fancy, painting and gilding everything, with the keen, observant, matter-of-fact spirit that looks through whatever it glances at,—the soaring and creative imagination, with the homely sagacity, and healthy relish for all the realities of things,—the unrivalled tenderness and pathos, with the subtlest humour and the most exuberant merriment,—the wisdom at once and the wit,—the all that is best, in short, both in poetry

and in prose, at the same time. The comprehensiveness and manifold character of Chaucer's genius is evidenced by the very diversity of the springs of inspiration to which he resorted. The Provençal troubadours, the Norman romancers, the bright array of the stars of the young poetry of Italy, were all sought out by him, and made to yield light to his "golden urn." His works comprise translations or imitations of his predecessors or contemporaries, the restorers of poetry, in all these languages, and in all the various kinds of composition which they had made famous. No writer has taken a wider range in respect of subject and manner, or has evinced a more triumphant mastery over the whole compass of the lyre. His 'Canterbury Tales' alone, indeed, include nearly every variety of gay and serious poetry: in this crowning work his matured genius revels in the luxuriance of its strength, and seems to rejoice in multiplying proofs of its command over all the resources of its art.

Another name is commonly mentioned along with that of Chaucer—"the Moral Gower," as



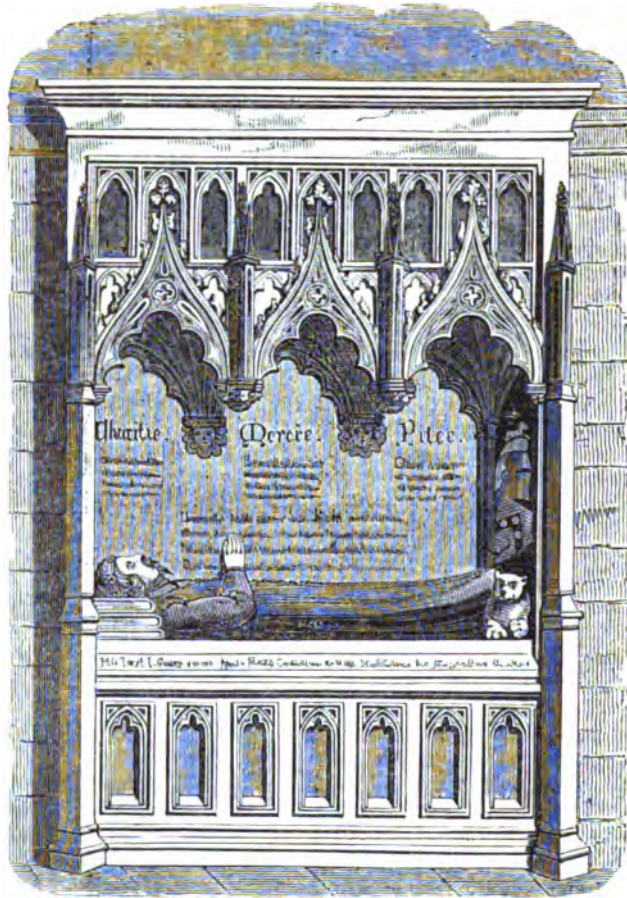
JOHN GOWER.

his friend Chaucer himself has designated him.* And, in truth, he is more moral than poetical—though he wrote a great quantity of Latin and French verse, as well as English.

This is also the age of the birth of Scottish poetry. Two remarkable works in that dialect, the 'Bruce,' by John Barbour, Archdeacon of Aberdeen, and the 'Cronykil' of Andrew Wynton, Prior of Lochleven, remain, both of which are productions of the latter part of the fourteenth century. Barbour displays occasionally considerable poetical spirit. This writer, it may be remarked, calls his language English, as in truth it was; for the Lowland Scottish is undoubtedly nothing else than a dialect of the Saxon.

Of the English prose literature of the fourteenth

* In the 'Troilus and Criseyde.'



GOWKE'S MONUMENT, ST. SAVIOUR'S CHURCH, SOUTHWARK.

century that has survived, the most remarkable specimens are Trevisa's translation of Higden, mentioned above, and Wycliffe's translation of the Scriptures. The Bible is said to have been also translated by Trevisa. An indenture, dated in 1343, has been referred to as the earliest known legal instrument in English. Although Edward III. ordered the pleadings in courts to be carried on in English in 1362, the earliest instance that occurs of the use of the language in parliamentary proceedings is in 1388.

Gothic architecture, which prevailed throughout the greater part of Europe from the twelfth century to the sixteenth, presents itself to our inquiries in a constant state of progression. One change is only a transition to another. It is also variously modified by the several countries which adopted it, and considerable differences occur even in the manner of its original transition from the Romanesque. The thirteenth century is the period of its nearest approach to general uniformity. It then diverges into different national characteristics, which are nowhere more strongly or distinctively

marked than in England; and, finally, when a classical style of building is revived, as if by common consent among nations, each arrives at its object by a different path.

In no country has Gothic architecture produced more numerous or remarkable results than in Great Britain; for although our later style may want something of the grace and luxuriance of the Norman Gothic, and our religious and other public edifices may not equal the vastness of some of the German cathedrals, yet we possess structures displaying architectural combinations peculiarly our own, and pre-eminent in decorative effect and boldness of execution.

Gothic must not be considered merely as *differing* from classical architecture. It is diametrically opposed to it upon principles no less fixed and consistent than its own. In the two preceding Books we have traced the gradual disappearance of every distinguishing feature of regular architecture as it became applied to new purposes, and its parts formed into new combinations; and in this state architecture remained, destitute of any real principle, until the forms necessarily resulting from the

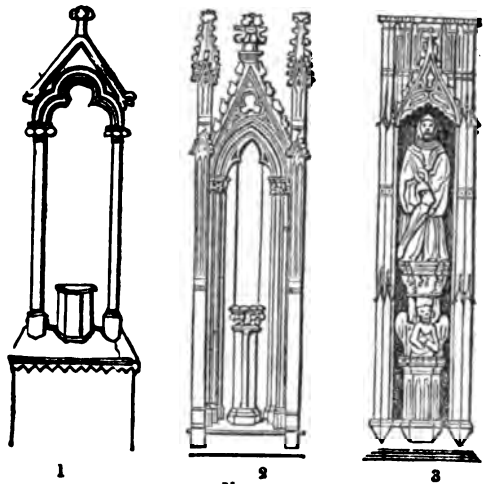
construction of the Christian Basilica, and the general introduction of vaulted roofs, appear to have suggested the predominance of the vertical line as the principle of composition.

Gothic architecture consists in the perfect development of this principle. It was in gradual progress during the last modification of the Romanesque, and was soon carried to its utmost extent: the pillars were clustered throughout to assimilate with the lofty and slender shafts supporting the vaulting of the nave; the capitals reduced, and their salient angles suppressed so as to produce the least possible interruption to the eye in its progress upward. The same tendency was observed in pointing the arch; and the distinct and deeply-cut mouldings which replaced the ancient archivolt, were calculated to continue the impression produced by the vertical lines of support. The buttress became an important feature both in composition and construction, being spread toward the base, and carried above the walls, in order to resist the thrust of the main vaulting, through the medium of the flying buttress—the boldest combination of strength and lightness ever imagined. Every horizontal member was reduced to comparative insignificance.

In every step of its progress Gothic architecture is based upon this general principle; but the modifications in its subordinate and decorative forms are such as unerringly to distinguish the Gothic of one period from that of another. Three styles arising from such modifications have been discriminated* in that peculiar to Great Britain, of which two appeared and passed away nearly within the limits of the historical period now under consideration, viz.—the *Lancet*, or *Early English Gothic*, extending through the reign of Edward I. and the *Decorated English* extending to nearly the end of the fourteenth century.†

I. The early English style, of which Salisbury Cathedral (founded in 1220 by Bishop Poore, on the removal of the see from Old Sarum) is the most complete and extensive example, maintains great simplicity in its composition. Pinnacles are little used, being confined to the principal angles of the edifice; and the buttresses, with which they were afterwards principally combined, finish with a triangular pediment. Arched panneling is still used abundantly; and to this mode of decorating the walls we owe the introduction of niches and canopies, which make an early appearance in the west front of Salisbury, and are still farther advanced in the contemporary façade of Wells. As yet, however, they consist only of a deepened arch surmounted by a pediment, and a corbel, or very small pedestal, for the figure. Detached and banded shafts are a peculiar characteristic of the columns of this period. They are also much used in doorways, of which the larger sort are planned with a

deep arch, composed of an immense cluster of mouldings, forming several planes of decoration,



1. Early English, from Salisbury Cathedral. 2. Decorated English—York. 3. Decorated English—York.

and inclosing a double entrance. These entrances are not always arched, but sometimes turned into a form peculiar to the period, being a square head with small rounded haunches. This sort of open-



ing is also common in smaller doorways and in domestic architecture. Segmental arches, as in the triforium of the south transept at York, and a depressed arch with a knee, are also very generally in use where a high pitch might be inconvenient. The latter occurs in the doorway to the south transept of Westminster Abbey.

The windows of this style, in its early stage, are tall and narrow, without any division or tracery, but generally combined in groups of two, three, five, or seven openings; thus, as in the beautiful example of the north transept of York, opening the whole compartment of the building in a manner analogous to the spacious windows shortly afterwards introduced.

This simple form was not long maintained; and the enlargement of the windows, their division into two or more lights within a single external arch, and the introduction of tracery, form a second division in the early English architecture. An early double window occurs in the south transept of York, founded in 1227; but in Westminster Abbey, begun by Henry III., in 1245, the plain lancet window is nearly laid aside, the openings being for the most part divided by a shaft, and the head of the arch occupied by a feathered circle. In the triforium of the same building the tracery is to be observed coinciding with the mouldings of the arch, differing in this respect from the earlier

* Rickman.

† As the world have agreed to understand the term Gothic, it has a good claim (to whatever objections it may be open) to be used until a better shall be established. Mr. Whewell has advanced good reasons for its use in a generic sense. The term English as applied to a species of Gothic is perfectly definite.

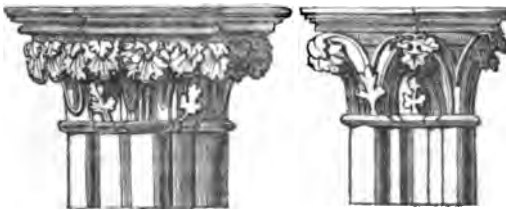
examples of York and Salisbury, where the openings are all merely independent quatrefoils, pierced through the blank space in the spandrels of the arches,—a certain indication of an early date.

Tracery in circles, varied only by multiplying its parts, may be followed down to the end of this period, when the increased breadth of the window, and the number of its subdivisions, led to a more minute and complicated manner of laying out the space above the springing of the arch.

With regard to the decorations of this period, the trefoil and quatrefoil were introduced and freely used in its earliest stage; but the most characteristic ornament, and one almost peculiar to the English Gothic, is the indentation known as the *dog's tooth*. This was soon improved into a sort of pyramidal four-leaved flower, in which shape it is used in the most extraordinary profusion, as in the south transept of York, where it not only fills most of the hollow mouldings inside and out, but

follows the line of the pediments, the angles of the buttresses, and even the shafts which decorate the window-jambas. It appears to have been laid aside about the middle of the thirteenth century—being used more sparingly in the north transept, and not occurring in any part of Westminster Abbey. The Early English foliage is more easily understood from prints than from description. A trefoil leaf of peculiar character enters largely into its composition. It is always deeply cut, and in capitals turns over, so as frequently to resemble a volute. One great characteristic of this period is, the careful manner in which all the decorations are executed. There is much of the other styles (as Mr. Rickman observes), which appears to be the copy by an inferior hand of better workmanship elsewhere: this is remarkably the case in *Perpendicular* work, but is hardly anywhere to be found in the early English style.

The first step was made during this period



EARLY ENGLISH CAPITALS—York Cathedral.



DECORATED ENGLISH CAPITALS—York Cathedral.

toward that magnificent style of roofing peculiar to the English Gothic, by the addition of intermediate ribs to the arches and cross-springers of the early vaulting. In the continental Gothic the vaulting seldom advances beyond these simple elements—a circumstance which gives an appearance of baldness and want of consistency to some of its most splendid examples. This early improvement in the style of vaulting may be connected with the introduction of polygonal chapter-houses, in which it branches out in a rich cluster of moulded ribs from a central column. That of Lincoln is one of the earliest examples, exhibiting the lancet-window and the toothed ornament. It was followed by many others, particularly those of Westminster, Salisbury, York, Southwell, and Wells: the last-mentioned, however, is of a later style. The complete quadrangular cloister is another improvement made at this date, of which Salisbury remains among the earliest and most perfect examples.

In the general arrangement of the greater churches of this period, the suppression of the apsis must be noticed as one of the points in which the English style already diverged from that of the continent, where the apsis was always retained. It was caused probably by the innovation of adding the lady chapel to the eastern extremity of the building.

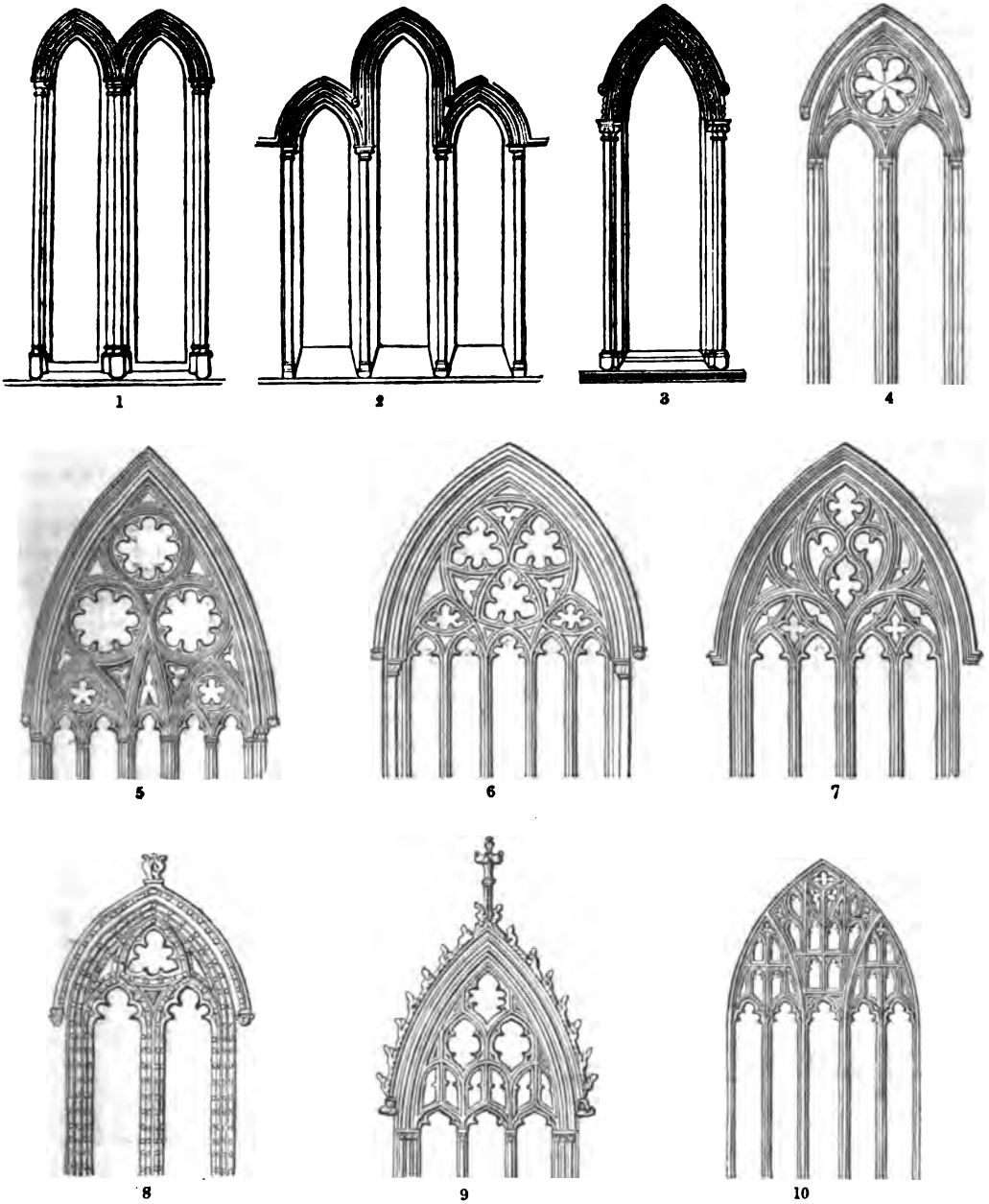
Parish churches are numerous in the early English style. It is probable that many of those erected before the Conquest may have fallen into

decay, and been replaced about this time. The ancient plan of a nave and chancel without side aisles is still retained in those of the smaller class.

We must not quit this style without noticing the spire, which was introduced at a very early date. In fact, an example remains at Sleaford, in Lincolnshire, which evidently belongs to the transition. In its first form the spire retains something of its original character of a pointed roof, rising immediately from the projecting cornice of the tower; but though this form runs occasionally far into the succeeding style, a more graceful mode of construction was soon adopted by placing the spire within the parapet of the tower, and grouping it with the pinnacles at the angles, as in that of Chichester Cathedral, which may be assigned to this period, though perhaps completed somewhat later.* The spire of Old St. Paul's, rising to the height of 520 feet, was added to that structure as early as 1222.† It was, however, of timber, covered with lead.

II. The reign of Edward II. brings with it the *Decorated English* style, of which the most striking characteristics are furnished by the tracery of the windows. The great east and west windows were introduced into churches at this period—another striking deviation from the continental Gothic, in which the decoration of the west front is centred in its lofty and gorgeous portals, and wheel-windows. This latter form is comparatively rare in English churches; and, where it does occur, is confined to

* Rickman, † Stowe.



PROGRESSIVE EXAMPLES OF WINDOWS IN THE THIRTEENTH AND FOURTEENTH CENTURIES.

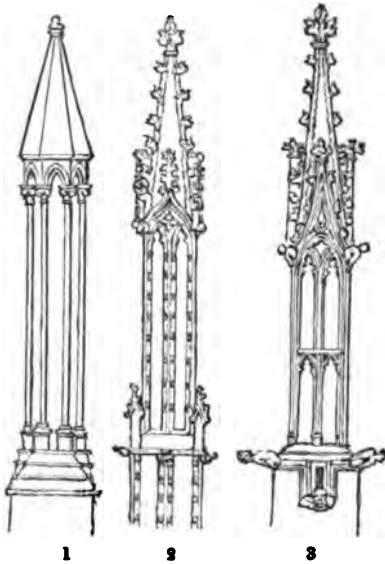
1. Early English. — 1. From the Lady Chapel, Winchester. 2. York. 3. North Transept, York. 4. Westminster Abbey. 5. Chapter House, York, transition to II. Decorated English. — 6. Exeter, — Geometrical Tracery. 7. Kirtou Church, Lincolnshire, — Flowing Tracery. 8. Badgeworth Church, Gloucestershire, — Example of the Ball-Flower Decoration. 9, 10. Choir, York, transition to the Perpendicular.

the transepts, as in the cathedrals of York and Lincoln, which afford fine examples both of the Early and Decorated styles. The earliest style of tracery at this epoch is that known by the name of *Geometrical*, from its formation in regular figures, trefoils, quaterfoils, &c., instead of a combination of circles alone, though the latter figure is by no means abandoned, and frequently forms the leading line in the head of the window. Of this

description are the windows of Exeter Cathedral, the work of the early part of the fourteenth century; but they are not without a mixture of compound curves, harmonizing the abrupt junction of the more formal geometrical shapes, in a manner which forms a natural transition to the flowing and ramified tracery of the time of Edward III. This latter style is displayed in its ultimate form in the magnificent nave and west front of York Cathedral,

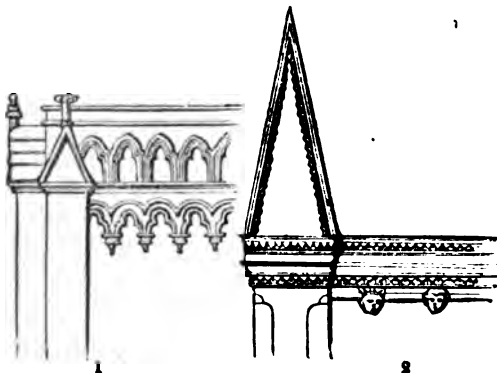
completed about 1330. But its reign was short, and, if considered as analogous to the *Gothique flamboyant* of Normandy, it must be admitted to have been but imperfectly developed in this country; and it presents varieties which it is not always easy to reconcile or assimilate. It speedily passed into a transition ending in the *Perpendicular* style, in which the English Gothic finally diverged from that of the continent. The peculiarities of the latter style are strongly infused into the choir of York Cathedral, begun as early as 1361, though not completed till the beginning of the fifteenth century.

The other characteristics of the Decorated English may perhaps be best understood by a comparison with those of the preceding period. The buttresses are now finished by pinnacles, and their gradations marked by pediments highly enriched with crockets.



PINNACLES.

1. Early English, from Wells Cathedral. 2. Decorated English, St. Mary's, Oxford. 3. Decorated English, York.



EARLY ENGLISH CORNICES AND CAPS OF BUTTRESSES.

1. Salisbury Cathedral. 2. Southwell Minster.

pediment is greatly increased in height and decorated with tracery; but, at a later period, the prevalence of the flowing line effects another revolution in its shape and proportion, and it is lowered and curved into the form of an ogee. During this transition the two pediments were frequently used one within the other, as in the abbey gateway at Bury St. Edmunds.

The shafts of the piers are no longer detached from the main columns, but are worked in the same stone, the whole forming an integral clustered pillar. The capitals are more varied than in the earlier style, and the form of the abacus alters from a circle to an octagon. The arch mouldings become bolder, and, in the latter part of the style, are often continued uninterruptedly down the column alternating with the shafts. Shafts are still used in the decoration of doors and windows, but in the composition of ornamental panneling they begin to be superseded by slender buttresses and pinnacles. Niches make great progress early in this style, being much increased in size and importance. The screen to the west front of Exeter Cathedral, composed entirely of niches and tabernacles, is the work of Bishop Grandisson in 1330. In another stage of improvement, the canopies were thrown out beyond the face of the building, terminated with lofty finials, and decorated with clusters of pinnacles.

The cornices of this period are composed with a hollow moulding, in which large flowers, grotesque heads, and other forms are placed at intervals. Open parapets came at this time into use, but were gradually superseded by battlements, either plain or pierced with tracery, as the building is more or less decorated.



The foliage of this period is extremely rich and in a more natural style than the stiff, curled forms of the Early English. The ornament called "the ball flower" is altogether peculiar to this style. It is described by Rickman as "a small round bud of three or four leaves, which open just enough to show a ball in the centre." It is sometimes used in the same profusion as the toothed ornament in the Early English, and is a no less certain indication of the period to which it belongs. The vaulting continues to advance in decoration. At Exeter the spandrels of the roof have three intermediate ribs on each side, between the cross springers, forming a pendentive of great richness of effect, though without complication. In the nave of

York, the mouldings begin to be crossed and interlaced, a system which, in the choir of Gloucester, vaulted by Abbot Boyfield at the very close of the period, is carried to the point of confusion. The choir of Tewkesbury is an excellent specimen of this age and of the first step in the transition to fan-tracery.

The two styles occupying the present period contributed greatly to our national monuments of ecclesiastical architecture. Salisbury is, indeed, the only cathedral built entirely and uniformly in the early English Gothic, but important additions were made in that style to several others.

The presbytery at Winchester is to be noticed as one of the earliest examples of unmixed Gothic, being the work of Godfrey de Lucy, who held that see from 1189 to 1205. The transepts at York have already been mentioned incidentally. They are further deserving of attention as exhibiting two gradations of the style, the south having been begun at an early period and continued by Archbishop Grey in 1227, and the north being the work of John le Romayne about the middle of the century. To these examples may be added the presbytery of Ely and the nave and choir of Lichfield, both erected about 1235; the nave and choir of Wells, dedicated by Bishop Joscelyn about 1240; and the nave of Durham, erected by Prior Melsonby between 1242 and 1290. Of Westminster Abbey, the eastern part only was completed by Henry III., and its subsequent continuations, on a uniform design, furnish an interesting study of the progressive changes in detail. In Scotland, the Early English style prevails in the cathedrals of Glasgow and Aberdeen, in the magnificent ruins of Elgin, and the abbey of Holyrood.

Of the Decorated English style there are early examples in the ruins of Croylad and Tintern, and in Exeter Cathedral, already noticed. The nave of York was the work of forty years, and was completed in 1330. The south isle of Gloucester Cathedral, remarkable for the peculiar tracery of its windows and the profusion of the "ball-flower," dates from 1320. A great part of the cathedral of Bristol, including the tower, was erected between 1320 and 1363. The choir of Lincoln, 1324, is one of the most magnificent works of the age, but rather peculiar in style, and retaining in an unusual degree some characteristics of an earlier date. The chapel of St. Stephen, at Westminster, begun in 1330, was remarkable as a complete work of the period, and also for the transcendent splendour of its decorations. The unrivalled lantern of Ely was begun in 1328; the nave of the cathedral of Beverley, the choir of that of Rippon, and the east end of that of Carlisle, all date between 1330 and 1370, during the period when ramified tracery was in its greatest perfection. The great window in the last surpasses every other English example in the same style. The choir of York has been already referred to: the central tower is of the same date and character, and was erected by Walter Skirlaw in 1372. The choir of St. Nicolas at

Aberdeen, the College Church at Edinburgh, and the celebrated Abbey of Melrose, may be cited as beautiful examples of this style in Scotland. The High Church of Edinburgh is of the same period, but modern alterations have left little of its original character visible.

The spires of this period are numerous and magnificent. Among them stands that of Salisbury, added to the structure in 1331, pre-eminent in height and graceful proportions: that of St. Mary's, Oxford, 1340, is remarkable for the rich clustered group formed by the surrounding pinnacles. Many spires of this date are lighted by a graduated series of windows, crowned by the high pediment peculiar to the style, as at Newark and St. Mary's, Stamford. None of these examples are crocketed, though the angles of that of Salisbury are thickly studded with knobs; but the crocketed spire became common before the end of the period.

Parish churches in the Decorated English style are numerous and splendid, particularly in Lincolnshire, where ecclesiastical architecture appears to have flourished in an especial manner during the fourteenth century.

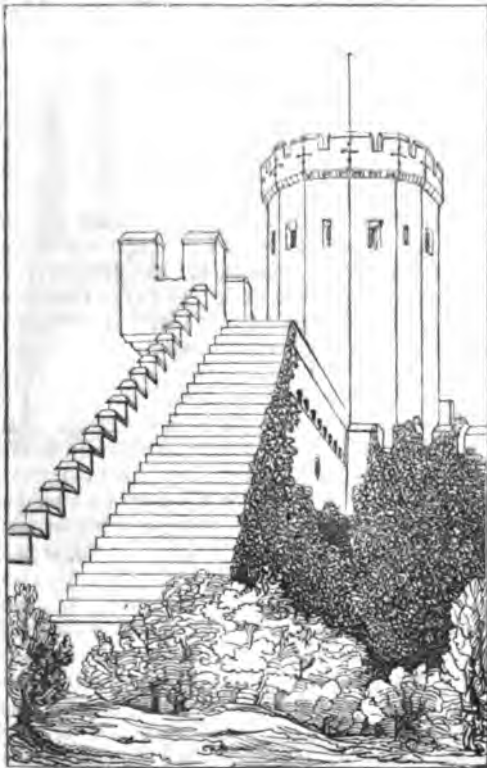
The foregoing list of examples might be greatly increased, but instead of extending a catalogue of names, we have endeavoured to comprise everything that can interest the general reader in a progressive series of examples selected from the buildings best known and most easily referred to.*

There is little to record respecting castellated and domestic architecture during the Early English period. Castle building had received a check at the accession of Henry II. by the enactment that no subject should fortify his residence without a license from the crown. Of domestic architecture there are fewer remains of the thirteenth century than of any other period since the Conquest, and those few (to use Walpole's words) still imply the dangers of society rather than its sweets. Additions, bespeaking some advance in refinement, began indeed to collect round the sullen keeps of the Norman era; and we find a precept from Henry III. for the erection of an apartment within the castle of Guildford for the use of his daughter-in-law, Eleanor of Castile, consisting of a chamber with a raised hearth and chimney, a wardrobe, and other conveniences, and an oratory; and it is particularly specified that the windows are to be glazed. But with the reign of Edward I. a new era commences, and the castles raised by that monarch for the security of his new dominion in Wales are among the first which combine the fortress and the palace in an integral structure. Conway Castle includes two courts within the body of the building, the great hall (thenceforward indispensable in every royal and noble habitation) occupying one side of the lower area. The separate apartments of the king and queen are to be distinguished, both at Conway and Caernarvon. In

* See Britton's *Cathedrals and Architectural Antiquities*,—Storer's *Cathedrals*,—Carter's *Antiquities*,—Hallpenney's *York*,—and the publications of the Antiquarian Society.

the former, tradition points out the "Queen's Oriel," a room with some pretensions to elegance, opening upon a terrace, and commanding a beautiful view of the surrounding scenery. Still the domestic conveniences of the buildings of this age by no means keep pace with their increased extent; and the room in which Edward II. was born, at Caernarvon, is a confined cell, dark and misshapen.

From these innovations in the plan of constructing castles, new architectural features are naturally developed, of which the most striking is the grouping of the numerous and variously-shaped towers, those flanking the gateway being usually conspicuous by their size and lofty proportion. The grand and picturesque combinations of which this style of building is susceptible were not overlooked by the architects of a later date, and the castellated outline, especially in the gateways, was retained in our baronial residences long after every essential point belonging to a fortress was given up. Strength, however, was still an object in the majestic structures of the fourteenth century, among which it may be sufficient to cite the castles of Alnwick, Raby, Bolton, and Warwick. In the last, Guy's Tower, the work of Thomas Beau-



GUY'S TOWER, WARWICK CASTLE.

champ, Earl of Warwick, in the reign of Richard II., is perhaps one of the latest constructed with Norman solidity and for the real purposes of defence. The magnificent hall and other buildings

constituting the upper ward of Kenilworth were begun by John of Gaunt in the same reign. Windsor is also of this period. It had always been a royal residence, but was rebuilt and enlarged by Edward III. to the extent of at least the whole upper ward as it now exists, though its original features have long been obliterated. It must not be omitted that the architect of this proud pile was William of Wykeham, afterwards the munificent Bishop of Winchester.

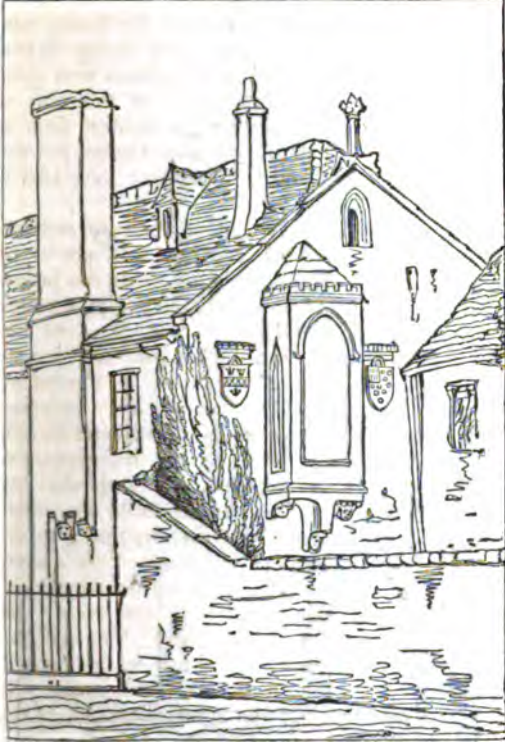
The machecoulis, a contrivance for casting missiles on the head of an assaulting enemy by projecting the parapets upon corbel stones with openings between, is an innovation of the time of Edward I. It was used in its boldest form in gateways, as in that of Lancaster Castle, and was retained as a picturesque ornament long after it ceased to be of use.

The gradual improvement of domestic architecture at a period when security was not to be disregarded, combined probably with the jealous restrictions imposed upon the erection of domestic fortresses, produced, towards the close of the thirteenth century, the embattled and moated house. Stokesay, or Stoke Castle, in Shropshire, may be described* as the type of a very numerous class of manor-houses in the fourteenth and fifteenth centuries. Laurence de Lodelow had license to embattle this house in 1291, and with this date the architectural details are perfectly consistent. The building is a parallelogram, inclosing a court of 130 feet by 70, and is protected by a moat. The house and offices, with the entrance tower and gateway, occupy three sides of the court; the fourth is inclosed by a wall only. The hall, 54 feet long and 32 wide, is lighted by four arched windows on one side, and three on the other. It has no chimney, and the massive rafters of the high-pitched roof are blackened with the smoke from the hearth in the centre. The hall communicates at one end with the *great chamber*, and at the other with the offices. A large polygonal tower, rising at one of the angles, and surmounted by an embattled parapet with loop-holes, gives a castellated appearance to the edifice. This tower contains three large rooms, in as many stories, communicating by a spiral stair. A similar tower at the opposite angle appears to have been left incomplete: it is planned in smaller divisions belonging to the offices. Markenfield Hall, in Yorkshire, is a building of the same class, and of nearly the same date; embattled, but not, properly speaking, fortified, and without any towers except a staircase turret.

The mere domestic style of this period is very simple, consisting of plain gabled outlines, combined, when the extent of the building renders combination necessary, without much attempt at general effect. Northborough Hall, in Northamptonshire, is a quadrangular house of this description; it is nevertheless executed with much architectural luxury. The decorations are elegant and

* See Britton's *Architectural Antiquities*, vol. iv.

highly finished; and the free use of the ball-flower places it in the first half of the fourteenth century. Another example of later date remains near the cathedral at Lincoln, and is remarkable for a very early pendant oriel, a form which figures so conspicuously in the architecture of the next century. It was soon carried to perfection, and a highly enriched specimen survives in the palace erected in the same city by John of Gaunt about 1390.



HOUSE OF THE FOURTEENTH CENTURY, AT LINCOLN.

The Roof, Chimney Shafts, and Square Windows, are Modern.

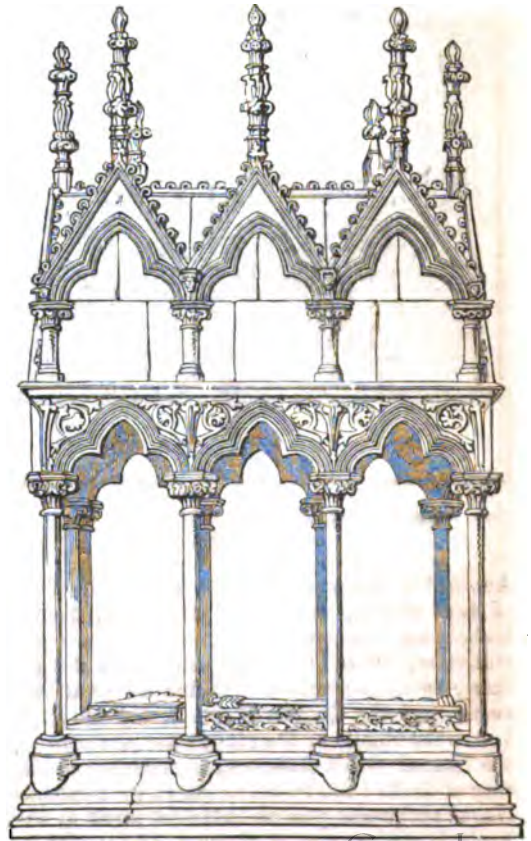
Little change took place in the principles of domestic architecture in the north;* but the fortalices of this period, both in Scotland and on the border, are marked by the introduction of overhanging turrets at the angles, seldom seen in the castellated buildings of England.

Great alterations took place during the Early English period in the style of sepulchral monuments, which must thenceforward be considered under the head of Architecture. The first change was the general adoption of the altar-tomb, a flat, raised table, on which the recumbent effigy is placed. This form soon became general even when there was no effigy. The altar-tomb of William Longspee, Earl of Salisbury, in the cathedral at that place, is one of the earliest: he died in 1226.† Both the tomb and effigy are of wood, painted and gilt. The effigy of William de Valence, Earl of Pembroke, at Westminster, who died in 1296, is also of wood,

but plated with copper, and enamelled in colours; an art supposed to have been introduced about this time from Constantinople. The sides of these tombs are pannelled and filled up with shields of arms, a mode of decoration never afterwards laid aside; but niches, containing effigies of the family of the deceased, were added before the end of the thirteenth century, and afterwards carried to a high pitch of decoration.

The flat grave-stone, with the inscription deeply cut and filled with metal, was also introduced very early in the thirteenth century, so that the coffin *en dos d'âne* became generally superseded.

The next great feature in monumental architecture is the canopy, probably suggested by the *catasfalque*, still used in funeral ceremonies abroad, and sometimes on extraordinary occasions in our own country. This being united with the altar-tomb, in which the body was deposited above ground, the mode of sepulture (as King observes) became a sort of perpetual lying in state. The most magnificent of these canopied tombs are detached; many more are engaged in the walls. They continued in vogue long enough to survive the style which gave them birth, and were executed with all the luxury of art until the seventeenth century, varying in their details with the march of architecture. The monument of Walter Grey,



TOMB OF ARCHBISHOP GREY—York Cathedral.

* See p. 624.

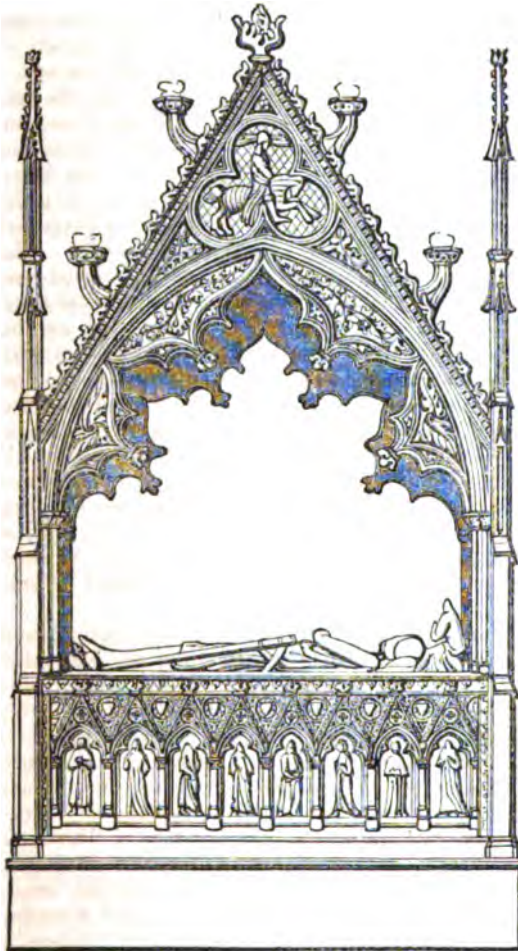
† The altar-tomb of King John is much later than the effigy.—

See p. 612.

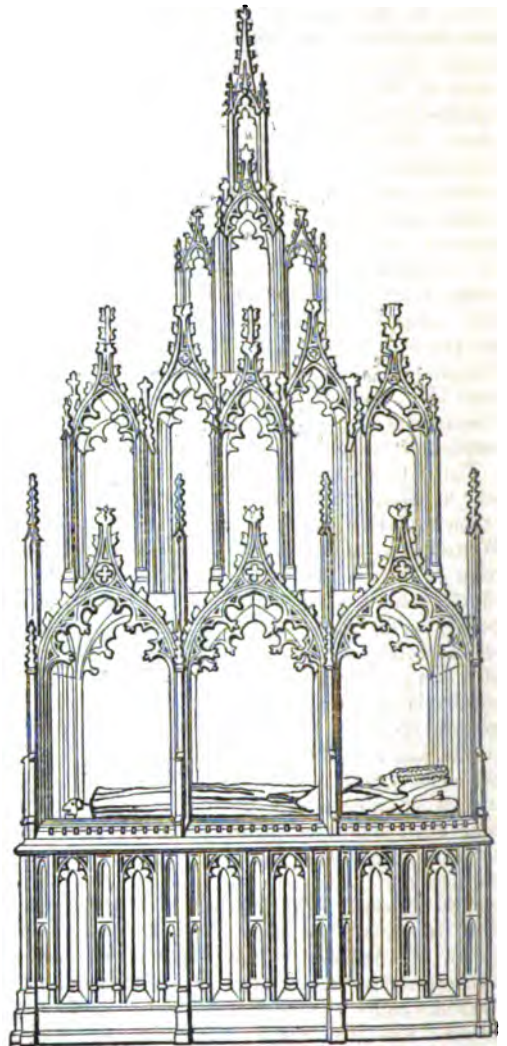
Archbishop of York, who died in 1225, and those of Aymer de Valence, Earl of Pembroke, at Westminster (1334), and Hugh le Despenser, Earl of Gloucester, in Tewkesbury Abbey (1359), may be cited as progressive examples of this species

of architecture in the thirteenth and fourteenth centuries.

The higher branch of sculpture advanced greatly during the thirteenth century. Monumental effigies of this period are numerous and interesting.



TOMB OF AYMER DE VALENCE—Westminster Abbey.



MONUMENT OF HUGH LE DESPENSER, EARL OF GLOUCESTER, AND HIS COUNTESS—Tewkesbury Cathedral.

Among the earliest works of this class the figure of Lord de Ros, in the Temple church, displays both grace and spirit. Basso-relievo was also cultivated. It is often introduced upon flat surfaces, as in the spandrels of the arches at Worcester and the Chapter House of Salisbury, and before the middle of the century the sculptures on the front of Wells Cathedral, representing the history of the Old and New Testament, were executed. These sculptures possess sufficient merit to have excited the admiration of Flaxman, who pronounces especially upon the relievo representing the creation

of Eve, that among many compositions on this subject by Giotto, Buonamico, Buffalmacco, Ghiberti, and Michel Angelo, this is certainly the oldest, and not inferior to many others. He further observes of these sculptures in general, that though, owing to the disadvantages under which such works were produced in that age, they are necessarily ill-drawn and deficient in principle, "yet in parts there is a beautiful simplicity, an irresistible sentiment, and sometimes a grace excelling more modern productions." He argues, from the contemporary state of the arts in Italy, that these sculptures are

entirely due to native artists.* There is certainly no reason to suppose that foreigners were employed upon any work of importance in England until a later period, when the tomb of Henry III. and the shrine of Edward the Confessor are known to have been executed by Italian hands. With regard to the statues of Eleanor of Castile, on the crosses erected to her memory, Flaxman, after praising their simplicity and delicacy, observes that they partake of the grace particularly cultivated in the school of Nicolo Pisano, and might possibly be executed by some of the travelling pupils from his school. Be this as it may, sculpture by no means maintained the same high tone during the fourteenth century; and though we have many effigies of the greatest value as portraits, which their strong character of individuality warrants them to be, none are comparable to those of Queen Eleanor as works of art. But the works of this period are very unequal. There is no comparison between the graceful *weepers* on the tomb of Aymer de Valence and those on the later monument of Edward III.; and it is impossible to avoid the conclusion that the superior skill of foreigners was occasionally employed.

The state of painting during this period offers little to detain us. Numerous records are, indeed, extant† relative to the painting of the palace of Westminster and other royal houses during the reign of Henry III., who seems to have been a liberal patron of the art; but the works of the period, as far as we have the means of judging, are not worthy of much investigation on the score of merit; neither do they possess the interest attached to the early efforts, perhaps equally imperfect, of Italy, since they led to no parallel results, and contribute nothing to the history of the art. The reader may, however, be curious to know upon what subjects the painters employed by this king exercised their pencils; and we learn from these documents that they executed the figures of our Lord and the Four Evangelists, with St. Edmund and St. Edward, in the chapel at Woodstock; the Last Judgment, for that of St. Stephen, in the palace of Westminster; the History of Antioch (conjectured to be some feat of the Crusades), for the room called the Antioch Chamber, in the same palace; and the History of Alexander, for the queen's chamber in Nottingham Castle. The paintings executed in St. Stephen's Chapel, after its restoration by Edward III., survived till the final destruction of that building by fire. The ornamental parts of this work (for the details of which the reader is referred to the publication by the Society of Antiquaries) furnished the most complete example which Time had spared of the extent to which polychromatic decoration was carried at this period; but those portions appertaining to the higher branches displayed no proficiency in any of the principles of art, though the school of Giotto was already flourishing in Italy under his

successors. We must not, however, pass without notice the curious portrait of Richard II., preserved in the Jerusalem Chamber at Westminster. In its style it is merely an enlargement of the miniature painting which was cultivated at this period with great success. Numerous manuscripts are extant, illustrated by compositions displaying the most brilliant colours and the utmost delicacy of execution, whatever their deficiencies may be in other respects. Several specimens from a metrical history of Richard II. have been given in the foregoing pages of this work, and will convey the best idea that mere lines can afford of this branch of the fine arts at the end of the fourteenth century.

In the above-mentioned records we have the first notice of painting on glass, in the form of precepts for glazing three windows in St. John's Chapel, in the Tower of London, with a little Virgin Mary holding the Child, a Trinity, and a St. John the Apostle, and for executing the history of Dives and Lazarus in glass at Nottingham Castle. The style of executing such works at this period was in small medallions of different forms, inlaid upon a sort of mosaic ground in various patterns and the most brilliant colours. Windows of this date were sometimes surrounded by elaborate borders, and may be further distinguished by the predominance of a rich deep blue. This style was continued to the end of the thirteenth century. In that which succeeded the compartments are still small, but of more simple forms, among which a pointed egg shape is common, and they are often filled by a single figure. The ground is no longer disposed in mosaic, but drawn with beautiful scroll or arabesque work.

In the middle of the fourteenth century, and during the period of the zenith of the Decorated English style, figures of larger size were represented, occupying the whole breadth of the light, standing in a niche, decorated with canopies, columns, and buttresses. These figures generally relate to benefactors of the church, and their names and deeds are recorded by inscriptions, and illustrated by their armorial bearings. The west window of York Cathedral is glazed in this style, and the indenture entered into with the artist, of which the particulars are preserved,* fixes the date of its execution to the year 1338. Robert, a glazier, contracted to glaze and paint the said window at the rate of sixpence per foot for plain, and twelve pence for coloured glass.

The history of English Music, so far as it can be traced by any ancient musical compositions extant, does not commence within the period at which we are now arrived. The art, indeed, as has been already shown, appears to have been generally cultivated in this country from a very early date; but we are strongly inclined to suspect that for many

* See Walpole's *Anecdotes of Painting*.
† Flaxman's *Lectures*.

* See Britton's *Hist. of York Cathedral*, Appendix.

ages it was practised almost invariably as a mere accessory to poetry, or in union with the church service. And here we may, in passing, express our belief that, with the ancients, Music was rarely separated from her sister art,—a fact which, if admitted, will render more probable some of the otherwise incredible stories of the power of harmony handed down to us from remote ages.

From a passage in Bede, referred to in the last Book, and indeed from other statements, it appears, that among the Anglo-Saxons an essential qualification for admission into the upper classes of society was a certain degree of skill on the harp; that is, we suppose, a power of accompanying on that instrument the musical delivery of the popular poems of the day. By the laws

of Wales, a harp—or, as we presume, a practical knowledge of the instrument—was one of the three qualifications necessary to constitute a gentleman:* none but the king, his musicians, and freemen, was allowed to possess a harp; and he who played on it was legally a gentleman. According to Giraldus Cambrensis, the people of York, and those beyond the Humber, sang in two parts, treble and base. He also tells us that the Welsh practised vocal harmony in many parts; but perhaps he mistook some such rude chorus as we now occasionally meet with at numerous-attended festive entertainments, for singing harmoniously in several parts.

The ancient national habits that have been de-

* *Leges Wallien*, p. 201.



HAND-ORGAN OR DULCIMER, AND VIOLIN. Royal MS. 14 E. II. j

scribed continued to be kept up in later ages. “In the statutes of New College, Oxford, given about the year 1380, the founder orders his scholars, for their recreation on festival days in the hall after dinner and supper, to entertain themselves with songs, and other diversions consistent with decency.”* A manuscript roll of the officers of Edward III.’s household contains a list of performers on the trumpet, oboe, clarion, dulcimer, tabret, violin, flute, &c. To these may be added several instruments mentioned by Chaucer in his ‘*Canterbury Tales*’ and ‘*House of Fame*.’ The same poet, too, in ‘*The Romaunt of the Rose*,’ speaks of a lady’s singing, in language which implies much vocal ability and great practical knowledge:—

“ Well coude she sing, and lustily,
None halfe so well and semfly.†
And cothe make in song such refraining.‡
It sate † her wondir well to sing.

* Warton’s *Hist. Eng. Poet.*

† Seemingly.

‡ Refrain, the burden of a song, or return to the first part.

§ Became.

Her voice full clear was, and full swete;
She was not rude, ne yet unmete,
But couthe* inoughe for sothe doing
As longith unto karolling.”

Yet no remains are to be found, up to the fifteenth century, of what can properly be called a British musical composition; not so much as a simple melody; for the intonations of the church at that period exhibit nothing that comes under the denomination of air, at least in the modern sense of the term: and after much research, we are satisfied of the correctness of what is asserted by one of the most eminent of our musical antiquaries, that, prevalent as dancing was in this country from the earliest times, no appearance can be discovered of the notation, or the name, of even an English dance-tune before the year 1400.† ‘*Sellinger’s* (or *St. Leger’s*) *Round*’ may be traced back to nearly the reign of Henry VIII.; nothing beyond.

This is the more remarkable because there were some good English writers on music during the thirteenth and fourteenth centuries, whose works

* Knew.

† Sir J. Hawkins, *Hist. of Music.*



HAND-BELLS. Royal MS. 15 D. iii.

are to be found in manuscript in the British Museum, the Bodleian, and other libraries. Of these works we shall only notice one, entitled 'De Speculatione Musicae,' by Walter Odington, preserved in Corpus College, Cambridge. This excellent but almost unknown author, was a monk of Evesham during the early part of the thirteenth century, and is mentioned by Stephens, the translator and continuator of Dugdale's *Monasticon*, as "a man of facetious wit, who used at spare hours to divert himself with the decent and commendable diversion of music, to render himself the more cheerful for other duties." Odington was the

author of other learned productions besides this.* Of his present Treatise it has been said, and justly, that if all other musical tracts, from the time of Boethius to that of Franco, were destroyed, we should sustain little loss were the MS. of Odington saved. Not one specimen, however, of the invention of his countrymen, either in melody or harmony, is given by this Benedictine monk; and we must patiently wait till we advance into the fifteenth century ere we shall be enabled to name a single composition, even of the most trivial kind, from the pen of a British musician.

* See Tanner, Moreri, &c.

CHAPTER VI.

THE HISTORY OF MANNERS AND CUSTOMS.



FROM the account that has been given of the interior decorations and furniture of English palaces and houses during the eleventh and twelfth centuries, it appears that the practice of painting the walls and ceilings of chambers existed previously to the reign of Henry III. During the reign of that monarch and his immediate successors, the fashion seems, from the frequency of the royal orders concerning it, to have obtained considerably, and almost if not entirely to have superseded the more costly and laboriously-executed hangings of needle-work, of which in several instances the paintings are directed to be made in imitation. The principal subjects were selected from the Holy Scriptures, or from the numerous lays and fabliaux of the thirteenth century, and the incidents were surmounted by scrolls inscribed with the text or the legend as it might be. The well-known "Painted Chamber" at Westminster obtained its name from this style of decoration. The remaining part of its curious pictures executed during the reign of Edward I. was destroyed on the enlargement of the old House of Commons; but, fortunately, not before accurate drawings had been made of them by the late Mr. Charles Stothard. In the romance of 'Arthur of Little Britain,' written in the reign of Edward II., we read of a chamber in which there was no manner of history nor battle "since God first made mankind," but in that chamber it was portrayed with gold azure and other fresh colours, as quickly (to the life) adorned that it was wonder to behold."

As early as the reign of Henry III. we read of the painted glass windows in domestic buildings; and from the above-mentioned romance we learn that, in the fourteenth century, they were made with lattices to open and shut. Strutt has engraved a beautiful specimen of the chairs of the time of Henry III., from a MS. copy of Matthew Paris.* He has also given one of the latest specimens of the square-backed chairs of the thirteenth century,† at the

close of which they began to be fashioned after the pointed style of architecture then just introduced. One of the most interesting specimens now existing is the coronation chair, called St. Edward's,



CHAIR. Royal MS. 14 E. iii.

preserved in Westminster Abbey, and in which all our sovereigns from Edward II. inclusive (with the exception perhaps of Mary) have been crowned.

The use of tressels for tables appears to have been introduced during the fourteenth century. In the beautiful French work on furniture, &c., by



LIBRARY CHAIR, READING TABLE, AND WRITING DESK. Royal MS. 15 D. iii.

* Horda Ancel-Cynnan, pl. 86.

† Ibid. pl. 39; and Sports and Pastimes of People of England, plates 39, 40, 42, and 45.



Bsd. Royal MS. 14 E. iii.



Bsd. Royal MS. 15 D. iii.

M. Willemin, there is an ornamental specimen from a MS. copy of the 'Roman de Lancelot du Lac,' in the Royal Library at Paris.

An elegant bedstead, chair, and reading-desk of the fourteenth century are also given in that work, which deserves to be better known in England. We have a splendid description of a bedstead in the romance of 'Arthur' before mentioned. One which stood in the midst of the chamber surmounted in beauty all others; for the "utter-brases" thereof were of green jasper, with great bars of gold set full of precious stones, and the crampons of fine silver bordered with gold; the posts were of ivory with pomels of coral, and the staves closed in buckram covered with crimson satin. The sheets were of silk, with a rich covering of ermine and other cloths of gold, and four square pillows wrought amongst the Saracens. The curtains were of green sendal (silk), ornamented with gold and azure; and round about the bed there lay on the floor *carpets* of silk "poynted and embroidered with images of gold" (one of the earliest notices of carpets);* and at the head of the bed stood an image of fine gold, having a bow of ivory in his left hand, and an arrow of fine silver in his right.

Another bed in the same romance is described as being furnished with a rich quilt wrought with cotton, covered with crimson sendal, stitched with threads of gold, and sheets of white silk, and over all a rich fur of ermines. In front of this bed there stood a bench with great "brases" (arms) of ivory. Our readers must take into consideration that this is from a romance, but it nevertheless is a description founded upon facts, and exaggerated only with regard to the materials. We learn from it, in conjunction with the pictorial representations of the period, that the bedsteads of that day resembled the modern crib used for children in England, and

for every body in Germany, being a sort of long box, the sides or railing of which was called the outer bras. The posts at the corners sometimes only rose a little above this railing, and were surmounted with panels, at others they supported a tester.* But the wills of our sovereigns and chief nobility prove that, during the fourteenth century, the beds of personages of distinction were magnificent enough almost to relieve the romancer of the suspicion of exaggeration. Agnes, Countess of Pembroke, in 1367, gives to her daughter a bed, "with the furniture of her father's arms." William Lord Ferrers of Groby, in 1368, leaves to his son his green bed, with his arms thereon, and to his daughter his "white bed and all the furniture, with the arms of Ferrers and Ufford thereon." Edward the Black Prince, in 1376, bequeaths to his confessor, Sir Robert de Walsham, a large bed of red camora, with his arms embroidered at each corner, also embroidered with the arms of Hereford; and to M. Alayne Cheyne "our bed of camora, powdered with blue eagles." His widow, in 1385, gives "to my dear son the king (Richard II.) my new bed of red velvet, embroidered with ostrich feathers of silver, and heads of leopards of gold, with boughs and leaves issuing out of their mouths." Beds of black satin, of blue, red, and white silk, and of black velvet, all more or less richly embroidered with gold, silver, and colours, are mentioned in the wills of Edmond Earl of March, 1380; Richard Earl of Arundel, 1392; and John Duke of Lancaster, 1397.

Chaucer, in his *Dream* (v. 255), says—

Of downe of pure dove's white
I wol give him a feather bed,
Rayed with gold and right wel clad
In fine black sattin d'outremere,
And many a pillow, and every bere
Of cloth of Raynes, to slepe on soft.

Cloth of Raynes (Rennes in Brittany) was much

* Matthew Paris tells us that Eleanor of Castile, wife of Edward I., followed the example of Sinechus, Bishop of Toledo, who, in 1256, covered his floor with *tapestry*, at which there was much sneering.

* In the will of Lady Neville, 1385, we find mention of a coverlet or counterpane ("couvrellitz"), and a tester of double worsted; also of a white *couvrellit* and tester, powdered with popinjays.

esteemed during the middle ages, and is mentioned as early as the twelfth century. It was used for sheets, and seems to have been linen of very fine manufacture.

Clocks that struck and chimed the hour are mentioned as early as the close of the thirteenth century, as part of the furniture of a mansion, by the authors of the 'Roman de la Rose':—

" Et puis fait sonner ses orloges
Par ses salles et par ses loges
A roes trop subtillements
De pardurable movements."

The word clock, however, was used to signify the bell only till the time of Henry VIII., the French word *horloge* being used for the entire machine before that period.

A cupboard of plate in the thirteenth century is described as consisting of a cup of gold covered, six quart standing pots of silver, twenty-four silver bowls with covers, a bason, ewer, and chasoir of silver.*

The wills of Sir John Devereux, 1385, of Sir William de Walworth (the celebrated lord mayor of London, who also died in 1385), and of Alice de Nerford, Baroness Neville, of Essex, 1394, contain repeated notices of silver and silver-gilt plate, consisting of dishes, chargers, basons, ewers, salt-cellars, and spoons. Sir William leaves a dozen silver spoons to his brother Thomas Walworth, twelve dishes and twelve salt-cellars, two chargers, two basons, with a silver lavatory, and six pieces of plate with two covers. In Lady Neville's will mention is made of silver spice-plates and hanaps (hanaps), with covers or lids to them. Hanaps are also mentioned amongst the articles of plate in the inventory of Charles V., of France.† Some of these hanaps were splendidly chased, and ornamented with eagles, herons, &c.; and one is described as "a hanap with a leopard;" the figure of one being probably upon the "couvercle." In the same will, napkins and towels ("towailles"), manufactured at Paris and Dinant, are mentioned amongst the household linen.

A pair of knives, with sheaths of silver, enamelled, and a fork of crystal, are mentioned in the wardrobe accounts of Edward I.; and forks are said to have been used in Italy as early as 1330, but they were not introduced at tables here till the seventeenth century. The one above mentioned, from the very material of which it was made, must evidently have been an object of curiosity rather than an article for use. Fire-screens, with feet and stands, occur in 1383; and fire-dogs, or andirons, are mentioned in the wardrobe accounts of Edward I.

The civil costume in England in the reign of

* Matt. Paris, 269.

† The word *hanaper* has generally been explained as meaning a basket with handles, and derived from hand-hammer. It is evident, from the document now quoted, that in the fourteenth century the term was applied to vessels of silver; and we think the true derivation of the word to be from the Saxon and German word *hand* and *ap*,—the latter signifying a bowl, bason, or poringer (*nap* in Dutch, and *nappe* in Italian); and that having a lid (*couvercle*) to it as well as handles, its appearance would be that of a soup-bason.

Henry III. does not appear to have differed essentially from that worn during the reign of Richard and John. The tunic, with sleeves tight to the wrist, the *chausses*, or tight pantaloons, with shoes or short boots, the toes being long and pointed, form the ordinary dress of the middle classes. Caps of singular and varied shapes are more frequently met with, but the cowl or the coif is the general head-gear of the traveller. A large cloak with sleeves, and a capuchon or cowl attached to it is mentioned as a garment for foul weather, under the name of "super-totus," or over-all, and a similar, if not the same, habit, called a *balandrana*, is amongst others forbidden to be worn by the monks of St. Benedict at this period. Robes and mantles continued to distinguish the higher orders, and the materials of which they were composed appear to have been of the most costly description. Velvet is mentioned by Matthew Paris under its Latin name of *villosa* (from whence the French *villuse* and *velours*), and two very splendid sorts of gold and silk stuff manufactured at Baldeck and in the Cyclades were introduced here about this period. The first, called cloth of Baldekins, was used to form the vestments in which William de Valence was arrayed when knighted by Henry in 1247, and the second gave its name to a super-tunic, or surcoat, which opened up the front to the waist, and was called, after it, *Cyclas*, or *Ciclaton*. The whimsical fashion of indenting, escallopping, and otherwise cutting the edges of garments, which had provoked a legislative prohibition as early as the reign of Henry II., appears to have raged more than ever towards the close of Henry III.'s reign. William de Loris, who died in 1260, describes the dress of Mirth in his 'Roman de la Rose,' as being—

" En maint lieu inclagé
Et decoppée par cointise; "®

and robes so "slyttered," as Chaucer describes them, were thence called *cointises*. The nobles who attended at the marriage of Henry's daughter with Alexander, king of Scotland, in 1251, "were attired," says Matthew Paris, "in vestments of silk, commonly called *cointises*."

Mantles lined with *ermine* are first mentioned during this reign: two are ordered for Henry and his queen; and Matthew Paris mentions the doubled or lined winter garments of the king and his courtiers. As an exterior ornament, however, furs do not make their appearance till the reign of Edward I. In the Harleian MS., 926, is an initial letter in which is represented the coronation of that monarch, and his mantle of state is not only lined with ermine but has the broad cape or collar of the same fur which has ever since been worn by sovereign princes.

® That is, tastefully, or with fanciful elegance. The old French verb *se cointiser* is rendered *se parer comme une coquette*, and the substantive feminine, *cointise*, *cointiserie*,—*penitillesse*, *manners elegantes*, *polies*. Landaui, Dictionnaire General, &c. Paris, 1834. *Quintese* and *quintese* signifies *whimsical* or *fantastical*, and Chaucer translates the line thus—

" All to slyttered for quintise, "®
cut all to silts or pieces for whim's sake, or in a fantastical manner.



LADIES' HEAD-DRESSES. Royal MS. 15 D. II.

The principal change in the female dress of this period took place in the fashion of wearing the hair, which, instead of being plaited as previously, was turned up behind, and entirely enclosed in a caul of net-work composed of gold, silver, or silk thread, over which was worn the peplum or veil; and sometimes, in addition, a round hat or cap. Garlands, or chaplets of goldsmith's work, were also worn by the nobility over or without the caul; and wreaths of natural flowers formed a still more elegant summer head-dress, attainable by all classes. The wimple or headkerchief continued to cover the grey hairs of age, and give a conventual appearance to the costume of the matron and the widow. This piece of attire was increased in size and rendered still more unbecoming, towards the close of Henry's reign, by the introduction of a neckcloth called the gorget. Jean de Meun, the continuator of Lorriss's 'Roman de la Rose,' describes it in the reign of Edward I., as being wrapped two or three times round the neck, and

my heart, when I have seen a lady so closely tied up, that her neckcloth was nailed to her chin, or that she had the pins hooked into her flesh." In the Sloane MS., 3983, are some figures perfectly illustrating this tirade of the poet.

The extravagance and foppery which disgusted Matthew Paris during the reign of Henry III., was partially checked by the personal example of Edward I., who despised "the foreign aid of ornament," and answered those who inquired his reason for not wearing richer apparel, that "it was absurd to suppose he could be more estimable in fine than in simple clothing." He never wore his crown after the day of his coronation, "saying, merrily, that crowns do rather onerate than honour princes."* Buttons, very closely set from the wrist almost to the elbow of the aleeve of the under tunic, form the most remarkable distinction of the civil dress of Edward's reign. The fashion is particularly alluded to in a MS. poem written before 1300†:—

" Botones azard (azure) everlike ano
From his elbtho to his hande."

and it is represented in the illuminations and effigies of the time. Gloves were more generally worn; and the hair appears to hang in waved locks lower than the ears, and to have been curled with great precision.

The ladies are cruelly attacked by the poets of the day on account of their whimsical head-tires and extravagantly long trains. By one writer they are compared to peacocks and pies, having "long tails that trail in the dirt," a thousand times longer than those of such birds. The authors of the 'Roman de la Rose' indulge also in invectives against certain head-dresses, which, however, are not very clearly described, and have been improperly considered to mean the horned head-dress of a much later date. The figures already alluded to in the Sloane MS., 3983, and the heads in a royal MS., marked 15 D. ii., will better illustrate the female costume of this period than pages of description. The pernicious system of tight lacing already alluded to under the reign of Henry I., is continually mentioned in works of this date. The damsels in 'The Lay of Sir Launfal,' are described as being

" Ladies moult estretment."

Their kirtles were of light blue silk; their mantles of green velvet, richly embroidered with gold, and furred with "gris and gros" (i. e. the finest grey fur and vair distinguished from (the minevair), their heads attired with kerchiefs well cut, and rich gold wire, and surmounted by coronets, each adorned with more than sixty precious gems. A girdle of beaten gold, embellished with emeralds and rubies, is mentioned in another poem as worn by a lady "about her middle small."

* Camden, Remains, p. 259. The original authority is John of London, who wrote a 'Commemoratio,' addressed to Edward's widow, Queen Margaret, and now in the Cotton collection, marked Nero, D. II.

† Cotton MS. Julius V.



LADIES' COSTUME, TIME OF EDWARD I. Sloane MS., 3983.

then fastened with a great quantity of pins, on either side of the face, higher than the ears. "Par Dieu!" he exclaims, "I have often thought in



MALE COSTUME, TIME OF EDWARD II. Royal MS. E. iii. Sloane, MS. 346.

The reign of Edward II. presents us with the party-coloured habits so fashionable during the two following centuries, and the sleeves of the surcoat, or super-tunic, terminating at the elbow in tippets or lappets, which became long narrow streamers reaching to the ground in the reign of Edward III. They are visible in the effigy of



EFFIGY OF EDWARD II.—Gloucester Cathedral.

Edward II. in Gloucester Cathedral. An approach is made also to the picturesque chaperon or hood

of the close of the fourteenth century, by the curious fashion, apparently, of twisting or folding the capuchon or cowl into fanciful shapes, and bearing it, little more than balanced, seemingly, on the head,



HEAD-DRESSES, TIME OF EDWARD II. Royal MS. 14 E. iii.

as the women of the Pays de Basque wear their scarlet hoods in summer, to this day. The ladies wore it so as well as the men, and, we may presume, secured it by pins to the hair; but the mode of fastening is not apparent in the illuminations. In one of the accompanying examples a female is seen with an apron, which Chaucer afterwards calls a *barme*, or *lap-cloth*.



FEMALE DRESS, TIME OF EDWARD II. Sloane MS. 346.

The close of the thirteenth century is chiefly remarkable in the history of costume, as presenting us with some particular distinctions in the attire of the legal classes. Lawyers were originally priests, and consequently wore the tonsure; but, on the clergy being forbidden to meddle with secular affairs, the lay lawyers discontinued the practice of shaving the head, and wore the coif for distinction's sake. It was first made of linen, and afterwards of white silk: its shape is the same as that of the coif worn by travellers and huntsmen in the reign of Henry III., and has a very undignified and unbecoming appearance, resembling an exceedingly scanty child's nightcap tied under the chin. Some judicial personages wear caps and capes of fur,

and have a peculiarly shaped collar of the latter, or of some white stuff round the neck of their long priest-like robes. The fur lining of the robe is generally either white lambskin or vair.

The ecclesiastical costume in England was at this time so sumptuous as to excite the admiration and avarice of Innocent IV. Some of the sacerdotal habits were nearly covered with gold and precious stones, and others elaborately embroidered with figures of animals and flowers: their shape will be best understood from our engravings. The mitre



CARDINAL'S HAT. Royal MS. 16 G. vi.

had assumed its modern form by the reign of Edward I. The red hat is said to have been given to the cardinals by Pope Innocent VI. at the council of Lyons, in 1245; and De Curbio says they first wore it in 1246, at the interview between the pope and Louis IX. of France. Its shape at the commencement of the fourteenth century may be seen in the subjoined cut.

The reign of Edward III. presents us with an entire change of costume. The long robes and tunics, the cyclases and cointises of the preceding reigns vanished altogether. A close-fitting garment called a cote hardie, buttoned down the front, and confined over the hips (which it barely covered) by a splendid girdle, was the general habit of the male nobility. It was composed of the richest materials, magnificently embroidered, sometimes party-coloured, the sleeves occasionally terminating at the elbow, from which depended the



MALE COSTUME, TIME OF EDWARD III. Royal MS. 19 D. ii., and Strutt.

long white tippetts or streamers before mentioned. In such cases the sleeve of an under garment is visible, ornamented with a close row of buttons from the wrist upwards, as in Edward I.'s time. A mantle exceedingly long, lined with silk or furs, and fastened upon the right shoulder by four or five large buttons, was worn over this cote upon state occasions, the edges indented, or cut in the form of leaves in the most elaborate and sometimes a very elegant manner. A monk of Glastonbury named Dowglas, in a work of which there is a MS. in the Harleian collection, informs us, that the Englishmen in this reign "haunted so much unto the folly of strangers, that every year they changed them in diverse shapes and disguisings of clothing—now long, now large,—now wide, now strait,—and every day clothings new and destitute and divest of all honesty of old array or good usages; and another time to short clothes, and so strait waisted, with full sleeves and tippetts of surcoats and of hoods over long and large, all so nagged and knib on every side, and all so shattered and also buttoned, that they seemed more like to tormentors in their clothing and also in their shoeing and other array than they seemed to be like men." The extravagance of these fashions induced the commons to present a complaint on the subject in parliament, A.D. 1363; and various restrictions were promulgated in a sumptuary law passed on that occasion. Long hose frequently of two colours, and pointed shoes of cloth of gold richly embroidered, with a capuchon or cowl attached to a cape, having a long tail behind, and being closely buttoned up to the chin in front, completed the strange habiliment.

Long beards came again into fashion during this reign; and on the door of St. Peter's church at Stangate were fastened one day the following lines, which had been made by the Scots in ridicule of their southern enemies:—

"Longbeards hartless,
Peynted hoods witless,
Gay cotes graceless,
Maketh Englonde thristless."

Beaver hats are spoken of about this time, probably manufactured in Flanders, as in the next reign we find Chaucer mentioning "a Flaundrish beaver hat." They are sometimes worn over the capuchon. The knight's chapeau, as still borne on coats of arms, is seen in some illuminations, and various other caps, some of which are for the first time decorated with a single feather worn straight up in front; but its occurrence is so rare, and in such particular instances, that we are inclined to believe it worn, not as a fashion, but as a royal badge—Edward III. and all his sons bearing an ostrich feather differenced in the blazoning for distinction's sake; the quill of the king's feather being gold, that of the prince's argent, and the Duke of Lancaster's ermine. The Duke of Somerset, son of the Duke of Lancaster, wore the feather with the quill blazoned compony argent and azure.*

* This unfortunate fact puts the interesting legend of the Bohemian plume (the supposed origin of the "Prince of Wales,



FEMALE COSTUME, TIME OF EDWARD III. Royal MS. 19 D. ii.

The ladies in this reign are said to have surpassed "the men in all manner of attire and curious clothing." Like them, they wore the *cote hardie*,



TOMB OF WILLIAM OF WINDSOR AND BLANCH DE LA TOUR, Westminster Abbey.

with the long white tippets streaming from the elbows;* but the most characteristic dress of this

feathers") into extreme peril, even without the additional evidence of the seal of John to prove that the crest of Bohemia was an entire wing or pinion, or as it is represented on the tombs of the Bohemian monarchs at Prague, two wings endorsed.

* Vide Royal MS. 19 D. ii.

period is a sort of sideless gown with very full skirts, worn over the kirtle in such a manner as to give the appearance of a jacket to that portion of it which is visible. This gown is generally bordered with fur or velvet, and sometimes has a kind of stomacher of the same materials, ornamented with jewels, thereby increasing the illusion; but it is almost impossible to give the reader an idea of this garment by description, and we must therefore refer him to the annexed engraving, from the effigy of Blanch de la Tour, daughter of Edward III., in Westminster Abbey, and others from illuminations of the period. We have not been able to ascertain the name allotted to this most peculiar habit.

Knighton tells us, that at tournaments the ladies rode in party-coloured tunics, with short hoods and *hirripipes* (that is, the tippets, or long tails of the hoods,) wrapped about their heads like cords. Their girdles were richly decorated with gold and silver, and they wore small swords, "commonly called daggers," stuck through pouches before them—a fashion observable amongst the beaux of the opposite sex at this time.

Mourning habits are first distinguished on the monuments and in the illuminations of this reign. Sometimes the mourners are clothed entirely in black. On the tomb of Sir Roger de Kerdeston, who died A.D. 1337, his relations are seen wearing the mourning-cloak over their ordinary coloured clothes.



! MOURNING HABITS. From the Tomb of Sir Roger de Kerdeston.

Richard II. set his subjects an example of foppery which they required very little inducement to imitate. Knighton assures us that all distinction of ranks and classes was soon lost in the general extravagance and rage for magnificent clothing that now prevailed. Chaucer, in his 'Parsons's Tale,' and the author of the 'Eulogium,' cited by Camden, both inveigh loudly and in the same strain against the inordinate waste and excessive cost of the apparel of all classes down to the menial servants, whom Harding describes as arrayed in silk, satin, damask, and green and scarlet cloth. The old fashion of cutting the edges of garments into the

shape of leaves and other devices was carried now to the greatest extreme. Letters and mottoes were embroidered upon the gowns or mantles; and the sleeves of the former were so long and wide, that they trailed upon the ground, and are scarcely distinguished in some instances from the ample folds of the main portion of the garment. Jackets indecently short were also worn by many, as though rejoicing only in extremes; and Chaucer's Parson bitterly reprobates the party-coloured hose which



MALE COSTUME, TIME OF RICHARD II.
Royal MS. 20 B. vi., and Harleian MS. 1319.

were generally attached to them. The short jacket when itself of two colours is, we presume, the habit alluded to by the name of *courtepie*—an appellation it retained even when composed of one colour only. The shoes had enormously long-piked toes, sometimes crooking upward in the Polish fashion, and called "*Crackowes*," probably from the city of Cracow, in Poland, whence the fashion may have been imported by the followers of Richard's queen, Anne, whose grandfather had incorporated the kingdom of Poland with that of Bohemia. The author of the '*Eulogium*,' before-mentioned, says they fastened the toes to their



FEMALE COSTUME, TIME OF RICHARD II.
Royal MS. 16 G. v., and Harleian MS. 4379.

knees with chains of silver; but this curious custom has not been illustrated by any pictorial representation that we have yet met with.

Hats and caps of various singular shapes are worn. One cap, a tall muff-looking affair, is seen frequently in illuminations of this date. It is worn by the Duke of Lancaster in the illuminations of the Harleian manuscript history of Richard II., in French verse, of which an account has been given in a former page,* and is painted black, but of what material does not appear. The hoods, of which many specimens are portrayed in the same manuscript, are still of a most inexplicable shape. They appear more like a bundle of cloth upon the head than a regular article of apparel: some are decorated by a single feather. The gowns, in the same miniatures, exactly answer to the description of the author of the '*Eulogium*'—"a garment reaching to the heels, close before, and strutting out at the sides; so that at the back they make men seem like women." Beards seem to have come again into fashion, and were worn forked as in the old Anglo-Saxon time. The hair was worn long, and carefully curled.

The ecclesiastical costume preserved its sumptuous character to the end of this period. From a record in the Lord Treasurer's Remembrancer's Office, in the Exchequer, we find that the mitre of Alexander de Neville, Archbishop of York, in the time of Richard II., was pledged to Sir W. Walworth, Lord Mayor of London, for the sum of 193*l.* 6*s.* 8*d.*, and was valued at ten marks more than that sum "*at least*;"—a tolerable proof of its magnificence.

The armour of the reign of Henry III. is generally to be recognised by the admixture of plate with the various sorts of mail worn from the time of the Conquest. It is confined, however, to caps for the knees and protections for the shoulders and elbows. In some instances, but rarely as yet, greaves are seen, but the hands and feet are still covered by mail. The quilted or padded armour of silk, buckram, &c., which we have before spoken of, came still more into use, and, from its style of ornament, was called *pourpoint* or *counterspoint*. Chain-mail, properly so called, is supposed to have been introduced during this reign from Asia, where it is worn to this day; but it is not clear to us that it had not been known to the Anglo-Saxons and Danes, as we have already remarked under that period. From the commencement of the thirteenth century, however, there is no doubt of its use in Europe; and the interlacing of the rings themselves, in lieu of stitching them either flat, or in layers one over the other, upon leather or cloth, was a decided improvement on the clumsy hauberk of the early Norman era. Over the shirt of chain was worn the surcoat, biaux, or *cyclas*, of silk or rich stuffs, and occasionally perhaps emblazoned.† It descended to the

* See ante, p. 798.

† The fashion of emblazoning the surcoat did not however become general till the reign of Edward I.

middle of the leg, and the edges were frequently indented or scalloped, like the cointise and other civil garments we have previously described. Of this period are some military figures on the exterior of Wells Cathedral, and also the drawings in Matthew Paris's 'Lives of the Two Offas.'

A very heavy and ugly-shaped helmet, of a barrel form, with an aperture for sight cut in the transverse bar of a cross, covered the head entirely and rested on the shoulders. Skull-caps of various forms, with and without nasals, were worn by men-at-arms, esquires, &c. In Matthew Paris's 'Lives of the Two Offas,' written and illuminated about this period, the archers are seen in mail-jackets or haubergeons, with sleeves reaching to the elbow, over which are vests of leather, defended by four circular iron plates. Round targets and iron mauls, or *martels de fer*, appear to have been used by knights even in this reign (the effigy of one is to be seen in Great Malvern church, Worcestershire); but the emblazoned shield, the sword, and the lance, were the most general appointments of knighthood. The rowelled spur is first met with during this reign, but it is not common till that of Edward I., who, simple and unostentatious as he was in his private or civil attire, and regardless of personal finery upon most occasions, nevertheless seems to have encouraged a taste for splendour and display amongst his companions in his favourite pursuit of arms.



ARMOUR OF THE PERIOD, exhibited in the Effigy of JOHN of ELTHAM, from his Tomb in Westminster Abbey.

The armorial bearings of the knight were now fully emblazoned on his banner, shield, surcoat, and the housings of his horse. His war-helmet, improved in shape, was surmounted by the heraldic crest, and additionally adorned by a kerchief or scarf, cut and slashed like the fashionable tunics of the previous reign, and like them, and for the same reason, called a *cointise*. To the offensive weapons we find added the *falchion*, a peculiarly-shaped broad-bladed sword; the *estoc*, a small stabbing-sword; the *anelas* or *anelace*, a broad dagger tapering to a fine point; the *coutel* or *coutelas* (whence cutlas); the *mace*, and perhaps the *cimeter*; both the latter being of Oriental origin.

The mail-gloves are about this time first divided into fingers; and in instances where the sleeves of the hauberk terminate at the wrist, leather gauntlets are worn, but not yet defended by plate. Flat shields of the triangular or heater form now appear. The banner is oblong; and the *pennon*, a triangular standard, is mentioned. It was generally charged with the crest, badge, or war-cry of the knight; the banner being distinguished by the arms only.

The general military costume of this period, with the shape of the banner, may be seen in the drawing of the Conqueror on making a grant of land to his nephew, the Duke of Brittany, copied in a preceding page.* The original document from which Mr. Kerrich copied this drawing is preserved in the College of Arms; although representing William the Conqueror and his great officers, it is the work of some illuminator of the thirteenth century.

Towards the close of the reign of Edward I. a curious ornament of the military dress appears in the form of a pair of plates fastened to the shoulders, sometimes square, sometimes oblong, and occasionally, but more rarely, round; emblazoned like the shield and the surcoat with the arms of the wearer, or with a plain St. George's cross. They were called, from their situation and appearance, *ailettes*, or little wings. They came generally into fashion, and afterwards disappeared altogether during the reign of Edward II.; the principal alterations in which consisted of the increase of plate-armor, not only greaves for the front of the legs, but brassards and *vanbraces*, or *avant bras*, being worn on the arms. Two round plates also, called, from their position, *manalieres*, were fastened on the breast over the surcoat or *cyclas*, and from them depended chains to which the helmet and the sword of the knight were attached; the helmet being now worn rarely except during the actual shock of battle, when it was placed over the usual head-piece called a *bascinet*, the successor of the old *chapel de fer*, which, with its nasal, disappears in this reign.

The surcoat was sometimes much shorter in front than behind; and the hauberk, instead of having a hood of mail attached to it, now termi-

nated at the collar, a neck-guard of chain, called the *camail*, being fastened to the edge of the bascinet, and falling down upon the shoulders over the surcoat, leaving a shield-shaped opening for the face. A vizor was occasionally attached to the bascinet, in which case the helmet was dispensed with. The pole-axe was wielded by leaders, and several scythe-bladed weapons, varieties of the bill and the guisarm, are seen in illuminations of the period.

During the reign of Edward III. plate-armour began to supersede the chain-mail on almost every part of the body. The legs and arms were soon entirely defended by plate, gussets of mail being only worn under the arm and at the bend of it. The feet were guarded by pointed shoes of overlapping steel plates called *sollerets*, and the leathern gauntlets were similarly cased with steel and provided with steel tops. On the knuckles were placed small spikes, knobs, or other ornaments, called *gads* or *gadlings*. Those on the gauntlets of Edward the Black Prince, preserved at Canterbury, are made in the form of lions. A breast-plate, called a *plastron*, kept the chain-shirt, divested of its sleeves, from pressing on the chest, or a pair of plates for back and breast rendered the shirt of mail altogether unnecessary, and a short apron of chain hung merely from the waist over the hips. The surcoat was gradually discarded for an upper garment called a *jupon* or *guipon* (a name sometimes given to the under one of leather, which supported either the breast-plate or the hauberk), made of velvet, and richly embroidered with the arms of the wearer. It fitted the body tightly, and was confined over the hips by a magnificent belt, to which on the right side was attached a dagger, and on the left a sword.

In the reign of Richard II., little alteration, if any, was made to the military costume of the close of that of Edward III. The most remarkable feature is the moveable vizor which was attached to the bascinet, now always worn in war, the more ponderous helmet, with its crest and wreath, being used only for the joust and the tournament. The shape of this said vizor may be best understood from an engraving; an original vizored bascinet of this time is in the Tower of London, and another at Goodrich Court (the only two known in England).* In the Musée d'Artillerie, at Paris, two more are preserved; a fifth is said to be in the Hotel de Ville at Chartres. There is one in the Chateau d'Ambras in the Tyrol; and a vizor only, without the bascinet, in the collection at the Lowenburg, Hesse Cassel.

In many effigies and illuminations of the reigns of Edward III. and Richard II., the cuisses or thigh-pieces of the knights are covered with pour-pointed work; and Chaucer's Sir Thopas wore *jambeaux* or *jambes* of "cuir-bouly," a preparation of leather much used in the fourteenth century, not

* See an interesting specimen of the military costume of this reign in the carved figure of St. George at Dijon, an engraving from a beautiful cast of which is in the *Archæologia*, vol. xxv. The *jupon* is very peculiar, being full and plaited, and buttoned at the wrists and in front.

only for armour, but for effigies and various works of art. The shield, which was triangular throughout the reign of Edward III., began, about the close of Richard II., to be rounded off at the

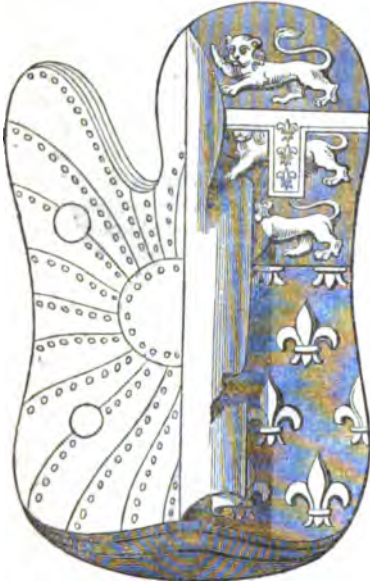


ST. GEORGE AT DIJON.

bottom; and a niche was made in it on one side or at top, called the *bouche*, or mouth, which served as a rest for the lance.* The shield of John of Gaunt, which was suspended over his tomb in old St. Paul's, and burnt at the conflagration of that building, is engraved in Dugdale's 'History' and Bolton's 'Elements of Armories.' It is of the form afterwards used in the reign of Henry IV., and the *bouche* is at the top. By the latter writer it is described thus:—"It is very convex towards the bearer, whether by warping through age or as made of purpose. It hath in dimension more than three quarters of a yard of length, and above half a yard in breadth; next to the body is a canvass glewed to a board, upon that board are broad thin axicles, slices or plates of horn nailed fast, and again over them twenty and six pieces of

* Vide figure of St. George before mentioned.

the like, all meeting or centring about a round plate of the same in the navel of the shield; and over all is a leather closed fast to them with glue or other holding stuff, upon which his armories



SHIELD OF JOHN OF GAUNT.

were painted, but now they, with the leather itself, have very lately and very lewdly been utterly spoiled." The engraving represents the leather

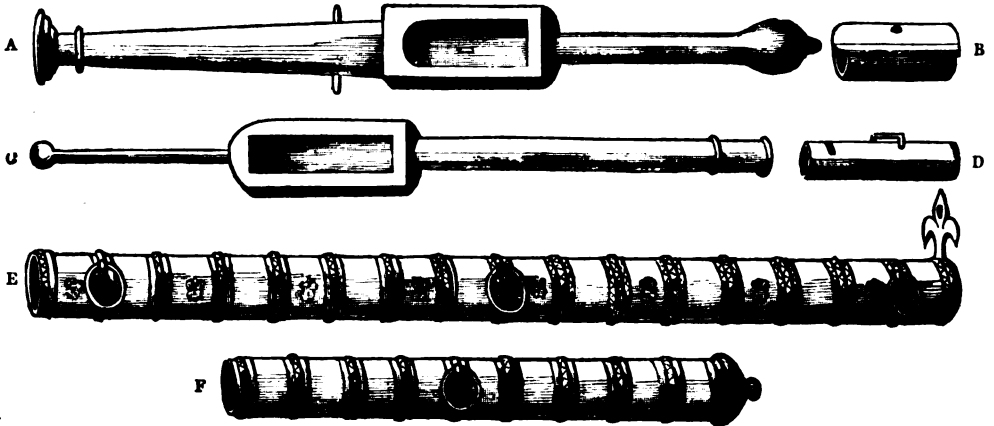
as torn up and curling away from the shield, so as to show the nature of its fabrication.

We have already had occasion to notice the probability that the use of fire-arms in war was introduced as early as the reign of Edward III.* The lines in which the Scottish poet Barbour speaks of the "novelties" first seen by his countrymen in one of their encounters with the English, in 1327, are as follow:—

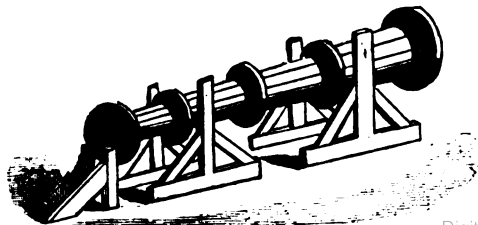
Twa noveltyes that day they saw,
That forwith Scotland had been nane,
Tymmeris (timbres, i.e. crests) for helmetys war the tane,†
The tothyr orakys were of war.

We have also mentioned the story told by the Italian writer Giovanni Villani, about the employment of cannons by Edward at the battle of Crecy. In the fifth volume of the *Archæologia* is an engraving of an ancient cannon raised from the Goodwin Sands, and supposed, from a coat of arms on it, to have been made about 1370. If so, it is only necessary to compare it with the ancient English cannon preserved in the Tower, and said to have been used at Crecy, to be assured of the falsity of the assertion respecting the latter. In a copy of Froissart of the fifteenth century, *Bib. Reg. Plut. X. H. 294*, although nearly a hundred years later than the battle, we have a representation of the mode in which cannons were mounted previously to the invention of the modern gun-carriage.

* See ante, p. 768.
† By this we also perceive that crests upon helmets were till then unknown in Scotland, though worn for thirty or forty years previously in England.



A, Ancient Cannon raised from the Godwin Sands, and supposed, from a coat of arms which it bears, to have been made about the year 1370. See *Archæologia*, Vol. 5. B, Chamber for loading. C, Spanish Cannon of the same date. D, Chamber for loading. E, F, Earliest forms of English Cannon, from examples in the Tower of London.



MOUNTING OF A CANNON. From Froissart. Royal MS, Plut. X. H. 294.

Social life in England during this period assumed, in some respects, a refinement and splendour to which it had been hitherto a stranger. Chivalry, which had been partially introduced into the country by the Norman invasion, and carried to a considerable height under the lion-hearted Richard, appears to have experienced a check during the troubled and disastrous reigns of John and Henry III. It is said, indeed, that the latter established a round table, in imitation of the fabulous King Arthur, the knights belonging to which exercised themselves in joustings, and dined at a circular board, on a footing of equality and good fellowship; and that the citizens of London, emulating the knights and nobles, were wont to display their skill in horsemanship by running at the quintain, while a peacock was the reward of the victor. But it was under the energetic rule of Edward I., and more especially under that of Edward III., that the chivalrous spirit attained its highest exaltation, and the singular system of institutions and manners that arose out of it, its most complete and brilliant development. The reign of this last monarch, indeed, may be termed the noon of English chivalry, although it may be questioned whether it is most indebted for the strong light of knightly renown, in which it stands out from the ages before and after it, to Edward himself, and his high-minded queen, and his gallant son,—the very mirror of knighthood,—or to the pen of Froissart, by which its gallant exploits and gorgeous solemnities have been so faithfully and so eloquently chronicled.

Amidst the heroic daring which the chivalrous spirit cherished, and the generous deeds it occasionally inspired, our admiration is continually interrupted by the whimsical extravagances, and sometimes by the revolting atrocities, of which chivalry was the fruitful parent. The courage of the knight became frequently exaggerated into the most frantic daring; courtesy towards the female sex assumed the character of an idolatrous fanaticism, and liberality that of a reckless profusion that cared neither for the end nor the object of its largesses. The fantastic spirit of the system was introduced into the most serious affairs. Knights, even when engaged in a national contest, fought less upon public considerations than to uphold the renown of their mistresses; and it was the fashion among them to subject themselves to some absurd

penance, until a specified deed of arms was achieved. Thus, in one of Edward III.'s expeditions against France, the knights who joined the army, we are told by Froissart, wore a patch on one eye, under a vow that it should not be removed until they had performed exploits worthy of their mistresses. Of the mad heedlessness with which, on other occasions, the boasted knightly virtue of liberality was displayed, a single instance may serve for an illustration. When Alexander III. of Scotland, accompanied by a hundred knights, repaired to London, to attend the coronation of Edward I., he and his knights, as soon as they alighted, let loose their richly-caparisoned steeds, to be scrambled for by the multitude: and five of the great English nobles, not to be outdone in generosity by the strangers, immediately followed the example.*

We are not to suppose that the sovereigns who during this period were the most distinguished protectors and ornaments of chivalry, were wholly under the control of the spirit which they thus fostered. They were not, of course, exempted from the influence of the spirit of their age, and therefore they were most anxious to be accounted true knights, as well as wise rulers; but they had sagacity and dexterity to seize upon the ruling feeling, and turn it to the support of their schemes of policy and ambition. Such especially was the case with Edward III. He saw in chivalry the instrument most suited to the temper and circumstances of the age, and that, therefore, by which his vast designs could be best accomplished. Every showy tournament he proclaimed increased the number and spirit of his supporters, and added to his real strength. His great opponent, Philip of Valois, adopted the same course, and a rivalry in these splendid pageantries was the consequence. Edward established what was called a round table at Windsor, two hundred feet in diameter, which was maintained at the expense of a hundred pounds weekly; the French king, in reprisal, established one similar at Paris, by the attractions of which he intercepted sundry German and Italian knights who were coming to England. Edward then instituted the since illustrious Order of the Garter; and Philip increased the number and splendour of his jousts and tournaments. It was thus that national and royal rivalry contributed to the extension and aggrandizement of the chivalric system: it was

• H. Knyghton.



KNIGHTS PREPARING TO COMBAT. Royal MS. 14 E. III.

now the arbiter of kingdoms, and therefore all its forms, however puerile, became objects of the highest public importance.*

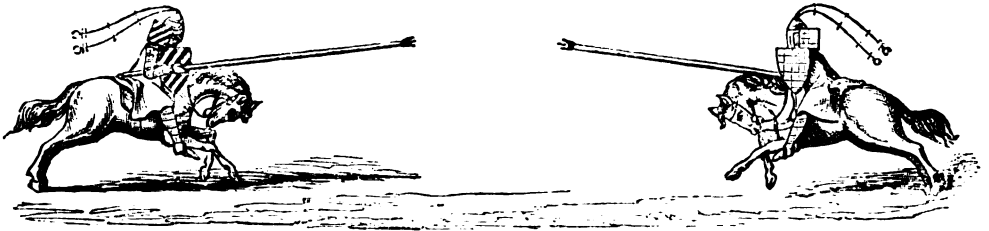
The "passages of arms," as the sportive encounters of chivalry were termed, were of various descriptions. Sometimes a baron proclaimed a joust or tournament to be held before his castle, which was furnished with permanent lists for the purpose. Sometimes a certain number of knights leagued together to answer all comers; and sometimes a single knight, especially venturous and hardy, would enter the lists with a general challenge, and encounter every foe in succession, until he conquered all, or was himself overcome. Frequently a simple joust was tried by two knights, who challenged each other to a trial of skill in all love and

* M. Westminster.—Froissart.

courtesy, with headless or sharpened lances; in this case one, three, or more courses were run, till one party yielded, or was disabled. And sometimes, when surpassing skill was to be displayed, or when additional danger was sought to give a zest to the conflict, a place was selected for the combat where a career of the lance was the least part of the hazard,—a rough plot of ground, or a narrow bridge, with a river or fosse beneath, into which a false step would plunge the unwary combatant. A singular course of this nature was run on the bridge of London, during the reign of Richard II., between a Scottish and an English knight, in consequence of a formal challenge after the battle of Otterburne.*

Little remains to be added to the description

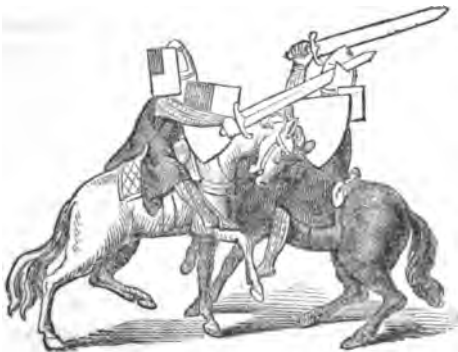
* Froissart.



KNIGHTS JOUSTING. Royal MS. 14 E. iii.

given in the last Book of the nature and general forms of the tournament. The display, however, both of expense and of taste, was greater now than in the preceding period. The lists were now magnificently decorated; they were surrounded by gay pavilions belonging to the knights who intended to take part in the combat, which were distinguished by the rich armour and honoured banners of their respective owners; and the scaffolds erected for the accommodation of the ladies and nobles were hung with tapestry, and embroidery of gold and silver. The spectacle regularly commenced with the jousts, which were performed, on those occasions, with headless lances, and each knight endeavoured, in his rapid career, to strike

his adversary full on the vizor or crest. This was a difficult mark to hit, but when accomplished, it seldom failed to unseat the firmest rider. To avoid such defeat, some knights adopted the practice of fastening the helmet to the cuirass by a single lace so that it might give way at the slightest touch of the spear; but this, Froissart states, was condemned by John of Gaunt as an unfair expedient. To lose a stirrup in the shock of encounter was equal to a defeat; to be unhorsed, whether in joust or tourney, was an additional ignominy. In the furious *melée* of the general combat, those who threw their antagonists to the earth, or mastered their weapons, were also sometimes obliged to drag them to the extremity of the lists; and when this



KNIGHTS COMBATING. Royal MS. 14 E. iii.



KNIGHTS JOUSTING. Royal MS. 14 E. iii.

was accomplished, the discomfited knights had to remain prisoners, and take no further share in the battle. In this way, both parties fought until so many on one side were disabled or captured as to make further contention hopeless. As might be expected, these sports, even in their gentlest forms, were plentifully accompanied with wounds and bruises; a death-wound was sometimes unwarily dealt, and a dismounted knight was occasionally smothered in his armour; but when the excitement of conflict rose to its height, aggravated, too, as it was in many cases by party or national enmities, then the two-handed sword or heavy battle axe descended with the same fury as on the plains of France or Syria, and the lists assumed the character of a battle-field on which deadly enemies were contending. The king, or the person presiding, however, had always the power to still the confusion at the wildest. He threw down his warner, and cried "Ho!"—and in an instant the fiercest strife was suspended; the mailed combatants stood as motionless as statues of bronze.

Froissart gives us the description of a tournament held at London, in 1389, during the reign of Richard II. Heralds were sent to every country in Europe where chivalry was honoured, to proclaim the time and the occasion; and brave knights were invited to splinter a lance, or wield a sword, in honour of their mistresses. Knights and nobles from far and near assembled at the inspiring summons; so that London was thronged with warriors of every climate and language. Smithfield (at that time without the city walls), in which the lists were erected, was surrounded with temporary chambers and pavilions, constructed for the accommodation of the king and the princes, the queen and the maidens of her court: and when the solemnity was about to commence, sixty horses richly accoutred were led to the lists by squires, accompanied by heralds and minstrels; after which sixty ladies followed on palfreys, each lady leading an armed knight by a chain of silver. The first day, the games commenced, as usual, with encounters of the lance; and at evening, when the trials had closed, the two combatants who had most highly signalized their skill, received, as prizes, a golden crown, and a rich girdle adorned with precious stones; after which, the night was spent in feasting and dancing. On the next morning, and for five successive days, the more serious competitions of the tournament followed; and still, as evening came, the same joyous festivities succeeded—the actors thus realizing all that their pagan ancestors had hoped for from the fighting and feasting paradise of Odin. But the appetites of the noble assembly for blows and beeves had not yet been satiated. The immense cavalcade now rose, and passed on to Windsor, where the same jousts, combats, and banquets were renewed for several days more; after which, the foreign knights departed to their own homes.

The ordeal combats, which were so closely connected with chivalry, appear, during the reign of

Richard II., to have increased in frequency. Regulations for these judicial duels were settled by the king's uncles. By these regulations, the king was to find the field upon which the combat was



ORDEAL COMBAT OR DUEL. Royal MS. 14 E. lii.

to be fought; the lists were to be erected on ground sixty paces in length, and forty in breadth, hard, firm, and level, with one gate to the east, and another to the west; and the whole was to be inclosed by a paling so high, that a horse could not leap over it. The nature of these duels, as well as the spirit of the age, will be best illustrated by the account of a singular combat of this nature, which is detailed by Holinshed. A knight accused a squire of treason, which the latter denied, and craved the purgation of combat; and accordingly the trial was held in presence of the king, the Duke of Lancaster, and the nobles. The appellant first entered the field of battle, and waited for the accused, who, after being thrice summoned by the herald-at-arms, entered the lists at the third call. The sealed indenture containing the knight's charge was then opened, and read, and a denial formally returned; after which, nothing remained but an immediate appeal to arms. The oaths of battle were therefore administered, and the accuser and accused solemnly swore that "they dealt with no witchcraft, nor art magic, whereby they might obtain the victory of their adversary; nor had about them any herb, or stone, or other kind of experiment, with which magicians use to triumph over their enemies." The combatants then betook themselves to prayer, after which they rose, and joined battle at the given signal, first with spears, then with swords, and finally with daggers. After a long and cruel fight, the knight managed to beat down and disarm his enemy; but just when he was about to throw himself upon the body of the vanquished, to deprive him of life, the sweat within his barred helmet flowed into his eyes, and so completely blinded him, that he fell wide of the mark. The squire, finding what had happened, contrived to raise his battered limbs from the ground, and threw himself upon his enemy, when,

at this perilous juncture, the king ordered the pair to be plucked asunder, which was immediately done by the attendants of the lists. The knight, as soon as he got upon his legs, prayed earnestly to be replaced in his former position, with the squire above him; for "he thanked God he was well, and mistrusted not to obtain the victory;" but this request was refused by the king, although pleaded repeatedly, and with vehemence, and backed by the offer of goodly sums of money. In the meantime, the squire, exhausted with wounds and toil, swooned away, and fell from his chair; his harness was speedily doffed, and means were used for his recovery; but as soon as he had opened his eyes, and began to breathe, the pertinacious knight advanced, and, after calling him traitor and perjured, summoned him to commence the battle anew. But the squire's last combat had been fought. He was unable to answer, perhaps even to understand, the reproach of his antagonist; and he died the same night. No better proof could be required of his guilt by the most scrupulous judges of that age; and thus was the affair terminated "to the great rejoicing of the common people," says the old chronicler, "and discouragement of traitors."

The ostentatious splendour and recklessness of expense which the chivalrous spirit tended to encourage, was not confined to mere courtly parades, and tournaments, and solemn festivals. On the contrary, it seems to have pervaded every department of domestic as well as public and out-door life. We still find in fashion during the present period the same unwieldy retinues that encumbered the march of Henry II. and his nobles; and if these trains of attendants were now somewhat superior in point of elegance and splendour to those of preceding ages, they were still productive of many evils. Each man strove to outdo his neighbour; and a writer of the time, the Monk of Malmsbury, bitterly complains of the unhappy rivalry in prodigality which such a spirit had produced, when he tells us that the squire endeavoured to outshine the knight, the knight the baron, the baron the earl, and the earl the king. All this was nothing more than the natural result of such an excited and artificial state of life. Unfortunately, too, the semblance of an excuse was still afforded for large and well-armed trains in the journeyings of the rich and powerful, from the fact that England was still traversed by strong bands of robbers, that plundered not only peaceful bishops and cardinals, but well-accompanied earls, and even powerful princes.* But still stronger motives for these throngs of followers were to be found in the restlessness and ambition of the nobility, constantly seeking to supplant each other when not engaged in a common contest with the crown. Such regiments and armies of retainers, of course, demanded plentiful supplies and an unbounded hospitality; and instances are furnished of the household expendi-

ture of these periods that almost stagger belief. Richard II., we are told, entertained ten thousand persons daily at his tables. The rich and powerful Thomas Earl of Lancaster, grandson of Henry III., in the beginning of the fourteenth century, expended in one year about twenty-two thousand pounds of silver in this open style of house-keeping; of wine alone there were consumed, during the course of that year by his household, three hundred and seventy-one pipes.

In the article of meats and drinks, the common people seem to have still adhered to the plain fashions of their ancestors: the old dishes, whatever they were, as yet sufficed them, with copious draughts of ale, cider, and mead; and quantity, not quality, was the main essential of a banquet. Very different, however, was the case with the nobles. The solemn feasting of chivalry seem gradually to have crept into the every-day life of the great, so that the comparative abstinence for which their Norman ancestors were distinguished had given place to inordinate extravagance. Attempts to restrain this extravagance were repeatedly made in the reigns of Edward II. and III., by sumptuary laws; the very repetition of which, however, proves that they were generally disregarded. The records of some of the great feasts of this period exhibit astounding bills of fare. At the marriage banquet of Richard Earl of Cornwall, in 1243, thirty thousand dishes were served up;† and in the following century, at the installation feast of the abbot of St. Augustine, no less than three thousand dishes honoured the promotion of the fortunate ecclesiastic.‡ The meals were still nominally only two a day; but this limitation mattered little, when the greater part of the day was devoted to these two meals. Intermeats also appear to have been introduced during this period. These were delicate and light dishes, served up at the intervals of the meal, intended probably as provocatives to the more substantial courses that followed.§ Wines also, as they were technically called, formed a sort of connecting link between the two daily meals. These wines were light refectations of fine cakes and different kinds of wine, that were taken at any hour of the day, or upon the arrival of a visitor, but more especially at bed-time.¶ Cookery had now also increased into a most complicated and artificial system, though we are not sufficiently acquainted with the details to speak of them with certainty. Many dishes are now mentioned for the first time, composed of materials sufficiently heterogeneous according to the present taste,|| and so excessively seasoned that they were said to be "burning with wildfire;" while others, that were required to please the eye as well as the palate, were gaily painted, and turreted with paper. In seasoning these inflammable dainties, the cooks made abundant use of ginger, grein de Paris, cloves, and liquorice. We also find that jellies, tarts, and rich cakes, formed a copious accompa-

* M. Paris.—H. Knighton.—S. Walsingham;

† M. Paris. ‡ W. Thorn. § Ryley & Placita Parl. § Profsart. || Digitized by Strutt's Angel Cynnun.

niment of every banquet. The wines used at this period were either compounded or pure: of the former were hippocras, pigment, and claret; the latter were chiefly the imported wines of France, Spain, Greece, and Syria.*

A style of life such as this required vigorous digestion, and out-door sports, accordingly, were still eagerly followed by all classes. Fleet steeds, high-soaring hawks, good hounds, and bright armour, still occupied the cares of the great and wealthy; and as so many of the restrictions in hunting had been abolished, that seductive sport was also largely followed by the commons. The priesthood also continued to be so strongly attached to "venerie," that, in the reign of Richard II., every clergyman was prohibited from keeping a dog for hunting who had not a benefice of the annual amount of ten pounds; and, in the reign of Edward III., the Bishop of Ely actually excommunicated certain persons who had stolen one of his hawks during the period of divine service.

We find, from the illuminated manuscripts of this period, that even ladies both hunted in company with gentlemen, and formed hunting parties of their own, in which they pursued the deer, mounted astride on fleet horses, and brought down the game with their arrows. Sometimes, indeed, ladies went much further than this, riding, we are told, from castle to castle, and from town to town, with poniards at their girdles and javelins in their hands, in quest of adventures.† Falconry still continued to be the most cherished sport; and the prices at which hawks were purchased, as well as the penalties enacted against those who should steal them, show the estimation in which they were held. Edward III. himself appears to have been an enthusiastic hawker. In one of his expeditions to France he carried with him thirty falconers; and, during the campaign,

* Strutt's *Angel Cynnan*.

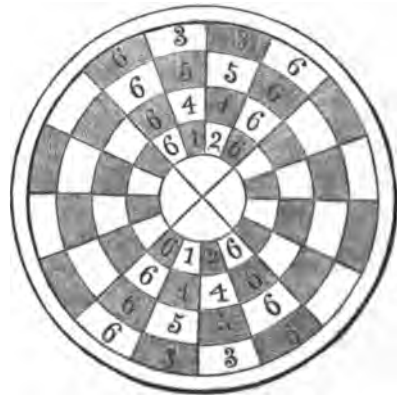
† H. Knyghton.



PLAYING AT DRAUGHTS. Harleian MS. 4431.

he appears to have hawked and fought alternately with equal ardour. The wolf, it may be observed, was still to be found in England, as appears by various evidences.

When we pass from these active exercises to the in-door amusements of the nobility and gentry of this period, we find that most of the games of the former period were still in use; and some games are also mentioned of which we do not read in earlier times. That of cross and pile is said to have been introduced at court by Edward II.* Persons playing at draughts are represented in some of the illuminations. We have already mentioned the game of chess as forming a common amusement among the higher classes. The game, as far as we can judge from the figures in the ancient paintings, appears to have been played nearly in the same manner as at present. Besides a square chess-board, however, like that commonly in use, we sometimes see one of a circular form. The chess-men were somewhat different in form, and also in name; the queen being called the fevee; the rook, or castle, the rock; and the bishop, the alfin.



CIRCULAR CHESS-BOARD. Cotton MS. and Strutt.

The Figures show the places of the pieces:—1. The King.—2. The Queen, or Fevee.—3. The Castle, Rook, or Rock.—4. The Knight.—5. The Bishop, or Alfin.—6. The Pawns.

The jester was now a regular appendage of a princely or noble household: his office was to divert the jaded spirit of his lord by jests either intellectual or practical, and to keep the banquet in a roar by his wit, as well as by the jingling of his bells and the grotesque display of his cap and bauble. The castles also continued to be visited by crowds of jugglers, whose wonderful feats were still attributed, even by the wisest and most learned, to infernal agency,—by tumblers who exhibited their agility and skill,—by rope-dancers and buffoons,—and by minstrels and glee-singers. The inferior animals, as before, were pressed into the service of these strolling exhibitors; and the high-born spectators were still delighted with such exhibitions as horses dancing on tight-ropes, or

* Antiquit. Report, tom. ii.

oxen riding upon horses and holding trumpets to their mouths.

Mummings also formed a particular amusement of this period.* These seem to have been a coarse and primitive kind of masquerade, where the actors, if we may judge from the old illuminations, more frequently applied themselves to mimic certain of the brute creation, than to support fictitious human characters. At the intermeats between the courses of great public banquets we also find that pageants were sometimes introduced for the amusement of the guests. In these exhibitions ships were brought forward filled

* M. Paris.—Froissart.—Sainte l'alye.

with mariners, or towers garrisoned by armed men, while the actors proceeded, with the help of this scenery, to represent some allegorical lesson or historical incident. Theatrical amusements were still frequented; but the age that produced such a genius as Chaucer could offer nothing better to the stage than such miracles and mysteries as have been noticed in a former Chapter. These strange representations, as far as their fragments have survived, are calculated to give us no favourable idea either of the taste or the piety of our ancestors. Although founded upon scriptural or religious history, they yet appear to have been stuffed with such egregious buffoonery that they



MUMMERS. Bodleian MS.

can only be likened to the sayings and doings of Punch and his associates. Dancing constituted an indispensable accomplishment of a gallant knight, and generally followed the banquet and the tournament.

The great popular exercise of this period was that of archery, the cultivation of which, to the exclusion even of all other sports, was enjoined by various legislative enactments or royal ordinances. By a law of the thirteenth century, every person having an annual income of more than one hundred pence, was obliged to furnish himself with a serviceable bow and arrows. In the reign of Edward III. proclamation was made that all persons should practise archery on the holidays during the hours not occupied by divine service; and the games of quoits, hand-ball, foot-ball, stick-ball, canibuca, and cock-fighting, were at the same time strictly prohibited. The villages were furnished with pricks, butts, and rovers, for the competition of the people in archery; and at these trials of skill, in later times at least, as appears from a statute of Henry VIII., no man was allowed to shoot at a mark less distant than eleven score feet.* But it would seem, notwithstanding the surpassing dexterity of the English bowmen, that they did not like to play with bows and arrows upon compulsion,—there was something too grave and formal in the sport of shooting according to the statute,—and, when it could be safely done,

* Stat. 33 Hen. VIII. c. 9.

they escaped from the village butts, to more spontaneous and stirring amusements. As archery required such long practice, the young were furnished with bows according to their age and strength. Those of the yeomen for real service were required to be of the height of the bearer. The arrows were generally a yard in length, notched at the extremity to fit the string, and fletched with the feathers of the goose, the eagle, and sometimes the peacock. The cross-bow does not appear to have been much encouraged in England.

The mummings and masqueradings, which were in such high favour with the great, appear to have also been attractive to the common people. Edward III., in the sixth year of his reign, is said to have issued an ordinance against vagrants who exhibited scandalous masquerades in low ale-houses, and to have directed that such persons should be whipped out of London. But the Feast of Fools, which was enacted by the populace at large, and which was the most singular of all these exhibitions, requires a more particular notice. Its celebration, which took place at Christmas, somewhat resembled the Saturnalia of Ancient Rome. It was a season of universal license among the commonalty, in which all orders and authorities were reversed; the churl became a pope, the buffoon a cardinal, and the lowest of the mob were converted into priests and right reverend abbots. In this wild merriment they took possession of the

churches, and parodied every part of the sacred service, singing masses composed of obscene songs, and preaching sermons full of all manner of lewdness and buffoonery. Such, especially upon the continent, was the manner in which this sacred festival was commemorated; while the church, in the pride of its power and security, felt no alarm whatever at these popular ebullitions, and therefore seldom took steps to prevent them. In England the Festival of Fools does not appear to have been attended with such wild excesses as prevailed in the continental observance of it, and it was soon put down, either by the authority of the church or the good sense of the people. A part of it, however, long survived, under the designation of the Dance of Fools. This exhibition, which was also held at Christmas, consisted of a set of drolleries sufficiently profane, the actors who figured in the pageant being dressed, in all respects, like the court-fool, a personage who, as he occupied the highest place of his order, became naturally the model to all the fools of England.

From this root also sprang the Abbots of Unreason and Lords of Misrule—a class of personages that will fall to be mentioned under a later period. We shall, however, at present notice very briefly the institution of the Boy-Bishop, another of these fooleries, which appears to have been peculiar to England, and to have been known, at least, so early as the fourteenth century. In this ridiculous farce, the boys belonging to the choirs of the collegiate churches, on the arrival of the feast of St. Nicholas or of the Holy Innocents (and often on both occasions), dressed themselves in full pontificals, and obtained possession of the sacred building, while one of their number for the time became their prelate, and was adorned with mitre and crozier. The urchins then proceeded to mimic the devotional services of their clerical superiors: they prayed, chanted, and performed mass; and the Boy-Bishop, from the altar or the pulpit, delivered a sermon to the crowd that assembled to witness the sport, and received from them contributions of money at the conclusion of the service. After this profane parody, the whole choir sallied into the streets headed by their juvenile prelate, dancing and singing from house to house, scattering clerical benedictions among the people, and receiving offerings in their progress. So far, indeed, was this mummery encouraged by the heads of the church, that proper dresses for the pageant were kept in most of those churches where the ceremony was

performed; and it maintained its ground until it was suppressed by an edict of Henry VIII. Mary, his daughter, endeavoured to revive the festival; but, after her death, it was entirely annihilated. Even in the present day, the curious eye can trace certain modifications of these sports, in



TOMB OF THE BOY-BISHOP. — Salisbury.
Height about three feet and a half.

the Christmas festivities of children; and Warton supposes, with some probability, that the *ad montem* of the Eton scholars originated in the procession of the Boy-Bishop.

CHAPTER VII.

HISTORY OF THE CONDITION OF THE PEOPLE.



HE institutions and the social condition of England had both begun before the close of the present period distinctly to show the rude outline of the peculiar form and character into which they have since settled. The system impressed upon the country at the Conquest had in great part passed

away, and a new order of things had taken its place.

The government was now no longer that either of the king alone, as it may be said to have been in the time of the Conqueror and his sons, or of the king and the barons merely, as it afterwards came to be. In profession and design at least, it was, from the accession of Edward I., a government of king, lords, and commons, as it still is.

Not the exact constitution, certainly, but yet what we may call the principle of the constitution, of each house of the legislature had also come to be nearly the same as it is at present. The House of Lords now consisted of the greater barons only. The custom of summoning to that assembly all the immediate tenants of the crown, if it ever existed, had certainly become obsolete before the end of the reign of Henry III. After the complete establishment of the House of Commons, the lesser barons were undoubtedly held to be commoners, as their representatives, the great body of the landed gentry, are at this day. If it could be clearly shown that it ever was otherwise,—that at any time the entire body of the tenants of the crown sat as lords of parliament,—the remarkable concurrence of the date from which it is on all hands admitted that they did so no longer with that usually assigned to the origin of the House of Commons, would go far to make it probable that that house really did take its beginning at the period in question. In any case, it seems likely enough that the lower house of the Norman parliament may have been originally the house of the lesser barons, whether they sat in it at first personally or by representation. All that we know is, that from the time at least when all the freeholders in each county were associated in this matter with the immediate tenants of the crown, the House of Commons was a representative body. From this

time, also, as we have said, if not before, the House of Lords consisted of the greater barons only. From the reign also of Henry III. barons by tenure ceased to be the only description of barons. There is an instance on record of a barony being created by writ,—that is, simply by the king's summons to parliament,—in the year 1265, the 49th of that king, the same in which we have the first recorded writs to the sheriffs for the election of county and borough representatives. It is generally supposed, however, that this mode of creating baronies is of earlier introduction. Edward III. introduced another mode, namely, by creation in parliament, or, as it has been called, by statute, although it has been doubted whether the consent of the lords and commons was actually in such cases either given or asked. Finally, the usual modern form of creation by letters patent was introduced by Richard II., the first instance of a barony so conferred having been in 1387, the tenth year of that king, when Sir John de Beauchamp of Holt was made Baron Beauchamp of Kidderminster. All the existing ranks of the peerage, also, with the exception of that of viscount, had been now introduced. The first English duke was the Black Prince, who was created Duke of Cornwall, in 1337, the eleventh year of his father's reign; the first marquess was Robert de Vere Earl of Oxford, who was created Marquess of Dublin for life, by Richard II. in 1386. The most remarkable feature by which the composition of the upper house of parliament at this period was distinguished from its composition in modern times was the numerical preponderance of the spiritual over the temporal peers, and that it retained in some degree till the abolition of the old religion in the sixteenth century.

The constitution, on the whole, may now be shortly described as being an immature or imperfectly established system of liberty. It was a free constitution, to a great extent, in form and theory, but with much of the spirit and substance of the old despotism still remaining in its practice. To quote the words of a distinguished writer,—“Although the restraining hand of parliament was continually growing more effectual, and the notions of legal right acquiring more precision, from the time of Magna Charta to the civil wars under Henry VI., we may justly say that the general tone of administration was not a little arbitrary. The whole fabric of English liberty rose step by step, through much toil and many sacrifices, each generation adding some new security to the work,

and trusting that posterity would perfect the labour as well as enjoy the reward. A time, perhaps, was even then foreseen in the visions of generous hope, by the brave knights of parliament, and by the sober sages of justice, when the proudest ministers of the crown would recoil from those barriers which were then daily pushed aside with impunity.*

The state of the country during the present period, in regard to security and order, still betokened considerable barbarism, both of manners and of institutions. The most distinct and indisputable testimony to the great prevalence of rapine and violence is that which is borne by some of the acts passed by the legislature with the view of remedying the evil. Of these one of the most remarkable has been shortly noticed in a former chapter, the Statute of Winchester, passed in 1285, the 13th of Edward I. The preamble of this statute begins by averring that, "from day to day, robberies, murders, burnings, and theft be more often used than they have been heretofore," a statement which may at least be taken as evidence that these crimes were very frequent at the time when the statute was enacted. It goes on to recite that, owing to the partiality of jurors, who would rather suffer strangers to be robbed than have the offenders punished when they were of the same county with themselves, great difficulty was found in obtaining the conviction of felons. In consequence, it is ordered, among other regulations, that the hundred shall be answerable for robberies; that in all walled towns the gates shall be shut from sun-setting until the sun-rising; that no man shall lodge during the night in the suburbs of towns unless his host will answer for him; and that every stranger found in the streets from sunset to sunrise should immediately be apprehended by the watch. This is the picture of a state of society in which the general prevalence of crime destroyed at once all feeling of security and all freedom of movement. Every stranger who made his appearance in a town, we see, was treated as a suspected person; unless he could find an inhabitant to be his surety, he was to be at once either thrust forth or taken into custody. The next clause of the act is equally illustrative of the insecurity of the rural districts, and especially of the public roads. It directs that every highway leading from one market town to another shall be cleared for two hundred feet on each side of every ditch, tree, or bush, in which a man may lurk to do hurt; and if a park be near a highway, it is ordered to be removed to the same distance, or at least to be carefully defended by a wall or otherwise, so that it may not serve as a harbour from which malefactors may issue forth to attack the traveller. Finally, it is commanded that every man shall provide himself with armour according to his station, the richest with a hauberk, a breastplate of iron, a sword, a knife, and a horse, the poorest with bows and arrows at the least, that when offenders resist

being arrested, all the town and the towns near may follow them with hue and cry, "and so hue and cry shall be made from town to town, until that they be taken and delivered to the sheriff." This last provision," as Mr. Hallam remarks, "indicates that the robbers plundered the country in formidable bands." The old Saxon law of frank-pledge, it may be observed, was kept up, in form at least, till a later date than this; there is a statute directing the mode of taking the view of frank-pledge, which is generally assigned to the seventeenth or eighteenth year of Edward II.;* but that ancient system had probably, long ere now, been found unsuitable to the changed circumstances of the country. Its spirit, also, which left the maintenance of order and the repression of crime in a great measure in the hands of the people themselves, was wholly opposed to the temper of the Norman institutions and government, which tended to concentrate all power and authority in the crown, and regarded any popular interference in the administration of the law with extreme jealousy and aversion. The contest of the two principles is to be discerned in various passages of the legislation of the present period on matters of police. It may be illustrated, for example, by the history of the county magistrates called justices of the peace. These were originally called conservators of the peace, and were elected by the votes of the freeholders till the accession of Edward III.; when, in the midst of the revolution that placed the new king upon the throne, a clause was introduced into an act of parliament,† giving the right of appointing them to the crown. Their authority was afterwards gradually enlarged by successive statutes, till at last, in 1360,‡ they were invested with the power of trying felonies; and then, instead of conservators, wardens, or keepers of the peace, "they acquired," says Blackstone, "the more honourable appellation of justices." It appears, however, from the rolls of parliament, that, ever since their appointment had been assumed by the crown, they had been the objects of popular odium, and every act or royal ordinance by which their powers were subsequently enlarged, seems to have excited much dissatisfaction and remonstrance. Meanwhile the state of the country did not improve under the new system. The preamble of an ordinance passed in 1378§ gives us the following remarkable description of the lawlessness and violence which prevailed:—"Our sovereign lord the king hath perceived, as well by many complaints made to him as by the perfect knowledge (that is, the notoriety) of the thing, that as well divers of his liege people in sundry parts of the realm, as also the people of Wales in the county of Hereford, and the people of the county of Chester, with the counties adjoining to Chestershire, some of them claiming to have right to divers lands, tenements, and other possessions, and some espying

* Statutes of the Realm, Record Com. edit. i. 246.

† 1 Edw. III. st. 2, c. 16.

‡ By the statute 34 Edw. III. c. 1.

§ Called the 2 Rich. II. st. 1, c. 6.

* Middle Ages, III. 218.

women and damsels unmarried, and some desiring to make maintenance in their marches, do gather them together to a great number of men of arms and archers, to the manner of war, and confederate themselves by oath and other confederacy, not having consideration to God, nor to the laws of holy church, nor of the land, nor of right, nor justice, but, refusing and setting apart all process of the law, do ride in great routs in divers parts of England, and take possession and set them in divers manors, lands, and other possessions of their own authority, and hold the same long with force, doing many manner apparelments of war; and in some places do ravish women and damsels, and bring them into strange countries, where please them; and in some places lying in wait with such routs, do beat and maim, murder and slay the people for to have their wives and their goods, and the same women and goods retain to their own use; and some time take the king's liege people in their houses, and bring and hold them as prisoners, and at the last put them to fine and ransom, as it were in a land of war; and some time come before the justices in their sessions in such guise with great force, whereby the justices be afraid and not hardy to do the law; and do many other riots and horrible offences, whereby the realm in divers parts is put in great trouble, to the great mischief and grievance of the people, and the hurt of the king's majesty, and against the king's crown." To repress these daring outrages power was now given to the magistrates, as soon as they were credibly certified of any such "assemblies, routs, or ridings of offenders, baratours, and other such rioters," "to assert them incontinent, without tarrying for indictments, or other process of the law, by their body, and especially the chieftains and leaders of such routs, and send them to the next gaol, with the cause of their arrest clearly and distinctly put in writing, there to abide in prison in sure keeping, till the coming of the justices into the country, without being delivered in the mean time by main-prize, bail, or in other manner." The remedy here would seem to have scarcely gone beyond the necessity of the case; but the dislike that was entertained to the functionaries entrusted with the administration of the new law was too strong for even the sense of that necessity to overcome. Next year we find the Commons petitioning against it as "a horrible grievous ordinance, by which every freeman in the kingdom would be in bondage to these justices, contrary to the great charter, and to many statutes, which forbid any man to be taken without due course of law." "So sensitive," observes Mr. Hallam, "was their jealousy of arbitrary imprisonment, that they preferred enduring riot and robbery to chastising them by any means that might afford a precedent to oppression, or weaken men's reverence for Magna Charta."* The real feeling, however, probably was an aversion to the magistrates nominated by the crown. In con-

sequence of this petition of the Commons, the ordinance was "utterly repealed and annulled."*

As yet, it is to be remembered, the government and the law had been little known or felt in their proper character of the great protecting powers of society; the notion of them that was by far most familiar to men's minds was that of mighty engines of oppression, which, indeed, they had principally been. Every attempt accordingly to arm them with additional force was naturally regarded with much apprehension and jealousy. It was not merely in the hands of the crown that the law was turned to purposes of tyranny and plunder. It is especially deserving of notice that at this time it was actually employed as one of their most common instruments by spoliators and disturbers of all classes, as if such had been its proper use. One of the offences against which statute after statute was passed, was that called maintenance; which was really nothing else than the confederating to do wrong, not by the defiance or evasion, but through the aid and under the direct authority, of the law. "Conspirators," says an ordinance of the 33rd of Edward I., "be they that do confeder, or bind themselves, by oath, covenant, or other alliance, that every of them shall aid and bear the other, falsely and maliciously to indict or cause to indict, or falsely to move or maintain pleas; and also such as cause children within age to appeal men of felony, whereby they are imprisoned and sore grieved; and such as retain men in the country with liveries or fees for to maintain their malicious enterprizes." That all these descriptions of conspiracy were pursued systematically and on a great scale, the language of other statutes sufficiently attests. Thus, in the 4 Edw. III. c. 2, it is affirmed, that "divers people of the realm, as well great men as other, have made alliances, confederacies, and conspiracies, to maintain parties, pleas, and quarrels, whereby divers have been wrongfully disinherited, and some ransomed and destroyed, and some, for fear to be maimed and beaten, durst not sue for their right nor complain, nor the jurors of inquests give their verdicts, to the great hurt of the people, and slander of the law and common right." In many cases, these confederated ruffians were openly protected by some powerful baron, whose livery they wore. "We be informed," says the 20 Edw. III. c. 5, "that many bearers and maintainers of quarrels and parties in the country be maintained and borne by lords, whereby they be more encouraged to offend, and by procurement, covine (covenant), and maintenance of such bearers in the country, many people be disinherited, and some delayed and disturbed of their right, and some not guilty convict and condemned, or otherwise oppressed, in the undoing of their estate, and in the notorious destruction of our people." Some of the modes in which this system of confederation was carried on are more precisely explained in the 1 Rich. II. c. 7, where it

* Mid. Ages, II. 283.

* By the 2 Rich. II. c. 2, c. 2.

is asserted that "divers people of small revenue of land, rent, or other possessions, do make great retinue of people, as well of esquires as of other, in many parts of the realm, giving to them hats and other liveries, of one suit by year, taking of them the value of the same livery, or percase the double value, by such covenant and assurance, that every of them shall maintain other in all quarrels, be they reasonable or unreasonable, to the great mischief and oppression of the people;" and in c. 9, which records the complaints made to the king, "that many people, as well great as small, having right and true title, as well to lands, tenements, and rents, as in other personal actions, be wrongfully delayed of their right and actions, by means that the occupiers or defendants, to be maintained and sustained in their wrong, do commonly make gifts and feoffments of their lands and tenements which be in debate, and of their other goods and chattels, to lords and other great men of the realm, against whom the said pursuants, for great menace that is made to them, cannot nor dare not make their pursuits; and that, on the other part, oftentimes many people do disseise other of their tenements, and anon, after the disseisin done, they make divers alienations and feoffments, sometimes to lords and great men of the realm to have maintenance, and sometimes to many persons of whose names the disseisees can have no knowledge, to the intent to defer and delay by such frauds the said disseisees, and the other demandants and their heirs, of their recovery, to the great hindrance and oppression of the people." But many of these retainers of the great lords were accustomed to follow still more daring courses. In 1349 (the 22 of Edward III.), the Rolls of Parliament record the prayer of the commons, that, "whereas it is notorious how robbers and malefactors infest the country, the king would charge the great men of the land, that none such be maintained by them, privily or openly, but that they lend assistance to arrest and take such ill-doers." "Highway robbery," observes Mr. Hallam, "was, from the earliest times, a sort of national crime. Capital punishments, though very frequent, made little impression on a bold and licentious crew, who had, at least, the sympathy of those who had nothing to lose on their side, and flattering prospects of impunity. We know how long the outlaws of Sherwood lived in tradition;—men, who, like some of their betters, have been permitted to redeem, by a few acts of generosity, the just ignominy of extensive crimes. These, indeed, were the heroes of vulgar applause; but when such a judge as Sir John Fortescue could exult that more Englishmen were hanged for robbery in one year than French in seven, and that 'if an Englishman be poor, and see another having riches, which may be taken from him by might, he will not spare to do so,' it may be perceived how thoroughly these sentiments had pervaded the public mind."

It is the remark of another modern writer, that the number of old statutes against going armed and wearing liveries, are a proof that the people of this country were formerly much more irascible and vindictive than they are at present; and that the law-books also show that many crimes were then prevalent of which we now hardly ever hear. He particularly mentions maiming and mutilation, the obtaining of deeds by violence or duress, and the various abuses of the powers of the law which have been already adverted to. "Notwithstanding the general inclination to decry everything modern, I cannot but imagine," he very sensibly concludes, "that the inhabitants of this country are, in the eighteenth century, infinitely more virtuous than they were in the thirteenth; and that the improvements of the mind and regard for social duties have gone hand in hand with the improvements by learning and commerce; nor have I any doubt but that, if anything like a regular government continues in this island, succeeding ages will not only be more refined and polished, but consist of still more deserving members of society."

A great social revolution was gradually effected in England in the course of the present period by the general transformation of the villains into freemen. The subject is one, in some parts of it, of much obscurity, and the few facts upon which we have to proceed in considering it leave us to form most of our conclusions from theory and conjecture. Mr. Hallam has advanced the opinion that there was really no difference between the conditions of the villain in gross and the villain regardant, and that the distinction between them was merely formal or technical, affecting only the mode of pleading. He also adopts the notion that tenants in villenage have been inaccurately confounded with villains, and that these two classes were altogether distinct.† We confess we strongly doubt the correctness of both the one and the other of these positions. We conceive the distinction between the villain regardant and the villain in gross to have been of the most material character, and the tenant in villenage to have been merely the villain regardant under a new name. Notwithstanding some expressions in the law-books of dubious import, we cannot account otherwise than upon this supposition for the general course, as far as it is known, of the history of the ancient villenage, and more especially for the facts that are now to be mentioned.

The villain regardant appears to have been really a tenant of his lord, though holding both by base and uncertain services; and his lord, whatever other rights he might have over him, had no power, we apprehend, to dispossess him of his tenure so long as he performed the services required of him. If he was said by the law to be a tenant at the will of his lord, that expression, apparently, was conformable merely to the original theory of his condition. In one sense, a tenant bound to

* Mid. Ages, iii. 249. The passage from Fortescue is in his 'Difference between an Absolute and Limited Monarchy,' p. 90.

† Barrington, on the Statutes, p. 118.
‡ Middle Ages, iii. 256, 257.

uncertain services might really be considered as sitting at will; for his lord, in order to turn him out, had only to demand from him such services as he would rather resign his holding than render. But this purely arbitrary power, although it might remain unlimited in the legal expression, would soon come to be restrained in its actual exercise within certain well understood bounds; and in this, as in other respects, the will of the lord would, in point of fact, mean only his will exercised according to the custom of the manor. If it had ever been otherwise, the complete establishment of this understanding would be the first step taken in the improvement of the villain's condition. The next would be the confinement of his services, not only within certain customary limits in regard to their general description or character, but yet more strictly to a clearly defined amount, which would have nearly all the precision of a money payment, and would soon come to be exacted with as little either of excess or of abatement as is usual in the case of a modern rent. The practice of entering the amount of service upon the roll of the court-baron would naturally follow, which would at once give to tenure by villenage all the stability and independence of any other kind of tenure. Meanwhile the condition of the tenant was improving in another way with the rise in the value of land; and this change in his circumstances would gradually raise him, in many instances, above the personal performance of whatever there was degrading in the services he owed to his lord; he would perform his services by a hired substitute; until at length it would be found for the interest of both parties that they should be commuted for a fixed money-rent. It is hardly necessary to observe, that the same progressive movement of society which brought about this change would also naturally and inevitably elevate the villain in other respects above whatever was base or servile in his original condition,—above the practical operation, more especially, of every old fragment of the law which made him in any sense the property of his lord, or gave the latter any rights over him inconsistent with the new position to which he had advanced. This was a result which no mere law could resist. The villain having thus acquired the free disposal of his person and property, would be a villain no longer in anything but in name; even that would be changed, and he would be called, not a villain, but a tenant in villenage. It does not appear that any other account can be given of the origin of tenure in villenage but this. It has been said that freemen might hold land by villain tenure; and we may be certain that after that mode of tenure began to outgrow its original servile character in the manner that has been explained, persons who had not been born villains would not be scared by its mere name from the acquisition of estates under it by purchase or otherwise. It is generally admitted that what are now called copyhold estates are the same estates that were formerly said to be held by villain tenure. In fact, accord-

ing to the view that has been given, there is no difference between the present tenure by copyhold and the ancient tenure by villenage, excepting merely that in the former, as it now exists, we have the completion of the process of gradual change which, as we have shown, was in all probability going on from the earliest stage in the history of the latter. A copyhold estate is now, for all practical purposes, as much a property as a freehold estate; but its legal incidents, though reduced to mere formalities or fictions, are still very expressively significant of its true origin. The mode of alienating a copyhold, for instance, still is for the copyholder first to make a surrender of his land into the hands of his lord, who thereupon admits the purchaser as his tenant; and the new tenant, like his predecessor, is still affirmed to hold the land "at the will of the lord." The tenants in villenage appear to have been making progress in throwing off the original servile or nominally precarious character of their tenure, at least from the commencement of the present period, and in the course of it they no doubt effected a considerable advance in substantial stability and independence; but the decisions of the courts, as well as the letter of the law, probably continued to be adverse to their pretensions down to its close. It is said to have been not till the reign of Edward IV. that the judges expressly declared the right of the copyholder to bring his action of trespass against the lord for dispossession.

While the villain regardant was thus rising into the copyhold proprietor, the villain in gross was also undergoing a corresponding transformation, and becoming a free labourer. We have not much evidence of the manner in which this change was effected, but the most distinct intimations of its having to a large extent taken place in the course of the thirteenth, and more especially in that of the fourteenth century. Some of them were no doubt emancipated by their masters; the liberation of their slaves is said to have been an act of piety to which persons on their death-bed used to be strongly urged by the clergy; but the majority of the villains in gross appear to have shaken off the fetters of their thralldom by their own act,—in other words, by effecting their escape from the power of those who held them in bondage. The law, as we have already had occasion to notice, held a villain to be free after a residence in any walled town for a year and a day. This provision, there is reason to believe, was the means of enabling many villains to acquire their liberty. But many more seem to have merely fled to another part of the country, the distance of which placed them out of the reach of their masters. What is certain, at all events, is, that by the middle of the fourteenth century a large body of free labourers had grown up in England. The most distinct evidence to that fact is afforded by the famous ordinance, commonly called the Statute of Labourers, passed in 1349 (the 23rd of Edward III.), which proceeds upon the averment that

because a great part of the people, and especially of workmen and servants, had lately died of the pestilence, "many, seeing the necessity of masters, and great scarcity of servants, will not serve unless they may receive excessive wages, and some rather willing to beg in idleness than by labour to get their living." Those whom the statute binds to serve when required at certain specified rates of wages are afterwards thus described:—"Every man and woman of our realm of England, of what condition he be, free or bond, able in body, and within the age of three score years, not living in merchandise, nor exercising any craft, nor having of his own whereof he may live, nor proper land about whose tillage he may himself occupy, and not serving any other." From the rest of the ordinance and the statute by which it was followed up two years afterwards (the 25 Edw. III. st. 2), it appears that this class of labourers who were not bondsmen included carters, ploughmen, drivers of the plough, shepherds, swineherds, deys, reapers, mowers, threshers, and other labourers in husbandry; carpenters, masons, tilers, "and other workmen of houses;" plasterers, "and other workers of mud-walls;" cordwainers and shoemakers; goldsmiths, sadlers, horseshmiths, spurriers, tanners, curriers, tawers of leather, tailors, and others. So that in every branch of industry, whether carried on in town or in country, there would appear by this time to have been numbers of working people who were not in a state of villenage.

A statute passed in 1377 (the 1st Rich. II. c. 6) affords us some information as to the courses taken both by villains in gross and villains regardant in the great struggle to effect their emancipation, in which they were now engaged. The act professes to be passed "at the grievous complaint of the lords and commons of the realm, as well men of holy church as other, made in the parliament, of that that in many seignories and parts of the realm of England, the villains and land-tenants in villenage, who owe services and customs to their said lords, have now late withdrawn, and do daily withdraw their services and customs due to their said lords, by comfort and procurement of other their counsellors, maintainers, and abettors in the country, which hath taken hire and profit of the said villains and land-tenants, by colour of certain exemplifications made out of the book of Domesday, and, by their evil interpretations of the same, they affirm them to be quite and utterly discharged of all manner servage, due as well of their body as of their said tenures, and will not suffer any distress or other justice to be made upon them; but do menace the ministers of their lords of life and member, and, which more is, gather themselves together in great routs, and agree by such confederacy that every one shall aid other to resist their lords with strong hand; and much other harm

they do, &c." Here we have apparently the villains in gross and the villains regardant (for such we take to be the meaning of the expression, "the villains and land-tenants in villenage,") associating together to resist partly by an appeal to the law, partly by force, the claims of their lords to the services due "of their bodies" by the former and "of their tenures" by the latter. Differently situated as they were in some respects, they wisely felt that their cause for the present was the same.

The abolition of slavery was one of the demands made by the insurgents in the rebellion of 1381, which proves that the class of villains in gross was by no means then extinct. This great popular outbreak was probably little favourable in its immediate consequences to the condition of these unhappy persons. As soon as it was suppressed the king is represented as addressing the villains of Essex in terms manifesting a sufficient determination that they should derive no benefit from their baffled attempt. "Rustics ye have been and are," he told them, according to Walsingham, "and in bondage shall ye remain, not such as ye have heretofore known, but in a condition incomparably more vile." Various severe laws affecting the poorer classes were also passed in the course of the following ten or twelve years. Among others, by the statute 12 Rich. II. c. 3, it was ordained that "no servant nor labourer, be he man or woman, shall depart at the end of his term out of the hundred where he is dwelling to serve or dwell elsewhere, or by colour to go from thence in pilgrimage, unless he bring a letter patent containing the cause of his going, and the time of his return, if he ought to return, under the king's seal;" and, by chap. 5, that all persons who had been employed in any labour or service of husbandry till the age of twelve, should from thenceforth abide at the same labour, and be incapable of being put to any mystery or handicraft. The commons a few years afterwards even went the length of petitioning (though their demands were negatived by the king) that the old law which protected villains after a residence of a year and a day, in towns, should be repealed; and that, "for the honour of all the freemen in the kingdom," villains might not be allowed to put their children to school, in order to advance them by the church. But these anxious endeavours to keep down the people testify how greatly their fears had been excited; and the salutary impression thus made upon them, of the formidable character of the popular strength, could not fail, ere long, to operate to the advantage of the portion of the community that had been hitherto so much despised and oppressed. From this time little mention is made of villenage; no efforts appear to have been interposed by the law to retard its decay; and it seems to have steadily and somewhat rapidly moved on towards its entire extinction.

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BOOK V.

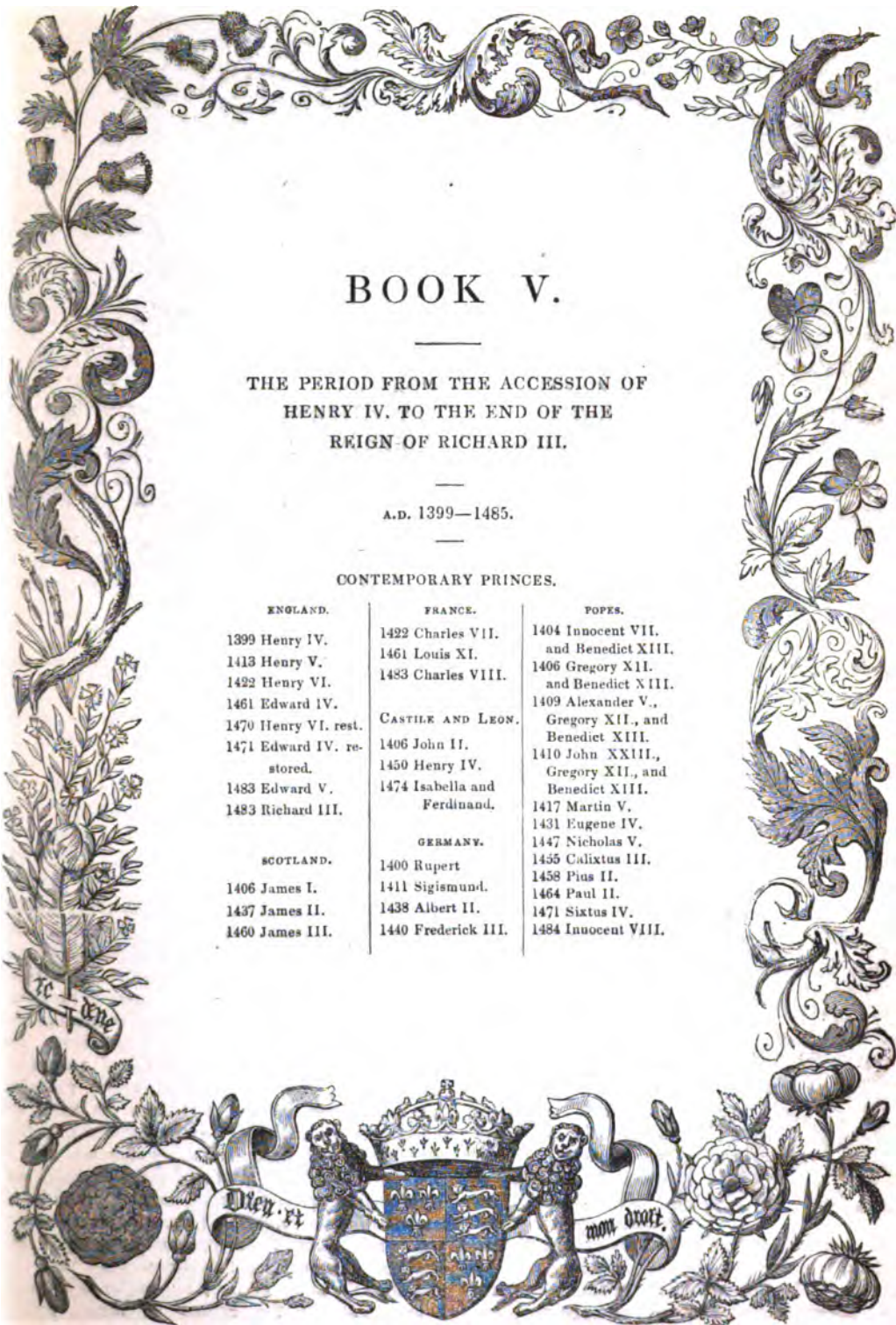
THE PERIOD FROM THE ACCESSION OF
HENRY IV. TO THE END OF THE
REIGN OF RICHARD III.

A.D. 1399—1485.

CONTEMPORARY PRINCES.

ENGLAND.	FRANCE.	POPES.
1399 Henry IV.	1422 Charles VII.	1404 Innocent VII. and Benedict XIII.
1413 Henry V.	1461 Louis XI.	1406 Gregory XII. and Benedict XIII.
1422 Henry VI.	1483 Charles VIII.	1409 Alexander V., Gregory XII., and Benedict XIII.
1461 Edward IV.		1410 John XXIII., Gregory XII., and Benedict XIII.
1470 Henry VI. rest.	CASTILE AND LEON.	1417 Martin V.
1471 Edward IV. re- stored.	1406 John II.	1431 Eugene IV.
1483 Edward V.	1450 Henry IV.	1447 Nicholas V.
1483 Richard III.	1474 Isabella and Ferdinand.	1455 Calixtus III.
		1458 Pius II.
		1464 Paul II.
		1471 Sixtus IV.
		1484 Innocent VIII.
	GERMANY.	
	1400 Rupert	
	1411 Sigismund.	
	1438 Albert II.	
	1440 Frederick III.	

SCOTLAND.
1406 James I.
1437 James II.
1460 James III.





HENRY IV. From the Tomb at Canterbury.



QUEEN JOAN OF NAVARRE, SECOND WIFE OF HENRY IV. From the Tomb at Canterbury

CHAPTER I.

NARRATIVE OF CIVIL AND MILITARY TRANSACTIONS.

HENRY IV., SURNAMED BOLINGBROKE.



HAVING been seated on the throne of England by the Archbishop, on Tuesday, the Feast of St. Jerome the Doctor, the 30th of September, 1399, Henry immediately proceeded to exercise the royal authority, and to fill those offices which had become vacant by the removal of Richard. By that event the power of the justices, sheriffs, and other officers ceased, "and, therefore," in the language of parliament, "lest justice might be delayed, to the grievance of the people, the present king named and appointed his principal officers and justices, who took the usual oaths." But the authority of the parliament itself, which had been summoned in the name of King

Richard, also expired with his deposition; and at this critical moment it was alike indispensable for Henry that he should have a parliament assembled, and that it should be composed of his friends. He therefore contrived that the present members should be retained, by not allowing sufficient time for the election and return of fresh members. He forthwith directed writs to be issued returnable in six days, and proclamation to be made at the same time for the parliament to meet for business on the sixth day; assigning as a plausible reason for the shortness of this summons, that it was only for "the profit of the kingdom, and especially to spare the fatigues and expenses of his lieges, and in order that the grievances of the people might have the more speedy remedy." He declared, however, that this step was not meant to prejudice the states of his kingdom, or to be made a precedent for the calling of future parliaments.*

The king then rose from his throne, and "be-



GREAT SEAL OF HENRY IV.

holding the people with a cheerful countenance," he departed, and on the same day he gave a splendid banquet in the Whitehall to the nobles and the clergy, who attended in great numbers. On the following day, the 1st of October, a deputation waited upon Richard, late king, in the Tower, and there William Thyrning, justiciary, for himself and fellow procurators, in the name of the states and all the people, notified to Richard the acceptance of his resignation, and the cause and form of his deposition, and then renounced all homage and fealty to him. The forlorn king is said to have behaved with great composure, merely expressing a hope that his cousin Henry would be "a good lord" to him. The parliament met on Monday, the 6th; and the representatives of the commons seem to have been to a man the same individuals that had been summoned six weeks before in the name of Richard. On the Monday following, October the 13th, the Feast of St. Edward the Confessor, and the anniversary of the day on which he had gone into exile, Henry was crowned with the usual ceremonies in Westminster Abbey. During the procession the Earl of Northumberland, to whose assistance he was so greatly indebted, walked by his side, carrying the sword which Henry wore when he landed at Ravenspur. All the great nobles who held hereditary offices performed their duties without demur.*

The parliament was in the best of humours, and the commons more especially went hand in hand with the new king. Many of the obnoxious acts of the late reign were instantly repealed, and the attainders of the earls of Arundel and Warwick were reversed. In the lords the most violent altercations soon ensued. The peers who had appealed to the Duke of Gloucester were called to account; but these chivalrous lords were not ashamed to take

up the same plea which had been used by the judges in the preceding reign: they said they acted through fear, and sealed that deed under compulsion of Richard. This was not very honourable in men who were sworn, as knights, to know no fear: but what followed was pretty true; they added, that they were not more guilty in prosecuting Gloucester than the rest of the house was in condemning him on their appeal. There was scarcely a lord present but had been involved in the inexplicable intrigues of the last twelve years. There was plenty of ground for recrimination, and the opportunity was not lost; the terms liar and traitor resounded from every corner of the house; forty gauntlets were thrown upon the floor, as the pledges of battles in the lists. A timid or an unreflecting king would have been lost in this perilous storm, which the firm and crafty Henry managed to subdue. The appellants were let off with the forfeiture of the titles and estates they had received from Richard as a reward for their services against his uncle Gloucester; and thus the dukes of Albemarle, Surrey, and Exeter, the Marquess of Dorset, and the Earl of Gloucester, descended to their former ranks, and became earls of Rutland, Kent, Huntingdon, and Somerset, and Lord le Despencer, under which names they will presently re-appear in plots and conspiracies. Several excellent statutes were enacted in this first parliament: treason was again reduced to the limits prescribed under Edward III.; appeals of treason in parliament, of which such an abuse had been made, were abolished, it being decreed that persons laying such accusations should proceed by means of the ordinary courts of law. Another great measure was the establishing a law, that the power of parliament should in no case be delegated to a standing commission. An attempt was made to

* Rot. Parl.—Rymer.

put an end to the shameful abuse, noticed in the preceding Book, of giving liveries or badges, by which the nobility gathered around them a host of vagabonds, who usually did no service and received no pay, being only called upon in times of trouble and confusion to strengthen the turbulent lord whose badge they wore, and who, on his side, bound himself to protect them against the ordinary officers of the crown or law : but this abuse lasted long after the passing of the act, and we find traces of it as late as the time of Charles I.

On the 23rd day of October the Earl of Northumberland presented himself in the lords to deliver a royal message, and then the Archbishop of Canterbury rose, and charged the lords spiritual and temporal to keep whatever resolution they should adopt on this present message a profound and solemn secret. After this Northumberland spoke : he requested their advice as to the mode in which Richard should be treated in time to come ; for his master Henry, he said, was resolved that, happen what might, the life of the deposed sovereign should be preserved—and we believe that he here expressed Henry's real wish. The lords answered unanimously that Richard ought to be carried *secretly* to some castle ; there to be placed in custody of trusty officers, who should prevent his holding any communication with his former friends and servants. This was the sanction Henry required ; and his cousin was privately removed from the Tower accordingly. In the first instance he was conveyed to Leeds Castle, in Kent ; but it appears that he was subsequently removed by night from one castle to another, as had been practised with his great-grandfather, Edward II.*

In the course of this same parliament Henry's eldest son was created Prince of Wales, Duke of Guienne, Lancaster, and Cornwall, and Earl of Chester ; and he was declared heir-apparent to the throne of England. The cautious Bolingbroke introduced no act of settlement of the crown, probably thinking that such a measure would only cast doubt on the title of right which he had advanced. If right of birth had decided the question, the claim of Henry, as opposed to that of the young Earl of March, was a glaring absurdity ; for scarcely a person in the kingdom could have been deceived by Henry's impudent assertion that he was heir by right line of descent, inasmuch as Edmund of Lancaster was the elder brother of Edward I. From the important consequences which arose out of it we must sketch the genealogy of an otherwise quiet and unimportant personage. Young March was sprung from the Duke of Clarence, the elder brother of John of Gaunt, Henry's father. Lionel, the said Duke of Clarence, died without issue male, and his possessions and pretensions fell to his daughter Philippa, who married Roger Mortimer, Earl of March, the representative of the paramour of Isabella of France, and the murderer of Edward II., the great-grandfather of this bride Philippa. Many years after

* Rot. Parl.

the execution and attainder of the notorious Mortimer, his honours and estates were restored to his son by Edward III., and from that period they had remained in the family. From the marriage of Philippa of Clarence proceeded another Roger Mortimer, who was lord-lieutenant of Ireland during a part of Richard's reign, and who had been killed in that country. This last Roger left two sons, of whom Edmund, the elder of the two, was indisputably heir to the crown by right descent at the time of the deposition of Richard. But this Edmund Mortimer, Earl of March, &c., was only eight or nine years of age :—the persons most attached to legitimacy would pause in those times, and in the circumstances of the country, ere they declared for such a child, escorted and surrounded by the horrors of a long minority. In fact, his right was scarcely allowed the weight of a feather : not only was it not discussed, but the very existence of the boy was passed over in silence by lords, commons, priests, and lawyers ; and if it occurred to any of the people at that time, the fact is not mentioned. A story, indeed, is told of Edmund Mortimer jesting to his friends on Henry's claim as *heir male* of Edward I., which he translated *hæres matris* (false heir) ; but this pun, poor as it is, is more likely to have been made for the child than by him. Henry had got possession both of Edmund Mortimer and his younger brother, and he lodged them in Windsor Castle. Some years later the name of Edmund was for the first time brought forward by the insurgents in the north. In other hands the lives of these two captives might have been in danger ; but Henry treated them both with great kindness, although they remained in honourable prison till the day of his death. When the claim of the Mortimers is again revived, it is as transmitted by Anne, the sister of this Edmund, who, by espousing Richard Earl of Cambridge, the second son of Edmund Duke of York, gave rise to the claims of the House of York, and was the innocent cause of the dreadful wars of the Roses.

Henry, on ascending the throne, was the idol of the people, but he soon found that he had desperate enemies among the nobility. The lords appellants, as they are called, who had been but slightly punished in parliament (one of them, the Earl of Salisbury, was not punished at all), resolved to take a fearful vengeance. During the sitting of parliament they held secret meetings in the apartments of the Abbot of Westminster, and there, it appears, they formed a plot for restoring Richard and murdering Henry. About a month after the dissolution, they proclaimed a tournament to be held at Oxford on the 3rd day of January, and the Earl of Huntingdon, brother-in-law to Henry, invited the king to attend. The invitation was accepted, and then a band of desperate men were leagued to make a rush on the king, and kill him and his sons during the jousts. The king had kept his Christmas in Windsor Castle ; the conspirators were at Oxford : no suspicion was excited

—the blow seemed certain ; but on the appointed day one of their number, the Earl of Rutland, eldest son of the Duke of York and first cousin to Henry, who had had the principal hand in the plot, was missing. The day of the tournament wore away, and, as neither Rutland nor the king appeared, they were forced to conclude that they had been betrayed. At this juncture, however, they yet hoped to retrieve themselves by a bold and rapid movement. They knew that Henry had been living at Windsor with only a feeble guard, and that very evening they set out from Oxford, with five hundred horse, to surprise him in the castle. The castle, indeed, they surprised early the next morning, but Henry was not there ; receiving timely warning, he had gone to London, where he had already issued writs for their apprehension as traitors, and was at that moment collecting troops to crush them. Stupified by their double disappointment, the conspirators lingered about Windsor doing nothing ; but the next day, the approach of Henry at the head of an immense force, chiefly composed of volunteers from the city of London, roused them from their lethargy, and then they fled to arm their several retainers. The Earl of Huntingdon rode for Essex and the Fens, but the other chiefs retired towards the west, proclaiming King Richard in all the towns through which they passed. But the popular feeling was everywhere against them, and they were destroyed to a man, without any co-operation of the king or the forces he had raised. Summoned and directed by their mayor, the burghers of Cirencester, with the inhabitants of the neighbourhood, captured the earls of Kent and Salisbury, and struck off their heads. The lords Le Despencer and Lumley, who had ridden as far as Bristol, were taken and beheaded by the citizens there. The Earl of Huntingdon was caught on the confines of Essex, and carried to Pleshy, the seat of the great Duke of Gloucester, where the tenants and servants of that prince tortured him and tore his body to pieces in savage vengeance for the wrongs he had done their master. In this manner the spontaneous rage of the people relieved Henry from the trouble and from the odium which generally attend state trials when they are at all prolonged. He, however, ordered that a few prisoners of inferior rank should be tried by the common courts. Ferriby and Mandelein, two monks or priests, who had been chaplains to Richard, were executed in London ; and two knights, Thomas Blount and Bennet Sely, were executed at Oxford. Here Henry stopped the red hand of the law and of private vengeance ; for he declared that man a traitor that should put another to death in this quarrel. Two bishops were arrested, and one of them, Thomas Merks,* was convicted by a special commission ; yet both escaped, and were afterwards allowed to hold church preferments.†

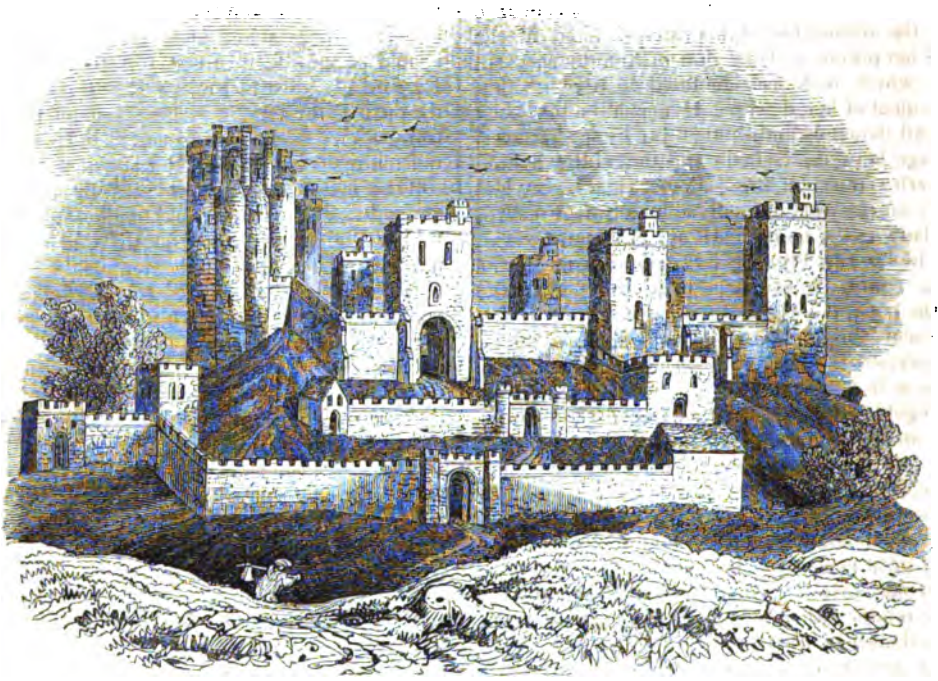
* The Bishop of Carlisle, who is said to have spoken manfully in parliament against the measures for deposing Richard II.—See vol. I. p. 790.

† Rot. Parl.—Walsingham.

But the greatest of the victims sacrificed by this furious attempt of the lords appellants was the ex-king himself. About three weeks after that day on which it had been arranged that Henry should be murdered at Oxford, it was known that Richard had died at Pontefract. Even more than the usual mystery is heaped upon this horrid transaction ; and, after all that has been said and written upon the subject, little positive information can be added to what is said by the attached dependant and friend of his family—old Froissart. “How Richard died, and by what means, I could not tell when I wrote this chronicle.”* The least horrible supposition is, that by order of Henry and those who acted with him,—that is to say, the greatest nobles and prelates in the land,—he was despatched by assassins : the most horrible, and which, we grieve to say, is the more probable, is, that he was starved to death. The old writers, however, who give this account, in general represent his starvation as voluntary. The notion that he escaped from the sure keeping of his cousin, though it has been supported by some ingenuity and more pertinacity, seems devoid of all reasonable foundation.

The wife of Richard was too young and innocent—she was now only ten years old—to have any enemies in England ; and in France a lively feeling was excited in her favour, and, through her, a deep regret for the fate of her husband, who, for some years, was almost worshipped in France as a saint and martyr. The first news of his deposition was carried to Paris by some Flemish merchants ; but soon after, the Dame de Courcy, who, together with all the French attendants, had been discharged from Queen Isabella’s service, returned to her home, and gave a full account of all that had happened to Richard. The details were repeated to King Charles, and they so deeply affected him, that they brought on a fit of insanity—the worst of all maladies, to which he had been liable at intervals for more than six years. This king’s greatest anxiety was for his young daughter—dethroned and left defenceless in a foreign country ; but his uncles, who, owing to his frequent maladies, had much more power than he, and his ministers and courtiers generally, seem to have rejoiced at the opportunity afforded of falling upon the English possessions. The Duke of Burgundy thought that, at all events, the French ought to attempt to derive some profit out of what had happened ; and, without any announcement to the *de facto* government of England—which it suited the project in hand to consider as a usurpation—he fell upon that frag-

* Froissart suddenly breaks off his narrative immediately after the death of Richard. Some of his last words concerning the unhappy monarch are very naive and touching. He contrasts his former splendour with his miserable fall. Never, he says, had king of England spent so much money in keeping up a splendid household : “and I, John Froissart, canon and treasurer of Chimay, saw it, and considered it ; and I lived in it a quarter of a year ; and good cheer did he give me, soasmuch as I in my youth had been clerk and familiar to the noble King Edward his grandfather, and to Madame Philippa of Hainault, Queen of England, his grandmother ; and when I departed from him (it was at Windsor) on my leave-taking, he gave me a silver goblet, gilt, and having within 100 nobles ; * * * therefore am I much bound to pray God for him.”



PONTEFRACT CASTLE, as it appeared before its Destruction in the time of Charles II.

ment of Guienne where the English flag still floated; and the Duke of Bourbon at the same time marched with an army as far as Agen, whence he issued manifestos promising the most favourable conditions to such of the "good towns" as would voluntarily unite with the kingdom of France. None of these towns were so important as Bordeaux, the birth-place of Richard; and there, at first, a sympathy for the unfortunate sovereign seemed likely to second the views of the French. In a spirit of exaggeration, natural to their warm imagination, the people of Bordeaux swore by the Lord, that Richard was the best man in his kingdom, and that the Londoners had traitorously worked his ruin. They added, that such things were not to be borne; but their ardour cooled when they came to consider the propositions of the Duke of Bourbon; and their interests made them prefer the government of the destroyer of Richard to that of the beggared and rapacious king of France with his merciless uncles. They saw how the French people were vexed and molested with all kinds of taxes, how they were oppressed and impoverished by arbitrary tallages, which were often repeated two or even three times in the course of one year; and the contrast which they drew was certainly most favourable to the recent government of the English. "We are not accustomed to such a system," said the men of Bordeaux; "and it would be too hard for us. If the French were our masters, they would treat us

like the rest: it is better that we remain with the English, who respect our franchises and liberties. The Londoners, it is true, have deposed King Richard, and crowned King Henry, but, after all, what is that to us? Have we not always a king? He will soon send his ministers to explain. And, besides, have we not a great trade with the English, in wine, wool, and cloth? Oh! yes, we have more to get by them than by the French." The Bordelais also preferred the pope acknowledged by England (for the schism still continued) to the pope acknowledged in France. And, besides, the principal nobles of the country, who, at the close of the reign of Edward III., had been so discontent, were all good and loyal English—so greatly had men's minds changed since the time of the wise King Charles V., when all Guienne wished to become French. The great enterprise of the Duke of Burgundy, and the march of the Duke of Bourbon failed completely.* France was not in a condition to declare war: she had been drained of her money; the king's council was nothing but a scene of discord; and Charles, who had recovered his senses for a season, would not permit hostilities while his daughter was yet in England. The new king of England, on his side, was anxious to avoid a war until he should be more firmly seated on his throne: he sent an embassy to France soon after his coronation, and he

* A. Thierry, *Hist. de Guyenne*.—Barante, *Hist. Ducs de Bourgogne*.—Froissart.

gave the most flattering reception to the Bishop of Meaux, the Sire de Hugueville, and Masle Blanchet, who came over as ambassadors from Charles, to request the restoration of his daughter, together with all her jewels, and the sum of 200,000 francs of gold, which had been remitted to Richard in part payment of her dower. Henry attempted to remove all demands and difficulties, by proposing a marriage between Isabella and his eldest son; but Charles rejected this alliance. The great difficulty on this side did not so much regard the young lady as the money: Henry was poor, and did not like to risk his necessary popularity by demanding grants from parliament, and he consulted the Universities, to know whether, by law, the personal obligations of Richard were binding on his successor. The reply of the learned was not such as he expected; but still with the 200,000 francs of gold he could not or would not part, and the French ambassadors returned with the assurance, that the existing truce should be respected, and that Madame Isabella should be restored, but without either the money or the jewels. These negotiations lasted many months, nor did the young queen leave England until long after Richard had been murdered in his prison. That event might naturally alarm a tender father, and Charles, eager to get back his daughter, consented to receive her with only her jewels (if the French are correct Henry kept part of these), and to reserve the question of the money for some future discussion. Isabella was carried over to Calais and delivered with great formality to the Duke of Burgundy, who went to meet her with five hundred knights. As soon as she was safe at Paris, the Duke of Orleans, forgetting the embarrassed state of the government, would have declared war to avenge her wrongs; but the Duke of Burgundy, who was then the more powerful of the two, would not consent to this dangerous measure. Hence there arose a furious quarrel between the rival dukes, and the fearful tragedy which soon followed in France, was probably, in part, owing to this altercation. The French people, who had suffered so cruelly, prayed for peace above all things; but many poor knights, and some rich ones, longed for the renewal of the war with England, deeming repose inglorious, and hoping to gain fame and fortune. At times, with the consent of the government, and at others without it, these restless men made inroads on the English possessions in the south, and even attempted descents on our coast; but the court of France never declared war, and all the transactions with the French during the reign of Henry were of very subordinate interest.

Henry well knew that the unpopularity of Richard had been in part owing to the conviction of a warlike people, that he dreaded the dangers and hated the fatigues of the field. The conquest of Scotland was still a popular idea, and the king determined to illustrate the beginning of his reign by an expedition into that country. He was, no doubt, greatly encouraged by the distracted state

of affairs at the Scottish court. King Robert was old and weak; his eldest son David, Earl of Rothsay, though brave, and not without abilities, was dissipated, imprudent, and reckless; he had offended some of the greatest of the nobles, and the Duke of Albany, his uncle, who acted as regent during the king's sickness, aspired to the crown, and was known to be a desperate and remorseless man, who would hesitate at no crime to obtain it. Henry's great difficulty, however, was again about money. Popular as the war might be, he dreaded imposing new taxes for its expenses. He preferred having recourse to the old system of feudal service, which, though long out of use, had never been formally abolished. With the consent of a great council, composed exclusively of the lords, spiritual and temporal, it was resolved that the great churchmen should contribute a tenth of their incomes, and that the lay lords should march with their retainers, and serve at their own charges. Henry next summoned all persons enjoying fees or pensions granted by Edward III., by his son, the Black Prince, by Richard II., or by his own father, the Duke of Lancaster, to meet him in arms at York; under the penalty of forfeiture. Whatever may have been the amount of the attendance, this return to the old practices of collecting and feeding an army was remarkably unsuccessful. Henry, however, began with a high tone, despatching heralds to command King Robert and the great barons of Scotland to meet him at Edinburgh, and there do him homage for that crown and for the estates they held. The Duke of Rothsay went to Edinburgh, but it was to fight, not to make submission; and Henry was completely foiled in his attempt to take the castle. He soon found that his unpaid army was very badly supplied with provisions; and, in the end, he was forced by absolute famine to make a rapid retreat from the neighbourhood of Edinburgh to the borders. Yet in this losing campaign Henry gained a rare glory; he mitigated the horrors of war during his stay in Scotland; he protected the weak and defenceless inhabitants, and prevented that plundering and burning of villages which had been so common for ages.*

During his absence in the north, a most formidable insurrection—one which was never wholly subdued during his vigorous reign—broke out in the west under the guidance of the famous Owen Glendower, the most remarkable man of that age. Owen had been an esquire in the household of Richard II., and he retained an affectionate recollection of his old master. After the revolution which swept away the entire court, he retired to his native district of Glendourdy, and there his loyalty was quickened by an attack made on his property. His small estate lay near to that of the great Lord Grey de Ruthyn, who, availing himself of his neighbour's weakness, unjustly despoiled him of a part of his inheritance. The proceedings of the Welshman, who was well acquainted with legal

* Rymer,—Fordun.

forms, were exceedingly moderate: he petitioned parliament for redress, and induced an influential member of the House of Lords to take up his cause. But when his petition, though warmly supported by the Bishop of St. Asaph, was rudely rejected, he resolved to take the law into his own hands, and, casting aside the pen, he grasped the sword. He pretended to be lineally descended from the last of the native princes of Wales; and none of the Welsh disputed his claim to an honour which gave him a wonderful degree of influence, as soon as he quitted the shades of obscurity to begin the dangerous career of a patriot. To this ascendancy was added another influence probably quite as powerful on the minds of the superstitious mountaineers. Before becoming a courtly squire, Owen had studied in the English universities, and had afterwards lived in the inns of court as an "apprentice of the law." With the extent of his literary and scientific acquirements we are not acquainted; it was probably not inconsiderable for those times; it was certainly quite enough to make a great impression among the Welsh: nor was it very extraordinary at a period when great book-learning was pretty generally associated with ideas of magic, that those poor peasants should set down Owen Glendower as a magician, or as one having intercourse with the invisible world of spirits. Availing himself of this opportunity afforded by the king's absence in Scotland, Owen collected a brave band, drove the intruders from his property, and took some of Lord Grey de Ruthyn's people prisoners. When Henry returned, he declared Owen an outlaw; and then Owen, speaking no longer about a few acres of land, boldly declared himself the lawful sovereign of all Wales. Nor was his vain-glorious or idle assumption of dignity; he had felt the pulse of the people, and knew that it still beat high at the thoughts of liberty and independence. According to an old English writer, who only viewed the subject in the light of a rebellion, "he so inveigled, enticed, and allured the wild and indiscreet Welshmen, that they took him as their prince, and made to him an oath of allegiance and subjection."* Without criticising his genealogy or right, nearly every Welshman in England, whether in the capital or in the provinces, threw up his business and occupations, and returned to his native mountains. In the month of February following (A.D. 1401), the commons of England went before the king, and showed how the Welsh scholars at Oxford and Cambridge had left their universities for their own country; and how the Welsh labourers in different parts of the kingdom had suddenly returned into Wales provided with armoury, arrows, bows, and swords.† Henry, who was never wanting in decision and activity, immediately marched with an army into Wales, confidently hoping to crush the insurrection at once; but the clerk and esquire displayed the abilities of a general: he avoided an action, led the English long marches through the

most difficult and most desolate parts of the country, and when Henry was obliged to retire (again, as it appears, from want of provisions), his fame and the confidence of the people were greatly heightened. The king returned in a few months, but with no better success; and a third campaign, made in the following year, was a complete failure.*

A.D. 1402. Henry's mind, however, was at this time irritated by many insults proceeding from very different quarters; and his attention was distracted by plots and rumours in England, and hostile demonstrations in Scotland and in France.

Walleran of Luxemburgh, Count of Ligny and St. Pol, who had married a sister or half-sister of the deposed Richard, was not strong enough to be very formidable; but he pursued a course well calculated to vex and even to degrade King Henry. Pretending that it was his especial duty to avenge the death of his brother-in-law, he sent his heralds into England with a strange defiance. After stating his titles to the most high and mighty Prince Henry, Duke of Lancaster (for he would not call him king), and the affinity, love, and confederation which existed between him and Richard—of whose death it was notorious that he, Henry, was accused—he told him that he gave him to know that in every manner in his power he would do him harm, and offer every kind of injury by himself, his relations, his men, and his subjects, both by sea and land, "without the kingdom of France—and all this, for his own personal reasons, and not on account of any war between the King of France and the realm of England."‡ This curious document—the defiance of a petty prince, who assumed the double character of vassal of France, and independent prince of the empire—was dated the 10th of February, 1402; but his limited means prevented for some time his acting upon his threat, and when he took the sea, his operations resembled those of a pirate.

In England, reports were industriously circulated that Richard was still alive, and that, having escaped into Scotland, he was about to return at the head of an army to assert his rights. Associations were formed in various parts of the kingdom to welcome his return, and to co-operate with this force; for many powerful individuals regretted the change from the lavish generosity of Richard to the strict economy and order of his cousin, and the minds of the people were excited by various tales of cruelty and horror. When a notion of this sort once gains ground, it is proof even against ocular demonstration. We are of opinion that few or none of the leaders were ever deceived, but it appears certain that many of the people really believed that Richard was alive. Henry issued

* Walsingham.—Rymer.

† All that is known of this lady is, that the count, her husband, in his challenge to King Henry, calls her a sister of Richard.—"Considerant l'affinité, amour, et confederation, que j'avoie par devers tres haut et puissant Prince Richard, Roy d'Angleterre, duquel j'ay eu la sœur et espouse."—MONSTRELET.

‡ Monstrelet.

* Holinshed.

† Rot. Parl.

several successive proclamations against the fabricators of false reports; and in the spring of 1402, Sir Roger Clarendon, a natural son of the Black Prince, nine Franciscan friars, and several other persons, were executed as traitors, for asserting that the late king was living. This severity only strengthened the popular belief. In the month of June, the Scottish army, indeed, crossed the borders; but there was no Richard with it, nor did the Scots pretend that he was coming. After doing considerable mischief, this army was defeated at Nesbit Moor: Hepburn of Hales, its general, was slain with many of his companions, and nearly all the rest of the knights were taken prisoners. The victorious commander on this occasion was not an Englishman, but a disaffected Scot. The imprudent Duke of Rothsay, heir-apparent to the Scottish throne, had been contracted in marriage to Elizabeth, the daughter of George of Dunbar, the great Earl of March, whose estates and commands lay near the borders: in spite of his solemn engagement, the prince not only refused the damsel, but married Mariell, the daughter of the Earl of Douglas, the hereditary enemy of the Earls of March. Robert, the poor, infirm old king, had well foreseen the consequence of acts which he had not been able to prevent: the Earl of March withdrew to his almost impregnable castle of Dunbar, gave up his fealty, did homage to the King of England, and joined in the closest confederacy with the Percies of Northumberland. By his means the road to Edinburgh had been laid open to Henry in 1400, and now, after having assisted the Percies in several inroads or forays they had made into Scotland, he defeated the Scottish force at Nesbit Moor. Earl Douglas, who had got a grant of the estates of the Earl of March, immediately prepared to drive him to his ruin, and to revenge the loss of Nesbit Moor; and he was supported by the Duke of Albany, who still usurped all the power which could be said to belong to a distracted government. Ten thousand warriors, the best of Scotland, followed the banner of the Douglas, which flew like a meteor from the Lothians to the Tweed, from the Tweed to the Tyne; but the earl, whom the Scots surnamed "Tyne-man," or "Lose-man," from his repeated defeats and failures, with all the personal valour of his race, enjoyed so small a portion of their sagacity as to be unable to learn military experience from reiterated calamity. Having carried terror and devastation as far as the walls of Newcastle, without finding any force to oppose him, he turned back loaded with plunder, and marched in a careless manner towards the Tweed. During his ill-calculated advance to the south, the Earl of Northumberland and his son, the Hotspur Percy, with his deadly enemy the Earl of March, gathered a numerous army in his rear. Douglas, hampered by his spoil, came suddenly upon this force, which was posted near Milfield, in the northern part of Northumberland. He perceived a strong position between the two armies called Homildon Hill, and he had the good sense

to seize it. The English, with the people of the Earl of March, occupied the ridges of a neighbouring hill, but they left it to advance to the assault; and Harry Percy (or Hotspur) was about to charge up the hill of Homildon, when March caught his bridle, and advised him to stay where he was, and begin the fight with his archers, not with his horse. The advice was taken: the English bowmen advanced to the roots of the hill, and shot upwards with wonderful force and correct aim. Instead of charging at first, as Bruce did the English archers at Bannockburn, Douglas did nothing, but left his people drawn up in ranks on the face of the hill, where they presented one general mark to the enemy. Scarcely an English arrow flew in vain; the Scots fell in heaps without fighting. At last Douglas made up his mind to charge down the hill, or, as it is related by Fordun, Swinton, a spirited knight, induced this movement by exclaiming—"Oh! my brave fellow-soldiers, what fascinates you to-day, that you stand like deer and fawns in a park to be shot, instead of showing your ancient valour, and meeting your foes hand-to-hand? Let those who will, descend with me, and, in the name of the Lord, we will break that host and conquer, or, if not, at least die with honour, like soldiers." As Douglas descended the English bowmen retired a little, but they pulled their bows as they withdrew, and, presently halting again, they sent a flight of arrows so "sharp and strong," that no armour could withstand it; and as he was spurring forward, the Douglas himself, whose armour was of the most perfect temper, was wounded, though not mortally, in five different places. He fell from his horse,—was made prisoner,—and then a complete rout of the Scots ensued. Eight hundred of them remained on the field, and five hundred, it is said, were drowned in the Tweed. Besides Douglas, whose principal wound deprived him of an eye, Murdach, the son of the Duke of Albany, the earls of Moray and Angus, two barons, eighty knights (among whom were some Frenchmen), and many other persons of rank, were made prisoners by the Percies. Swinton, Gordon, Livingston of Calendar, Ramsay of Dalhousie, Walter Sinclair, Roger Gordon, and Walter Scott, were in the number of the more illustrious slain. The English men-at-arms, knights, and squires, never drew the sword or couched the lance, the whole affair being decided by the archers.

Such was the famous battle of Homildon Hill, which was fought on Holyrood-day, the 14th of September, 1402.* While it was fighting Henry himself was engaged much less successfully in Wales, where Owen Glendower had recently gained two splendid victories,—one on the banks of the Vurnwey, where he took his old enemy, the Lord Grey, prisoner; the other near Knyghton, in Radnorshire, where he captured Sir Edmund Mortimer. In the end of September the king advanced from Shrewsbury; but though he divided

* Rot. Parl.—Bymer.—Fordun.—Ottobornus.

his forces into three separate armies, which poured into Wales from three different points, he could never find his active and cunning enemy. It seemed as if Glendower had taken refuge in the clouds, and thence waged war by commanding the elements. Incessant rains distressed the English, inundated the valleys, and made the mountain-torrents impassable. The king's tent was swept away by a tempest; and Henry at last withdrew, convinced, it is said, that Owen Glendower was a mighty necromancer. On his retreat, Owen marched in triumph through the country, where all true Welshmen now acknowledged him as their legitimate sovereign, the worthy descendant of the Llewellyns and of other princes who reigned ere Saxon or Norman trod the soil of Britain.*

Nor was this failure the only annoyance which Henry was now suffering. In the month of August of this same year he received a challenge from the Duke of Orleans, the brother of the French king, and uncle of the lady Isabella. This prince had formerly been the bosom friend and sworn brother of Henry of Bolingbroke: during his exile in France, when Henry aspired to the hand of a princess of the blood royal, a daughter of the Duke of Berri, Orleans did his utmost to promote that match; and though he failed on that occasion, he gave Henry all the aid he could for his expedition into England, and encouraged him to dethrone Richard, the husband of his niece. But the Duke of Orleans then acted rather out of spite and jealousy of his uncle, the Duke of Burgundy, the *de facto* regent of France, than from any steady affection for Henry; and he was a man accustomed to change principles and systems almost as often as his clothes. His first challenge did not state any grievance whatever: he merely said that he deplored the state of inactivity and neglect of the use of arms, to which he and other princes of France were condemned,—that he was anxious to gain honour and good renown,—and that, therefore, he wanted to fight, with a hundred French knights armed with lance, battle-axe, sword, and dagger, but without any bodkins, hooks, points, bearded darts, razors, needles, or poisoned points, against King Henry and a hundred English knights.† The King of England received the heralds in what was considered a very scurvy manner; and, contrary to the noble usages of chivalry, he made them no presents. His answer, which was not returned till the 1st of January, 1403, expressed astonishment at the receipt of such a challenge during a time of truce, and from a sworn brother: he told the duke that he annulled his letters of alliance and brotherhood; and reminded him that he, as a king, was not bound to answer any such challenge except from kings. “As to the idleness of which you complain,” said Henry, with a tone of solemnity which looks, however, very like mockery, “it is true that we are less employed in arms and in seeking honour than our noble ancestors: but God is great; and, when it pleases

him, we shall follow their footsteps.” In another clause he made a most rational assertion, which probably gained him little honour among knights: “It seems to us,” said he, “that a prince-king ought only to fight for the honour of God, the common benefit of Christendom, or for the good of his kingdom, and not for vain-glory or an ambition wholly temporal.” At the end of his answer he said that he should go to the continent when he pleased, or when the affairs of his people required; and that he should take with him such knights as he pleased, and that *then*, if he chose, his adversary might come and meet him; he, on his part, hoping, by the “aid of God, our Lady, and my Lord St. George,” not to let him depart without a sufficient answer. And he told the duke that, if he wished his champions to be *sans reproche*, he ought to keep his own promises and respect his own seal and signature better than he had hitherto done. Stung to the quick by the whole tone of this letter, the Duke of Orleans made a most intemperate reply, in which he taxed Henry with the high crimes of rebellion, usurpation, and murder; and he now stated what he chose to consider his personal grievance. “How could you suffer my much redoubted lady, madam the Queen of England, to return to our country desolate by the loss of her lord, despoiled of her dower, and of all the property she carried hence on her marriage? He who seeks to gain honour must support her cause. Are not noble knights bound in all circumstances to defend the rights of widows and virgins of a virtuous life, such as my niece was known to lead? And as I am so nearly related to her, acquitting myself towards God and towards her as a relation, I reply that, to spare the effusion of human blood, I will gladly meet you in single combat, or with any number you may please.” The sarcasms, also, of the English king were retorted; and Henry was told that the French knights thanked him for having more care of their healths than he had had of that of his sovereign and liege lord. This curious letter was dated in March, 1403; and Henry, though occupied by much more critical affairs, was provoked to return an answer almost immediately. After expressing an anxiety for his own honour, he accused the duke of taking a frivolous turn,—of wishing for a war of words, a contest worthy of minstrels,—and of defaming his royal person. “In regard to the dignity we hold,” wrote Henry, “it appears that you do not approve of the manner in which we have obtained it. Certes, we are greatly astonished at this, for we made you fully acquainted with our designs before we departed out of France; at which time you approved of our voyage, and promised us your assistance, if we required it, against our very dear lord and cousin, the King Richard, whom God absolve! We wanted not your assistance; and we hold your approbation or disapprobation in no account, since God and our people, the free inhabitants of this kingdom, have approved of our right: this is a sufficient reply to such as would

* Walsing.—Otterb.

† Monstrelet.

question our right." The charge of murder he repelled with the most indignant language. "With regard to that passage in your letter where you speak of the death of our very dear cousin and lord, whom God absolve! saying 'God knows how it happened, and *by whom* that death was done,' we know not with what intent such words are used; but if you mean to say that his death was caused by our order, or with our consent, we say that you lie, and will lie foully as often as you shall say so; as the true God knows, whom we call to witness: offering, as a royal prince ought, our body against yours in single combat, if you will or dare to prove it." This very long letter alluded more or less openly to all the treachery and disloyalty which the popular voice in France accused Orleans of practising against his unfortunate brother the king, and his uncle the Duke of Burgundy. The quarrel rested here: the King of England and the Duke of Orleans never met; and the latter appears to have been completely defeated in this war of words. Henry, however, thought fit to complain of this challenge, and sent ambassadors to the French court, who stated that it was a breaking of the existing truce. That court was a scene of intrigue and anarchy, and the government could neither declare war nor check such provoking ebullitions on the part of its subjects. It replied that the King of France and his council had never broken the truce, and would never break their engagements; and that this was the only reply that could be returned. At the same time the French made a fresh demand for the two hundred thousand francs, the money which had been paid with the Princess Isabella; but the English envoys met this demand by claiming five hundred thousand crowns, in liquidation of the ransom of King John, who had been taken at the battle of Poitiers, nearly half a century before.*

But while the Duke of Orleans had been Gasconading in France, the Percies of Northumberland, who more than other men had contributed to place him on the throne, raised their banner against Henry, and did their best to dethrone him. For services such as the Earl of Northumberland had rendered a high price is always expected, and that chieftain seems to have set no limit to his demands. Henry, on the other side, was not of a very yielding nature, and he was far too wary and politic to give any great increase of power to a warlike family which was already but too powerful. His rewards, however, had neither been few nor inconsiderable, and he seems to have counted on the gratitude and fidelity of the Percies. The greatest of our poets, and the historians he followed, err in attributing the insurrection to their resentment at the king's order forbidding them to set at liberty or put to ransom the prisoners taken in the battle of Homildon Hill. Such orders had not been unusual, and had been issued by no king more frequently than by Edward III., who was not improperly quoted as an authority in all matters of war. Henry

* Monstrelet.—Monk of St. Denis.—Rymer.

reserved to the captors all the rights of ransom; and, as a reward for his services at Homildon Hill, granted to the Earl of Northumberland several broad manors, together with most of the lands in England which had belonged to his captive the Earl of Douglas.* The Percies, however, really felt themselves aggrieved, not because they were not allowed to dispose of the captives they had in their own hands, but because they were not permitted to ransom a friend who was in the hands of one who was, at least for the time, an enemy. Sir Edmund Mortimer, who had been taken by Owen Glendower at the battle of Knyghton, was uncle to the young Earl of March, who, as far as the right of birth went, was lawful King of England. Henry, who kept the nephew in close custody, was supposed to bear no good-will to the uncle; and when Mortimer's relations requested permission to ransom him by the payment of a sum of money to Glendower, he refused, although he had previously permitted the friends of the Lord Grey of Ruthyn, who had been taken in the other battle in Wales, to redeem him by paying the Welshman ten thousand marks. Henry Percy showed great irritation at the king's harsh refusal, for the sister of Sir Edmund Mortimer was *his* wife; and his father, the Earl of Northumberland, and his uncle, the Earl of Worcester, took up his quarrel on this head. Scroop, the Archbishop of York (a brother of the favourite minister of Richard II.), who hated Henry, advised these disaffected nobles to treat the king as an usurper, and to draw their swords for the rightful heir,—that is, for the boy, the Earl of March. A formidable conspiracy ensued; and the conspirators, who certainly were actuated by no patriotic or high motives of any kind, did not scruple to call in the assistance of the enemies of their country. They formed a close league with Owen Glendower, who thereupon gave his daughter in marriage to his prisoner Mortimer, and promised to co-operate with twelve thousand Welsh: they liberated Earl Douglas without ransom, on condition of his joining them with all his vassals: they sent ambassadors to the kings of France and Scotland, to solicit their aid. It appears, also, that Hotspur sent a letter to the Duke of Orleans, whose challenge must then have been the subject of continual conversation.

Douglas, true to his engagement, crossed the borders with a considerable force. The Earl of Northumberland being "sore sick," Hotspur took the command of the army, and marched towards North Wales, where he expected to be joined by Glendower. On his road, his uncle, the Earl of Worcester, joined him, with a great body of archers from Cheshire. The plan of his campaign was excellent; but he had to do with an enemy quite as active, and much more skilful. Expecting the insurgents would make the country near the borders the scene of the war, Henry marched to the north as far as Burton-upon-Trent; but there he learned the direction Hotspur was taking,

* Rymer, ed by Google

and, striking off to the west, he so pressed his march, that he reached Shrewsbury, and threw himself between the Welsh and the men of the North—it being his aim to prevent their junction. Glendower did not appear, but the king was scarcely in the town, when his scouts informed him that the earls, with banners displayed, were close to Shrewsbury, and that their light horse were already skirmishing with part of his forces. Enraged, but not disheartened, at finding the Welsh had not come up, Hotspur halted not far from the king's army, which issued out and encamped beyond the eastern gate of the town.* By this time night was approaching, and it was resolved to defer the battle till the morrow. In the course of the night the confederates sent the king their defiance. This instrument ran in the names of the Percies and of none others: taking the Lord Jesus Christ to witness, they pronounced Henry, Duke of Lancaster, to be unjustly named King of England, "without title of right, but only of his guile and perjury, and by force of his fautors:" they alleged that when, after his exile, he entered England, he swore upon the Holy Gospels, that he would claim nothing but his own proper inheritance, and the inheritance of his wife, and that Richard should reign during the term of his life, governed by the good advice of the lords spiritual and temporal; and yet they said he had imprisoned the same sovereign lord and king, until he had, for fear of death, resigned his kingdoms of England and France; and under colour of that resignation, by the counsel of his friends and accomplices, and by "the noising of the rascal people," he had crowned himself king of the realms aforesaid. Wherefore he was false and perjured. The next head of accusation was, that he had sworn upon the same Gospel at the same place and time, that he would not suffer any tenths to be levied on the clergy, or any fifteenths on the people, nor any other tallages or taxes whatsoever, without the previous consent of the Parliament, except for great need, in causes of importance, or for the resistance of the enemy only, and not otherwise; and yet contrary to this oath, he had frequently caused tenths and fifteenths, and other impositions and tallages, as well on the clergy and commonalty of the realm of England as on the merchants, to be levied by arbitrary power, and through fear of his majesty royal. Wherefore was he perjured, and false. In the third clause they said that he had also sworn that Richard, their king and *his*, should, as long as he lived, enjoy every royal prerogative and dignity; and yet had caused him traitorously, without consent or judgment of the lords of the realm, to be kept for the space of fifteen days and nights in the castle of Pontefract, without meat, or drink, or fire, whereof he perished of hunger, thirst, and cold. Wherefore was he perjured and false. In the fourth clause they, for the first time, publicly set forth the hereditary rights of the young Earl of March, accusing Henry of usurping,

* Walsing.—Otterb.—Bymer.

after the murder of Richard, and of keeping possession of the crown, which belonged to Edmund Mortimer, Earl of March, then the next and direct heir. Wherefore was he perjured and false. Fifthly, they alleged, that in spite of his oath to govern according to law and the good customs of the realm, he had treacherously, and against the law, controlled the elections, and caused his own creatures to be chosen by almost all the shires in England as their representatives in Parliament; and of this they said they had oftentimes complained, without obtaining redress; and here they called to witness Thomas Arundel, Archbishop of Canterbury, and Richard Scroop, Archbishop of York. In the last place, they accused him of his conduct with regard to Sir Edmund Mortimer, and asserted that he had published and declared the Percies traitors, and had craftily purposed and conspired their utter destruction, because they had negotiated with Owen Glendower for the release of their kinsman Mortimer without the royal consent. "For which causes," they concluded, "we do mortally defy thee, thy fautors and accomplices, as common traitors and destroyers of the realm, and invaders, oppressors, and confounders of the very true and right heir to the crown of England and France; and we intend to prove it this day by force of arms, Almighty God blessing us."*

The king could use his pen almost as well as his sword; but he did not think the present a proper time for argument and refutation. Before matters had come to this crisis, he had offered the Percies a safe conduct to meet him at his court, where he was ready to discuss all questions with them; but this offer they had treated with contempt; and he now told them that he had no time to lose in writing, but that he would, "by dint of sword and fierce battle," prove that their quarrel was false and feigned; and he added, that he doubted not that God would give him the victory over false and foresworn traitors. At an early hour on the following day—which was the vigil of St. Mary Magdalen, the 21st of July—Hotspur drew up his men in front of the king. The two armies were nearly equal, consisting each of about 14,000 men. Many years had passed since England had seen her sons thus arrayed against each other; and there was now a short pause, as if the combatants felt this. Henry even sent the Abbot of Shrewsbury to propose an amicable arrangement; but his opponents rejected these offers. Then suddenly he bade the trumpets blow: those on the king's side cried, "Saint George for us!" their adversaries cried, "Esperance, Percy!" and then the armies joined battle. The first charge was led by Hotspur and Douglas, two old rivals for military glory, and who were esteemed two of the best lances in Christendom. This charge was

* This defiance is given at length by Hall, who, however, has confounded Sir Edmund Mortimer with the Earl of March, in which mistake he has been followed by Shakspeare, and even by some modern historians: for example, by Bishop Kennett, in his 'Complete History.' The most correct copy of the document is that given in Sir H. Ellis's edition of Hardyng's Chronicle, from the Harleian MS. 42.

irresistible; a part of the king's guards were dispersed; the Earl of Stafford, Sir Walter Blount, and two other knights, who wore the royal arms to deceive the enemy, were slain; the royal standard was cast down, and Henry of Monmouth, the young Prince of Wales, was sorely wounded in the face—notwithstanding which he never ceased to fight where the battle was strongest, or to encourage his men when their hearts were faintest. The brilliant charge of the Percy and the Douglas was not well supported; they could nowhere find the king, who fought in plain armour: the royal lines, through which they had broken, formed again, and closed in their rear; and when they turned to cut through them again, they found them immovable as a wall, and they were assailed on all sides by murderous flights of arrows. During the battle, which lasted altogether about three hours, some bodies of Welsh arrived, but the main body of the confederates could not rescue its van. Hotspur, after fighting against fearful odds, was struck by a random arrow, which pierced his brain, and when his death was known, his followers lost heart and fled on all sides. Henry raised the cry of "Victory and Saint George!" Douglas, in his flight, fell over a precipice, and being much hurt, was made prisoner. There were also taken Hotspur's uncle, the Earl of Worcester, the Baron of Kinderton, Sir Richard Vernon, and many others of inferior consequence. Douglas was treated as a foreign knight, and kindly entertained; but Worcester, Kinderton, and Vernon were considered as rebels, and their heads were struck off on the field of battle. The numbers that fell in actual combat were prodigious; but there is probably some exaggeration in the accounts, which state the entire loss on both sides to have exceeded ten thousand men.*

Dearly as it was bought, the great victory of Shrewsbury was probably a blessing to the country, which would inevitably have been involved in a long series of civil wars and horrors of all kinds, if the confederates had succeeded in their enterprise. In the name of the young Earl of March, the Percies would have usurped all the power of government; and during the boy's minority England would have been a prey to fierce and lawless factions. Old Percy, the Earl of Northumberland, who had recovered from his sickness, was marching with a considerable force to join the insurgent army, when the sad tidings were brought him of the death of his darling son, Hotspur, and his brother Worcester, upon which he turned back in despair, dismissed his retainers, and shut himself up in the castle of Warkworth. He was obliged, however, to surrender himself into the king's hands; and this he did, meanly asserting that his son had acted all along contrary to his wishes and to his express commands. Henry was only cruel on certain great occasions: he acted mildly with Northumberland, who, after presenting a petition

to Parliament, was pardoned and dismissed, without any fines or penalties.*

Soon after the battle of Shrewsbury, Prince Henry was sent into Wales against Owen Glendower, whom he defeated in one or two skirmishes. During this season of difficulties, the conduct of the French was at once paltry and dishonourable: they not only attacked Guienne, but made frequent descents on our coast, and plundered every English ship they could surprise at sea. They captured a whole fleet of merchantmen; they took the isles of Jersey and Guernsey, and they made a descent near Plymouth, at the critical moment when Henry was occupied by the Percies. On learning the result of the battle of Shrewsbury, they retired to their ships, but not before burning the town of Plymouth, and plundering the whole neighbourhood. In this expedition three princes of the house of Bourbon took part; but all this while no war was declared, and the French court pretended that everything of the sort was against their will and orders—that they, above all things, were anxious for the religious observance of the truce. In this same year, Waleran de St. Pol took the sea with a few ships, making as much noise and parade as if he were leading a vast armada to the sure conquest of all England. He landed on the Isle of Wight, but he was repulsed by the inhabitants alone, and he then sailed away with all speed, lest he should be taken by an English fleet. Reprisals were made on the French coast; the English sailors associated as they had done in the time of Edward I., and, without any direct commission, carried on war on their own account, capturing ships on the high seas, burning the towns on the coast, and not unfrequently penetrating far into the interior of France. In this manner several fleets of ships, loaded with wine and other valuable commodities, were brought into the English ports; Pennareh and St. Mahé were burnt to the ground, and incalculable mischief was done to the French. On some occasions, however, the king issued what we now call "letters of marque;" and a year or two later, he himself sent out a fleet under his second son, the Lord Thomas, afterwards Duke of Clarence: for, incited by his old enemy, the Duke of Orleans, many Flemings and Easterlings were cruising against the English in great ships, and committing atrocious cruelties. The king's son was instructed to revenge those injuries either by battle or depopulation of their sea-coast; and it appears that he executed his commission in an effective manner, by firing ships, burning towns, and destroying people without favour or mercy. On the whole, this most irregular and most sanguinary warfare was in favour of the English; but Henry had never that complete command of the sea which would have enabled him to protect his coasts from all insult.†

A.D. 1404.—"It is most strange," says an old historian, "that King Richard was not suffered to

be dead after he had so long a time been buried."* One Serlo, or Serle, who had been a gentleman of the bedchamber to King Richard, and who, according to some, had been engaged in the mysterious murder of the Duke of Gloucester, was tempted over from France by a report that his old master had escaped, and was living in Scotland. Instead of Richard, it appears that he found the court-fool,—a certain Ward,—who bore some resemblance to the unfortunate king, and that he (Serle) persuaded the poor buffoon to personate Richard. Serle's next performance was to counterfeit Richard's privy seal, and to despatch letters to many of the late king's friends in England, assuring them that he was indeed alive, and shortly would come to show himself openly to the world. These "forged inventions" produced the desired effect on many people. The old Countess of Oxford, the mother of Robert de Vere, the unfortunate Duke of Ireland, either credited the story or was a party to the imposition: she caused certain of her servants, and "other such as she could trust," to publish and bruit abroad, through all parts of Essex, that King Richard was coming; and she distributed a great number of hearts, made of gold and silver, such as King Richard was accustomed to give to his knights and household to wear as cognizances. The story gained ground, and many simple people firmly believed that the late king was about to cross the borders with a great power of French and Scots. The vigilant and suspicious Henry soon learned these reports, and he succeeded in arresting Serle's secret messenger, who gave up the names of the parties with whom he had communicated. A number of monks were immediately arrested; the old countess was shut up in close prison; and her secretary, who had gone about the country affirming that he had spoken with King Richard, was drawn and hanged. Shortly after Serle himself was secured through the craft of Sir William Clifford, governor of Berwick, and carried to the king at Pontefract Castle. It is said that he not only revealed everything connected with the ridiculous masquerade, but also confessed that he had had a guilty hand in the murder of the Duke of Gloucester, at Calais: he was drawn on a sledge through every good town between Pontefract and London, where he was executed as a traitor. He showed such moving signs of contrition and repentance, that many pitied his case, and promised to hire priests to sing masses for his soul at their own cost and charges.†

Henry had been exceedingly cautious in demanding grants and aids from his parliament; and on one or two occasions, when he passed the line beyond which the commons were not inclined to go, he retraced his steps the very instant he discovered his mistake. By these means he had obtained the affection and confidence of the more popular part of the representatives in an unusual degree. He was now greatly in want of money to

meet the charges of the war in Wales, which was again in full activity, and of the fleets which he was obliged to equip to defend the coast and the trade of the kingdom. He endeavoured, however, to escape from the necessity of applying for an aid by a proposition in which he was eagerly seconded by the commons, that he should be allowed to resume all the former grants,—that he should be prohibited from alienating the ancient inheritance of the crown without consent of parliament,—and that he should *forthwith* appropriate to himself certain portions of the property of the church, so that the commons might be eased of taxes and the king live upon his own.* If this blow had taken effect probably half of the property of the members of the upper house would have been in jeopardy. The clergy took fire, and the Archbishop of Canterbury taxed the commons with irreligion, and the impious desire of removing the burden from their own shoulders by plundering their betters. Henry ceded at once; and, to conciliate the churchmen, he assured the archbishop that it was his intention and wish to leave the church in a better state than that in which he had found it. The demonstration, however, made a bad impression, and many persons were irritated by the suppression of certain pensions granted by Edward III. and the late king,—a measure which was carried during the session. It is said that, in the writs of summons to this parliament, which met at Coventry on the 6th of October, 1404, the king had commanded the sheriffs and mayors to return no lawyers, or, according to another account, no persons possessed of any kind of learning; whence it afterwards came to be known by the name of the *parliamentum indoctorum*, or the lack-learning parliament.†

A.D. 1405.—In the beginning of this year the widow of the Lord Spencer, one of Richard's favourites who had suffered at Bristol, ingeniously contrived to liberate the young Earl of March and his brother from Windsor Castle. The intention was to convey these boys to Wales, and to proclaim the elder King of England; but they were immediately retaken, and then the lady accused her own brother, the ill-famed Earl of Rutland, now Duke of York, of being privy to this attempt, as also to conspiracies against Henry's life. York was immediately seized, and his estates were sequestered to the king's use without any trial; but, as that of a traitor to all parties, his fate excited no interest. After lingering three or four years in prison, he

* Rot. Parl.

† Our historians of the times of Elizabeth and James are very eloquent on this subject, assuming as positive that where there were no lawyers there could be no learning. John Speed surpasses himself on the occasion. He says that it was called the *lack-learning* parliament either for the *unlearnedness* of the members, or for their malice to learned men; but that "their motion vanished to nothing save the infamous memory of the attempters." "With great reason, therefore," he continues, "did our forefathers distinguish the people into the *learned* and the *lewd*,—inferring, truly, that such commonly were *lewd* who were not learned, and that *lewd* and *wicked* were but two words of one signification; as in this parliament well appeared, whose commons might enter *comes* with their cattle for any virtue which they had more than brute creatures." It may be proper to observe that anciently the word *lewd* meant merely ignorant or unlearned. "For lewd people love tales old," says Chaucer.

* Speed.

† Walsing.—Otterb.—Hollinshead.—Rot. Parl.

was released in mercy or in contempt. The king called two great councils of the nobility and clergy at London and St. Albans; but such was their ill-humour towards him, that they refused to satisfy any of his requests; and more than one of the barons went straight from St. Albans to the north, where a fresh and formidable insurrection was organizing under the guidance of old Percy, Earl of Northumberland, the Earl of Nottingham, Scroop the Archbishop of York, Sir John Falconberg, and others. The archbishop, who had given his advice on the former occasion, took up arms on this. Sir John Falconberg and three other knights, who were the first to appear in the field, were beaten and dispersed by the young prince John, Henry's third son, and the Earl of Westmoreland. A few weeks later the archbishop took the field with the Earl of Nottingham, and posted himself at Shipton-on-the-Moor at the head of eight thousand men. Prince John, with the Earl of Westmoreland, came suddenly upon them. The archbishop did not fight, but, by some means which are not explained (though the royalist party are suspected of employing delusive promises and treachery), both he and the earl, his companion, were carried prisoners to the king at Pontefract Castle. Henry intimated to the chief-justice Gascoigne that he must pass sentence upon them as rebels and traitors taken in arms; but that upright judge refused, because the prelate's life was exempt from the jurisdiction of lay courts, and because both he and the earl had a right to a trial by their peers. One Fulthorp, a knight, and probably a lawyer, was less scrupulous, and without any form of trial he condemned both prelate and earl to be beheaded. Bishops had been loaded with chains, thrown into noisome dungeons, starved or tortured to death, before now; but the axe of the executioner had never yet publicly severed a mitred head in England. But Henry had made up his iron mind to this startling novelty, and the archbishop was executed immediately. Scroop died like a brave man, protesting to the last that he had merely wanted a redress of grievances, and that he had never intended evil "against the *person* of King Henry."^{*} The pope, without naming any one,

* Unless Scroop amused his mind with a quibble about "personal evil," he could not fancy that his conduct would bear out his dying assertions. He had notoriously advised the Percys to take up arms against Henry: every probability is in favour of the commonly received opinion that he drew up the articles of accusation sent in by Hotspur; and if we relieve Scroop from the responsibility of that composition, it is difficult to conceive that he had nothing to do with the ten articles, which, just before his taking the field at Shipton-on-the-Moor, had been stuck upon all the church doors of York and the neighbourhood. In this document, which ran in the names of A, B, C, D, protectors of the Commonwealth of England, Henry was accused of perjury, rebellion, usurpation, murder, irreligion, rapine, and all kinds of lawless violence. It may be that the archbishop had no fixed plan of putting Henry to death; but could he imagine for a moment that Henry's life would be respected by a party called together by such a ferocious manifesto? Or could he think that his closest ally, the Earl of Nottingham, who was taken with him at Shipton, and who was son of Henry's old enemy, Mowbray, Duke of Norfolk, was not anxious for a deadly revenge? Scroop's whole family had been under great obligations to Richard; and he has read the whole story of these fierce times in vain who can believe that churchmen did not partake in all the strong feelings and passions of other men. Dr. Lingard, however, seems to wish to make his readers believe that Scroop really contemplated nothing more than a gentle reform of abuses.

issued a general sentence of excommunication against all men concerned in the death of that prelate; but Henry sent in a justification of his conduct;—the Church of Rome was not in a condition to take vengeance, and the sentence was revoked.

Having punished the city of York with fines and the temporary suspension of its charters,—for it had been up in arms on the archbishop's side,—Henry marched northward with an army of thirty-seven thousand men. The Earl of Northumberland fled to Berwick, and implored the assistance of the Regent of Scotland. At Durham Henry caused the Lord Hastings, the Lord Falconbridge, and two knights, to be tried for treason, and, on their conviction, to be beheaded. On the king's approach to Berwick old Percy gave up the town to some Scots, and fled with the Lord Bardolf to Edinburgh, where he was kindly received. When the English came before Berwick the Scots set fire to the town and fled. The castle, however, was garrisoned, and the governor refused to surrender. Upon this Henry brought up an enormous cannon, and planted it against one of the towers: the first shot took such effect that it knocked down part of the tower, upon which the garrison, in a panic, threw open the gates. Henry put to death the governor, a son of the Baron of Graystock, with four or five of his principal officers. He did not continue his march into Scotland, but turned back into Northumberland, where he took Alnwick, Prudhoe, Cocker-mouth, and all the castles belonging to the great earl. Then, from the north, he rapidly marched to Wales, where his gallant son, after achieving several victories, was hard pressed by a superior force. Prince Henry had been almost constantly engaged ever since the battle of Shrewsbury against Owen Glendower, the most active and trying of enemies. In the month of March of this same year (1405) he had defeated the Welsh in a great battle at Gros-mont, in Monmouthshire, and taken prisoner Griffith, the son of Glendower; and soon after he reduced the strong castle of Lampeter, in Cardiganshire. But now his career was checked by the successful issue of Glendower's foreign negotiations. In the preceding year the clerk, necromancer, or devil, applied for assistance to the French: according to some foreign writers, he went in person to France, and was received there with the consideration due to his royal descent and heroic bravery. Properly speaking, there was no government in France,—the king was still alternating between the two conditions of idiotcy and frenzy,—his uncle Philip, the great Duke of Burgundy, was dead, and such authority as the court possessed was monopolized by one of the king's brothers and the queen, who were living together openly in an incestuous adultery. This precious brother was the Duke of Orleans, Henry's old and bitter enemy. Still without any declaration of war, it was resolved to equip a great fleet at Brest, and to send over to Wales eight thousand men-at-arms,

under the command of James of Bourbon, Count of La Marche. The fleet and most of the knights assembled at Brest, but the young Bourbon prince was so well amused by the fêtes of the court,—so occupied by cards and dice,—that he kept the expedition waiting, so that many of the knights, having spent all their money, returned to their homes. At last the count went to Brest, but it was in the stormy month of November: most of the ships refused to put to sea, and the expedition ended, for that year, in a petty attack on the poor people near Falmouth. The Duke of Orleans, however, had the project at heart, and another expedition was prepared in the course of the following spring. After some fresh delays, 12,000 men in 120 ships (we believe that the chronicler exaggerates numbers) appeared in Milford Haven under the command of Montmorency, Marshal of Rieux, and the Sire de Hugueville, Grand Master of the Arbalisters. This force landed in safety; but most of their horses had perished during the voyage, and the troops had scarcely left the ships ere the fleet of the Cinque Ports sailed into Milford Haven and burnt fifteen of them. Soon after, the same fleet captured fourteen French ships that were bringing over ammunition and stores for the expedition, and it continued to do its duty so well that the invaders could never receive supplies. The French marched upon Haverford West, where they burnt the town, but were repulsed with loss in an attempt to take the castle. Burning and destroying, they marched to Carmarthen, which they took, and being joined in that neighbourhood by Owen Glendower, with ten thousand combatants, they penetrated almost to the gates of Worcester, obliging Prince Henry to keep aloof. But at Worcester the king came up to the assistance of his son, and the French and Welsh retreated a little, and took possession of a high hill. The king followed them, and for eight days encamped his forces on a height opposite, with a deep valley between him and the enemy. Neither army would quit its position to risk a general battle; but there were many skirmishes, in which, among others, a brother of the French marshal and two other great lords were slain. At last hunger compelled the allies to quit their hill and fall back upon Wales. The king followed them in their retreat; but it should appear that, engaging somewhat rashly among the defiles, the woods and marshes, he suffered a severe check at the hands of the Welsh. According to the English account, he retreated from want of provisions, but it is evident that his retreat was rapid and disorderly, and that he lost some fifty of his baggage-waggons. By this time, however, the French, heartily sick of the poor entertainment they found in Wales, and dreading the approach of a fresh English army, got back to their ships and sailed away for France, leaving their dear cousin Owen to abide the storm as best he could.*

Prince Henry remained to carry on the war:

* Walsing.—Monstrelet.—Barante.

as a mere boy, he had shown great constancy and confidence in his own resources; and among the mountains and morasses of Wales, and from dealing with an active enemy, he improved himself in that destructive art which a few years later was so fatal to France. He subdued the whole of South Wales, and made gradual advances in the north; but for a while he scarcely gained a rood of ground without fighting for it; and even to the end, Owen Glendower kept him on the alert, prolonging a struggle for independence with a spirit and an ability which have rarely been surpassed. We can dimly trace his retreat in the north of Wales, from one stronghold to another. Some three or four years after the departure of his French allies, Owen, finding himself gradually forsaken by the disheartened people, and pinched in his supplies, sent a part of his army, under the command of his son-in-law, Scudamore, and Rheesap-Dhu, to ravage Shropshire. The Welsh were cut to pieces in this expedition, and their leaders, Rhees and Scudamore, were taken and executed as rebels. From this time Glendower's history is involved in doubt: that he was fain to go up and down, disguised in a shepherd's habit, to his daughters' and other friends' houses for a time is very probable, but it is still more certain that his unconquerable spirit was not subdued by misfortune,—that he again took up arms,—and that he died at last a free man among his native mountains several years after the accession of Henry V. These facts are proved by official documents which have been preserved by Rymer, and in the rolls of the English parliament. In the year 1411, he was excepted in an amnesty granted by Henry; in 1412, he is mentioned in connexion with a prisoner he had made; in 1416, three months before the battle of Agincourt, Henry V. commissioned Sir Gilbert Talbot to treat with Meredith, the son of Glendower, concerning the pacification of his father and the other unconquered insurgents in Wales, if they wished it; and three months after that great victory, the same celebrated captain was again empowered to negotiate with the patriot. It is indeed consolatory to all lovers of their own country to see the champion of his people thus preserve his dignity to the last glimpse of his glorious character which history can perceive.* Owen Glendower's countrymen were ungrateful to the fame of their greatest hero, or, it may be, that their records were destroyed in the horrors which followed subsequent insurrections. It is neither clear where or when he died, nor where he was buried. One tradition says that he was interred at Mornington, in Herefordshire, the seat of one of his sons-in-law; another tradition states, with still less probability, that he was buried in the cathedral of Bangor, where a grave, under the great window in the south isle wall, is still shown to strangers as the place of his interment.†

Every obstacle seemed to yield to the bravery,

* Sir J. Mackintosh.
† Coxe's Monmouthshire.

address, and good fortune of King Henry, who, in the same year (1405) in which he expelled the French from Wales and drove the Earl of Northumberland into Scotland, got possession (by no very honourable means) of the person of the heir-apparent to the Scottish throne. The milder vices were comparatively absent, but in other crimes,—in cruelty, political intrigue, and an infernal treachery—the Scottish court almost afforded a parallel to that of France. The poor, weak, old King Robert, after being driven from one abbey to another, took refuge from persecution in the Isle of Bute; his eldest son, the brave but imprudent Duke of Rothesay was thrown into the castle of Falkland (March, 1402), and there, it was rumoured, starved to death by orders of his uncle the regent, Duke of Albany. After this fearful tragedy, the helpless king, trembling for the life of his second son, James, sent him on board a ship which immediately sailed for France. The young James was accompanied by the Earl of the Orkneys, who bore letters tenderly recommending the prince to the French court. As the vessel was coasting along to get into the Channel, she was taken off Flamborough Head (30th of March, 1405) by some English cruisers, and, in spite of a truce, carried as a fair prize into an English port. Henry, overjoyed at this lucky accident, shut the prince up in Pevensey Castle. The news of his captivity broke the heart of King Robert, who died about a year after (4th of April, 1406); and Albany retained his power by doing the will of the English king, who could always bring him to abject submission by threatening to liberate his nephew. James, who was only twelve years old when he was captured, remained nineteen years a prisoner in England; but, notwithstanding his captive condition, these were probably by far the happiest years of his life. He was treated with much kindness; his love of study was encouraged; he was allowed masters, and books, and occasionally the society of the most refined people in England. His favourite study was poetry; and forming himself on the model of the immortal Chaucer, he became the best poet of his age. But we shall have more to say of the amiable character of this truly elegant and accomplished prince, and of the romantic incidents which attended his bidding in Windsor Castle, when we come to relate his enlargement and restoration to the throne of Scotland, which did not happen till the reign of Henry VI.

Ambitious, powerful, adroit, and not very scrupulous as was Henry, he continued generally to respect the wishes of his parliament, and the cause of constitutional liberty made great strides during his reign. At the end of 1407, however, the debates took rather a stormy character, and many discontents were awakened by the demand of subsidies.* The Earl of Northumberland vainly hoped that these circumstances would favour his great enterprise, of not only recovering his estates

and honours, but of dethroning the king. Ever since his expulsion he had been wandering about the world, and labouring like another Hannibal, to raise up enemies against Henry. Finding that the Duke of Albany was averse to his project, and had even, it is said, listened to proposals from Henry to give him up together with other English fugitives, the old Percy went into Wales to concert measures with Owen Glendower; he afterwards crossed over to France, and from France he passed to Flanders. His principal refuge and support were found, however, among some nobles on the Scottish border, who opposed the schemes, and were strong enough to despise the authority of the Duke of Albany. With a force consisting chiefly of Scots, he and his friend Bardolf appeared suddenly in Northumberland at the beginning of the year 1408, and surprised several castles. Many of his vassals joined their old lord, but all besides regarded his proceedings with disgust: the people, even in the north, were not with him, but stood rather for the government. The hardy warrior, however, penetrated as far south as Knaresborough, where he was joined by a few friends of the late Archbishop of York; but on the 28th of February he was defeated by Sir Thomas Rokeby, at Branham Moor, near Tadcaster. The old man was fortunate enough to die in the battle; his friend Bardolf was taken, but he too expired of his wounds. Their quarters were distributed as usual in such cases; and those who had joined them were imprisoned and heavily fined.*

A. D. 1409. With the exception of occasional troubles in the Welsh marshes, England now enjoyed perfect tranquillity for many years; but a fierce warfare was carried on, irregularly, at sea, in which the French were for some time assisted by the galleys of Castile, under the command of the famous Martin Ruiz and Pero Nino. The French also attacked the English possessions on the continent, nor could Henry ever obtain money enough from his parliament to equip any great expedition for their defence. Nothing but the vices and frivolities of those who ruled at court prevented the French from acquiring possession of the whole of Gascony and Guienne. By the beginning of the year 1406 the Count of Armagnac and the Constable of France had taken sixty fortresses and castles in Guienne and Saintonge: the English expected reinforcements, but none arrived, and they were almost reduced to despair. At this crisis it was resolved that the Duke of Orleans should take the command in those parts; but the duke, like the English reinforcements, did not appear, and the Counts of Clermont and d'Alençon left the army that they might join in his amusements at Paris. The fêtes which were celebrating possess some interest; for they were given on the occasion of the marriage of Isabella, the widow of our King Richard, with her cousin Charles, Count of Angoulême, the eldest son of the Duke of Orleans. Isabella was much older than this

* Rot. Parl.

* Walsing.—Otterb.—Rymcr.—Rot. Parl.

second husband, who was only a child: she wept much during the ceremonial, but her tears were attributed merely to her grief at losing the title of queen.* After this marriage, Orleans set out for Guienne; but the season was far advanced, his unpaid troops suffered cruelly from want of provisions and from the inclemency of the weather; and after gambling away all the money which had been destined for the pay of the soldiers, and doing absolutely nothing else, he rode away to Paris followed by the curses of the miserable remnant of his army.† At the same time, his cousin and rival, John Sans-peur, or the Fearless, the present Duke of Burgundy, was sent to drive the English out of Calais. Wonders were expected from the emulation of these two princes; but Burgundy's failure was as complete as that of Orleans. As his father, the Duke Philip, had done when bent on the same siege three or four years before, he cut down a whole forest to make machines and towers: he got together two hundred pieces of cannon, but he never fired one of them against the English: it appears that he never even sate down before Calais. When he had spent all the money which he had obtained by taxing his own vassals, he returned to Paris, and laid the blame of his miscarriage on the preference shown to the Duke of Orleans, who had emptied the coffers of the state, to carry money into Guienne; and he claimed from the treasurer, who had nothing, immediate payment of his own expenses, and of an enormous debt owing to his father.‡ Though they hated both, the French people, of two evils, rather preferred the Duke of Burgundy; but the queen and her paramour, Orleans, retained their power; and John Sans-peur retired to his states in Flanders, breathing vengeance against his cousin. At this time so frightful was the disorder, even in Paris, that the wretched king had scarcely bread to eat except such as was taken by open force from the bakers and dealers; and all the princes and great lords helped themselves to provisions in the same manner.

The Duke of Berri, uncle to both the rivals, endeavoured, with some good men, to reconcile the Dukes of Orleans and Burgundy; for it was seen that their enmity was ruining the country. The latter returned to Paris, to all seeming in a heavenly disposition. He visited his cousin Orleans, who was suffering from a temporary indisposition, and testified a truly fraternal affection. The well-intentioned Duke of Berri was overjoyed at the success of his mediation; and when the Duke of Orleans recovered, he took both his nephews to hear mass in the church of the Augustines. After mass, the two rivals, the better to attest their holy reconciliation, took the sacrament together. All this passed on Sunday, the 20th of November, 1407; and on the Wednesday following, the Duke of Orleans was massacred in the streets of Paris,

* Isabella was first cousin and godmother to her husband; but a dispensation was easily obtained from the pope.

† Monstrelet.—Monk of St. Denis.

‡ Baraute, Hist. des Ducs de Bourgogne.

by eighteen or twenty men employed by his loving cousin the Duke of Burgundy, who openly avowed the fact a few days later. According to a report current at the time, particularly in Flanders, John Sans-peur only anticipated his cousin, who had engaged assassins to murder him. The wretched king, who had a glimpse of reason at the time, wept for the loss of his only brother, and he promised the Duchess of Orleans that he would have justice done. But Charles was powerless, and Burgundy very powerful. Accompanied by his vassals and friends, and a thousand men-at-arms, the duke, who withdrew for a short time, returned to Paris, where there was nothing to oppose him, and where the people received him with shouts of "Long live the Duke of Burgundy!" He had held out hopes that he would reform the government, and reduce the frightful amount of taxes and arbitrary imposts; and on such conditions the suffering Parisians were but too glad to forget his crime. But soon after, both lawyers and priests publicly justified the deed of the duke, who, it was alleged, in killing Orleans, had only rid France of a tyrant, traitor, and monster, who aimed at the crown, and who had practised on his brother the king's reason and life, by sorcery and other atrocious means. In a word, the Duke of Burgundy became absolute master of the government, and began to do everything as he list.*

The queen, whose grief for Orleans was greater than that usually shown for the loss of a brother-in-law, retired from Paris to Melun, where she remained brooding over her revenge. In the month of June, 1408, the Duke of Burgundy was obliged, by the revolt of his subjects, to go into Flanders; and then the queen, hoping to profit by his absence, returned to Paris, took the reins of government into her own hands, and, acting in the name of her son, the Dauphin Louis, who was now twelve years old, and being supported by some of the princes of the blood, she declared the Duke of Burgundy an enemy of the state, and ordered that troops should be employed on all sides to fall upon him. But Burgundy having gained a famous victory over his vassals at Hainaut, prepared to return at the head of a formidable army; upon which the faction of the Orleansists dispersed, and the queen fled to Tours, carrying with her her helpless husband. On the 28th of November, the duke entered with six thousand men into Paris, where he was again received with acclamations, the people saluting him as if he were their king. Yielding to necessity, the queen and her party spoke of a reconciliation, upon which the widow of Orleans died of spite and vexation. An apparent reconciliation, however, took place, and the children of Orleans were obliged to embrace the murderer of their father. All this was done in the month of March, 1409, in the good town of Chartres, where the princes and the other great lords swore as usual upon the cross and the Evangelists. The thoughtless people of Paris

* Monstrelet.—Juvenal des Ursins.—Pierre de Fenin.—Baraute.

were overjoyed at this family peace, which lasted about four months. Then the Orleanists took up arms to drive the Duke of Burgundy from power, and, if possible, to death. Isabella, the ex-queen of England, and the wife of the present Duke of Orleans, had died the preceding year in child-bed, and now the young duke took for his second wife Bona of Armagnac, daughter of Bernard, Count of Armagnac, and grand-daughter of the Duke of Berri. The Count of Armagnac was a man of great power, courage, and activity; and hence, from the youth and inexperience of his son-in-law, he became the real as well as nominal chief of the Orleanists, who were thence called the Armagnacs—a name memorable in French history. The Duke of Berri, the Duke of Brittany, and the Count d'Alençon, took up arms, and joined the Count of Armagnac, with all the nobles of the Orleans' faction. The Duke of Burgundy was obliged to conclude a convention, and to retire from Paris, and then the young Duke of Orleans, with a naked sword in his hand, demanded justice for the death of his father. At this crisis the Duke of Burgundy applied for assistance to the King of England; and Henry immediately sent over eight hundred lances and one thousand of his best bowmen. This force, small as it was, enabled the Bourguignons, or Burgundians, to drive the Armagnacs from Paris; and in the month of October, 1411, John Sans-peur again entered the capital, where he was received as the deliverer of France. He used his means without mercy, as far as imprisonment, fines, and forfeitures, were concerned, but he shed no blood—for he professed to have a great horror of blood. In flying from Paris, the Orleanists had made free with a treasure which the queen had deposited in the abbey of St. Denis; and from this moment Isabella cooled in her zeal for the party. Though expelled from the capital, the Armagnacs made head in the provinces on the upper Loire. The Duke of Burgundy, taking with him the poor king and the dauphin, marched against them; and, after a short campaign, laid siege to Bourges, which had become the centre of the party. John Sans-peur had not been very grateful for the opportune aid he had received from England; and it was, besides, no part of Henry's plan that one party should crush the other, or, at least, not until he had reaped his harvest out of their mad discord. The late Duke of Orleans had, indeed, been his personal enemy; but that weak man had gone to his account, and the cool-headed Bolingbroke seldom permitted any of his passions to interfere with his deep-laid schemes. The Armagnacs, who had decried that measure in the opposite faction as the extremity of baseness, now, in their turn, applied to England for assistance; and Henry listened with a ready ear to their proposals. As their condition was desperate, he drove a good bargain. In the month of May, 1412, the contracting parties—the Dukes of Berri, Orleans, and Bourbon, with the Count of Alençon (the

Count of Armagnac did not appear by name), agreed to acknowledge Henry as lawful Duke of Aquitaine, to assist him to recover all the rights and appurtenances of that duchy, to hold of him by homage all the lands they possessed within its limits, and to give security that the counties of Poictou and Angoulême should be restored to him on the deaths of the present possessors. Henry, on his part, agreed to assist them, as his faithful vassals, in every just quarrel; to enter into no treaty whatever with the Duke of Burgundy or any of his family without their consent, and to send to their assistance one thousand men-at-arms, and three thousand archers, to serve for three months, they paying the proper wages.* The news of this treaty could not be kept secret, for Henry's part of it was carried into almost immediate execution. Both among the Armagnacs and the Burgundians there were still many individuals of note not devoid of patriotism—wise men who saw the inevitable consequences of introducing an English army into the heart of France. Meetings and consultations were held, and, at last, a conference was agreed upon. The Duke of Burgundy met his uncle, the Duke of Berri, at a place secured by barricades outside the walls of Bourges: great precautions had been taken on either side to prevent surprise and assassination; and so the uncle and nephew embraced each other tenderly over a barrier. After a long conference, the Duke of Berri agreed that the Armagnacs would submit to the royal authority: Burgundy, in the name of the king, engaged that the past should be forgotten. It was mutually agreed that the party names of Armagnacs and Bourguignons should never again be pronounced; and that, without any distinction, all Frenchmen should enjoy their liberties and their property in the peace which God had sent them. The young Duke of Orleans was absent; but he soon after attended a family meeting, and swore, with the Duke of Burgundy and the rest of the princes, to be true to the peace of Bourges. It was further agreed that the Duke of Burgundy should give one of his daughters in marriage to the Count of Vertus, a younger son of the man he had murdered. To show their perfect reconciliation and brotherly intimacy, the two Dukes of Burgundy and Orleans rode together mounted on the same horse. The simple people, at this touching sight, shouted with joy, and sang "*Gloria in excelsis*;" but, adds the chronicler, evil tongues were not sparing of them behind their backs, but loudly spoke their minds about this reconciliation.†

Matters were at this point when news arrived that an English army, under the command of the Duke of Clarence, Henry's second son, had landed in Normandy, where the Count of Alençon and some other nobles had joined it. The first condition of the recent peace was, that the Armagnacs or Orleanists should break off all league and confederacy with the English. This they were ready

enough to do; and they forthwith sent a deputation to inform the Duke of Clarence that they had made their peace, and that he might return home, as they no longer wanted his assistance. The young duke demanded payment of the expenses of the expedition; and his troops, finding no proper provision made for them, began to plunder the country. An attempt was made, by promises of payments, to gain time, in order to collect an army; but, in fact, the money was the least of the objects of the young duke's consideration; and he marched on through Normandy into Maine, while another English division, issuing from Calais, occupied a great part of Artois. There was a sounding of trumpets through the whole kingdom, and every warrior in France was summoned to join the royal standard at Chartres; but the summons was not well attended to, and it was thought better really to pay the English the money they demanded. The exchequer had no means, and the Burgundians said that the English ought to be paid by those who had invited them. This was a good argument, but it certainly would not have been acted upon had it not been for this little circumstance;—from Maine the Duke of Clarence had marched through Anjou, and was now threatening to overrun in an hostile manner the whole of the duchy of Orleans. Seeing this, the Duke of Orleans hastened to the head-quarters of the English, carrying with him all the money he could raise. The Duke of Clarence received him very courteously; and it was arranged that the French prince should take upon himself the payment of the whole cost of the expedition, and place his young brother, the Duke of Angoulême, in the hands of the English as security. When this was done it was expected that Clarence would return; but this prince had no such intentions: he marched on for Guienne, and, being joined on the road by a few old friends of the English, he traversed the whole of France with an army which did not exceed eight thousand men, and got safely to Bordeaux. From the moment of concluding the agreement with the Duke of Orleans he made his soldiers cease their depredations; but as they went along, in tolerable order, the English could not help telling the French that they would soon return to carry on war in the name of their own king, Henry.* Such were the last foreign operations of this reign, which was now drawing rapidly to its close.

Although Henry had overcome every obstacle except the wholesome opposition of his parliament, and had humbled or destroyed all his enemies, his last years were far from being the happiest of his life. His able but remorseless career,—his successes, even more than his misfortunes,—had proved to him the insecurity and hollowness of men's hearts: whatever relying faith he had in earlier life was all gone, and he felt that worst species of unhappiness which arises from a confirmed doubt as to the existence of human worth and disinterested

affection. In his busy years, when surrounded with actual dangers of all kinds, he was cheerful and communicative, and fond of talking and mixing with the people; but in his later days he became gloomy, solitary, and suspicious. It is very probable that he felt some pangs of remorse, but bad health may have been the disposing cause; for, as long as he was well, he considered that he had only done what was best for his country, and that his constant success was a proof that he had acted under the favour and inspiration of Heaven. Both body and mind had been overworked: he became prematurely old, was afflicted by a cutaneous disorder, which some called the leprosy, and was subject to epileptic fits. His devotion assumed a gloomy cast. Before his accession he was suspected of being no friend to the church, and of leaning towards the doctrines of Wickliffe, as his father, John of Gaunt, had done before him. It was essentially necessary to his success that he should remove this suspicion; and hence probably, for a mere reason of state, he passed in the first year of his reign, with the hearty concurrence of both lords and commons, the detestable statute for the burning of heretics; and caused penal fires, for matters of religion, to be lighted for the first time in England. But it seems to have been from a more inward conviction that, in the tenth year of his reign, he pronounced the severest sentences against all Wickliffe's writings; and that in the following year he rejected a petition for the revocation or qualification of his statute against heretics or Lollards, and told the commons that the punishment should be made more rigorous and sharp.* It appears pretty evident that, in his latter years, he entertained a jealousy of the popularity of his own son and heir; but this is so common a feeling with kings of all times and all countries, as scarcely to deserve notice as anything remarkable in his case. It is also generally stated that the wild and dissolute conduct of the Prince of Wales was the cause of much uneasiness; but the many virtues of that prince were almost invidiously eulogized, in the latter part of this reign, by the very parliaments that treated his father most harshly; and it has been concluded by an excellent writer, that these records of parliament ought to be taken as a strong presumption that some early petulance or riot has been much exaggerated by the old chroniclers whom Shakspeare has followed with such dramatic effect.† Allowing, however, the proper weight to this reflection, we should bear in mind the difference of the worship paid to the rising and the setting sun; we should remember that it has been a not unusual practice with popular bodies to contrast the untried heir-apparent with the old king, concealing the vices and making an idol of the former; and we shall be much mistaken if we allow too much to the simplicity and honesty of the age that produced Henry of Bolingbroke. Men were as capable of pitting the son against the father at the beginning of the fifteenth as they

* Monstrolet.—Juvénal des Ursins.—Pierre de Fenin.—Vilharet.—Barante.

• Rot. Parl. Digitized by Google † Hallam, Middle Ages.

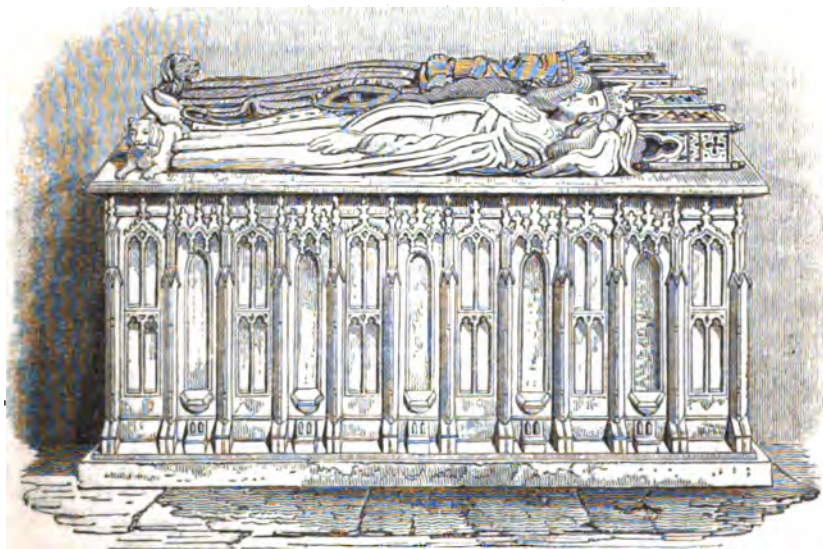
were at the end of the eighteenth century. But still, with every allowance for policy and party feeling, Henry may still, in the words of another judicious writer,* have been "in the number of those aspiring youths that had mixed pleasure with ambition;" and the popular tales of his youthful freaks may not be wholly without foundation. The stories usually inserted in our histories do not rest on any contemporary authority, but seem to have been first told by Hall and Stowe, who wrote in the time of Elizabeth and James I, and who probably took up their accounts from popular tradition, with the embellishments incident to such stories transmitted through many ages. The jealousy entertained by Henry of the ambition and popularity of his son has great probability in its favour; but here, again, the story of the Prince of Wales taking away the crown during one of the king's fits, with Henry's anger on the occasion, followed by his misgivings as to his right to the crown of England, rests on the authority of Monstrelet, a foreign writer, not very well ac-

* Mackintosh.

quainted with English affairs, and who, in this very anecdote, quotes an English custom which never existed.

King Henry was praying before the shrine of St. Edward, in Westminster Abbey, when he was seized with his last fit. They carried him into the apartments of the abbot, and there he lay down to die in the Jerusalem chamber; the name of which is said to have recalled an old prophecy, with the notion he had once entertained of making a crusade for the recovery of the holy city.* He expired on the 20th of March, 1413, in the forty-seventh year of his age, and the fourteenth of his reign. His body was conveyed by water to Feversham, and from thence by land to Canterbury Cathedral, where he was buried by the side of the Lady Mary de Bohun, his first wife, and the mother of all his children.

* The prophecy was that he should die in Jerusalem. It is probable that the visit paid to him, in the early part of his reign, by Manuel Palæologus, Emperor of Constantinople, who came to implore the aid of the English and the other nations of the West, against Bajazet and the Turks, may have had the effect of occasionally turning the active mind of Henry towards the then almost forgotten East.



TOMB OF HENRY IV. AND HIS QUEEN, at Canterbury Cathedral.

HENRY V. SURNAMED OF MONMOUTH.



HENRY V. IN HIS YOUTH. From an Illumination in a copy of Donaventura's 'Golden Book,' Library of Christ Church College, Cambridge.



GREAT SEAL OF HENRY V.

A.D. 1413.—If Henry of Bolingbroke had died unregretted, the accession of Henry of Monmouth was hailed with universal and most enthusiastic joy. Not a breath was raised in favour of Edmund Mortimer, the Earl of March, who had now

grown up to man's estate, nor against the right of Henry, whose peace was proclaimed the day after his father's death, and who was crowned on the 9th of April following.* His magnanimous conduct

* Sir Harris Nicolas, Chronol. of Hist.

deepened the favourable impressions his character had previously made. He immediately ordered that the body of Richard II. should be removed from its obscure tomb in the Friars' Church at Langly, and brought with funeral pomp to London, there to be interred among the kings of England. This was done; and after solemn obsequies, the remains of Richard were buried in Westminster Abbey, close by those of his first wife, the 'Good Queen Anne,' as he himself in his life had desired. A dead king could do no mischief; but it might have been otherwise with a living prince, whose right to the crown had been formerly proclaimed by a powerful party in the state; yet Henry released the Earl of March from the captivity in which he had been kept by his cautious predecessor, and allowed him to enjoy the estates of his father. Not long after he recalled the son of the gallant Hotspur from his long exile in Scotland, and restored to him the hereditary honours and lands of the Percies. He pursued the same generous course with other individuals, and the effect was seen in the devoted affection of men who had hitherto been most inimical to the house of Lancaster.*

The first year of the new reign was, however, disturbed by a popular commotion in London, in which religious feelings were mixed up with political aspirations. During the sitting of Henry's first parliament, placards were stuck up by night on the church doors of London, stating that there were a hundred thousand men ready to assert their rights by force of arms if needful. This announcement was attributed to the religious innovators called Lollards, of whose tenets we shall have occasion to speak more at length in the next chapter. Their leader, or he on whose strength and talent they most relied, was Sir John Oldcastle, commonly called, in right of his wife, the Lord Cobham. He was "a strong man, and a metely good man of war," and he had been the intimate associate and friend of Henry when Prince of Wales. Arundel, the Archbishop of Canterbury, who was a man of action, but probably not more of a persecutor than the majority of the clergy, accused Oldcastle to the king, at the moment, it appears, when he was incensed at the threats of the Lollards. Henry, however, was not in a mind to deliver up a man he esteemed to the tender mercies of an inquisition: he told the archbishop that he himself would talk with Oldcastle and try to bring him to the right way. As Henry had studied at Oxford, he was probably not unacquainted with the divinity of the schools; but his arguments failed to convince his old associate, and then Henry, like other controversialists, grew angry. A polemic and a king, backed by a bench of bishops, by an army, and by the great mass of the people, were fearful odds against a subject stout and able as he might be. Henry began to threaten and to enforce his arguments by references to the statute *de heretico*

comburendo, upon which Sir John withdrew from Windsor to his manor of Cowling, in Kent. Upon this, Henry gave up his old friend to Archbishop Arundel, and issued a severe proclamation against the whole body of the sectarians, listeners as well as preachers, and the archbishop cited Oldcastle to appear in his court. Sir John would not suffer any man to serve the summons upon him, and he derided the authority of the church. Pressed by the clergy, Henry sent out an armed force, to which Oldcastle surrendered. He was carried a prisoner to the Tower, but neither captivity nor the formidable front of his accusers and judges could damp his ardour in the cause of religious reform. Alone and unsupported, he pleaded two whole days in the synod of prelates and abbots, who, however, convicted him of incorrigible heresy. He was delivered over to the secular arm, or, in other words, sentenced to the flames; but the king granted a respite for fifty days, and, before that term elapsed, Sir John contrived, or was permitted, to escape from the Tower. It is quite certain, after the lengths to which they had gone against him, that the clergy would never have permitted him to live in peace; and Oldcastle, who was a gallant and experienced soldier, may have relied on the co-operation of those who had embraced the same opinions, and may have hoped to obtain security for property and life by force of arms. It is said that he collected a great host of enthusiasts, and made an attempt to surprise the king at Eltham Palace, and that, failing in this enterprise, he ordered the Lollards from various quarters to march towards London, and assemble suddenly in St. Giles's Fields, "above Holborn," on the day after the Epiphany or Twelfth Day. The king was warned of the plot, and during the preceding day, the Mayor of London arrested several suspicious persons in the city: among others, a squire belonging to Sir John Oldcastle was seized "at the sign of the Ark, without Bishopgate." Every alderman was ordered to keep great watch in his ward; and a little after midnight, on January 7, 1414, Henry went out of London with a great force, commanding all the gates of the city to be closed, and well guarded, which was done in order to prevent the Lollards within the walls from joining those without. In the pastoral meadows of St. Giles, where it was rumoured that 25,000 insurgents were to meet under the orders of Sir John Oldcastle, he found only some fourscore men; but these, it is said, had arms upon them, and, it is added, that some of the number who were caught confessed that they had come thither to meet Sir John Oldcastle. Henry then sent detachments along several roads; but the only assemblage of any consequence surprised was one at Harengay Park, where certain lords took many Lollards, and, among them, one William Murle, a rich maltman or brewer, of Dunstable, who had his two horses, trapped with gold, following him, and a pair of gilt spurs in his bosom, for he thought to have been made a knight on the morrow by the hands of

* Walsing. Henry attended as chief mourner in the funeral procession of Richard.

Sir John Oldcastle. Oldcastle himself was nowhere seen, and though the king, by proclamation, offered immense rewards for his apprehension, there was not a man found that would betray him, so greatly was he beloved. Little mercy was shown to the poor Lollards who were captured, and no great pains could have been taken with their trial, for, on the 13th of January, thirty of them were executed in St. Giles's Fields, being drawn and hanged as traitors, and then burnt, gallows and all, as heretics. No great reliance can be placed on confessions extorted from these unhappy men, but the parliament, as well as the king, seem to have believed that the state had been in danger. The Commons, in their address, stated that the Lollards had sought to destroy religion, the king, the lords, the bishops, the whole body of the clergy, and all manner of good law; and Henry echoed these sounding charges in his proclamation, wherein, moreover, it was stated that the insurgents had meant to divide England into federal republics, and to appoint Sir John Oldcastle their president. It is a pity that the Lollards had no historians. In the absence of their testimony, we can only venture to suspect that their designs have been exaggerated by the fears and the malice of their enemies. Persecution did not stop short at the wholesale execution in St. Giles's. Sir Roger Acton, a friend of Oldcastle, was taken, drawn, and hanged on the 10th of February. Arundel, the Archbishop of Canterbury, died on the 28th of that same month; but his successor, Chicheley, was not a whit more tolerant. It was enacted in parliament that all judges and magistrates should have power to arrest any individual suspected of Lollardism,—that, besides suffering capital punishment, every individual convicted of that atrocious crime should forfeit his lands, goods, and chattels to the king as in cases of felony; and that the chancellor, treasurer, justices of the two benches, sheriffs, justices of the peace, and all the chief magistrates, should bind themselves by oath to do their utmost for the rooting up of heresy. The prisons of London were crammed with captives, but hanging and burning were not frequently resorted to.*

In the summer of this year, when he had been little more than twelve months on the throne of England, Henry suddenly demanded the crown of France, as the representative of Isabella, the wife of the second Edward, in whose right Edward III. had founded his absurd pretensions.† But the claims of Henry V. exceeded *his* in absurdity; for, according to the only admissible construction of that hereditary right on which he rested his claim, the crown of France belonged, not to him, but to Edward Mortimer, the Earl of March. No one, however, acquainted with Henry's love of war, with the spirit of the English people, and with the wretched condition of France, could be much surprised at the project of conquest, which, be it said, was most warmly encouraged by the church and by both houses of parliament.

The solemn reconciliation between the Dukes of Burgundy and Orleans did not last three months. The father-in-law of the latter prince, the Count of Armagnac, never laid down his arms; and the Duke of Orleans kept away from Paris, where his cousin of Burgundy, who had formed a suitable alliance with the fraternity of butchers in that capital, misgoverned the state.

The Dauphin Louis, who was now approaching the age of manhood, quarrelled with the Duke of Burgundy, and increased the general confusion by intrigues of his own, in which neither his unhappy father nor his mother was respected. The origin of the unnatural feeling probably dated from an earlier period, but from this moment the queen-mother betrayed a deadly hatred of her own son. From instruments and subordinate agents, the butchers of Paris soon became masters; they massacred many individuals; they assumed the "white hood" as a revolutionary distinction; they allied themselves with the turbulent men of Ghent; they sent deputies to all the good towns of France, to induce the people to adopt their device; they forced white hoods on the heads of the Dukes of Burgundy and Berri,—on the Dauphin,—on the king himself,—and compelled them all to wear them in sign of their love for the people and the good city of Paris. After this the lords of the council, the members of the courts of justice and parliament, the professors and scholars of the university, the clergy, the monks, could not show themselves in public without the fantastic appendage. In all these transactions, the ludicrous was mixed up largely with the horrible. They threw the richest citizens into prison, and kept them there, in fear of their lives, till they paid heavy ransoms; they broke into the palace and carried off the Duke Louis of Bavaria, the queen's brother, and thirteen ladies of rank attached to the service of the queen or the Duchess of Aquitaine. (These *belles-dâmes* were mounted, two by two, on horses, and carried off to the tower of the Louvre.) They murdered, in prison, the Sire de la Rivière, one of the most accomplished and learned men in France; and every atrocity they committed, they said was "for the good of France." The more respectable burghers were soon disgusted with the domination of these butchers, or "Cabochiens," as they were called, after one of their chiefs; and their resistance was roused when the Duke of Berri employed the master butchers to levy a tax by force for the expenses of a war against the English and the Armagnacs. The latter faction were committing much greater crimes than those of the butchers in some of the provinces: they had made an alliance with some English adventurers; and the Count of Armagnac publicly wore the red cross of England over his armour. The Parisians had hitherto been warm Bourguignons, but now they opened communications with the Armagnacs: some priests of the university took courage to preach publicly against the butchers; but it was the rival fraternity of carpenters that humbled their pride.

* Elmham, Vit. Hen. V.—Rymer.—Stow. † See Vol. I. p. 757.

"We will soon see," said Guillaume Cirasse, "whether there be not as many carpenters as butchers in Paris, and as good men!" The populace were divided, but it was soon seen that the carpenters were getting the largest party. On the 1st of July, 1413, the butchers beheaded the provost of Paris. This was the last act of their authority: after assembling in the Place de Grève—the scene of more deplorable tragedies in a later revolution—and making a vain show of resistance, they were driven out of Paris a few days after the execution of the provost. The power of the Duke of Burgundy fell with that of the butchers: in the month of August, he quitted Paris and withdrew in haste to his states of Flanders, having failed in an attempt to carry off the king. On his departure, the Duke of Orleans became master of the government; all the officers, ministers, and magistrates were changed, and, notwithstanding solemn promises to the contrary, the Bourguignons were persecuted, imprisoned, or driven into exile. The white hoods and the colours of the Duke of Burgundy disappeared, as if by magic; and all Paris, even to the images of the saints, wore the white scarf, the device of the Duke of Orleans. If the queen and her son had agreed in anything, they might have checked the tyranny of the Armagnacs; but they were engaged in constant quarrels. As early as the month of December, the Dauphin, who before had intrigued with the Armagnacs, wrote an imploring letter to his father-in-law, the Duke of Burgundy, telling him that he was little better than a prisoner in Paris, and imploring him to come in force to his deliverance. Early in the following year (1414), the duke marched from Flanders with a great army of Flemings, Burgundians, and Picards: he met no resistance until he came before the walls of Paris, but he found that capital well defended by the Count of Armagnac, who kept down the numerous partisans of the duke by threatening them with the gallows. Jean Sans-peur was obliged to retreat into Flanders, and after this failure no consideration was shown to him. The Armagnacs made the king sign a proclamation in which he was charged with the "damnable murder" of the Duke of Orleans, and with other crimes and treasons: the forfeiture of all his states was pronounced, and the ban and arrier-ban were summoned to execute the sentence. The Armagnacs took the field in great force, and carried the king with them to give weight to their proceedings. They took the duke's town of Compeigne, and then proceeded to lay siege to Soissons. Here the valiant De Bournonville made a firm resistance: he had with him a body of English archers, who defended one of the gates so well that none of the assailants would approach it; but the Armagnacs also had some English, or men of Bordeaux, in their army, and these fellow-subjects opened a friendly communication with each other, the result of which was that the English gate was left open to the besiegers, who entered with the fury of wild beasts. Men, women, and children were mas-

sacred, and—which appeared a greater crime—the churches were broken open, the ornaments of the altar pillaged, and the relics of saints, nay, even the consecrated wafers, were trodden under foot. "Never, in the memory of man, had a Christian army, commanded by such great princes and composed of so many noble knights, committed such horrors." The day after the assault, by command of the king, they struck off the head of the brave De Bournonville; and, by the same royal orders, his execution was followed by that of five other knights and some of the principal citizens. About two hundred English archers were hanged on the walls; twenty-five gentlemen of the place were sent to Paris, where most of them were hanged or beheaded. It is said that the king was perfectly sane when he ordered these bloody executions,—if such were the case, his insanity was little to be regretted. From Soissons the Armagnacs marched to Arras, and laid siege to that city. But Arras was a strong place, and Jean Sans-peur, though reduced to great distress, was enabled to furnish it with plenty of provisions and an excellent garrison. The besiegers were soon in want of provisions; sickness broke out in their camp, many deserted, and the Count of Armagnac at last recommended that the siege should be raised.

At this moment intelligence was received of the mighty preparations making in England for the invasion of France, and a new treaty of peace and reconciliation was concluded between the Bourguignons and the Armagnacs. Before the latter withdrew from Arras, either by accident or design, the house where the king lodged was set on fire, and he narrowly escaped being burnt to death. On his return to Paris, in the month of October, he was again declared to be mad; and the Dauphin, who was nominally placed at the head of affairs, concerted a plot to render himself really master of the capital, by expelling both Bourguignons and Armagnacs, together with his own mother. At a given hour the tocsin was to sound from the church of St. Eustace, and the rabble of Paris were to rise in the prince's name, and slay all that opposed him. The plot, however, was discovered; and then the Dauphin fled to Bourges, leaving Paris to the power of the Armagnacs, who made a new proscription of the Bourguignons, and drove the wives and children of the exiles out of the city. Soon after, however (in the month of April, 1415), the Dauphin, by some cunning manoeuvres, made himself master of the capital. Professing an anxious wish to be reconciled to his mother, to the Duke of Orleans, and other princes of the blood, he proposed a family conference to be held at Melun: the princes accepted the invitation,—left Paris,—and then the Dauphin, instead of going to Melun, stole into the capital, raised the bridge of Charenton, closed the gates, and sent orders to all the princes, with the exception of the Duke of Berri, who had embraced his party, to retire to their respective estates in the provinces. His first operation was to seize all the money which his

mother had deposited for safety in some of the churches. He then promised the people a speedy redress of the grievances under which they had so long laboured; and his chancellor laid the blame of the misfortunes of France upon the queen his mother, the dukes of Burgundy and Orleans, and the other princes of the blood, who had all robbed or shamefully wasted the revenue of the state. The accusation was just; but the Dauphin soon showed that he was as rapacious, prodigal, and dissipated as the worst of those he denounced. He surrounded himself with headstrong and depraved young men, who squandered all the money he could give them, and forced him into illegal courses to get more. Even in Paris, which had long been accustomed to an immoral court, his vulgar dissoluteness excited disgust. Not satisfied with publicly entertaining a servant of the palace as his mistress, he shut up his young and beautiful wife in a chateau at St. Germain-en-Laye. This was a fresh injury to the Duke of Burgundy, who was father of the dauphiness, and it was instantly resented: the states of Flanders, taking up the quarrel of the duke, told the insensate young man that, unless he immediately redressed this and other injuries, the duke would not ratify the treaty of Arras; and that neither he nor his vassals, or any of his subjects, would take up arms to defend the dauphin or France from the attack of the English. Before this the duke had gone from Flanders into his states of Burgundy, where he assembled Caboche, Legoix, and the other chiefs of the Parisian fraternity of butchers. The Count of Armagnac at the same time was carrying on a private war in the south, the Count of St. Pol was doing the same in the north, and peace and good order existed nowhere.

Such was the hapless condition of France when Henry proposed to conquer it. In the immediate presence of danger attempts were made to reconcile the factions, and oaths were interchanged in abundance; but the animosities were too deeply rooted to allow of a sincere co-operation; the execrable misgovernment of twenty years could not be repaired in a day: the people were already exhausted by taxes, civil wars, and military executions; and they had fallen into that worst of all states of mind, where the independence of one's country is no longer paramount and sacred. "What can the English do to us worse than the things we suffer at the hands of our own princes?" was a common exclamation among the poor people of France.*

Before arming, the King of England negotiated at some length; but we may pass lightly over the hollow diplomacy which, on the part of France, did not emanate from any established government having either the right or the power to contract obligations. To the peremptory demand of the crown of France no answer was returned. About a month later (in August, 1414) Henry intimated that he would be satisfied with the fulfilment of

Edward III.'s treaty of Bretigny, and the addition of Normandy, Anjou, and Maine, and some territory in Provence, together with the hand of Charles's daughter Catherine, with a marriage portion of two millions of crowns. It was replied for Charles, that he would restore the whole of the ancient duchy of Aquitaine, and give his daughter with a portion of six hundred thousand crowns. Henry rejected these proposals with disdain, and recalled his ambassadors. In the month of November he asked aids from a willing parliament, who immediately voted a supply of two-tenths and two-fifteenths; not, however, expressly for the purposes for which the money was asked, but "for the defence of the kingdom of England and the safety of the seas." On this occasion Henry's uncle, Beaufort, bishop of Winchester and chancellor of England, opened the proceedings in parliament with a speech turning upon the words "Dum tempus habemus operemur bonum," (whilst we have time let us work the good work); and the commons chose for their speaker Thomas Chaucer, supposed to have been the son of the great poet. In the beginning of the following year Henry condescended to renew his negotiations, and even lowered his demands so far as to give up his claim to Normandy, Anjou, and Maine; but, though alarmed, the French adhered to their former conditions.*

On the 16th of April a council of fifteen spiritual and twenty-eight temporal peers met at Westminster, and to them Henry announced his firm purpose of making a voyage in his own proper person, by the grace of God, to recover his inheritance. Both bishops and lay-lords enthusiastically applauded this resolution, and assured him of their sincere co-operation. He appointed the Duke of Bedford, one of his brothers, to be regent during his absence; and, having raised the sum of five hundred thousand nobles, he set out to embark at Southampton in the month of July. At Winchester he was met by the Archbishop of Bourges, who had been despatched by the Duke of Berri in the vain hope that the storm might yet be diverted. Henry told this prelate that the crown of France was his right, and that he would win it by the sword. The archbishop, who was a man of spirit worthy to represent a better government, replied that his master, King Charles, had made the most liberal offers, not out of fear, but from his compassion and a love of peace. "If thou makest thy attempt," he continued, "he will call upon the blessed Virgin and all the saints; and then, with their aid, and the support of loyal subjects and faithful allies, thou wilt be driven into the sea, or thou wilt be taken captive or slain." "We shall see," said Henry; and dismissing the archbishop with many rich presents, he continued his road to Southampton.† His fleet rode at anchor in the bay; his knights and soldiers were encamped round the shore; and he had begun to superintend

* Juvenal.—St. Denis.—Monstrelet.—Baranta.—Villaret.

• Rymer. He gives the whole negotiation at length.
† Monstrelet.—Walsing.—Elm.

the embarkation, when he was checked by the intelligence of a conspiracy against his life. This bold plot included Sir Thomas Grey of Heton, the Lord Scroop of Masham,—a person who enjoyed Henry's most perfect confidence, and who always slept with the king: but the leader was the king's own cousin Richard, brother to the infamous Rutland (now Duke of York), and recently created Earl of Cambridge. An inquest of twelve jurors of the county found that the Earl of Cambridge and Sir Thomas Grey had treasonably conspired to proclaim the Earl of March, and to call in a Scottish army; and that the Lord Scroop was guilty of misprision of treason. Grey was beheaded: Cambridge and Scroop claimed the privilege of being tried by their peers; this was granted, and all the lords in the army condemned them to the block.*

At last Henry embarked, and set sail from Southampton: his fleet, which consisted in part of ships he had hired from Ireland, Holland, and Friesland, amounted to twelve or fourteen hundred sail of vessels, from twenty to three hundred tons burden; his army to six thousand five hundred horse, and about twenty-four thousand foot, of all kinds.† He anchored in the mouth of the river Seine, three miles from Harfleur, on the 13th of August. On the following day he began to land his troops and stores,—an operation which occupied three whole days; and it is remarkable that it was never interrupted or resisted, although the place of disembarkation presented many natural and artificial obstacles. A proclamation was issued, forbidding, under pain of death, all excesses against the peaceful inhabitants; and it is noted by many contemporary historians, French as well as English, that Henry, with honourable perseverance, enforced the uniform good treatment of the people through whose districts he afterwards passed, and that, too, when suffering the most dreadful privations in his own army. On the 17th he laid siege to Harfleur, a very strong fortress, with a numerous garrison, situated on the left bank of the river. The conduct of the siege was according to the rules laid down by "Master Giles," the principal military authority of that period.‡ The loss sustained by the besieging army was very great, not so much from the sword and the awkward artillery of those times, as from a frightful dysentery, brought on by the damp, unwholesome nature of the place. The men perished by hundreds, and many of the most eminent captains died of the disease. Seeing, however, no prospect of being relieved, and suffering from the same dysentery, the garrison capitulated, and the town was surrendered on the 22nd of

September, after a siege of thirty-six days. Henry then shipped his sick and wounded (among whom was Mortimer, Earl of March) for England, and remained a few days at Harfleur.* While here he sent a chivalrous challenge to the Dauphin, offering to decide the contest in personal combat. The Dauphin, who was fonder of fiddling than of fighting, returned no answer.

With the insignificant force the English king now had, it seemed madness to undertake any great enterprise. The sea was open to him, but he scorned the notion of returning to England with no honour gained save the capture of a single town; and it is exceedingly probable that had he so returned, he would have suffered a dangerous loss of popularity. It is said, however, that a council of war recommended that he should re-embark; but if this opinion were really entertained by the chiefs of the army, they seem to have given it up without demur. "No," said Henry; "we must first see, by God's help, a little more of this good land of France, which is all our own. Our mind is made up to endure every peril rather than they shall be able to reproach us with being afraid of them. We will go, an it please God, without harm or danger; but if they disturb our journey, why, then, we must fight them, and victory and glory will be ours." The forces were drawn out, and prepared to march through the hostile provinces of Normandy, Picardy, and Artois, to Calais. With the reductions made by the casualties of the siege, by sickness, and by leaving a garrison in Harfleur, they did not exceed nine thousand men.† The march began on the 6th of October, when a great force, with the king and dauphin at their head, lay at Rouen, and another, under the Constable of France, in front of the English, in Picardy, whither troops were pouring in all directions. In his passage through Normandy,‡ Henry met with no great resistance; but detachments more numerous than his whole force watched his movements, and cut off stragglers: the country was laid waste before his approach, but that was more owing to the poverty than to the ill-will of the inhabitants; then the people in the towns and villages furnished him with little or no provisions—they were half starving themselves; sickness was reproduced by this want of proper food and the fatigues of the march. At the passage of the river Breisle, beyond Dieppe, the garrison of Eu made a sortie, and fell upon his rear, but the leader of the French was killed, and the rest fled back to the covering of their ramparts. On the 12th of October, he reached the memorable ford of Blanche-Taque, where he hoped to pass like Edward III.; but the French pursued the same plan now that they did then; they resolved to defend the line of the

* The best account of this conspiracy is given in Sir Harris Nicolas's "History of the Battle of Azincourt, and of the Expedition of Henry V. into France." It is said that the conspirators were bribed by the French.

† Included in this number was a strong body of gunners, miners, masons, carpenters, saddlers, bowyers, smiths, and other artisans and labourers.

‡ A beautiful manuscript copy of his work—*De Regimine Principum*—is preserved in the Harleian Collection in the British Museum.

* Monstrelet.—Walsing.—Sir H. Nicolas's Hist. of Battle of Azincourt, &c.

† Sir H. Nicolas says, after an impartial consideration, that not more than 9000 fighting men could have left Harfleur; and there is "a strong probability" that the force did not much exceed 6000 men.

‡ The line of march he chose was by Fécamp and along the seacoast, till he came to the river Somme. From Blanche-Taque he was obliged to strike inland.

Somme; and, taught by experience, they had fortified both banks, had driven strong palisades across the ford, and placed troops of archers behind them. Henry retreated to Aireennes, the little town where Edward III. had slept two nights before the battle of Blanche-Taque, and there the English army spent this night of the 12th. He had now to seek for a passage up the river, as his great-grandfather had sought for one in descending it. He marched along the left bank to Bailleul, where he slept on the 13th. The Constable of France had fixed his head-quarters at Abbeville. On the opposite side of the river, every bridge was broken down, every ford was fortified, and columns of horse and foot manœuvred along the right bank, keeping in line with him as he proceeded up the left. Many of his people lost heart at being thus foiled in all attempts to cross the Somme, and at seeing that their march was leading them far from the sea-shore. "I, who write," says a chaplain of the army, "and many others looked bitterly up to heaven, and implored the divine mercy and the protection of the Virgin, and of England's saint, St. George, to save us from the imminent perils by which we were surrounded, and enable us to reach Calais in safety."* On the 14th, Henry made an attempt to pass at Pont St. Remy, and was repulsed, as Edward had been at the same place. On the 15th, he tried to force a passage at Ponteau de Mer, but he met with no better success. Still continuing to ascend the river, he tried several other passages in the course of the 16th and 17th; but everywhere insurmountable obstacles presented themselves. It seems astonishing, that while he was losing all this precious time, no attempt was made to fall upon his right flank and his rear. On the night of the 18th, having got above Amiens, he halted at Bainvillers. His troops were suffering every possible discomfort, and were disheartened by their repeated disappointments; but on the morning of the 19th, he was so fortunate as to find a ford between Betencourt and Voyenne, which had not been staked by the people of St. Quentin. The English made a dash across this ford; the van-guard established themselves on the right bank, which they had so long yearned to reach, and the whole army with its baggage got safely across.† Having lost this line of defence, the Constable, quite disconcerted, fell back from the Somme, and marched along the Calais road as far as St. Pol, in Artois. Henry quietly followed by the same road; but while his small force was every hour farther reduced by sickness, that of the constable was continually strengthened; and, in a few days, the whole of the royal army of France was in Artois. On the 20th of October, three heralds arrived from

the Constable and the Dukes of Orleans and Bourbon, to acquaint the king of their resolution to give him battle before he reached Calais. Henry replied that the will of God would be done,—that he did not seek them—but fear of them should never induce him to move out of his way, or to go either slower or faster than he intended: his march was before him, straight on by the road to Calais, and if the French attempted to stop him, it would be at their peril. True to his word, the king of England marched on with the greatest calmness and regularity. From St. Pol, the Constable fell back to the villages of Ruisseauville and Azincourt, and there (having received nearly all the reinforcements he expected) he determined to make his stand. On the 24th, Henry crossed the deep and rapid river of Ternois (a tributary of the Canche) at Blangi; and soon after he came in sight of some of the enemy's columns. Expecting an attack, he formed in order of battle; but the columns he saw withdrew to Azincourt, and towards evening he marched on to Maisoncelles, a large village, which was only a few bow-shots from the enemy's outposts. Some provisions were brought in, and the men refreshed themselves, and took some rest. As soon as the moon arose, officers were sent out to survey the position, and ascertain the nature of the ground occupied by the French. During the whole night the English played on their trumpets and other martial instruments, so that the whole neighbourhood resounded with their music. Notwithstanding they were much fatigued and oppressed by cold and hunger, they kept up a cheerful spirit; but many of them confessed their sins, took the sacrament, and made their wills. These hours of suspense were the most trying of all, but not a man among them spoke of surrender—retreat or flight was impossible.*

On the side of the French there was no want of confidence, but an evident absence of order and discipline. The Constable struck the royal banner into the ground on the Calais road, a little in advance of the village of Ruisseauville; and the Admiral of France, the master of the cross-bows, the princes, barons, and knights, planted their banners round it, with loud acclamations of joy. The Constable ordered them to pass the night where they were, every troop near to its own flag. The night was cold and rainy, but they lit great fires all along their line, and the soldiers, while they warmed themselves, passed round the wine-cup, and calculated the proper ransoms for the king and the great barons of England, whom they made sure of taking on the morrow. The pages and valets of the army rode about looking for hay and straw to lay on the damp ground; horses went and came slipping and floundering in the clayey soil; there was a continual movement and noise; the horsemen were heard afar off shouting to one another: but by some chance, they had scarcely any musical instruments to cheer their hearts; and it was remarked, with astonishment, that very

* This anonymous writer, whom Sir H. Nicolas styles "Chronicler A," was first introduced to the notice of modern readers by this learned and industrious investigator. His accounts, which have never been published, exist in MS., in the Cottonian and Sloane collections, in the library of the British Museum.

† The weighty baggage and waggons had been left behind at Harfleur. On starting from that place, the soldiers had only provisions for eight days.

• Monstrelet.—Barante.—Nicolas.

few of their horses neighed during the night,—which, adds the chronicler, was considered by many as a very bad omen.* Among the leaders of this army were some old officers, not quite so sure of the result. The Duke of Berri, who had fought at the battle of Poitiers sixty years ago, remembered that on that occasion the French had felt confident of victory, and yet his father, King John, had been taken prisoner, and the army destroyed. With these discouraging recollections, the old duke had opposed the plan of giving battle altogether, and had prevented the project of putting Charles in person at the head of his forces. "It is better," said he, "to lose the battle, than to lose the king and the battle."

At early dawn King Henry heard matins and mass with his men; and, for the better accommodation of all, three masses were said, and he then led them to their positions. He formed them, as usual, into three divisions and two wings; but the divisions stood so closely together, that they appeared as one. The archers were placed in advance of the men-at-arms in form of a wedge. In addition to his bow and arrows, his bill-hook, hatchet, or hammer, every archer carried a long stake sharpened at both ends, which he was to fix obliquely before him in the ground, so as to serve as a firm pike against the charge of the enemy's cavalry. These stakes formed together an excellent rampart, partaking of the nature of *chevaux de frise*, and they could be moved and fixed again if a change of position should be deemed necessary. The upper end of the stakes, which projected against the foe, were tipped with iron: this was a new precaution never before used in a war by Christians. The baggage, the priests, the tents, and horses—for this fight, like that of Poitiers and Crecy, was to be fought chiefly on foot—were placed in the rear, near to the village of Maisoncelles, under guard of some men-at-arms and a small body of archers. When these dispositions were made, Henry mounted a small grey horse, and rode along the lines of each division. He wore a helmet of polished steel, surmounted with a crown of gold, set with sparkling gems, and the arms of England and of France were embroidered in gold on his surcoat. But what struck the English more than gold and gems, was the bright lively blue eye of the hero, whose countenance, like that of the great Edward on the like occasion, was serenely cheerful. As he rode from rank to rank he said a few words to each; he recalled to their memories the glorious victories gained by their ancestors with an equal disparity of numbers. He told them that he had made up his own mind to conquer or die there—that England should never have to pay a ransom for him. He assured the archers that the French had sworn to cut off the three fingers of their right hand, to unfit them for their craft; and he reminded them of the atrocities committed on their countrymen taken at Soissons. "We have not come," said he, "into our kingdom

* Monstrelet.

of France like mortal enemies; we have not burnt towns and villages; we have not outraged women and maidens like our adversaries at Soissons. They are full of sin, and have no fear of God." The allusion to the siege of Soissons had a wonderful effect—for it was well remembered how two hundred brave English bowmen (prisoners of war) had been hanged there like dogs. As the king passed one of the divisions, he heard a brave officer, Walter Hungerford, expressing a wish that some of the gallant knights and stout archers who were living in idleness in merry England could be present on this field. "No!" exclaimed Henry, "I would not have a single man more. If God gives us the victory, the fewer we are the more honour; and, if we lose, the less will be the loss to our country. But we will not lose; fight as you were wont to do, and before night the pride of our numberless enemies shall be humbled to the dust." The disparity of numbers was, indeed, appalling—the French being, at the most moderate calculation, as six to one;* but they had learnt little from experience; their chiefs seemed to be suffering under a moral vertigo,—they had crowded their immense host in fields between two woods, where there was not room for them to deploy or to manœuvre with any facility. From the Seine to the Somme—from the Somme to the spot where they were now crowded and heaped upon one another,—there was scarcely a position more unfavourable; and the rain, which had fallen in torrents, rendered some of the fields almost impassable to horses bearing the weight of men in heavy armour; while to the English foot, most lightly accoutred, no such obstacle presented itself.

A close parallel has been drawn between the fights of Crecy and Azincourt, but in some respects they differed. The French, tutored it may be by the old Duke of Berri, did not begin the action, but waited to be attacked, sitting down on the ground every man near to his own banner. Henry had calculated on the confusion sure to arise at the first movement of such a force in such close and difficult ground, and for some hours he patiently waited their attack. During this time he distributed food and a little wine among his men, who sat down to their breakfast quietly on the ground, even as their forefathers had done at Crecy. While the compact force of Henry was governed by one master-will, the loose multitude of the French was distracted by the conflicting opinions of many presumptuous men. "The Constable," says a great French writer,† who has described the battle with a rare impartiality, "was by right of his office the commander-in-chief of the French army, but there were with him so many princes who had all wills of their own, that it was not easy for him to obtain

* Monstrelet says that the French were, "on a hasty survey, estimated to be more than six times the number of the English." According to the English chronicler, who ambitiously calls himself "Titus Livius," they were rather more than seven to one. Another contemporary estimates the French at 100,000, which would be more than ten to one, even admitting that Henry marched from Harfleur with 9000 men, and without counting his losses on the march.

† M. de Barante.

obedience." The Duke of Orleans, the Count of Nevers, and a host of young gentlemen who had just put on their knightly spurs, and had never earned them, wanted to charge the English at once, without any preconcerted plan. The Constable, it appears, would fain have waited the arrival of fresh reinforcements under the Marshal de Loigny and the Duke of Brittany, who were both on their march, and expected in the course of that and the following day. It seemed disgraceful, with such odds, to wait for more; but the Constable prevailed. The entire loss of his authority was not felt till the battle commenced, and he was evidently determined upon delay. As the morning wore away he even sent Messire Guichard Dauphin and the Sire de Helly to the English camp, to negotiate, and to offer Henry a free passage, if he would on his part restore Harfleur, together with all the prisoners he had made, and resign his pretensions to the crown of France. Henry, undismayed by the force before him, would only treat on the same conditions which he had offered in his own capital. He has been lauded for his firmness and his hardihood, but his good policy has been generally overlooked. If he had allowed the Constable to amuse him with these negotiations for a day or two, his army would have been starved outright—a more serious consideration this, than the arrival of reinforcements; for had the Duke of Brittany come up with his six thousand men, he would in all probability have only increased the confusion and the unmanageableness of the French host. Seeing, then, that they would not come to him, Henry prepared to go to them. He despatched two detachments,—the one to lie in ambush on the left flank of the French, the other to their rear, where, when the battle began, they were to set fire to a barn and house belonging to the Priory of St. George, at Headin, and so create an alarm. These manœuvres were executed; and the two detachments, being both of archers, got to the posts appointed, and lay in wait without being perceived by the enemy. It was towards the hour of noon when Henry gave the brief but cheering order—"Banners advance!" At the same moment, Sir Thomas Erpingham, the commander of the archers, a knight grown grey with age and honour, threw his truncheon into the air, exclaiming—"Now strike!" The distance between the two armies was short of a quarter of a mile. The English moved on in gallant array until the foremost came within bow-shot of the French: then the archers stuck their stakes in the ground before them, and set up a tremendous shout. Their loud huzzas were instantly echoed by the men that lay concealed on the left flank of the French, who, the next minute, were assailed by a tremendous shower of arrows both in front and flank. The French had few or no bowmen, for that weapon was considered unworthy of knightly hands, and the princes had insolently rejected the service of the burghers and other plebeians, holding that France ought to be defended only by *gentlemen*! Messire Clignet, of Brabant,

thought that he could break the English archers with the lance, and he charged with twelve hundred horse, shouting "Mountjoye! St. Denis!" But the ground was soft and slippery; the flight of arrows that met them right in the face was terrific: some were killed; some rolled, horse and horse-man, on the field; others turned their horses' heads: and, of the whole twelve hundred, not above seven score followed their chiefs up to the English front, where the archers, instead of wearing steel armour, had even thrown aside their leathern jackets, that they might have a freer use of their nervous arms. But between the defence of the sharp stakes, and the incessant flight of their arrows, very few of the French lances reached those open breasts. Such of the knights as stood their ground, stooped their heads as the arrows went through the visors; they thus scarcely saw what they were doing, and lost the command of their horses, which, wounded in many places, became mad with pain, and galloped back, joining the other fugitives, and breaking the first division of the French army. Only three horsemen penetrated beyond the stakes, and they were instantly slain. Everywhere within reach of the arrows the French horse were seen capering or rushing through the lines, doing great mischief to their own army, and causing the wildest uproar and confusion. But, in fact, all order was already lost there; the columns got mixed; the words of command were disregarded; and while the timid stole to the rear, the brave all rushed to the van, crowding the division that was over-crowded before in that narrow space. It appears, indeed, that more than once they were so huddled together that they had not room to couch their lances. Meanwhile, the English, removing their stakes, came on with still more tremendous huzzas: the French made a slight retrograde movement, and then, so miserably had their ground been chosen, they got into some recently ploughed corn-fields, where their horses sank knee-deep into the earth, stuck fast, or rolled over with their riders. Seeing that the van-guard was thoroughly disordered and broken, the English archers left their stakes, which it appears they did not use again, and, slinging their bows behind them, rushed with their bill-hooks and hatchets into the midst of the steel-clad knights, they themselves being almost without clothing, and many of them both bare-footed and bare-headed. The Constable of France and many of the most illustrious of the knights were presently killed by these despised plebeians, who, without any assistance from the chivalry of England, dispersed the whole body. Then the second division opened to receive the sad remnants of the first,—a manœuvre attended with fresh disorder. At this moment the Duke Anthony of Brabant, who had just arrived in the field, having in his impatient haste left his reinforcements behind him, headed a fresh charge of horse, but he was instantly slain by the English, who kept advancing, and destroying all that opposed them. The second division of the French, however, closed up, and kept

its ground, though the weight of their armour made them sink knee-deep in the mire. Henry now brought up his men-at-arms, and, calling in his brave bow-men, formed them again in good order. These lightly-equipped troops found little inconvenience from the nature of the soil; they had the free use of their limbs; they were fresh as when they first came into battle; and they again gave a loud huzza when the king led them on to a fresh charge. It was now that the real battle took place, and that Henry's life was repeatedly exposed to great danger. His brother, the Duke of Clarence, was wounded and thrown down, and would have been killed or made prisoner, but for the personal valour of the king, who placed himself beside the body, and beat off the assailants. Soon after he was charged by a band of eighteen knights, bearing the banner of the Lord of Croy, who had bound themselves by an oath to take or kill the King of England. One of these knights struck the king with his mace or battle-axe, and the blow was so violent that Henry staggered and fell on his knees; but his brave men instantly closed round him, and killed every one of the eighteen knights. The Duke of Alençon then charged up, and cut his way to the royal standard of England. With a stroke of his battle-axe he beat the Duke of York to the ground; and when Henry stood forth to defend his unworthy relative, he hit him over the head, and knocked off part of his crown which he wore over his helmet. But this blow was the last Alençon ever struck; the English closed upon him; seeing his danger, he raised his voice to the king, saying,—“I surrender to you; I am the Duke of Alençon.” Henry held out his hand, but it was too late,—the duke was dead. His fall ended the battle, for his followers fled in dismay; and the third division of the French army, which had never drawn sword, and which was in itself more than double the number of the whole English force, fell back, and presently began to gallop from the field. Up to this point the English had not embarrassed themselves with prisoners, but they now took them by heaps,—many surrendering, and many more making vain efforts to defend their liberty and honour in the midst of that hopeless confusion. As they took the Frenchmen they removed their helmets from their heads, the better to knock out their brains in case of their giving further trouble. An immense number were thus secured, when Henry heard a dreadful noise in his rear, where the priests of his army were sitting on horseback among the baggage, and he soon saw a hostile force drawn out in that direction. At the same time, the third division of the French, which had been in full retreat, seemed to rally and raise their banners afresh. Henry knew that the Duke of Brittany and other chiefs, with reinforcements, were not far off; and believing himself about to be enveloped, he gave orders that every man should kill the prisoner or prisoners he had taken.* As

* Chronicle A., as quoted by Sir Harris Nicolas.

the ransom of captives of rank was one of the soldiers' best gains, many were unwilling to obey this mandate; but Henry sent two hundred archers, who knocked the French knights on the head without compunction. The extent of this horrible massacre is not known; but it appears that a great number of the noblest knights in France fell in consequence of what, after all, was a mistake. The body in the rear were only some five or six hundred peasants who had entered Maisoncelles, and fallen upon the baggage in hope of obtaining plunder, and driving off some of the English horses; and what appeared a rallying in front was only a momentary pause, the third division continuing to gallop off the field harder than ever. As soon as Henry discovered his mistake he gave orders to stop the carnage and to look after the wounded. Then, attended by his principal barons, he rode over the field, and sent out the heralds, as usual, to examine the coats of arms of the knights and princes that had fallen; and while his people were occupied in stripping the dead, he called to him the herald of the King of France, the king-at-arms, who was named Mountjoye, and with him several other heralds, both English and French, and said to them,—“We have not made this slaughter, but the Almighty, as we believe, for the sins of France.” And after this he asked them to whom the honour of the victory was due?—and then Mountjoye answered, “To the King of England; to him ought victory to be given, and not to the King of France.” After this the king asked the name of the castle that he saw pretty near to him?—and they answered that it was called Azincourt.—“Then,” said Henry, “since all battles ought to be named after the nearest castle, let this battle bear henceforward and lastingly the name of the battle of Azincourt.”* This name the English have corrupted into Agincourt.

The loss on the side of the French was frightful: “never had so many and such noble men fallen in one battle.” The whole chivalry of France was cropped. Seven near relations of King Charles—the Duke of Brabant, the Count of Nevers, the Duke of Bar, his brother the Count of Marle, his other brother John, the Constable D'Albret, the Duke of Alençon, had all perished. Among the great lords the Count of Dampierre, the Count of Vaudemont, the lords of Rambure, Helly, and Verchin, and Messire Giuchard Dauphin, met the same fate. In all there perished on the field eight thousand gentlemen, knights, or squires, including one hundred and twenty great lords that had each a banner of his own. Among the most distinguished prisoners, who were far less numerous than the slain of the same class, were the Duke of Orleans, the Count of Richemont, the Marshal Boucicault, the Duke of Bourbon, the counts of Eu and Vendôme, and the lords of Harcourt and Craon. The loss of the English is differently estimated, but at the

* Monstrelet.

highest account it was only sixteen hundred men, among whom were the Earl of Suffolk and the Duke of York, who, after his manifold treacheries, met a soldier's death,—a more honourable fate than he deserved.

The Duke of Orleans, who had been dragged out wounded from beneath a heap of the dead, was sorely afflicted at the most unexpected turn that affairs had taken. Henry went to console him. "How fare you, my cousin?" said he, "and why do you refuse to eat and drink?" The duke replied that he was determined to fast. "Not so—make good cheer," said the king, mildly; "if God has given me the grace to win this victory, I acknowledge that it is through no merits of mine own. I believe that God has willed that the French should be punished; and if what I have heard be true, no wonder at it; for they tell me that never were seen such a disorder, such a licence of wickedness, such debauchery, such bad vices as now reign in France. It is pitiful and horrible to hear it all, and certes the wrath of the Lord must have been awakened!" On the following morning, when the English left Maisoncelles, the king and the Duke of Orleans rode side by side, conversing in a friendly manner. As the English crossed the battle-field, they killed a number of the common wounded who were unable to move. They had already stripped them of their armour and of the best clothes they wore; and the moment they were gone, thousands of the French peasantry, women as well as men, hurried to the scene of horror to glean after them. These latter considered nothing beneath their attention, and when they, in their turn, left the ground, more than ten thousand of their unfortunate countrymen lay upon it as naked as they were born. The Count of Charolais, afterwards called Philip the Good, eldest son of the Duke of Burgundy, was at the castle of Aire, not far from the battle, in which he had been prevented taking a part by the strict orders of his father. When he heard the dreadful news, he was inconsolable, and refused all nourishment; but he sent the Bailiff of Aire and the Abbot of Ruisseauville to superintend the burying of the French, while he attended in person the funeral of his two uncles, the Duke of Brabant and the Count of Nevers. The abbot and the bailiff bought twenty-five roods of land: here three immense pits were dug, and five thousand eight hundred men were buried in heaps. Then the Bishop of Guines went down and sprinkled holy water, and blest this vast sepulchre of the aristocracy of France. Many hundreds who had friends at hand were interred with more decency in the churches of the neighbouring country, or conveyed to their own castles. Thousands who had crawled from the field into the villages, or into the neighbouring woods, were buried there, or left a prey to the wolves and the ravens. According to a French account, the English, not having time to bury their own dead, threw them into a barn to which they set fire. It is not in the battle—in the maddening rapture of the fight—but in

the after-scenes that the horrors of war appear in their disgusting nakedness.*

Almost sinking under the weight of their booty, the English conquerors marched slowly on towards Calais. On their way they must have learnt that Bardolf, the lieutenant of that fortress, who had news of his sovereign's danger, had sent out three hundred men-at-arms to join him, or make a diversion in his favour, and that these brave men had been defeated, and nearly all made prisoners by the people of Picardy, just before the battle of Azincourt. Immediately on his arriving at Calais, Henry called a council. Sickness still prevailed in his skeleton of an army; famine and disease raged in all the neighbouring provinces of France; he had not only saved his honour, but gained the greatest military glory; he wanted men; he wanted money. All these considerations pointed homeward, and the council determined that the best thing for him to do was to return to England. Accordingly he set sail forthwith, carrying with him a host of royal and noble captives. The people of England were literally mad with joy and triumph. At Dover they rushed into the sea to meet him, and carried him to shore on their shoulders. At Canterbury, at Rochester, at every town he passed or approached, they went out by thousands to meet him and do him honour. At Blackheath, he was met by the lords, commons, and clergy, the mayor, aldermen, and citizens of London, who conducted him in triumph into the capital, where wine ran like water in the streets,—where every house was decorated, and every voice raised to greet him with a joyous huzza.†

In the first heat of this enthusiasm, parliament voted all the supplies he asked for, and even conferred on him for life the subsidy on wool and leather;‡ a senseless measure, which had been already so bitterly repented of in the case of Richard II. But Henry, with all his fondness for conquests abroad, betrayed no arbitrary inclinations at home; he was satisfied to submit to constitutional restrictions in the government of England, and this, with his victories and his affable and generous temper, caused him always to live in harmony and friendship with his parliament. During his whole reign there was scarcely a complaint raised against him or his ministers—scarcely anything beyond an expression of regret that his operations in France should detain him so long away from his faithful people.

A. D. 1416.—In the spring of this year, Sigismund, King of the Romans and emperor elect, came to England on a visit to Henry, whose fame had gone forth among the nations. The object of Sigismund's visit was to put an end to the schism in the church, where two popes were fiercely contending against each other, and to reconcile, if possible, the kings of France and England. He was followed to the English court by French am-

* Chronicle A.—St. Remi (another eye-witness of the battle)—P. Fenis—Elmham—Monstrelet—Villaret—Baraute—Sir H. Nicolas.
 † Elm.—Liv.—Stow.—Holinsh.
 ‡ Rot. Parl.

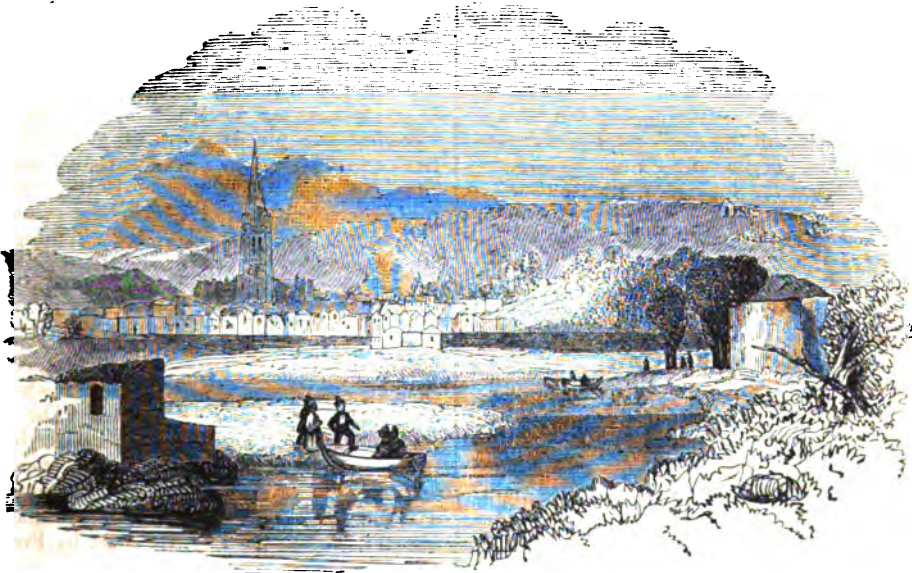
bassadors, and by William of Bavaria, Count of Holland and of Hainault. The mediation between the two kings ended in nothing. Henry, indeed, offered, as a final settlement, the execution, on the part of France, of the treaty of Bretigny; but the French either would not agree to these conditions or revoked their consent after it had been given. The mystery that involves this point is not worth the trouble of clearing up; for still there was no government in France to contract an engagement upon which Henry could have relied.

He made a very favourable impression, however, on the mind of his imperial guest, the effects of which were seen some years later. During Sigismund's visit the French, after losing much valuable time, besieged Henry's new conquest, Harfleur, both by land and water. The Earl of Dorset, the governor, who had but a small and unhealthy garrison, sent to England for succour; and the Duke of Bedford, the king's brother, immediately sailed from Rye with such ships as were ready. On the eve of the "Blessed Assumption of our Lady," the 14th of August, the duke came in sight of the mouth of the Seine, where he found more formidable enemies than he had expected, for the French had procured the assistance of some great carracks from Genoa, and some galleys, balingers, and other large high-decked vessels from Spain, all of which were advantageously posted. The duke lay to for the night, and kept his ships together by displaying a light at his mast-head: most of the captains of his fleet went on board his ship during the night and concerted the plan of the battle. But the imprudence of the French rendered any deep plan unnecessary: on the morning of the 15th they left

their good moorings and their allies, the Genoese and Spaniards, and sailed out to attack the English. Two of their best ships were almost instantly taken, and the rest soon found that they had done wrong in committing themselves in the open sea without their friends. The battle, however, was long, and fierce, and perilous, "for," says Old Hall, "battles of the sea be ever desperate, for neither the assailants nor defendants look for any refuge, nor know any back-door how to scape out." When the duke had beaten the French, he made for the Genoese carracks, which stood so high in the water that their decks were a full spear's length above the decks of his ships: in spite of this difficulty, they were all carried by boarding; and, in the end, a most brilliant naval victory was gained. Most of the ships were taken; some were sunk; a few escaped by running up the Seine into shallow water; the land-troops raised the siege and fled. This triumph was purchased at an immense cost of human life; and during the three weeks the duke's fleet lay at Harfleur, the mariners were horrified and alarmed at the ghastly spectacle of troops of dead bodies, which, after the usual time of submersion, rose and floated on the surface of the water all round the ships.* The duke, when he had fully executed his commission, and put Harfleur in a good state of defence, returned to England "with great triumph and glory."†

In the month of September, Henry, with his guests Sigismund and William of Bavaria, went over to Calais, where a sort of congress was held,

* The bodies float among our ships each day: Full piteous was't, and foal to see them aye.—HARDING.
† Elm.—Monstrelet.—Hall.—Holmshed.



HARFLEUR.

at which the Duke of Burgundy, the irreconcilable enemy of the now prevalent party in France, attended in person, apparently well inclined to forget that two of his brothers had been slain at Azincourt.* John Sans-peur, who was smarting under some recent insults received from Paris, and who was brother-in-law to William of Bavaria, Count of Hainault, whom Henry had completely captivated, spent nine days at Calais in constant intercourse with the king of England and the emperor, and if he did not *then* actually acknowledge Henry's rights to the throne of France, and conclude a treaty (the protocol of which was drawn up and still exists), he certainly accustomed his mind to those ideas.

When the secret congress at Calais broke up, Henry returned to England to raise and organize an army, properly provided with all means of attack. These were operations which required time, for unusual attention was paid to every class and department of this army, intended for a permanent conquest, and many engines were made upon new and improved principles, to facilitate its operations, so that it was the month of August in the following year (1417) before Henry again landed in France.

With the fearful lesson taught them at Azincourt, with nearly two whole years which they had had since to reflect upon it, one might have expected that the French would have learned some wisdom, and that, knowing as they did, that Henry's eye was never off the fertile land their fathers had left them, they would have reconciled themselves with one another, and prepared to defend their country against one who had proved himself so redoubtable an enemy. But, no; this frantic and demoralized aristocracy would not be taught even by misfortune, and in the way of cure the copious blood-letting of Azincourt had been thrown away upon them. At the first news of that memorable day, which put nearly every distinguished family in the kingdom into mourning, feelings of shame and remorse were mingled with grief; but this state of mind did not last, and the old enmities were even increased by the disaster, the blame of which each faction laid upon the other. Many of the Bourguignons even rejoiced that the Armagnacs had been so thoroughly beaten by the English. The people of Paris murmured against the vices and imbecilities of their princes; and some severer moralists affirmed, as the king of England had done, that the monstrous disorders

* At first, however, John Sans-peur had been very violent, and had even sent Henry his gauntlet, defying him *à feu et à sang*—for that he had caused the death of his brother, the Duke of Brabant, who was not a vassal of France. As for his other brother, the Count of Nevers, who had equally fallen at Azincourt, he said he could have no grudge against Henry on his account, inasmuch as *As* (Nevers) was the King of France's man, had armed for him, and had perished in his quarrel. Such were some of the nice distinctions of feudalism! The truth is, however, that the Duke of Burgundy was not anxious to push a quarrel with Henry on account of anybody: during the whole of this year he had maintained a correspondence with England. In part, no doubt, he was guided by the wishes of his Flemish vassals—the richest and most powerful of his subjects—who wished, above all things, to remain at peace with the English for the sake of their trade. A truce in their favour had been concluded the preceding year before Henry began his campaign; and this truce (in which the duke now got his state of Artois included) was renewed at Calais.

and vices which prevailed in all classes and conditions had drawn down the vengeance of Heaven.

The government seemed to occupy itself much more about the Duke of Burgundy, who was still bent on expelling the Armagnacs, than about the English. They wanted the army which that powerful prince had assembled, but they wanted it without the duke; and while they begged for his troops, they continued to oppress and persecute his partisans in Paris. The Count of Armagnac, father-in-law of the now captive Duke of Orleans, was recalled from the south, and placed at the head of affairs. He insulted the Duke of Burgundy with the offer of a pension and the government of Picardy for his son, forbidding him to approach Paris. The duke marched with his army to Troyes. There he received orders, in the king's name, to disband his troops; but, taking no heed of them, he continued his march upon Paris, proclaiming, as he went along, that he was in arms to punish the English. At the end of November, 1415, he established his head-quarters at Lagny, only six leagues from the capital. He had with him Caboché and the other furious butchers; but his party, and these men's fraternity, were overawed in Paris by the Armagnacs; and the insurrection which he expected in his favour did not take place. While he lay at Lagny, the dauphin fell sick, and died in a few days, regretted by no one. A report was immediately spread that he had been poisoned by the Armagnacs, who dreaded that he would make terms with his father-in-law, the Duke of Burgundy. The duke then demanded his daughter, who was still living in confinement, away from Paris: the Armagnacs sent him the young lady, but they could return neither her dower nor her jewels. The Count of Armagnac, who was now Constable of France, put Paris in such a state of defence that John Sans-peur would not venture to attack it; and, thus foiled a second time, he withdrew his army and went into Flanders in the month of February, 1416. The Armagnacs used their victory without discretion; they imprisoned their opponents or drove them into exile; not sparing even the doctors and professors of the university, of whom more than forty were driven out of the capital: at last they thought of driving the English out of Harfleur; we have seen the result of their expedition. Prince John was now Dauphin of France, and the Duke of Burgundy hoped to be enabled to seize the government in the name of this youth. A plot in his favour was discovered at Paris during the absence of the Count of Armagnac at Harfleur. The objects of the conspirators, if we can believe their enemies, were atrocious. The principal of them that were taken were, Orgemont, a canon of Paris; Belloy, a rich cloth merchant; and Regnaud, a curate and master of arts—a man much esteemed for his virtue and honoured for his learning. Belloy and Regnaud were beheaded, but Orgemont, being claimed by the chapter of the cathedral, after being brought to the scaffold, was sent

to a dungeon to feed on bread and water for life, and he soon died a most miserable death. The Count of Armagnac returned from his luckless expedition to Harfleur in a savage humour. He deprived the city of most of its privileges, abolished the fraternity of butchers, and adopted precautions which convey a strange notion of the condition of that metropolis. All meetings, whether social or political, were strictly prohibited; no marriage-feast could be held without the permission of the provost; and his permission was to be accompanied by commissaries and serjeants of police to prevent any murmuring against the government. Flower-pots were taken away from the balconies of the houses, and an interdict was passed against bottles and all such things as could be thrown out of window on the heads of the troops. Every citizen that had any arms in his possession was commanded, under pain of death, to deliver them up to be deposited in the Bastille. As blood began to be spilt, the Bourguignons stole out of the city and joined the exiles, who now formed an army, numerous and desperate enough to undertake bold measures. In the summer of 1416, advancing from the frontier of the Duke of Burgundy's state of Artois, they ravaged the whole country as far as the walls of Paris, within which they constantly maintained a secret correspondence. John de Poix, learning that the king was at St. Germain-en-Laye, got, with four hundred men in disguise, into that place, and nearly succeeded in carrying off the king and the chancellor of France. In the month of August, De Solré seized one of the gates of Paris, threw the whole city into consternation, and then burned some of the châteaux in the neighbourhood. At the same time, troops of Savoyards, Lombards, and Germans, who had been brought into France to fight for one or the other faction, finding themselves paid by neither, scoured the country, plundering and destroying, like the companies of adventure after the battle of Poitiers. Even the troops nominally in the pay of government lived at large on the unhappy people; and, in the midst of all these horrors, a set of brigands, called "Begeaux," sprang up and added to the universal disorder by committing all sorts of atrocities. According to a French chronicler, one might have ridden a whole day in the country near Paris without seeing a farmhouse but what had been burnt or pillaged. In some of the provinces many of the finest farms had been left uncultivated and altogether abandoned for upwards of twenty years. An order, which the Constable Armagnac issued in the king's name, only augmented the prevailing cruelty. It authorized every man to pursue the foreign adventurers and the brigands, like wild beasts, and to burn or slaughter them, without any form of trial, or without caring for any after inquisition on the part of the laws. The sentence of excommunication which had been pronounced by the pope against the companies of adventure was renewed, and made to apply by name to some of

the chief partisans of the Duke of Burgundy. Indeed, it was made evident, even at this crisis, that the Armagnacs were almost exclusively animated by their desire of vengeance on the rival faction. Raymond de la Guerre, whom the constable sent to Noyon, loaded all the trees in that neighbourhood with noblemen and gentlemen of the Bourguignon party, whom he hanged as fast as he caught them.

Affairs were in this state, when the Duke of Burgundy attended the congress at Calais, where, at the very least, he listened with an attentive ear to the projects of the King of England. Yet, on leaving that conference, he went to Valenciennes, and swore fealty to John, the new dauphin, engaging to assist him against all his enemies, and especially against the English. As the dauphin was detached from the Armagnac party, and had thrown himself, in a manner, into the power of the Bourguignons, the duke was probably sincere in these engagements, as it would be natural for him to prefer obtaining his object in this manner, to a dangerous alliance for the same purpose with the English. There was, however, nothing in his character to remove suspicion of his being anxious to have two strings to his bow. When summoned in the name of his father, by the Armagnacs, to return to Paris, the young dauphin refused, unless he were permitted to bring the Duke of Burgundy and his friends with him. Soon after this, at the beginning of 1417, the dauphin fell suddenly sick, and died at Compiègne. It was given out that his death had been caused by an abscess in the ear and the neck; but nobody believed this report; and, in a fulminating letter which John Sans-peur addressed, in April, to all the good towns of France, he openly charged his enemies with the deed. "One evening," said the duke, "our most re-doubtable lord and nephew fell so grievously sick, that he died forthwith; his lips, tongue, and face all swollen, his eyes starting out of his head, which was a piteous sight to see—for so look people that are poisoned." The Dauphin John was succeeded by his brother Charles, who, though not sixteen years of age, and possessed of no abilities of a high order, was exceedingly crafty. Hitherto his mother, Isabella, had shared in the power of the prevailing faction; but great jealousies had arisen between her and the Count of Armagnac; and when Charles put in his claim for a part of the authority, there was none left for the queen. The crazed king, content with his own vulgar mistress, had been perfectly indifferent to the infidelities of his wife. In the events we have now to relate, it is evident that he was directed by other minds; but it is not certain whether the impulse was given by the Count of Armagnac, or by the new Dauphin Charles, or by both. The approach of age had not moderated the tastes of the queen; her court was notorious for looseness and immorality; and, what shocked the people more, it was the constant scene of profusion and extravagant expense, of balls, masquerades, and all kinds

of fêtes, even in the midst of foreign and domestic wars, famine, and pestilence. Wholly separated from her husband, she lived chiefly at Vincennes, where she had a strong guard for her protection, commanded by the Sires de Graville, de Giac, and de Bois-Bourdon—the last being her paramour. Of a sudden, the king complained of these irregularities. Bois-Bourdon was arrested at his order, by the provost of Paris, carried to the Châtelet, and put to the torture. It is said that he confessed many sad crimes; but, questioned in that manner, men generally confess whatever is suggested; and the whole proceeding took place in secret. In the end, the unlucky favourite was thrown into the Seine, sewed up in a leather bag, which bore this inscription:—"Let pass the justice of the king." Many of the queen's servants were arrested or forced to fly, and, a few days after, Isabella herself was seized and conveyed to Tours, where she was kept a prisoner. Some treasure which she had left in Paris and Melun was discovered, and appropriated by the Count of Armagnac and the Dauphin Charles. Ever since the murder of her former lover, the Duke of Orleans, the queen had been the implacable enemy of the murderer, the Duke of Burgundy, and her violent passions had instigated many of the worst persecutions of the Bourguignon party; but now her recent wrongs prevailed over her old injuries, and, though watched by many spies, she found means to open a correspondence with the Duke of Burgundy, in order to avenge herself on the Constable Armagnac and her own son Charles, to whom she always imputed a share in the murder of Bois-Bourdon.

The situation of the Constable now became critical—the fulminating letter of his rival had produced a great effect; and while the Bourguignons were collecting from all sides, he learned that the English had landed. The common report was, that the treaty had really been signed at Calais between Henry and John Sans-peur: this the Constable firmly believed, and circumstances certainly went to confirm this conviction; for, at the moment that Henry had disembarked his army on the coast of Normandy, the duke began his march upon Paris, vowing that he would exterminate the treacherous, poisoning Armagnacs with fire and sword. The Constable showed little wisdom at this crisis; he seized the ornaments of the church and the plate, and melted them down to raise troops to fight—not against the English—but against their own countrymen following the Duke of Burgundy. He adulterated the coinage, and began a fresh persecution of the Bourguignons. More than three hundred of the most respectable citizens, lawyers, members of the parliament, and professors of the university, were driven out of Paris in one day; and five hundred of the students of the university were ordered to do duty as soldiers. The only precaution he took against the English was, to throw some foreign mercenaries into Rouen; and this measure caused a revolt there, for the people hated the foreigners,

and said they were able to defend their own town.*

When Henry landed unopposed at Tonque, in the beginning of August, he had with him the finest army that England had ever sent into France. There were 16,000 men-at-arms, from 14,000 to 16,000 archers,† a body of artificers of all kinds, and another body of sappers and miners: the army was provided with a train of artillery and military engines, and, with its followers of all kinds, must have amounted to 35,000 men at the least. Tonque, Auvillers, and Villers surrendered after very short sieges; Caen was taken by assault; Bayeux surrendered spontaneously; and l'Aigle, Lisieux, Falaise, and other towns and castles, were reduced in a very short time. As winter set in, Henry betook himself to comfortable quarters; his plan being not to proceed into the interior of France, until he had reduced all the important fortresses in Normandy. The distracted French court sent humbly to propose a peace or truce, but he would grant neither, except on the following conditions:—1. That the Princess Catherine should become his wife. 2. That he should be presently declared regent of France, and successor to the throne upon Charles's death.‡

It was during this winter that Henry's former friend, Sir John Oldcastle, who had been living in safe concealment in Wales, rushed upon his fate. Smarting under persecution, the Lollards, it is said, invited the Scots into England, and engaged to join them. It is certain that the Duke of Albany and Earl Douglas advanced and laid siege to the castles of Berwick and Roxburgh, and that Sir John Oldcastle showed himself about the same time in the neighbourhood of London, where his name was still revered by many. The Scots, however, were obliged to retreat on the approach of the Regent, the Duke of Bedford, with an immense army; and, after this, Oldcastle, flying from St. Alban's, endeavoured to gain his former hiding-place. But he was taken, after a gallant resistance, on the borders of Wales, and arraigned before the House of Lords, who condemned him to be hanged as a rebel and burnt as a heretic. This sentence was executed in the month of December, in St. Giles's Fields. The old soldier, whom persecution had driven into rebellion, died with great courage. The Lollards considered him as a saint and martyr; but so completely had religious bigotry—which, after all, was the real cause of his death—deadened the feelings of humanity, that his fate was a subject of mockery or rejoicing to the great majority of the people. Henry was so far fortunate, that his absence saved him from the odium—perhaps the anguish—of signing the death-warrant of the chosen companion of his early years.§

* Monstrelet.—Juvenal.—P. Henin.—Villaret.—Barante.

† Many of the archers were mounted, as in the preceding campaign, but their horses were rather for the march than the battle. This, indeed, may also be said of the horses of the knights, who, in these wars, almost invariably dismounted and fought on foot.

‡ Rymer.

§ Rot. Parl.—Rymer.—Walsing.—Eim.—Stowe.

A.D. 1418. — Some of Henry's operations of siege or blockade had been prosecuted during the winter; in the spring he received a reinforcement of several thousand men, among whom were a great many Irish, whose singular dress, or *undress*, and whose primitive manners, made a great impression on the French.* He now conducted several sieges at once. Cherbourg on the coast, Damfront in the interior, fell about the same time. Then advancing to the left bank of the Seine, he made himself master of the whole of the lower part of that river from Louviers to the sea, where his conquest of Harfleur was of great advantage to him. He besieged and took the town of Louviers; Pont de l'Arche was obliged to open its gates; and by the beginning of July he was master of the whole of Lower Normandy. Though left entirely to their own resources, the population had made a brave resistance: many of the great lords were glad to make private treaties with the invader, but the people of the towns everywhere did their best to resist him, and maintain the independence of their country. In vain did Henry make them liberal promises,—in vain appeal to the traditions of their ancient glory, and remind them that he was the descendant of the great conqueror—of Rollo, their first duke, who gained them a settlement in France,—that the nobles of England who gathered round his standard had drawn their origin from Normandy. Time and circumstances had broken the strings that used to thrill at these appeals: in the course of three centuries and a half which had elapsed since the Conquest, the old common sympathies were destroyed; and, if the Normans of the continent had not become wholly French, the Normans of the island had become wholly English. They no longer spoke the same language; all their manners and habits were different; and the savage naval warfare which had so long been carried on between the inhabitants of the opposite coasts of the Channel, had begotten a lasting animosity between them. Henry, however, took no savage vengeance on the people of Normandy for their obstinate resistance; on the contrary, he tried to gain their good-will by popular acts of government; he abolished the odious tax upon salt, which the French court had imposed; he put an end to irregular and illegal exactions; and to the towns and the individuals that swore fealty to him he distributed honours and employments. Before crossing the Seine he organized a government in Lower Normandy, and appointed a chancellor and a treasurer. He certainly left this part of France

in a more tranquil condition than he found it: but even anarchy is preferable to the peace brought by a foreign conquest.*

After taking Pont de l'Arche, on the left bank of the Seine, Henry carried his main force over that river, and laid siege to Rouen, on its right bank. This was one of the greatest operations of the kind that had been attempted in those ages. Rouen, the capital of Upper Normandy, was strongly fortified: on two of its sides it was washed by the Seine, and on all sides it was walled and defended by towers and batteries. Its fixed population amounted to above a hundred and fifty thousand; but some of these had fled out of fear, and others had been expelled by the magistrates, on the principle that no families should remain excepting such as could lay in provisions for themselves for ten months. But if there had been a reduction of the timid and the poor, there had been an influx of men of bold spirits and better circumstances,—gentlemen who had retired from Lower Normandy, and who were resolute on making a fresh stand against the conqueror behind the walls of Rouen. Fifteen thousand citizens had been well trained to the use of arms; foreign archers had been introduced; reinforcements of regular troops had been gradually accumulating, until there was a garrison of four thousand men-at-arms, besides bowmen, engineers, and sappers. The fortifications had been improved and strengthened,—the suburbs burned,—the neighbouring country reduced to a desert. Perhaps, in a military point of view, Henry's plans are open to criticism; for, if he had proceeded at first against Rouen, instead of spending his time on minor sieges, he might have taken it by a *coup-de-main*; the place having scarcely any regular garrison, and the citizens being then in a state of complete panic and disorder. His fleet and the possession of Harfleur gave him the necessary command of the Seine from the beginning: the fate of those provinces lay in a great measure within the walls of Rouen, and the taking of that city would have broken or weakened the spirit of resistance in the other places. As it was, when he sat down before it (on the 30th of July) he found it fully prepared to receive him; and so high was the spirit of the garrison, that they came forth and made part of his army fight a battle before they could take up positions proper for the siege. He soon perceived that such a strong place, defended by forces nearly as numerous as his own, was not to be taken by assault, but to be reduced by slower means; and these means he adopted with great sagacity and effect. He drew lines round all the land sides of the city; he dug deep ditches all round, so that his camp might be safe, and his men might pass from point to point without any fear of the artillery and arrows from the city walls; he erected wooden towers, and placed batteries of cannon in the most commanding parts of his lines, adopting every precaution against the effect of sorties and bombard-

* In describing the siege of Rouen, Monstrelet says, "The King of England had with him numbers of Irish, mostly men on foot, having only a stocking and shoe on one leg and foot, with the other leg and foot quite naked. They carried targets, short javelins, and a strange sort of knives. Those that had horses had no saddles, but they rode excellently well on small mountain horses. . . . These Irish did oft-times make excursions during the siege all over Normandy, doing infinite mischief, and bringing back to the camp much spoil and forage. They took men, and even children from the cradle, with beds, furniture, and all, and mounting them on the top of the booty on cows and bullocks, drove them all before them,—for the French often fell in with them riding in this manner." Some of the French reported that they ate the little children!—but they only took them for ransom.

* Monstrelet.—Walsing.—Elm.

ment. Before these works were completed,—and they took a long time, as they extended over an irregular line of more than two miles,—many sallies were made by the garrison, and many high deeds of arms were performed on both sides. But as Henry continued to reinforce his besieging army, and to bring up great numbers of labourers to work in the trenches, the circumvallation proceeded at an accelerated pace; and, when it was finished, the besieged could neither attack with any effect nor receive any provision or succour from the land side. At the same time, to cut off all hope of supply from the upper part of the river, he kept a good garrison at Pont de l'Arche, stationed troops along the banks and on the beautiful green islets of the Seine, drew a triple chain of iron across the stream, and threw over it a bridge of boats well manned with archers just above the town. In the lower part of the river he had two hundred small vessels constantly sailing to and fro, and the mouth of the river was guarded most carefully by the garrison of Harfleur and by a strong fleet, which consisted chiefly of Portuguese ships in his pay. But in order to be still more sure, he drew another triple chain of iron across the river a little below the town. The fort of St. Catherine, situated upon a steep cliff of white chalk above the town, he compelled to surrender; but whenever he spoke of terms of capitulation to the garrison of Rouen, he was boldly assured that they would never yield as long as they had strength in their arms to hold their swords. Nothing could prevail but famine; and this was inevitable.* Instead, however, of following the tedious operations of a blockade, we may now take up the events which had happened at Paris and other parts of France since Henry's first landing.

The Duke of Burgundy, whom we left in full march for the capital, was received in all the towns through which he passed as a deliverer; for he promised to restore peace, and abolish the gabelle and other oppressive taxes. Beyond Paris, Chalons, Troyes, Auxerre, and many other of the principal cities, contracted an alliance with him; but Paris itself, which had been completely purged of Bourguignons, closed its gates and manned its ramparts; and he was told again, that, if the English were to present themselves at one gate, and he (the duke) at another, they would rather open the gate to the English than to him. After taking some castles, and burning all that was left to burn in the neighbourhood, the duke began to besiege Paris; but he was foiled a third time. His party, however, was strengthened in public opinion by the arrival of two embassies to him,—the one from the Emperor Sigismund, who assured him of his friendship; the other from the College of Cardinals, who treated with him as with the real representative of the government of France,—seeing that the king was “too much pre-occupied and hindered” by his malady, the dauphin too young, and the Count of Armagnac schismatic. The

* Monstrel.—Eln.

moment had also arrived for the execution of a project by which he hoped to strengthen himself still further: he received a message from Queen Isabella, who was still a prisoner at Tours, imploring him, now that he had shut up his enemy, the Count of Armagnac, in Paris, to hasten to her relief. He suddenly left Corbeil, on the Seine, which he was besieging, and rode rapidly across the country to the banks of the Loire, accompanied by his principal lords and knights, and the best mounted of his men-at-arms. He stopped in a wood at the distance of five or six miles from Tours, and sent forward a troop of horse, which lay concealed outside of the town, while a secret messenger went to inform the queen that her deliverers were at hand. Isabella represented to her keepers that she was anxious to hear mass that morning at the Abbey of Marmontier, a very short distance from the city, and, after some slight difficulty, she was permitted to go with three of her keepers. As soon as she entered the abbey the duke's officer rode up to the church door with sixty horsemen. “Fly, madam,” cried her guardians, “for here is a great troop of English or Bourguignons!” But the queen advanced with a smiling countenance to the officer, and the duke arriving presently after with his whole force, she saluted him as her “most dear cousin,” and placed herself under his protection. They had a joyous dinner together at the abbey; and then the queen sent to tell the people of Tours that they must admit her and the Duke of Burgundy within their walls. The governor, who had received his commission from the Armagnacs, was staggered at this unexpected demand; but, after some hesitation, he was obliged to submit, and both town and castle were put into the hands of the queen and the Bourguignons. From Tours the queen and the duke proceeded in triumph to Chartres, whence, on the 12th of November, Isabella wrote to all the “good towns,” telling them that, by the aid of her very dear cousin, she had recovered her power as regent of the kingdom; which power had been, in time past, irrevocably conferred on her by her husband the king, and his council of state. She alluded to the malady of the unfortunate Charles, and said that both he and her son, the dauphin, were prisoners in Paris to the Armagnacs; therefore no attention was to be paid to any ordinances issued in their names. She then caused a great seal to be engraved, and appointed a chancellor and other high officers of state. The duke left her majesty at Chartres, and rode back to the neighbourhood of the capital, where a plot was laid by some of the citizens to open to him the Porte St. Marceau, one of the gates of Paris. This plot, however, was discovered just on the point of execution; and the Bourguignons, who had advanced confidently to the gate, were saluted with a flight of arrows and other missiles, which obliged them to take to flight. John Sans-peur then placed strong garrisons in the towns near Paris, and returned to Chartres to the queen, who, on the 12th

of January, appointed him governor-general of the whole kingdom. By this time the court of Isabella was crowded with princes and great lords: among these she named the Duke of Lorraine Constable of France, an office which was held on the other side by the Count of Armagnac; and she appointed the Prince of Orange to be governor of Languedoc. Most of the towns, except those that were taken or besieged by the King of England, declared for the queen and the duke: the people rose in many places, and killed the tax-gatherers appointed by the other party, shouting "Long live Burgundy, and no taxes." Vengeance was also taken for past injuries; but in some towns it suited the people to call every rich man an Armagnac, that they might plunder him on patriotic grounds. Thus passed this critical winter and part of the spring, the two factions scarcely bestowing a thought on the progress the English were making in Normandy.*

The Count of Armagnac was not a man to abandon his authority without a struggle; he made a hard one. His captains, Barbazan and Tanneguy-Duchâtel, issued from Paris, and took several towns and castles from the Bourguignons, giving little or no quarter to the garrisons. In the month of April the count himself laid siege to Senlis, but the garrison was opportunely relieved by the Bourguignons; upon which he beheaded all his prisoners. The bastard of Thian, the Bourguignon governor, also killed his prisoners. Such was the cruelty of this accursed war, in which the son fought against the father, the brother against brother,—in which nothing was seen but rapine and murder.†

At last, some persons about the king and dauphin began to speak of the necessity of putting an end to this state of things by a family peace and general reconciliation; and the Bishop of Paris had the courage to open a correspondence with the Duke of Burgundy to that effect. The dauphin, too, who was tired of his servitude under the Armagnacs, sent ambassadors to treat with the agents of the duke and of his mother the queen. For several successive days these envoys met at the village of La Tombe; and their negotiations were facilitated and hastened to a conclusion by the arrival of the cardinals Ursini and St. Mark, who had been despatched by the new pope, Martin V., to act as mediators. On the 23rd of May the negotiators signed a treaty (subject to ratification), the effect of which would have been to place the whole power of the government in the hands of the Duke of Burgundy and the queen. The people of Paris were overjoyed at the news; but not so was the Count of Armagnac, who, relying on the strong garrison he had in the city, resolved to oppose the family peace, which would have deprived him of all authority. He had the idiotic king and the young dauphin in his hands; he had a council of ministers (such as it was) and a chancellor, who, together with several bishops then in Paris, denounced the family peace as highly dishonourable

to the *majesty* of Charles, and said that those who had proposed such a treaty were traitors. But, notwithstanding his proscriptions, the count was not safe; for, exasperated by his cruelty, which increased with his difficulties, all the people left in Paris, from fierce Armagnacs, had become Bourguignons. His men-at-arms had long grievously insulted the burghers: a blow given to the son of a rich iron-merchant sealed their doom and that of their master. On the night of the 28th of May a party of young citizens opened the Porte St. Germain-des-Prés to L'Isle-Adam, a devoted partisan of the Duke of Burgundy, who suddenly rushed through the gate with the whole garrison of Pontoise. L'Isle-Adam's force separated into three divisions, and ran through the principal streets shouting "Our Lady of Peace!—Long live Burgundy!—Let those who are for peace take up arms and follow us!" Most of the poorer sort threw on their clothes and joined the Bourguignons. Surprised in the middle of the night, the Armagnacs could make no resistance: the count fled out of his lodging and hid himself. Tanneguy-Duchâtel, a Breton, and the most determined of all the Armagnacs, ran to the dauphin, wrapped him up in his bed-coverings,—for there was no time to spare for his dressing,—and carried him off to the Bastille. He was scarcely gone when the mob broke into the dauphin's apartments, and bound all his gentlemen and servants. They then burst into the houses of all the chiefs of the Armagnac party, pillaged them, and threw their occupants into prison. Strange to say, only three lives were sacrificed during this first night. L'Isle-Adam in person broke open the gates of the Hotel St. Paul, where the king was lodged, and presented himself to his majesty, who was lying in bed, sick as well as crazed. "How fares my cousin of Burgundy?—it is long since I saw him;" said the unhappy prince: and this was all he said, though his chamber was crowded with armed men, and re-echoed with the revolutionary cries in the streets. As soon as it was day they carried him down to the court-yard, put him upon a horse, and led him to and fro through Paris, "to make it appear to the ignorant that they had his sovereign approbation for all that they were doing." The reason and memory of the poor phantom of royalty were gone, and he seemed not to know or to care about the difference between Armagnacs and Bourguignons. In the course of the morning L'Isle-Adam endeavoured to stop the plunder and disorder; but he threatened with death all such persons as should conceal that atrocious traitor the Count of Armagnac. Upon this, a poor mason, in whose house he had taken shelter, betrayed the count, who was seized and shut up in the prison of the Châtelet. On the 11th of June, seeing that the Bourguignon knights and men-at-arms were not very numerous, Tanneguy-Duchâtel, who had collected sixteen hundred men in the Bastille, made a sortie in the hope of recovering Paris; but the people fell upon him from all sides, and assailed

* Juvénal.—Fénel.—Montréal.—St. Remy.

† Barante.]

him from their windows and house-tops. Among the cries heard on this occasion was that of "Long live the King of England!" The Armagnacs killed a good many of the poorer burghers of the street St. Antoine; but, in the end, the fierce Breton was obliged to run back to the Bastille, having lost upwards of four hundred men. The people had now arms in their hands and rage in their hearts: they massacred all the Armagnacs they could find in the city; and even women and children were seen dragging and mutilating the wounded and the dead. Tanneguy-Duchâtel, thinking the Bastille no longer a place of safety, fled by night, and carried the dauphin to the town of Bourges, in the centre of France. The starving and brutalized peasants of the neighbourhood flocked into Paris to take part in the carnival of blood and plunder; and when the exiled butchers were seen prowling about the streets, it was understood that all mercy had fled. There was, however, a pause in the massacre; for L'Isle-Adam and other Bourguignon chiefs found it more profitable to keep the Armagnacs alive and exact ransoms for them.* The prisons were crammed already, so that the new captives were shut up in private houses.

All this time the Duke of Burgundy and the queen kept themselves at a distance; the duke was at Montbelliard, holding a conference with the emperor; the queen was at Troyes, and it was said, and believed at the time (nor can we now contradict the fact), that she told a deputation which was sent to her, that she would never return to Paris while so many Armagnacs were left living there. The Duke of Burgundy also is accused of contributing indirectly to what followed. Although Tanneguy-Duchâtel was a fugitive, and one hundred and fifty miles off, it was reported that he was about to return with a great force to secure the Armagnac prisoners, and massacre the Bourguignons and all that lived in Paris,—men, women, and children. False alarms were repeatedly given at the dead of night; the people were deprived of their sleep, and kept in a constant agony of anxiety and fear, than which nothing is more likely to dispose the popular mind to cruelty. On the night of Sunday, the 12th of June, the cry ran through Paris that the enemy were at the gates. "Ah!" said some, "the town and the burghers will never have quiet so long as there remains one Armagnac alive here." These words were like a spark thrown among gunpowder; the people took an oath that they would exterminate the prisoners; and then, shouting "Peace for ever!—Long live the Duke of Burgundy!" they went to the prisons. L'Isle-Adam threw himself before them with a thousand horse, but the people were forty or fifty thousand; and the Bourguignon was not disposed to encounter danger in opposing their blind fury. "Away with your justice and reason!" cried they;

"the Armagnacs are dogs; they have ruined the kingdom of France, and sold it to the English! They have even prepared flags of the King of England to plant on the walls of Paris."* "Children! do what you will!" said the officers; who then withdrew. The mob broke open the prisons and private houses where the Armagnacs were confined, and massacred all the prisoners, not sparing even the babe at the breast. One of the first victims was the Count of Armagnac, whose naked and disfigured corpse was dragged about the city by women and children for three days. The slaughter lasted from four o'clock in the morning till mid-day, in which time about fifteen hundred persons perished. On the next day, and for many following days, murders were executed more in detail. At last, on the 14th of July, the queen and the Duke of Burgundy made their triumphant entrance into Paris. The streets, literally wet with blood, were strewed with flowers before them, and they presented themselves together to the wretched king, who received his wife "pleasantly." The duke organized a sort of government, but he was unable to stop the popular fury; and both he and the queen had still victims of their own to sacrifice. The murders continued for several days after their entrance, and then, with great craft, they contrived to destroy the leaders of the murderers, and pacify the people. The total number of those that perished during the months of June, July, and August, exceeded five thousand; and, when these atrocities ceased, they were followed by famine and pestilence, which swept off many thousands more in Paris and its neighbourhood.†

The queen and the Duke of Burgundy failed in some plots to get possession of the person of the dauphin, who remained at Bourges, in the midst of a strong party of Armagnacs. They then opened negotiations,—offered him the conditions of the late treaty, and begged him to return to Paris. It is very doubtful whether the dauphin was disposed to trust his mother; and it is quite certain that the party in whose hands he was thought of anything rather than of peace and reconciliation. What they wanted was vengeance on the Bourguignons! The young Count of Armagnac, the son of the murdered Constable, concluded a truce with the English, with whom he had been fighting in Guienne (for Henry had produced an active war in that distant province); and, with a number of Gascon lords, relations or friends of his family, joined the dauphin, demanding justice. Tanneguy-Duchâtel breathed nothing but death and destruction; and he is now to be considered as the real head of the party. The treaty was of course rejected. The dauphin took the title of regent, and constituted a parliament at Poitiers. The Duke of Burgundy then had recourse to the sword; and, while he waged a cruel war with the dauphin in the heart of France, he had to check the Eng-

* It is said that L'Isle-Adam obtained in this manner a hundred thousand crowns for his own share, and that the lords of Chastellux and Bar got each as much.

* This was not merely a popular rumour. In their extremity the Armagnacs were quite ready to treat with Henry, and apparently had opened fresh negotiations with the English.
† Juvenal.—St. Remy.—Journal de Paris.—Monsieur.—Barante.

lish in Normandy. There were thus two anarchical governments in France;—the one at Paris; the other at Bourges, or Poitiers, or in the camp of the dauphin. Each opened negotiations with the king of England; and Henry listened to both, and amused both, without neglecting the blockade of Rouen, which he had now well nigh reduced by famine. In the month of November, he sent ministers, whom he had previously well instructed, to meet the envoys of the dauphin at Alençon. The French wished to carry on the negotiations in their own language; the English insisted that the Latin language should be used.* The tone of the latter was such as is usually assumed by the ambassadors of a conqueror; they made the French disclose their intentions, but they would explain nothing themselves, and the conference ended by their expressing a very rational doubt whether, seeing the condition of France, and the nonage of the dauphin, he could give proper security for the fulfilment of any treaty. A few days after this conference, Henry's ministers met the envoys of the Duke of Burgundy—nominally of the king—at Pont de l'Arche. Their conduct there was nearly the same as at Alençon; and, after diplomatising for twelve days, the French envoys were dismissed, with the expression of another doubt on the part of Henry, whether, seeing the malady of King Charles and the questionable authority of the Duke of Burgundy, he could safely treat with either.† At this time, the cardinal-legate, Ursini, visited the king of England in his camp before Rouen, and did his best, as a mediator, to induce him to put an end to the war. "It is the will of heaven," said Henry; "God has led me hither by the hand, to punish the sins of the land, and to reign in it like a true king. There is no sovereign, no law, in France. No one thinks of resisting me; I have just rights, and I shall go on, and put the crown of France on my head. It is the will of God."

The garrison and the citizens of Rouen, who had vainly implored assistance from Paris, held out with great constancy. The blockade was enlivened by many romantic incidents and bold feats of arms, but there was no Froissart living to record them. At length, when they had eaten everything, even to their horses and their dogs, and when many thousands had perished of famine and disease, they sent to ask for terms of capitulation.‡ Henry insisted on an unconditional surrender; but when the governor threatened to set fire to the city, he relented, and allowed the men-at-arms their lives and liberty, and the citizens their property and franchises. The men-at-arms, however, were made to swear that they would not serve against him for the next twelve months, and

the citizens were bound to pay a contribution of 300,000 crowns. On the 16th day of January, 1419, Henry entered Rouen in triumph. He was faithful to the capitulation—taking vengeance on no man save a priest, the vicar-general of that archbishopric, who had pronounced him to be accursed and excommunicated during the siege. This priest was thrown into a prison, where he remained till death released him.* The other cities and castles of the province now submitted, and the flag of England floated over the whole of Normandy on both sides of the Seine.†

The fall of Rouen carried dismay into every corner of France. The people of Paris trembled within their walls; and the Duke of Burgundy and the queen, carrying the king with them, left the capital, and went to Lagny. The people complained bitterly, saying that they were abandoned—that the commons of the good towns had shown that they could fight for the liberties of the kingdom—but that the princes and nobles cared only for their own interests. The duke was obliged to assure them, by letter, that he was absent "for the good of France and the honour of the king," and was at that moment engaged, in many ways, "by easy and suitable means," in securing peace to the country. All this meant, that he was negotiating with the dauphin. People hoped, that at such a crisis, when the King of England might be daily expected in Paris, the two factions would come to an understanding; but time passed without any visible fulfilment of these hopes. Indeed, both the Duke of Burgundy and the dauphin tried again to form a separate alliance with the English, each hoping, with Henry's assistance, to annihilate his rival; and when the work was done, and his assistance no longer needed, to destroy the King of England with the whole power of united France. Henry listened to both, occasionally using no small degree of diplomatic cajolery. The dauphin requested a personal interview, and Henry acceded to his wish; but, on reflection, the young prince, who had no great reliance on honour—a quality he himself was very deficient in—feared to put himself in the power of the English, and did not keep his appointment. The Duke of Burgundy, who was informed of all that passed, thought that this was a favourable opportunity for him to treat; and he sent ambassadors, who found Henry at Rouen, "as proud as a lion" (said they). He did not, indeed, refuse to talk of peace, but he made war all the while; and, recrossing the Seine, he immediately marched along its left bank to Mantes, within fifty miles of Paris. The duke sent another embassy, and Henry made another march, in advance, to Vernon. But the conditions which the duke now offered seemed so advantageous, that the Earl of Warwick was despatched to Provins, where the king and queen and Burgundy were staying. On his road he was attacked by some

* Henry said that his ambassadors did not speak or understand French. In the end, it was agreed that all written documents should be in duplicate—one in French, and one in Latin,—and that the Latin copy should be the authority in all cases of misunderstanding or doubt.—RYMER.

† Rym.—Monstrel.

‡ The reported number of 50,000 victims at Rouen must be an exaggeration.

* It appears, however, that Alain Blanchard, a captain of the city militia, was beheaded a day or two after Henry's entrance.

† Monstrel.—Elm.—Barante.

forces of the dauphin, led on by the famous Tanneguy-Duchâtel; but as the earl had the precaution to take a strong escort with him, his assailants were repulsed with loss. Warwick was received with great respect; the duke seemed to acknowledge that his master's demands were not inadmissible,—that all difficulties might be removed by personal intercourse; and, at last, it was agreed that a truce should be concluded between the English and the Bourguignons, and that Henry should meet the King and Queen of France and the duke on the 30th of May. The party of the dauphin were greatly alarmed at this intelligence; for they well knew, that if the English contracted an alliance with the duke, they must be crushed. On the day appointed, Henry went with a splendid retinue to the place of rendezvous, which was on the right bank of the Seine, near the town of Meulan. Close to the water's edge there was an enclosure; on one side was a rich tent pitched for the King of England; on the other, a rich tent for the King of France; and between the two there was a third tent, in which the interviews were to take place. Henry entered the enclosure first; the queen, the Princess Catherine, and the Duke of Burgundy entered soon after in great state. The wretched King of France was not presentable—they had left him behind at Pontoise. The etiquette of the scene was nicely managed; at a given signal of trumpets and clarions, the King of England and the Queen of France left their tents and advanced from opposite sides with slow and dignified steps. In the centre they met: Henry was attended by his brothers of Clarence and Gloucester; Isabella by her young and blooming daughter, and her cousin of Burgundy; each being followed at a respectful distance by thirty knights and sixteen councillors. Henry, who was in the very prime of manhood, and one of the handsomest and most graceful men of his age, bowed to the queen, took her hand, and embraced her; and “the like he did unto Madame Catherine.” This was the first time of seeing his intended bride, and he was visibly struck with her beauty and grace—as her mother intended he should be. Having conducted the queen to her seat in the council-tent, Henry seated himself opposite to her and the princess; and then the Earl of Warwick opened the deliberations in a long speech in good French. The rest of the day was spent in formalities—for the French had no inclination to hurry the business. Two days after, they met again with the same ceremonies, but Henry looked in vain for the beautiful Catherine—she was not there, nor was he permitted to see her again during these long conferences. The queen thus hoped to irritate his impatience; but, great as were the charms of her daughter, they could not move him from his purpose. On this day, Henry presented his demands in writing. These were, the hand of the princess, the possession of Normandy, of his other conquests, and of the territories ceded by the treaty of Bretigny—all to be held without any de-

pendence on the French crown. On these conditions, he was ready to resign his claims to that crown. The queen and the Duke of Burgundy pretended to deliberate for four or five days, when they admitted Henry's propositions as the basis of the treaty, but suggested eight new clauses on the part of the French king. These clauses were sufficiently moderate; they presented no great obstacles; and Henry employed himself and his ministers for several days in giving explanations, and seeking some slight modifications.* The opposite party were most diplomatically slow; but Henry was not slow in perceiving that their object was to gain time. It was reported, that one day in a private conference with the duke, he lost his temper, and said, “Cousin of Burgundy, we shall have the daughter of your king to wife, but on our own terms; and we will have whatever else we have demanded.” During all these deliberations, Henry resided at Mantes, on the left bank of the Seine; but the queen and the duke retired to Pontoise, on the right bank, and twenty-five miles nearer to Paris. Now, it was whispered that several of the leaders of the Armagnac party were seen going to and fro, between Pontoise and the head-quarters of the dauphin, and it was known that a truce had been concluded between the two factions. Only seven meetings had been held in the tents at Meulan in the course of a whole month; and when Henry went to an eighth meeting, he had the place all to himself; for neither the queen and duke, nor any of their ministers, were there to meet him. The fact was, they thought that they had no longer any need of keeping up the farce;—they had concluded a treaty with the dauphin, whose party was terrified into terms by the conferences of their rivals with Henry. The way in which this treaty was managed gives one a disgusting notion of both parties. The chief negotiator was a Madame de Giac, a mistress of the Duke of Burgundy, but who, as well as a complaisant husband, was bribed and bought by the Armagnacs, in which party *she* had another lover. It was *her* influence that decided the duke. It was solemnly deliberated in his council, whether it were not better to make peace with the dauphin, and proceed against the English, than to ally themselves with the English, and take part against the dauphin: but so violent was the rage of party, that, even when the duke was won over, several of his counsellors maintained that the English alliance was far preferable. The queen, all along, would certainly have preferred it—for this unnatural woman hated her son, and she knew, that by the new agreement, the dauphin and the duke were to divide the power of the state between them, and thus abridge her own authority. A week after the interruption of the negotiations with the English at Meulan, the duke and the dauphin met, and kissed one another, at an appointed place between Melun and Corbeil, on the road to Paris, where they swore eternal friendship,

with an oblivion of all past quarrels and differences whatsoever. On the following day they proclaimed the conditions of this blessed peace, the principal object of which was, "to resist the damnable enterprise of the English, the ancient enemies of the king and of all Frenchmen." On the 12th of July, the princes parted, with every show of mutual affection. The day on which this treaty was concluded, it thundered and lightened, and, shortly after, people remembered that the thunder was of a very awful and ominous kind.*

When the news of the reconciliation reached the English quarters, everybody there appears to have been perplexed and disheartened, except the king, who most probably was the man best acquainted with the insincerity of the dauphin and with the real condition of France. There were, however, contingent circumstances that might have intimidated a less daring mind. The King of Castile had declared against him, and fitted out a great armament to conquer or to plunder Guienne; and the Regent of Scotland had also opened negotiations with the dauphin. But, nothing daunted, Henry crossed the Seine, and, advancing upon Paris, took the populous town of Pontoise on the 27th of July. Here he found a great treasure, accumulated by L'Isle-Adam, during the recent massacre and proscription of the Armagnacs. The Duke of Burgundy was at St. Denis, only about fifteen miles off; but he was in no state to oppose the conqueror; and, fearing to trust himself in Paris, he withdrew in all haste with the king to Troyes. To defend St. Denis, he left the Marshal of Chastellux, whose undisciplined troops pillaged the town, drove out the monks from the celebrated abbey, and lodged in the cells with their women, making a brothel of that holy place. People again said, "What can the English do worse than this?" Henry, complaining of the cheat put upon him at Meulan, yet proposed again to treat; but now, he said, that in addition to the territories he claimed before, he must have Pontoise and all the country through which he had advanced.† Meanwhile, his victorious troops scoured the neighbourhood of Paris, and frequently advanced to the gates of that city, within which reigned anarchy, famine, and disease. He might have taken possession of it, with one thousand men-at-arms—for there was no garrison left to defend it. The two factions, whom oaths and promises had not reconciled, accused each other of treachery; and no union of their forces took place. The Duke of Burgundy invited the dauphin to join him and the court at Troyes: the dauphin invited the duke to another conference, as he had matters to discuss of the greatest importance "to the good of France." The duke replied, that it would be more simple and seemly

for the dauphin to join the councils at Troyes; but the prince would not be moved, and, at last, by the influence of his mistress, Madame de Giac, the duke was induced to leave the king and queen at Troyes, and go to Bray-sur-Seine. The dauphin was at Montereau, only two leagues distant; and Tanneguy-Duchâtel went from him to propose that the interview should be held on the bridge of Montereau. The duke (said this crafty messenger) might have the castle and the right bank of the river; the dauphin would keep his people on the left bank. Tanneguy was accompanied, among others, by the Bishop of Valence, whose brother, the Bishop of Langres, was with the duke. These two brothers discussed the subject of the meeting together; and the Bishop of Langres, either out of conviction, or infernal treachery, advised his master to accept the invitation. John Sans-peur hesitated for a while—for he knew the prevailing perfidy, and, probably, at this moment, his murder of the Duke of Orleans, twelve years ago, weighed heavily on his soul. But again the agency of his beautiful mistress was employed; and, at last, he agreed to meet the son of his king on the bridge of Montereau, on the 10th of September. On the 9th, Tanneguy-Duchâtel received the solemn oaths of the followers of the duke, that they would keep the good peace already sworn between Melun and Corbeil; and the duke sent Madame de Giac's husband and another member of his court to receive the like oaths from the people of the dauphin. Many of the old and faithful servants of Burgundy were against the duke's going, seeing that the dauphin was wholly surrounded by his deadliest enemies; but the duke then said, that it was his duty to adventure his person for so great a blessing as that of peace. "Whatever may happen," said he, "I wish for peace. If they kill me, I shall die a martyr." "Then," he added, "when peace is all settled, I shall take the dauphin's people, and go and conquer the English. He has many brave men of war and sage captains. Tanneguy and Barbazan are valiant knights. People shall then see who is the better man, Hannotin of Flanders, or Henry of Lancaster."‡ At the moment that he was about to mount his horse to keep his appointment, several of his servants, by whom he appears to have been much beloved, again tried to dissuade him; and his family astrologer told him that if he went he would never return. But John Sans-peur vaulted into his saddle, and rode to Montereau, with about four hundred of his followers. He halted in a meadow near the castle, and sent to tell the dauphin that he was at his orders. Tanneguy-Duchâtel went to him from the prince, and assured him that his master was well content with him, and would thenceforward be governed by the duke's counsels. As if perjury enough had not been committed, the dauphin swore, "by the honour of a prince," that no treachery or violence should be committed; and

* Monstrelet.—St. Denis.—Juv.—Mémoires pour servir à l'Hist. de France et de Bourgogne.—Barante.—Villaret.

† It is difficult to say what was the strength of Henry's army at the time of this bold advance. All contemporary writers, French as well as English, say that it was a small army; and, though he had been continually receiving reinforcements, he had also lost great numbers in sieges and assaults, and had been obliged to leave many behind him to garrison the places he had taken.

‡ Hannotin was a nick-name given to him by his Flemish subjects.

it was agreed that he would meet the duke on the bridge with only ten noble knights, the duke on his part agreeing to take with him the like number, and no more. While these regulations were settling, a valet of the duke's, who had been into the castle to prepare the lodging, ran up to his master, and told him, that of a certainty he would be betrayed. The duke turned to Tanneguy, and said, "We rely on your word; but, in the holy name of God, are you sure of what you have promised us?" Tanneguy replied that he was quite sure,—that he would rather die himself than see any mischief befall the Duke of Burgundy. "Well, then," said the duke, "we will go, trusting in God and you."

As he was about to walk towards the bridge, another of his servants ran up to him, imploring him to be on his guard, as he had seen a great number of armed men gathering in some houses on the opposite bank, close to the river. At this intimation, the duke sent one of his courtiers to the river-side; but this courtier was the Sire de Giac, who returned and assured him that there was nothing of the sort. The dauphin's people had erected strong barriers at each end of the bridge, and in the middle of the bridge a sort of gallery with a narrow door on either side. When the duke arrived at the barrier on the right bank, he was received by Tanneguy Duchâtel and the Lord of Beauvau. He made them remark, that he and his ten followers had no other armour or arms than their coats-of-mail and their swords; and, laying his hand on Tanneguy's shoulder, said, "Here is what I trust in." "Let us to my lord the dauphin," said Tanneguy, "he is waiting;" and then, with his companion, he hurried the duke's attendants, and closed the barrier. John Sans-peur was caught as in a trap. When he reached the gallery in the middle of the bridge he found the dauphin already there; he took off his velvet cap, which he wore instead of his helmet, and bent his knee to the heir of the throne of France. At that instant the president of Provence whispered to the dauphin, and they then gave a wink to Tanneguy, who raised a battle-axe, and struck at the duke from behind. The Sire de Navailles raised his arm to defend his master; but the Viscount of Narbonne cried, "He who moves is a dead man;" and while Robert de Loire seized the duke from behind, William le Bouteiller aimed a heavy blow at him with his sword, shouting, "Kill! kill!" The duke put his hand to his sword, but had no time to draw it; his left hand, which he raised to defend his head, was nearly cut off; and then Tanneguy, who had despatched Navailles, struck at him a second time with his axe, and with such effect, that he reeled and fell close at the feet of the dauphin. As he still breathed, two other nobles knelt down over his body, and lifting up his coat-of-mail, struck their swords under it into his bowels. John Sans-peur gave one short sigh, and was still for ever. D'Autray, another of his ten, had been grievously wounded

in attempting to defend him; the Lord of Neuchâtel rushed across the bridge, vaulted over the barrier, and escaped; the other seven were beaten to the ground and made prisoners. Even before the duke was knocked down by the treacherous Tanneguy, the dauphin's men-at-arms left their hiding-places; and, by the time he had breathed his last, they threw open the barrier at the opposite end of the bridge, and charged the Bourguignons, who, taken by surprise, and surmising what had happened, fled back to Bray. On returning from their charge, these men-at-arms stripped the duke of his rich collar and of everything valuable that he wore. After this, they would have thrown the body into the Seine, but the curate of Montereau interfered, and had the corpse carried to a mill near at hand, from which it was transported on the following day in the poor man's bier to the church of Montereau. It was sadly disfigured with wounds, and there was one broad and deep wound on the head, from the axe of Tanneguy, which was afterwards called the door through which the English found their way into the heart of France.* On retiring from Montereau, the dauphin wrote to Paris and to all the good towns, that the duke had been slain in an attempt to seize his person; but these letters deceived no one; and most of the men who had done the deed publicly proclaimed it, and said it was a judgment from Heaven, and gloried in their exploit. Attempts have been made to relieve the dauphin from the odium of this atrocity, on the ground of his youth, but they will scarcely stand against the evidence offered by the character and by some of the later actions of that prince.† Low as was the state of moral feeling in France, this most foul and treacherous murder excited an almost universal horror. The city of Paris vowed to revenge the death of the duke; sent deputies to his son, and requested a truce from the English, whom, from this moment, they accustomed themselves to consider as allies against the dauphin and his party. The heir of John Sans-peur, Philip, Count of Charolais, he who had attended to the interment of the dead at Azincourt, succeeded to all his father's immense estates, and to the warm affection of most of his subjects, particularly the opulent citizens of Flanders, who engaged to assist him to the utmost in his vengeance, which was considered even by most of the churchmen of that day as a sacred duty. He was at Ghent when he first received the news of what had passed at Montereau. "Michelle," said he, turning to his wife, who was sister to the dauphin, "your brother has murdered my father." From Ghent he proceeded to Arras,

* Monstrelet.—St. Denis.—St. Foix.—Mémoires pour servir à l'Histoire de France et de Bourgogne.—Barante, Hist. des Ducs de Bourgogne.

† The dauphin was not a child; he was seventeen years old at the time, and had had considerable experience of the world. The murderers of the duke remained for many years his dearest friends—his favourite companions,—and, even, at last, he parted with them by force and with regret. De Giac and his wife immediately went and joined him, and were received with all the favour and honour he could bestow. We shall presently see De Giac figuring as his prime minister.

where he received deputations from Queen Isabella, from the city of Paris, from Burgundy, and other parts; and he then began both to arm and to negotiate.

In a sort of family council it was determined that the first thing to do was to seek a close alliance with the King of England; and, accordingly, ambassadors were sent from Arras to Pontoise. Before this step was taken the dauphin had applied to the same quarter; but, putting aside all considerations of the guilt and increasing weakness of that party, Henry clearly saw that his interests lay on the other side, and he was quite ready to engage to assist the young Duke of Burgundy on certain conditions. Moderation was not to be expected in these conditions; yet, such as they were, Philip was glad to accept them, and Queen Isabella sent to assure Henry that she and the council of government, acting in her husband's name, would ratify them. Henry demanded the hand of the Princess Catherine, the present regency of the kingdom, and the succession to the throne of France on the death of Charles. Duke Philip signed these preliminaries immediately, but some minor points of the negotiation were prolonged through the winter, during which few military operations were undertaken. There was also a separate treaty between the Duke of Burgundy and the King of England, in which it was stipulated that one of Henry's brothers should marry a sister of Duke Philip; that the king and the duke should love and assist one another like brothers; that they would pursue together the dauphin and the other murderers; that if the king took the dauphin and his adherents, he should never let them go without the consent of the duke; and, finally, that the king should assign to the duke, and Madame Michelle his wife, lands in France producing a rent of twenty thousand livres, for which lands homage should be done to the King of England. The modifications made to the first great treaty were—that Henry should settle an income of twenty thousand nobles on his wife Catherine; that he should govern during the regency by the advice of a council of Frenchmen; that he should lay aside the title of King of France for as long as Charles lived; that on his accession he should re-annex Normandy to the French crown; and that he should respect the established liberties of the parliaments, peers, nobles, cities, towns, communities, and all individuals whatsoever; and administer justice according to the laws and customs of France. There was another clause, which, of course, had been contemplated from the first opening of the negotiations: by it Henry engaged to drive the dauphin out of all the territories he then occupied. In the month of April, the imbecile Charles, directed by the queen and the Duke of Burgundy, who was by this time at Troyes, put his hand to the treaty; and at the end of the same month it was accepted without the slightest opposition by the parliament, the chamber of accounts, the university, the chapter, the provost, the municipality,

and all the corporate bodies of Paris. They were all assured, on the part of the Bishop of Tournay, that the treaty had been concluded, not for vengeance, but in order to put a stop to the ruin of the kingdom and the shedding of blood,—to raise the poor people from the horrible oppressions they were suffering,—to restore a lawful government, with peace and tranquillity for all men. After this, there followed an eulogium of the King of England. The assemblies of Paris were assured that the king, the queen, the barons, and bishops, assembled at Troyes, had beforehand fully informed themselves of the excellent virtues of the King of England, now regent of France,—that he was reputed prudent, wise, a lover of peace and justice,—that he maintained admirable discipline in his army, opposing all debauchery, driving from his camp all naughty women, protecting the poor people,—that he was affable to all men, great or small,—a severe defender of churches and convents,—a friend of learned clerks,—a prince of a very religious mind,—and, it was added, of a very noble person and pleasing countenance. There was undeniably a great deal of truth in this portrait; but still Henry was a foreigner and a conqueror; and, from the commencement, a few moderate and patriotic men even among the nobles (we believe that they were very few) declared the treaty to be disgraceful and destructive of the independence of France.*

In the month of May Henry marched to Troyes, with a splendid retinue and the finest corps of his army, amounting, however, to not more than seven thousand men.† During the march he took the greatest pains to preserve discipline and good order; and as the only danger he apprehended from his veteran troops was their making too free with the heady wines of Champagne, he issued a strict order that they should all mix water with their wine.‡ On the 20th of May Henry arrived at Troyes, outside of the gates of which he was cordially welcomed by the young Duke of Burgundy and a host of French lords, both ecclesiastic and lay. After a short rest he went to pay his respects to the King and Queen of France, whom he found in the church of St. Peter with Madame Catherine. Everything had been regulated beforehand, and Henry and the princess were affianced to each other on the spot, according to the national custom, which made such a ceremony a necessary preliminary to marriage. On the following day everything connected with the treaty of “the perpetual peace” was terminated; and parliament, barons, bishops, and people, seemed to vie with each other in the eagerness with which they acknowledged Henry as regent, and took oaths to obey him. On the 2nd of June the marriage ceremony was performed in the church of St. John at Troyes. The Archbishop of Sens officiated, and afterwards went to bless the nuptial bed. During the night the spouses were disturbed by

* Rym.—Elm.—St. Denis.—Montrelet.
† Monstrelet.

persons bringing them wine and soup to their bedside; for Henry, wishing to conform in all things to the customs of the country, had not forbidden this ancient ceremonial. But on the morrow, after he had given a splendid repast, he would not listen to those who proposed a series of tournaments and festivals. "I pray," said he, "my lord the king to permit, and I command his servants and mine to be all ready to-morrow morning to go and lay siege to Sens, wherein are our enemies: there every man may have jousting and tourneying enough, and may give proof of his prowess; for there is no finer prowess than that of doing justice on the wicked, in order that the poor people may breathe and live." Nor was this solicitude for the relief of the poor people of France an empty display; on the contrary, it was a fixed rule of conduct, and, as long as Henry lived, the poor burghers and peasantry were treated with more kindness than they had known for several generations. The misfortune was, that they were starving at the time, and Henry had not the means of supplying them with food. On the morning he had fixed (only the second after his marriage), the "regent and heir of France," with his beautiful bride, marched from Troyes to Sens, which he took in two days. From Sens he marched, with the Duke of Burgundy, to Montereau, and laid siege to that town, which was taken by assault on St. John's day. Upon entering the town, the Duke of Burgundy was led by the poor women to the church in which his father had been interred nine months before. The next day he caused the grave to be opened, and gazed with horror on the disfigured corpse: it was half naked; none of the jewels were left; but Philip found his breviary or prayer-book. The body was removed to be sumptuously interred at Dijon, the capital of Burgundy; and the body of the bastard of Croy, who had been killed in the assault, was put into the vacant grave at Montereau;—such are some of the chances of war. De Guित्रy, the governor of Montereau, held out in the castle, and insulted the English herald who summoned him to surrender. Upon this, Henry threatened to hang some of the prisoners he had taken in the town, and caused a gibbet to be erected for the purpose. The unhappy captives knelt down by the edge of the castle ditch, imploring the governor to surrender and save their lives; assuring him that it was impossible for the dauphin to relieve him, and that he must surrender in a few days at the latest. The governor was inflexible, and so was Henry,—the prisoners were hanged; and in eight days De Guित्रy was obliged to surrender the castle. The town of Villeneuve-le-Roy was also taken: and then the English and Bourguignons laid siege to the important and strongly fortified town of Melun, on the Seine. The dauphin had fled into Languedoc, where the party of his ally, the young Count of Armagnac, was strong: but Barbazan, Bourbon, and the bravest of his knights, had remained for the defence of Melun, which now stood a siege of more than four months,

during which both besieged and besiegers suffered cruelly from sickness, and Henry lost nearly all his horses. The garrison surrendered on the 18th of November. During the siege Queen Isabella, with her husband and Queen Catherine, resided at Corbeil or in the English camp.

At the beginning of December the two kings, Henry and Charles, made a triumphant entry into Paris amidst the acclamations of the multitude. The rich had assumed the red cross of England; the priests welcomed Henry by chanting "Blessed is he that cometh in the name of the Lord!" If Henry had come with a good convoy of provisions he would have been much more welcome; for, at the moment of all this parade, children were screaming through the streets that they were dying of hunger, and poor people were actually expiring on the dung-hills. But they had suffered so much that they thought every change must be for the better, and the people entertained an exalted notion of the wealth and resources of the King of England. On the following day Queen Catherine and her mother made their solemn entry, and were equally well received. In the name of Charles the three estates of the kingdom were summoned to Paris. They met on the 6th of December, and unanimously gave their approbation to the treaty with the King of England. A few days later, at the demand of Duke Philip, who appeared in deep mourning, attended by the princes of his house, all the murderers of his father, the Duke John of Burgundy, were proclaimed guilty of high treason; but none of these well-known individuals were specified in the sentence by name: and though the young prince was mentioned as "Charles, calling himself Dauphin," he was not directly accused of being either a principal or an accessory to the murder.*

A. D. 1421.—Henry had great need of money, and this was only to be obtained from his subjects in England. In the month of January he left Paris with his wife: on the day after Candlemas he took shipping, and landed at Dover, whence he proceeded by Eltham to London, where he was received with the most enthusiastic joy, and with such pageants and feasts as had never been seen in the land. On the festival of St. Matthew the fair lady Catherine was crowned Queen of England at Westminster Abbey: the coronation was most magnificent, and so was the feast that followed it in Westminster Hall.† The king and queen then made a stately progress through a part of England; but Henry's triumph was damped by the news of the defeat and death of his brother the Duke of Clarence, whom he had left governor of Normandy. The duke had made an incursion into the county of Anjou, which sided with the dauphin. On the 22nd of March his vanguard was surprised by the united forces of the natives under La Fayette, and five or six thousand Scots under the Earl of Buchan,

* Mémoires pour servir à l'Hist. de Fr. et de Bourg.—Pres. Henaux, Abreg. Chron. de l'Hist. de France.—Rym.
† Monstrelet.—Fabian

the second son of the regent of Scotland; and he was surrounded, defeated, and slain,* before his archers could come up. The brave bowmen, however, arrived in time to recover his body and drive the allies from the field. In this affair the English had about twelve hundred killed and three hundred taken prisoners; the Scots and French lost between them about one thousand men.† This battle proved to the French that the forces of Henry were not invincible, and that the Scots were brave soldiers. "In truth," said Pope Martin V., when he heard the news, "the Scots are the only antidote of the English." To express his gratitude, the Dauphin named the Earl of Buchan Constable of France. At the same time, Jacques de Harcourt, from his strong castle of Crottoy, in Picardy, made continual excursions against the English both by sea and land: in the marches of Picardy, Poitou de Saint-raille and Vignolles, called La Hire, maintained a fierce partisan warfare; and the populace of Paris, seeing that their wants were not relieved by the new government, became so discontented and turbulent, that the Duke of Exeter, who commanded there, was obliged to employ his archers against them in the streets. The dauphin, also, who had gathered strength in the south, was gradually advancing towards the capital.

Henry saw that no time was to be lost, and the English nation had not yet opened their eyes to the madness of his enterprise. Parliament met him in the best of humours, and gave their ratification to the treaty of Troyes;‡ the clergy voted him a tenth, and the lords and commons cheerfully authorized the raising of loans on the security of parliament. Henry left his wife at Windsor Castle, from the splendid solitudes of which he withdrew a royal captive. This was James Stewart, the accomplished King of the Scots, who had been detained sixteen years in England, his uncle the Duke of Albany and Regent intriguing to prolong his captivity rather than to release him. Albany was now dead, but he had just been succeeded in the regency by his son Murdoch, who for a time seems to have been equally anxious to retain the exercise of royal authority. Not only was no effort made for the release of James, but the existing factions in Scotland would perhaps have rendered that king's return to his country highly dangerous to himself. The positions of the great houses of the Earls of March and of Douglas were reversed: March had been restored to his forfeited estates and honours by the Duke of Albany, without consulting the parliament of Scotland; and Douglas declined in influence. The Regent had sent troops into France to assist the Dauphin without declaring war against England; and while some of the barons

approved of the measure, foreseeing in the conquest of France the subjugation of Scotland, others strongly condemned it. Archibald Earl of Douglas, who had been for several years a prisoner in England in the time of Henry IV., readily listened to proposals which were sanctioned, and even warmly recommended, by his captive sovereign. He engaged to serve the King of England all his life against all men, except the King of Scotland, and to follow him to France with two hundred men-at-arms and two hundred archers, to whom Henry was to pay the usual wages, allowing Douglas two hundred pounds a-year for himself. The gallant king also agreed to serve in that war, Henry engaging to allow him to revisit Scotland three months after their return from France. Out of affection for James, Alexander Lord Forbes, Alexander de Seton Lord of Gordon, William Blair, and two other Scottish knights, each with a certain number of men, joined Henry's standard at Dover, where, by the beginning of June, four thousand choice men-at-arms, and about twenty-four thousand archers, were collected in admirable array. These forces were landed at Calais on the 11th and 12th of June, whence twelve hundred men-at-arms were sent, by forced marches, to Paris to reinforce the Duke of Exeter. Henry marched more leisurely to Montreuil, where he had a long conference with his ally, the young Duke of Burgundy, who soon after, while the English were employed near the banks of the Loire, defeated the Dauphinists at Mons-en-Vimeu, in the marches of Picardy, and took Saintraille and some others of the bravest knights of that party. This victory was also followed by the surrender of several places in the north-west. When Henry reached Paris, the Dauphin was besieging Chartres, and some of his partisans were scouring the whole country between Chartres and the capital. But all this soon came to an end: the siege of Chartres was raised at the approach of Henry; Beaugency was taken by the English, and the Dauphin was driven behind the Loire. Leaving the King of Scotland, in whom he appears to have had the fullest confidence, to prosecute the siege of Dreux, which capitulated on the 20th of August, Henry followed up the flying Dauphin, who had neither military nor civil talents, until he took refuge in the strong town of Bourges in Berry. He then recrossed the Loire and returned to Paris, having lost a considerable number of men, not by the sword, for the Dauphinists would stop nowhere to fight, but by disease, chiefly brought on by the want of a proper supply of wholesome provisions. The country was bare, and the people were still perishing of hunger in many places. Allowing himself a very short repose, he proceeded, in the month of October, to lay siege to Meaux, on the river Marne, about thirty miles to the north-east of Paris. Within that place, which was one of the strongest in all France, was a chief who had made himself remarkable for his atrocities, and an object of wonderment even in those atrocious times, when cruelties

* The Duke of Clarence, after being wounded by Sir William Swinton, was dispatched with a battle-axe by the Earl of Buchan.

† Monstrelet.—Liv.—Elm.—Jurnal.

‡ Parliament, however, was not blind to consequences: apprehensions were excited in their minds by the treaty of Troyes, that England might become a province of the French crown; and they demanded and obtained a renewal of the statute of Edward III., declaring the independence of this kingdom.—See Hallam, Hist. Mid. Ages.—Rot. Parl.

were committed in all parts of the kingdom. The Bastard of Vaurus had been an adherent of the old Count of Armagnac, and to avenge his master's death, he became more ferocious and blood-thirsty than a tiger. Whenever a Bourguignon or an Englishman fell into his hands, he was massacred on the spot, or put to death by execrable torture. At the same time, he fell upon the poor people of the towns, and the peasants, who were of no party, but only anxious to save the little substance which was left them. Here, however, he was actuated by the desire of plunder. As he rode through the country with his desperate bands, he tied the dealers and farmers to the tails of his horses, and so carried them into Meaux, where they were kept until their friends paid ransoms for them, being occasionally tortured to make them plead the more earnestly to their families for ransom, or discover the places where they had concealed their treasure. When the Bastard could wring no ransoms, he hanged his prisoners on an elm-tree outside of Meaux, and the name of the Elm of Vaurus struck terror even in the heart of Paris. Henry carried the town by assault in ten weeks; but the Bastard and his garrison, who could expect little mercy, retired to a sort of acropolis, called the market-place, where they made a long and most desperate resistance. The Dauphin wished to do something for the relief of these worthy allies, but he was not very courageous or adventurous; his troops, however numerous, dreaded to meet their adversaries in the field, and all that he did was to send the Sire d'Affemont to steal by night with some reinforcements into the besieged place. D'Affemont was taken prisoner by the English; and at last, in the beginning of the month of May, the place surrendered at discretion, and the Bastard of Vaurus was hanged on his own elm-tree. During this siege of seven months, Henry lost a considerable number of his brave warriors: the Earl of Worcester and Lord Clifford were killed by the enemy's artillery; others perished of an epidemic sickness; but the conquest of that important place left the English undisputed masters of the whole of France north of the Loire. While he was prosecuting the siege with wonderful perseverance, he was gladdened with the news that his wife Catherine had borne him a son, in Windsor Castle, on the 6th of December. On the 21st of May, the queen, escorted by the Duke of Bedford, landed at Harfleur, whence she proceeded, with still increasing troops of noblemen, by way of Rouen, to Bois de Vincennes, where she was received as some angelical person. On the great festival of Whitsuntide, the two courts of Henry and Charles made a grand entry into Paris, and on that day King Henry and Queen Catherine kept their court, with great confluence of people, in the Palace of the Louvre, where they sat in their royal robes, with their imperial crowns on their heads.

Meanwhile the Dauphin had collected, in the south, an army of twenty thousand men, the command of which he intrusted to the Earl of Buchan,

who still retained a considerable Scottish force, and who prepared to act with vigour. From Bourges Buchan advanced to the Loire, and, crossing that river, took the town of La Charité; then, descending the right bank of the river, he laid siege to the important town of Cosne, and reduced it to such straits that the garrison agreed to surrender if they were not relieved by a given day. Before Cosne, Buchan was joined by the Dauphin. The Duke of Burgundy pressed Henry to march to the relief of the besieged place, and he was the more eager in his solicitations as both Cosne and La Charité were his towns, and as the Dauphinists were threatening his hereditary states of Burgundy. The King of England never required much pressing on occasions like these, and though he was labouring under a severe illness, he left Paris at the end of July. As soon as the Dauphin heard that he was in motion, he caused the siege to be raised, re-crossed the Loire, and again threw himself into Bourges. But Henry's strength failed him on the march, and, halting at Corbeil, about twenty miles to the south of Paris, he gave the command of his army to his brother, the Duke of Bedford, and, throwing himself into a litter, was conveyed back to the Bois de Vincennes in the neighbourhood of the capital. The Duke of Bedford, who had scarcely found an enemy in the field, was about to cross the Loire when he was recalled by the unexpected news that the king, his brother, was dying. The duke arrived at Vincennes in time to receive his instructions and his last fare well.

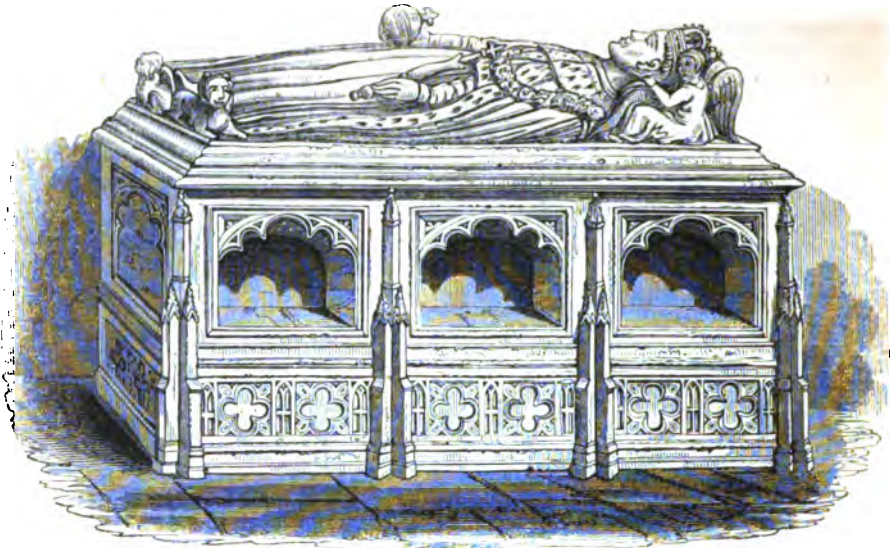
Henry had much to attach him to life: his grand scheme of conquest seemed to be approaching a happy completion; he was King of France in fact, and the crown was within his grasp, for his wretched father-in-law was at last dying; he was the happy husband of a young and beautiful wife,—he was a father,—he was young himself,—and until recently, when a mysterious malady attacked him, in the enjoyment of vigorous health and buoyant spirits. Yet, in spite of all this, he saw death approach with a calmness which would have done honour to a philosopher who had nothing to leave behind him but poverty and rags, or some unfinished theory. He felt no remorse for the blood he had shed in France, believing to the last that he had rights to the crown, and that he had been but an instrument in the hand of Providence. He felt some natural anxiety on account of his infant son, but even on this head he was supported by a confident hope in the wisdom, valour, and fidelity of his brothers and of his English subjects. He, however, gave all the counsel and advice he could, conferring frequently about matters of government with his ministers and friends. On the day of his death, he summoned the Duke of Bedford, the Earl of Warwick, and some other great lords, to his bedside, and told them he saw it was the will of his Creator that he should quit this world: he bade them be of good cheer, and he comforted them with kind words, yet grave and

full of meaning. He exhorted them to be true to his son as they had been to him, and to keep peace and amity among themselves during the long minority. He most earnestly recommended them to cultivate the friendship of his ally the Duke of Burgundy. He told them never to make a peace with Charles, calling himself Dauphin, which did not stipulate for his surrender of all claims to the crown of France, or, at worst, the grant to England of the duchies of Normandy and Aquitaine in full sovereignty. He cautiously warned them not to release the Dukes of Orleans, or any of the French princes of the blood taken at Azincourt. During the minority of his son, he signified his wish that his brother, the Duke of Gloucester, should be regent or protector in England, and that his brother, the Duke of Bedford, with the advice of the Duke of Burgundy, should be regent in France; and he again declared that, before entering upon his wars, he had consulted with wise and holy men who had convinced him that he might justly follow them without any risk of God's displeasure. His hearers, who did not share his equanimity, wept and sobbed while they vowed obedience to his dying injunctions, and promised to protect his wife and child. Feeling his end approach, he sent for his confessor and his chaplains, whom he directed to chaunt the seven penitential psalms. When they came to the verse, "Thou shalt build up the walls of Jerusalem" he stopped them, and said aloud, that he always intended, after he had wholly subdued the realm of France and restored it to peace and good order, to go and conquer the Holy City from the Saracens.* Having expressed this meritorious and consoling intention, he allowed the priests to proceed, and a few minutes after he calmly breathed his last, in the thirty-fourth year of his age and the tenth of his reign, on the last day of August, 1422. It had been very usual to abandon the king as soon as his breath was out of his body, and even to treat his unconscious remains with disrespect; but Henry's nobles and officers resolved to give him a most magnificent and costly funeral. In the first place, they caused the body to be embalmed, and then to be carried in great pomp to the church of Notre Dame, in Paris, where a solemn service was per-

formed. The funeral procession, blackening all the way, then proceeded to Rouen, whither some of the nobles had previously conducted Queen Catherine, who had been kept in ignorance of the danger of the king, and knew not of his death until some days after it had happened. At Rouen it lay in state for several days. The coffin was then placed within a car drawn by four splendid horses; over the coffin, on a bed of crimson and gold, lay a figure representing the king to the life, with a rich crown of gold on the head, a sceptre on the right hand, the globe and cross on the left, and with a face looking heaven-ward. When it passed through any town, a canopy of silk, like to what is carried over the host on Corpus Christi Day, was borne over it. In this state the body was conveyed, by slow journeys, from Rouen to Abbeville, where it was placed in the cathedral of St. Uliran, with rows of priests on each side of the coffin to chaunt requiems all through the night. During the slow, sad progress from town to town, the funeral car was preceded and flanked by heralds, persons bearing banners and achievements, and a host of men, all clad in white sheets, and carrying lighted torches in their hands; it was followed by the royal household, in deep mourning, by some hundreds of knights and esquires in black armour and plumes, with their lances reversed, and by the princes of the blood, and the King of Scotland, who acted as chief mourner. At about a league in the rear of all travelled the youthful widow, with a numerous retinue. The night after leaving Abbeville, they rested at Hesdin, the next night at Montreuil, the next at Boulogne, and then at Calais, where a fleet was in readiness to convey them to Dover. From Dover they travelled by the usual road through Canterbury and Rochester to London, where they arrived on Martinmas Day. As the melancholy procession approached London, fifteen bishops in their pontifical attire, many mitred abbots and churchmen, with a vast multitude of persons of all conditions, went out to meet it. The churchmen chanted the service for the dead as it passed over London Bridge and through the street of the Lombards to St. Paul's. After the obsequies had been performed at St. Paul's in presence of the whole parliament, the body was carried to Westminster Abbey, and there interred near the shrine of Edward the Confessor.* "At this funeral," continues Monstrelet, who wrote some years later, "greater pomp and expense were made than had been done for two hundred years at the burying of any king of England; and even now, as much reverence and honour are paid every day to his tomb as if it were certain that he is a saint in Heaven."

We take this strong popular feeling as one proof that Henry had many fine qualities besides those of a mere warrior and conqueror. It has been somewhat usual to compare him disadvantageously with those other two heroes, Edward III. and the Black Prince; but, taking the whole of his brief

* A manuscript, discovered in Flanders by Mr. Granville Penn, has set at rest a doubt started by Hume, whether Henry had ever had such an intention. This document fully proves that Henry and Philip Duke of Burgundy most seriously entertained the notion of going to the Holy Land together on a crusade. Immediately after the signing of the treaty of Troyes, they despatched Sir Gilbert de Lanoy, a Flemish knight, on a secret mission to Palestine, and that envoy went and made a military survey of the coast of Egypt and Syria, two copies of which survey—intended one for Henry and one for Philip—are still in existence. The King of England died before this report was completed. Mr. Granville Penn purchased the copy written for the Duke of Burgundy in Flanders; and, on making some search, he discovered that which was intended for the King of England among the Hatton MSS. in the British Museum, where it is open to inspection. See an account of an unknown MS. of 1423, by Granville Penn, Esq. in the Transactions of the Royal Society of Literature, Vol. I. Henry was a devout man; and even as a politician, he might turn his attention to the East as his father had done before him. The eastern empire was tottering to its fall, and, in little more than a quarter of a century, the Turks took Constantinople, whence they menaced all Christendom. At the time when Henry sent to survey the coasts, an attack on Syria might have tended to check the pernicious progress of the Mahomedans.



TOMB OF HENRY V., in Westminster Abbey.

and dazzling career into consideration, we can scarcely consider him inferior in the qualities of magnanimity, courtesy, and humanity. He was indeed severe and unrelenting,—he was even cruel in some occasions,—but so were they; and it should be remarked that humanity had made no progress, but had rather lost ground, since the days of Crecy and Poitiers, more particularly in France, where the morality of chivalry, never worth very much,

had become spotted all over, where honour and good faith were absolutely unknown to any party, and where cruelty and treachery were the order of every day. The national character of Englishmen, no doubt, suffered from a long familiarity and intermeddling with those detestable excesses, and the effect will be seen in the following reign, where we shall find more ferocity than had been known in England even in earlier and less civilized times.

HENRY VI.—SURNAMED OF WINDSOR.

A.D. 1422. The son of Henry and Catherine was not quite nine months old. As soon as his father's death was known in England, some of the bishops and lay lords issued commissions, in the name of Henry VI, to the judges, sheriffs, and other officers, authorizing them to continue their respective duties; and summoned a parliament to meet in November. As soon as parliament was assembled, it laid claim to the right of regulating the regency. The Duke of Gloucester claimed the post of regent, because, in the absence of his elder brother, the Duke of Bedford, he was nearest in blood, and because the late king had named him regent on his death-bed. The lords, after searching the rolls, and consulting with the judges, told the duke that his demand was contrary to the constitution, and that the late king had no power whatever to appoint a regent without the consent of parliament. They offered to appoint him president of the council, in the absence of the Duke of Bedford, and to give him, not the title of regent, lieutenant, or tutor, but that of protector of the realm and church of England—which title they

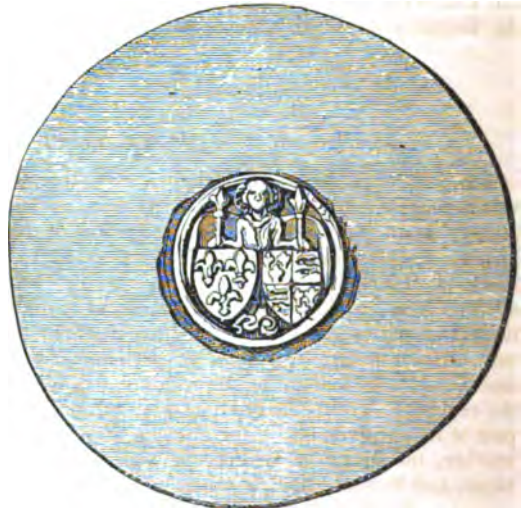
said would serve to remind him of his duty. A few days after, they proceeded to name a chancellor, a treasurer, a keeper of the privy seal, and a permanent council, which consisted of sixteen members, with the Duke of Bedford for president, the Duke of Gloucester to act for him, and to receive the salary of 5333*l.* during his brother's absence from England. All these regulations and nominations received the assent of the commons, and the Duke of Gloucester was obliged to be satisfied with them. The care of the person and education of the young prince was afterwards intrusted to the Earl of Warwick and to Henry Beaufort, Bishop of Winchester, a half-brother of King Henry IV., who had also a high seat in the council.* After

* Beaufort was the second of the sons of John of Gaunt, by his third wife, Catherine Ruet, Roet, or Rowet, widow of Sir Otes Swynford, generally supposed to have been the sister of Philippa Rowet, who is said to have been the wife of the poet Chaucer. There are considerable doubts, however, both as to the reality of this connexion, and even as to the fact of Chaucer having been married at all. Catherine Rowet, who was the daughter of Sir Paine Rowet, a knight of Hainault, had long been the duke's mistress, having been originally brought over to wait upon his first wife, Blanche of Lancaster. The children of John of Gaunt and Catherine Rowet—three sons and a daughter—were all born before



HENRY VI.—Drawn from three Portraits.

Attitude and Robes from one preserved in St. Mary's Hall, Coventry.—Face, Eton College.—Crown, King's College, Cambridge.



GREAT SEAL OF HENRY VI.

voting the continuance of the duty on wool, and their marriage, which took place in 1397, but were legitimated that year by a patent which is entered on the rolls of parliament. They took the name of Beaufort, from the castle of Beaufort, in France, where they were born; a property that came into the possession of their father by his first wife. The patent of legitimation entitled them and their descendants to hold all honours and estates such as duchies, principalities, earldoms, &c.; and in some copies of it there is an express reservation of the right of inheriting the crown. Henry VII. was descended from the eldest of these Beauforts, John, created (A.D. 1397) Earl of Somerset.

tonnage and poundage for two years, the parliament was dissolved. With the exception of some movements on the Welsh borders, the accession of the infant king was perfectly peaceful.

In France, where there were no constitutional delicacies to be managed, the Duke of Bedford, who was deservedly popular with the army, was at once recognised as regent, and succeeded to the

power and nearly to all the consideration of his deceased brother.* He remained at Paris, or in the neighbourhood, surrounded by the Earls of Somerset, Warwick, Salisbury, Suffolk, and Arundel, Sir John Talbot, Sir John Fastolfe, and the other distinguished captains, who had carried the military fame of England to so high a pitch in the preceding reign. In the month of October, Charles VI. of France, who, for the benefit of his country, ought to have died twenty years before, expired at Paris. The Dauphin, who was now in his twenty-first year, was in Auvergne, and in a very poor and reduced condition. As soon as the knights of his party received the news, they conducted him to a little chapel, raised a banner with the arms of France upon it, and saluted him with cries of "Long live the king." Such was the inauguration of Charles VII., who, at the time, was not master of a fourth part of the kingdom. The English, in derision, called him the King of Bourges, from the name of that city in Berry, to which he was so often driven. The death of his father, however, gave him an immediate increase of moral strength; and he soon proceeded to the city of Poitiers, where he was crowned and anointed with some solemnity. A feeble attempt at a popular insurrection was made at Paris; but, generally speaking, in the country north of the Loire, the cities and towns submitted to the rule of the English—no force being able to keep the field against them.

The Duke of Bedford, with the consent of the parliament of Paris, had proclaimed the infant Henry king of France; and while Charles was being crowned at Poitiers, he held a great assembly in the capital, where the parliament, the university, the archbishop, the metropolitan clergy, the magistrates, and principal burghers, swore fealty to Henry. The same ceremony was performed in all the other great towns of France in subjection to the English or to their ally, the Duke of Burgundy. To secure the friendship of this prince, whose power nearly equalled that of the King of France, even when France was undivided, Bedford strictly adhered to the instructions of his dying brother, consulting the Duke of Burgundy upon all important affairs, and paying a politic deference to his judgment and better acquaintance with the feelings and habits of the French. He married the duke's sister, Anne of Burgundy; and, by negotiating a marriage between another sister of the duke's, the widow of the deceased dauphin, and Arthur Count of Richemont, brother of the Duke of Brittany, he secured the support and co-operation of the Bretons, who, in the time of Henry V., had been only neutral. A sort of congress was held by these great personages at Amiens, in the month of April, 1423; and there Bedford received the most gratifying assurances of continued support from his two allies. But, at the same time, and without the knowledge of the Duke of Bedford, the Dukes of Burgundy and

* Rot. Parl.—Bymer.—Walsing.

Brittany made a separate treaty with one another; and some embarrassing discussions arose concerning the flight into England of Jacqueline, Countess of Hainault, whose marriage with the Duke of Gloucester struck the first great blow at the power of the English in France.* But, for the moment, that power seemed to be on the increase, and Bedford soon gained two great victories, which were compared to the glorious affairs of Crecy, Poitiers, and Azincourt. Charles VII., notwithstanding his critical position, and the state of his country, which would have entirely occupied and inflamed the mind of a patriotic prince, gave himself up to indolence and selfish indulgence, loitering away his time, not with his beautiful wife, Mary of Anjou, but with his mistresses. He had, however, about him many men of great energy: they roused him from his inglorious ease, and forced him into the field; and it may be said, once for all, that whenever he showed activity and zeal, he was acted upon by these superior spirits, and that, after every brief exertion, he was ready to relapse to the company of his mistresses and favourites. Crossing the Loire once more, Charles now fixed his head-quarters at Gien, a small town close on the right bank of that river, and there he remained while the mass of his forces under James Stuart Lord Darnley, and the Marshal of Severac, struck off to the east, fell upon Burgundy, and laid siege to Crevant, a very important place. The Duke of Burgundy had some forces on foot in that direction; but they were very inconsiderable, and he again eagerly pressed the English to save his fertile province. The Duke of Bedford instantly despatched the Earls of Salisbury and Suffolk to the relief of Crevant; and as the French, relying on their great superiority of numbers, and the determined valour of their Scottish allies, stood their ground outside the town, a general battle was resolved upon. By order of the Duke of Bedford, every English archer carried a sharp stake to fix before him, as had been practised with such effect at Azincourt: the strictest orders were given for the maintenance of discipline; no man was to take so much as a loaf of bread without paying for it; and every man found straggling from his ranks was to suffer death. On account of the great inequality of numbers, a cruel command was published in the English camp:—no prisoners were to be made until the field was completely won. At Auxerre they were joined by the Burgundians; but their force was still very inferior, and they had to pass the river Yonne in face of the enemy. Having forced the passage, they found the main body drawn up in good position on the right bank. While the English attacked in front, the Burgundians attacked in flank, and then made a movement to the rear. By this disposition, the English were opposed to the Scots; the Burgundians to the French, their own countrymen. The French soon gave way, and then fled in a disgraceful manner, leaving their Scottish allies to shift for themselves.

* Barante.—Daru., *Hist. de la Bretagne.*



DUKE OF BEDFORD BEFORE ST. GEORGE.—From the Bedford Missal.

They were afterwards accused of treachery; and it is very clear that they and the Scots did not agree very well. Though thus abandoned by all save a few honourable knights, the Scots gallantly defended themselves for a long time, and the victory was not decided till more than three thousand of them were killed or taken prisoners. Among the captives were Lord Darnley, who had lost an eye in the combat, several other Scottish knights, and Saintraille, Vantadour, Gamaches, and some other French lords.*

Charles VII. received about this time a body of auxiliaries from the Duke of Milan, and gave encouragement to an insurrection in Maine and

* Monstrel.

Anjou, and in other places north of the Loire. We must pass over a number of petty combats and sieges; but the affair of La Gravelle merits attention. John de la Pole, brother to the Duke of Suffolk, was returning from Anjou into Normandy, when he was surprised by a great force under Harcourt, Count of Aumale, one of the most distinguished of the French royalists. The English were embarrassed with the booty and plunder they had made in Anjou;—it is said that they were driving away with them ten thousand heads of cattle;—but the archers formed, planted their sharp stakes before them, and stood their ground for some time. In the end, the English were obliged to retreat, leaving most of their bullocks behind

them;—they had lost five hundred men, and De la Pole was taken prisoner. The custom was now prevalent of exchanging prisoners; thus De la Pole, Saintraille, and the rest, were soon restored to their several banners.

In another direction, a detachment of the Duke of Burgundy was defeated by the Italian and Scottish auxiliaries of King Charles. The spirit of the French people had gained one great advantage for this *roi-sainéant*;—they had gradually thrown off the yoke in several parts of the north and the north-west; they had got possession of several towns in Normandy; and thus the English, instead of crossing the Loire, were obliged to fight in the country between that river and the Seine. Their alliance with the Duke of Brittany rested on hollow foundations from the first, and a quarrel with his brother, the Count of Richemont, was followed by bad effects. The count wished for the separate command of an army; but this the Regent Bedford, who doubted of his ability or of his good faith, refused. The count would not be soothed by the offer of a liberal pension—lands and honours he had received already—and, stealing away secretly, he withdrew to Brittany, hoping to induce his brother to declare against the English. Bedford, knowing his intentions, laboured the more earnestly to gratify the Duke of Burgundy; but he did not yet know the secret treaty existing between that prince and the Duke of Brittany. In the course of 1423, the auxiliary force of Scotland had been greatly increased by fresh arrivals; and Archibald, Earl of Douglas, who had recently fought against him under Henry V., now went and joined Charles, who made him a French duke, by the title of Duke of Touraine. Here, again, the Regent Bedford acted with all possible good policy: he negotiated with King James of Scotland, and released him from his imprisonment in England in the spring of 1424. James had neither the power nor the wish to bring back the Scots, who were already in France; but the treaty he had concluded with England prevented his sending any fresh forces for the present.

In the summer of 1424, the Duke of Bedford laid siege to the strong town of Ivry in Normandy. Charles resolved to relieve the place, and to that end sent his whole army into Normandy: this army consisted of about seven thousand Scots and seven thousand Italians and French. The command was nominally given to the earls of Douglas and Buchan; but the counts of Alençon, Aumale, and Narbonne, and the other French nobles who marched with them, would take no orders from Scottish adventurers,—for such they termed the bravest of their allies. Indeed, the French generally were jealous of the Scots, nor did they view with a more friendly eye the Italian auxiliaries who had been sent to their king in his extremity by the Duke of Milan. This ill-assorted army marched within sight of Ivry, but they halted in dismay on seeing the excellent position of the

English, and presently retreated without drawing a sword. Upon this failure Ivry surrendered; and the governor, in delivering the keys to Bedford, showed him a letter, and said it contained the signature of eighteen of the greatest lords in France, who had engaged to succour him, and who had all broken their words. Either by an ingenious stratagem of their own, or by a rising in their favour of the inhabitants, Charles's army got possession of the important town of Verneuil, situated about thirty miles to the south-west of Ivry; but they were scarcely there when the Duke of Bedford presented himself before the walls. A tumultuary council was held, and as they could not possibly remain where they were, on account of a scarcity, it was resolved to go out and fight the English in an open field. They had every advantage of position,—the town covered one of their flanks,—the French had also learnt something from experience,—and leaving their baggage and their horses within the walls, they formed on foot, leaving only about two thousand *meu-at-arms*, part of whom were Italians, to fight on horseback. The Duke of Bedford, whose army was inferior in numbers, followed the old tactics of Crecy and Azincourt: he made all his cavalry dismount; he placed his horses and his baggage in his rear, under a guard of archers; and he stationed the rest of the bowmen on his flanks and in his van, where they stuck their sharp stakes into the ground. There was a brief pause. The Earl of Douglas wished to wait for the attack of the English, but the French nobles would not listen to his prudence, and the Count of Narbonne rushed forward, shouting "Mountjoye St. Denis!" The whole line followed him in hurry and confusion, and by the time they got up to the English stakes they were both out of breath and out of order. Their number, however, was imposing; for van, rear, and reserve came up altogether. The English stood firm, shouting "St. George for Bedford!" But some of the archers were borne down and driven towards the baggage,—a fortunate circumstance, for they seem to have arrived just in time to support their comrades there, who were charged in the rear by the two thousand horse, led on by La Hire and Saintraille. This cavalry was repeatedly repulsed, and at last completely driven from the field. Then the archers in the rear (above two thousand men) advanced to the main body, and decided the victory, which had been fiercely and at times very equally disputed for upwards of three hours. The loss of the allies was tremendous: the Earl of Douglas and his son Lord James Douglas, the Earl of Buchan, Sir Alexander Meldrum, with many Scottish knights, were slain: the French lost the counts Narbonne, Tonnèrre, and Vantadour, the sires of Roche-baron and Gamaches, with many other great lords, and nearly three hundred knights. The Duke of Alençon, the Marshal de la Fayette, the sires De Maucourt and Charles de Longueval, with many other lords, were taken prisoners. The Duke of Bedford cut off the heads of Maucourt and Lon-

gueval, because they had formerly taken the oath of fealty to his nephew; and he did the same to several knights of Normandy, because they had deserted from his standard on the eve of the battle.* The great loss he had himself sustained probably had something to do with these executions. Sixteen hundred Englishmen lay dead on that bloody field, mixed with three or four thousand Scots, French, and Italians. The town of Verneuil immediately surrendered to the conqueror. Such was the battle of Verneuil, the last great victory obtained by the Duke of Bedford;—it was fought on the 17th of August, 1424.

The cause of Charles now seemed hopeless: his army was destroyed, he had no money or credit, and many of his friends began to complain of his want of activity and valour,—for he still kept away from the scene of danger. But circumstances operated wonderfully in his favour, and made him king of all France in spite of his follies. Dissension had broken out in the English council, where the Duke of Gloucester could never agree with his uncle Beaufort, Bishop of Winchester; and the English people had grown weary of this long war, which had once been exceedingly popular. At this moment (and we are disposed to believe on *most* occasions afterwards) Beaufort advocated measures of prudence and cautious policy, which were defeated by the impetuous will of Gloucester. Jacqueline of Hainault, only daughter of the Count of Hainault, brother-in-law of John Sans-peur, inherited at a very early age the states of Hainault, Holland, and Zealand. Her succession was disputed by her uncle, John the Merciless, Bishop of Liege, who invaded Holland. After a long and cruel warfare the Duke of Burgundy, John Sans-peur, interfered and concluded a treaty, by which the Bishop of Liege was to enjoy the revenues of Holland and Zealand. John the Merciless had previously shed a great deal of Christian blood in order to remain Bishop of Liege, but soon after this arrangement he got himself secularized by the pope, and, throwing away crosier and stole, married Elizabeth of Luxembourg, the widow of the Duke of Brabant, who had perished at Azincourt. This Elizabeth had a son, now Duke of Brabant, and the ex-bishop proposed that he should be married to his niece Jacqueline. This union, as tending to unite the different branches of the house of Burgundy, was strongly recommended by John Sans-peur and other members of the family; but the young lady had a great aversion to the match, and there were circumstances in the case which made this feeling natural enough. John of Brabant was younger than she; they were cousins-german; and she, besides, had been the boy's godmother. The pope, however, gave his dispensation, and Jacqueline was tormented into a compliance with the family scheme. But her antipathies were never overcome: she was of a womanly age, beautiful, bold, and not deficient in wit and understanding; her husband was a puny

* Monstrel.

boy of fifteen, weak in mind as in body, fond of the society of low favourites, and entirely led by them. Shortly after their marriage they quarrelled violently; and Madame Jacqueline, who had a summary way of proceeding, sent her half-brother, called the Bastard of Hainault, to punish her husband's chief favourite, William le Begue, who had insulted her. The bastard killed the favourite in his bed. But the young duke chose a new confidant, and continued to be ruled by a set of vulgar servants; and the court was continually disgraced by domestic broils. On an unlucky day the young duke, by the advice of his favourite, drove away all the ladies that waited upon his wife, and exiled them to Holland. On this insult, Jacqueline withdrew to Valenciennes, and thence to Calais, where the English received her with great honour. From Calais she passed over to England, and sought an asylum and the protection of the court. This was in 1421, while Henry V. was still living; and at the end of that year she was residing in great friendship with Henry's wife Catherine at Windsor Castle. When young Henry was born there, she was one of the sponsors at the baptismal font. Jacqueline had not been long in England when she became enamoured of the king's brother, the Duke of Gloucester; and the duke, rather out of ambition than affection, proposed himself as her husband. Here another dispensation was necessary. On applying to Pope Martin V. it was found that he had been applied to by the powerful princes of the house of Burgundy, and was not disposed to annul the marriage with the Duke of Brabant, although Jacqueline alleged that she had been driven into that union by deceit and force. But it happened that there was another pope living; for Benedict XIII. would not submit to the decision of the Council of Constance, and he readily enough granted a dispensation to the duchess. Jacqueline then married the Duke of Gloucester; on which the duke claimed as his own Hainault, Holland, and Zealand,—all the states, castles, and towns which his wife inherited from her father. This was putting the law which made nations and people heritable property, to be conveyed away like a private estate by wills and marriages, in a very strong light, but yet scarcely in a more ridiculous light than that in which the same theory, held to be good law, had frequently been exhibited before. Gloucester, however, ought to have reflected on the mighty interests opposed to his, and which were sure, on the present occasion, to give a different interpretation to the law on which he founded his pretensions. For some time no open measures were adopted for the recovery of Jacqueline's patrimony; and the Duke of Bedford, who had married the Duke of Burgundy's sister, contrived to keep that prince in apparent good humour, though in reality Philip had many misgivings, and intrigued under-hand long before venturing upon any overt act. A few weeks after the great battle of Verneuil, Gloucester and Jacqueline, with an English army of five or six

thousand men, landed at Calais; and, contrary to the advice of Beaufort, bishop of Winchester, and in spite of the earnest representations of the regent Bedford, these two ardent spirits led their forces through the territories of the Duke of Burgundy, and fell upon his cousin, the Duke of Brabant, in Hainault. At this time, Jacqueline's uncle and old persecutor, John, ex-bishop of Liege, died, and she was accused of having induced some of her partisans in Holland to poison him. Gloucester and his daring wife soon got possession of Mons, the capital of Hainault, where a strong party declared for her. Jacqueline assembled the estates of the country, and in the presence of that species of parliament she justified her conduct in breaking her former marriage on the ground of religious scruples, saying that she had done the duty of a good Catholic in quitting the Duke of Brabant, who was her first cousin and her godson, and therefore could not be her husband. At first the Duke of Burgundy thought that Gloucester was coming to reinforce his brother in France; but when he knew the direction he had taken he became perfectly furious, and sent orders to all his vassals to assist his beloved nephew, the Duke of Brabant, and oppose the duchess and her new husband to the utmost. Gloucester, upon this, wrote to Duke Philip, telling him that if the Duke of Brabant was his cousin, his companion and wife, Jacqueline, was twice his cousin,—that he (Gloucester) had not broken the peace or the treaties existing between him and his very dear cousin of Burgundy,—that he was only taking possession of what lawfully belonged to him by his marriage,—and he hinted, truly or falsely, that the Duke of Burgundy had formerly encouraged his projects. The duke replied by giving Gloucester the lie, and defying him to single combat. Gloucester readily accepted the challenge, and named St. George's day for the duel, which Philip had no intention to fight in that manner. He sent a great part of the forces which he had engaged to keep on foot for the service of the regent Bedford, into the Low Countries against his brother, and at the same time the Duke of Gloucester obtained the English reinforcements intended for Bedford. Philip did not cool on reflection; he saw the dangerous consequences that must ensue to himself if the English, in addition to the territories they held in France, were allowed to establish themselves in the Low Countries, and he resolved to adopt every extreme measure that might seem necessary to drive Gloucester out of Hainault. He even employed troops and many knights that had been in the service of his great enemy Charles VII., the murderer of his father; and among these warriors was the celebrated Saint-raille. The Burgundians thus began to listen to their old foes, and to join them in attributing (incorrectly) the origin of all the evils France was suffering to the English. Proposals were suggested for an accommodation with King Charles by the Pope, the Duke of Savoy, and others; and though the Duke of Burgundy did not think, as

yet, he had taken sufficient vengeance for his father's death, and though he did not openly abandon his brother-in-law, the Duke of Bedford, till eight years later, he was from this moment a lukewarm and suspected ally. For about a year and a half Gloucester defied all the power of Burgundy, and maintained himself in Hainault; but their want of money, and a jealousy of his uncle Beaufort, induced him to return to England. His departure was fatal to the interests of his wife: Valenciennes, Condé, and Bouchain, with other of the principalities, opened their gates to Duke Philip; and Jacqueline was besieged or blockaded in Mons, the citizens of which soon delivered her up to the duke, who committed her to a close imprisonment in his palace at Ghent.*

Gloucester's return to England was attended by other disastrous circumstances. His quarrel with Beaufort rose to such a height that a civil war seemed imminent; and the Duke of Bedford was obliged to leave France at a very critical moment, and come over to London at the end of 1425. By his authority and influence a reconciliation was effected, and the uncle and nephew were made to shake hands in the presence of a parliament assembled at Leicester. It is consistent with the frank character of Gloucester to believe that he was sincere, and willing to forget the past; but not so was the bishop, who immediately resigned the seals which he held, and prepared to go abroad. Soon after Beaufort was created a cardinal.

During Bedford's absence the Duke of Brittany declared for the King of France, being induced thereto by his brother the Count of Richemont, whom Charles had recently named Constable of France. Both brothers, only two years before, had contracted the most solemn alliances with the English regent. The Constable was out of his reach, in the country beyond the Loire; but soon after Bedford's return to France he severely punished the duke. He sent a formidable army into Brittany, which defeated the Bretons in several engagements, devastated the country, shut the duke up in Rennes, and finally obliged him to break off his alliance with King Charles, to swear again to the Treaty of Troyes, and to promise homage to the King of England and to no other person.†

Meanwhile the errant court of Charles continued to be the scene of disgraceful intrigues, jealousies, and dissensions. Arthur, Count of Richemont, the new Constable, complained, not without reason, of the conduct of the king's ignoble favourites; but the system which he adopted to correct this evil was truly atrocious. When he first joined the king the chief favourite was the Sire de Giac, who, with his wife, had had so great a share in the murder of John Sans-peur at Montereau. This wretched man he seized by night in his bed, set him half naked upon a horse, and gave him over to George de la Tremoille, Count of Guines, who carried him to Dun-le-Roi, and there had him

* Monstrel.—P. Henin.—Barante.

† Rym.—Daro.

thrown into the river with a great stone tied to his neck. Camus de Beaulieu succeeded to the now dangerous post of prime favourite, and the Constable got rid of him with still less ceremony. One day, just after leaving the king, as Camus was riding on his mule across some meadows, he was stabbed by some men employed by the Constable and the Marshal of Bouszac. The king, who was in a castle close by, saw the mule return covered with blood and without its rider: he knew what had happened, and was at first in a great rage; but he was powerless, and could do nothing against the assassins. Seeing that Charles could not live without a favourite, the Constable then recommended to his notice George de la Tremoille, a person whom he thought entirely devoted to his interest, and incapable of making himself too formidable. But Count Arthur was mistaken in his man: George de la Tremoille, who had married Madame de Giac, whose husband he had just murdered, because she was still very beautiful and very rich, was the most accomplished rogue in that profligate court. He was witty, insinuating, experienced in business and in war; and he soon obtained a greater ascendancy over the frivolous king than any preceding favourite, and this influence he preserved for the long term of seven years. As soon as the Constable discovered his mistake he made a league with the Count of Clermont, the Count of La Marche, the Marshal of Bouszac, and others, to destroy him; but La Tremoille was well versed in the ways of treachery,—he declined an interview to which they invited him, kept himself, with the king, close in a strong castle, and laughed at the conspirators, who were obliged to disperse at the approach of winter. Charles then passed a sentence of banishment against the Constable, who thereupon took up arms against him in conjunction with several princes of the blood. In the spring of 1428 these allies surprised the town of Bourges, but neither the king nor Tremoille was there. Soon after this the princes of the blood agreed to a treaty, from which the Constable was excluded through the influence of La Tremoille. The Constable retired into Poitou, and kept up the civil war there and in Saintonge. At the same time another great royalist and patriot, the Marshal of Severac, threatened to desolate Languedoc with fire and sword unless the king paid him certain arrears; and the king and the treasurer had only four crowns between them. The Count of Foix took forcible possession of Beziers, and René of Anjou, a brother of the queen, negotiated on his own account with the English.

These brief details will render it perfectly intelligible how, during the six years that Charles had been a king, no progress had been made against the English, who were now determined to cross the Loire, and carry their conquests farther than Henry V. had ever penetrated.* The miserable state of weakness to which their recent chastisement had reduced him, more than any reliance on

the treaty which he had signed, made the English feel sure of the Duke of Brittany, whose states extended along the right bank of the Lower Loire, and whose forces, under other circumstances, might have embarrassed them on their right flank and on their rear. At the same time they felt a renewed confidence in the Bourguignon party; for Duke Philip returned to Paris, and had a friendly interview with the Duke of Bedford, being much pleased at having been permitted to settle the affairs of Madame Jacqueline after his own fashion. That wife of two husbands, who had some of the essentials of a heroine of romance, escaped from her prison in Ghent, and fled, disguised as a man, into Holland, where a strong party immediately took up arms for her, or for the defence of their own liberties, as they considered that the Duke of Burgundy, who soon pursued her in the name of his cousin and her husband, the Duke of Brabant, had no right to invade their territories. The Duke of Gloucester contrived to send some money and a small force of archers to assist the Hollanders. The archers landed on one of the islands of Zealand, and were well nigh taking the Duke Philip prisoner; but they were overwhelmed by superior force, and after a fierce battle, in which the duke lost many of his best knights, they were driven back to their ships. Philip took many towns,—for he also had a faction in his favour,—and then withdrew into Flanders to collect a great army. Jacqueline tried to retake the towns; and she commanded in person at several sieges and in several battles, making knights and performing all the offices of a warrior and a prince. Her enemies accused her of great cruelty, but could not withhold the praise of bravery and activity. Her party however declined; the Duke of Bedford and the council prevented Gloucester from lending any further assistance; the Duke of Burgundy advanced again into Holland with an immense force well provided with artillery; town fell after town, and she was obliged to retire into Friesland. At the same time the thunders of the Vatican rolled over her head. The pope, Martin V., whose authority was now generally recognised by the Christian world, declared that her marriage with Gloucester was null and void; and that, even in case of the death of her first husband, the Duke of Brabant, she could never lawfully be the wife of the English prince. The Duke of Gloucester consoled himself for this disappointment by marrying Eleanor Cobham, daughter to Lord Reginald Cobham,—“which Eleanor before was his wanton paramour, to his great reproach, as was then noted.”* But, though abandoned by her plighted knight, the husband of her choice, and threatened by the pope, the daring Jacqueline maintained the struggle;—nor did her first husband, the object of her hatred, live to triumph over her. The Duke of Brabant died in the month of April, 1427; he was succeeded in his hereditary state of Brabant by his brother; but the Duke of Burgundy, who had no

* Monstrel.—Juvenal.—P. Hemin.—Villaret.—Barante.

* Stow.

feasible right to either, kept his hold of Holland and Hainault, the inheritance of Madame Jacqueline. A great naval victory, which the duke, with the assistance of the people of Amsterdam, gained over William de Brederade, Jacqueline's admiral, completed the ruin of her affairs. Her partisans abandoned her; the towns of Holland and Friesland, which had held out, now made their peace with the duke; and in the summer of 1428 Jacqueline was obliged to submit to a harsh treaty. She agreed to recognise her dear cousin as direct heir to all her dominions,—to give him the government of them all immediately,—never to marry without his consent,—and to satisfy herself with the revenues of Ostrevand, Veveland, and Brille. The people, who were not consulted in this transfer, were excessively indignant. Duke Philip rejoiced in the success of his arms and his policy; and as he could not but feel that the English might have frustrated his scheme, he for a while was in good humour with them, engaging to furnish troops for the great enterprise of subduing the country beyond the Loire. The English were further tempted to this undertaking by the knowledge of the civil war that was waging between the Count of Richemont, the Constable, and King Charles, or rather his favourite La Tremoille; and by the arrival of a reinforcement of six thousand men under the command of Montague, the brave and experienced Earl of Salisbury. It appears, however, pretty certain that the regent Bedford hesitated for some time, and at last gave a reluctant consent to the plan.

Ever since the English had been in possession of Paris, the city of Orleans, advantageously situated on the Loire, had been considered as the centre of the kingdom. Whatever fragments of prosperity remained were gathered within its walls; its fall would have the most fatal effects on the cause of independence; and the best road to the provinces of the south lay through it. It was, therefore, determined to reduce it by siege or blockade; but this project had been imprudently divulged, and the Earl of Salisbury lost many weeks in reducing a number of insignificant places in the neighbourhood, instead of marching at once to his object; and the French people, who were fully sensible of the life and death importance of the town, made the best use of this time in preparing for its defence. The season was far advanced before Salisbury appeared; but at last, on the 12th of October, he took up his positions both on the right and left bank, and began the difficult operation of girding in a large and populous town, in the best possible state of preparation, with a small army of eight or nine thousand men. The inhabitants had provided themselves with all sorts of warlike stores and provisions, being determined to defend the place to the last extremity. The citizens had exercised themselves in the use of arms; had voluntarily taxed themselves to a high amount; had lent their money; and had made the most liberal sacrifices of all kinds. The

suburbs on either side of the river contained many excellent houses and upwards of twelve churches, together with several fine mansions for the recreation of the burghers; but, by the advice of the military officers sent to them by La Tremoille, they destroyed all these with their own hands, and then burnt the vineyards, the trees, the gardens, and laid the whole country bare and desolate for a league round. "By thus doing," says Monstrellet, "they could discharge the cannon from their ramparts freely on every side." They also hoped that this sacrifice would leave the English without any shelter during the rains and snows of winter. The people of Orleans were well seconded by the inhabitants of other towns upon the Loire or behind it; for the burghers generally were good Frenchmen, and did not, like the princes of the blood and the great lords, lose their patriotism in jealousies and broils. Bourges, Poitiers, La Rochelle, and other places, sent provisions, money, and troops. The three estates met at Chinon, and voted an aid of four hundred thousand francs. The king also was roused from his lethargy; and as La Tremoille, and all the royalists about him, believed that the fall of Orleans would be followed by the loss of all France, very unusual exertions were made. As early as the month of November in the preceding year Charles had concluded a treaty with the King of Scotland, binding himself to marry his son the dauphin to a daughter of that sovereign, and to give him the county of Evreux and the duchy of Berry; and though this treaty had not the effect of bringing over any considerable reinforcements, it gratified the Scots who were already in France, and made them serve with a more cheerful will. Charles named the Sire de Gaucourt governor of Orleans; and Saintrailles, De Guित्रy, Villars, and many other captains of name, threw themselves into the town before the English appeared.*

Unappalled by all these circumstances, the Earl of Salisbury began the attack of the place, and his first plan seems to have been to take it by assault. A strong bridge communicated between the left bank of the river and the town, and the entrance to this bridge was defended by a fortress called the Tourelles, of which Salisbury determined to make himself master. The English scaled the walls, but were repulsed more than once with considerable loss, for the place was full of picked men, and even the women ran thither that they might pour boiling oil on the heads of the assailants. Salisbury, however, persevered, and, on the 23d of October, he carried the Tourelles by storm. But, in the interval, the besieged had broken down an arch of the bridge, and raised a new fort at the other end of it in advance of the city walls. Why the English general should have chosen to make his attack on this side, with a wide river between him and the town, when two sides of the triangle on the right bank † presented no such obstacle, we are at

* Monstrel.—Journal du Sièg.—Barante.—Villaret.

† Then, as now, Orleans covered an irregular triangle, the base of which was along the river bank.

a loss to determine, but the bridge, as a passage, was now given up. The Bastard of Orleans,* the bravest and best officer in Charles's service, broke through the English lines on the opposite side of the river, and got into the town with numerous reinforcements, composed of French, Scots, Italians, and Spaniards. Salisbury saw that he must proceed by the tedious means of a blockade. A few days after, as he was examining the town from the tower of the Tourelles, he was wounded in the face by a stone-shot, which killed the gentleman behind him on the spot. The earl survived a week, and then died, to the great regret of the army, who considered him as one of the most skilful and fortunate in arms of all the English captains. The Earl of Suffolk succeeded to the vacant command, and actively prosecuted the works for enclosing the place. It was now the month of November, and the weather was inclement, but the English built themselves huts, which were covered from the fire of the town by banks of earth, and there they were tolerably well supplied with provisions, and occasionally reinforced. But their number was insufficient to surround the whole town and maintain constantly the passage of the river; boats occasionally ascended or descended with provisions for the besieged, and convoys of stores and fresh troops stole from time to time into the city. All the towns in the neighbourhood, not excepting some that were in possession of the English, watched their opportunity, and sent sometimes little and sometimes more. De Culant, whom Charles had named Admiral of France, penetrated at one time into the place with two hundred lancers; and as the garrison became more and more numerous, such operations were much facilitated by making sallies and feigned attacks simultaneously on several parts of the English lines.

Thus passed the winter months. Early in February, the Duke of Bedford collected about five hundred carts and waggons from the borders of Normandy, and the country round Paris; and these different merchants were ordered to load with provisions, stores, and other things for the use of the army before Orleans. When all was ready, Sir John Fastolfe was appointed to escort the convoy with sixteen hundred fighting men. Sir John marched out of Paris on Ash Wednesday, and proceeded in good order, by short marches, until he came near to the village of Rouvrai, between Genville and Orleans. Here he was brought to a halt by intelligence that an army of French and Scots, four thousand strong, and commanded by the Lord Charles of Bourbon, Count of Clermont, and Sir John Stewart, the Constable of Scotland, occupied the road before him. Making the best use of a short notice, Fastolfe formed a square with his carts and waggons, leaving but two openings; he posted his archers in these two gaps, the men-at-arms standing hard by to support them. In this situation

* He was the natural son of the Duke of Orleans, killed by order of John Sans peur.

Sir John waited two hours for the coming of the enemy, who at last arrived with a great noise, and drew up in front of the enclosure, but out of the reach of the English arrows. It seemed to them, that, considering their superior numbers, and that the convoy consisted of not more than six hundred real Englishmen—the rest being people of Paris and other parts—they could not fail of destroying them speedily, and making prize of the stores. Others, however, had their doubts and misgivings, seeing that their captains did not well agree as to how the battle should be fought—for the Scots insisted that they ought all to dismount and fight on foot, while the French were all for fighting on horseback. At last, each nation resolved to fight in its own way. The Constable of Scotland, his son, Lord William Stewart, and all the Scots, dismounted and advanced impetuously to force the openings of the square; but the English archers shot so well and stiffly, that they were slain almost to a man on the spot. It appears that the main body of the French never charged at all; but there was a considerable loss among those of them who rode up to the square. The Constable of Scotland and his son were killed fighting side by side; many Scottish knights of high repute also perished; and the Sires of Rochecouart, d'Albret, and other French lords, shared their fate. The defeat was perfect: the French, who were on their horses, galloped from the field, upon which there remained about six hundred dead, nearly all Scots. Sir John Fastolfe then refreshed his men, and marched on to Rouvrai, and from Rouvrai they departed in handsome array, with their convoy and artillery, armed with all accoutrements becoming warriors; and so they arrived in triumph before the walls of Orleans.* This battle was called the battle of Herrings, because, it being the season of Lent, herrings with other salted fish, formed a principal part of the provisions which Sir John was escorting.

King Charles, on learning the news of this defeat, was sick at heart; and the great vigour with which the English now pressed the blockade of Orleans made most of his party despair. At certain intervals, the Earl of Suffolk had erected strong posts called bastiles, and he now sunk ditches and drew lines from one bastile to the other, until the circumvallation was almost complete. Thus those within the garrison could no longer pass with the ease they had done between the bastiles, and their friends without could no longer throw in provisions. At the hideous prospect of famine, the citizens, with the consent of Charles, proposed to deliver the town into the hands of the Duke of Burgundy, who, though at present an ally of England, was still a prince of the blood-royal of France. They despatched, as

* Hume, following some of the French historians, lays the blame of this mischance on the Scots, who, he says, would not wait the sure effect of the artillery which the French had with them, but insisted upon charging. It does not, however, appear that the French had a single cannon; whereas Monstrelet particularly mentions Fastolfe's artillery, though he does not say it was used during the battle.

their ambassador to the duke, a knight who was his personal friend, and who had recently fought for him in Hainault against Jacqueline. This was Saintrilles, who, as well as his proposition, was joyfully received by Philip. But when they opened their project to the regent Bedford, he would not listen to it, saying that the prize ought to belong to the valour of those who had reduced Orleans to these straits. This argument seemed unanswerable. The duke smiled, and acquiesced, but he immediately after left Paris in a very ill humour with the English, though the moment had not yet arrived in which he could safely and profitably break with them.

In Orleans the patriotic citizens now felt the sharp pangs of hunger. In Chinon, where the court was residing, the greatest consternation prevailed; many of the lords withdrew; and if Charles himself did not flee into Auvergne, or the more distant province of Provence or Languedoc, as he seriously proposed, it was owing to the counsels of his ill-treated but magnanimous wife, Mary of Anjou, and the stormy opposition of the brave Bastard of Orleans. One day in the end of February, shortly after the battle of Rouvrai, when Charles's affairs were at the lowest ebb, there came messengers from the town of Fierbois, about five leagues from Chinon, to tell him that the deliverer of France was at hand, and only waited at Fierbois for permission to be admitted into his presence. This deliverer was neither prince, warrior, nor statesman; it was a poor country girl—Joan of Arc. It would be marvellous, indeed, if the story of a miraculous interposition and a succession of miracles were not embarrassed with much doubt and confusion. We may, however, safely assume the following positions, which have been held by most modern historians:—1. That there was no supernatural agency in the case, though Joan thoroughly believed that there was. 2. That her heated imagination, acted upon by the miseries of France, by current superstitions, and aided by a peculiar temperament of body, raised the visions she saw and the voices she heard. 3. That her object was pure and glorious, entitling her in all ages to the name of a patriot and liberator. 4. That there was no previous coalition between Joan and King Charles, or between her and any of the king's friends, though some of the latter wisely determined to make the most of a delusion in which they themselves never believed.*

* Monstrelet says, without hesitation, that the whole thing was got up,—that she was instructed how to act, and sent to the king by Sir Robert de Baudricourt, the governor of Vaucouleurs. Du Hallan, who wrote his History of France, from the time of Pharamond to the end of the reign of Charles VII., in the course of the following century, and who was a friend of Charles IX., Henry III., and Henry IV., and historiographer of France, takes the same view of the case. His language is more forcible than polite:—"Car les uns disent que ceste Jeanne estoit la g—e de Jean Bastard d'Orleans, les autres du sieur de Baudricourt, les autres de Pathon; lesquels estant fins et advisez, et voyant le roy si estonné qu'il ne sçavoit plus que faire n'y que dire, et le peuple pour les continuelles guerres tant abattu, qu'il ne pouvoit relever son cour ni son esperance, s'avisèrent de se servir d'un miracle composé d'une fausse religion, qui est la chose du monde qui plus eleve et anime les cœurs, et qui plus fait croire aux hommes, mesmement aux simples, ce qui n'est pas." He goes on to assert, that the Bastard of Orleans and some other lords about the court instructed Joan as to all she was to do and

On first receiving the strange message from Fierbois, Charles burst into a fit of laughter. He, however, consented that the wonderful maiden should come to him at Chinon; and Joan arrived in man's attire, attended by two squires and four servants. But, in the interval, the people about Charles had forced some serious reflections upon him, and he refused to admit her into his presence. For three days consultations were held on the subject: some said that if he accepted such unusual aid, the English would instantly accuse him of putting faith in sorcery, and leaguings himself with the devil; others said, that it would be dishonourable to the noble kingdom of France, and productive of mockery, to send forth a peasant wench as their champion. Some maintained that the king ought not to trust himself in a personal interview with a mad woman; but others thought that it would be well to hear what she could say concerning her miraculous mission, and to send trusty messengers into the district she came from, in order to ascertain the particulars of her history and previous conduct. All this time, Joan was lodged in the town of Chinon, where her strict morality and fervent devotion greatly edified the people, and made some impression even upon the immoral court. This maiden, said the burghers, can have no dealings with the devil, though she be dressed like a soldier, for she is ever in the churches at the foot of the altar, adoring the saints or hearing masses. Her story, at the same time, spread far and wide; and, strange as was the narrative, there was little in it very startling to the common people in a credulous age; and there were six witnesses at Chinon to corroborate parts of it. Joan, who was then in her twentieth year, was a native of a wild and hilly district in Lorraine, on the borders of Champagne; she was born in the little hamlet of Domremy, about three leagues south of the town of Vaucouleurs. Her parents were poor peasants; and, from her earliest days, she shared in their rustic labours, receiving no other education than lessons of simple piety. The whole district was remarkable for the simplicity of manners and the devotion of the people; but not less so for superstition and the prevalent belief in visions and supernatural appearances. The curse of faction had extended even to that remote spot. Domremy was Armagnac; but the next village was Bourguignon; and the children of the two places, scarcely more silly than their elders, used to fight and pelt each other with stones for the sake of these names. As Joan grew up from infancy, she was famed all over the canton for her great piety, and passing much of her time among the hills, tending flocks and herds; she there mused in solitude over the wondrous legends of saints and virgin martyrs. The passing traveller frequently brought news of the cruel war that was say when admitted to the king's presence. The French, who seem incapable of separating her fanaticism and insanity from her patriotism, or conceiving that she could be the dupe of her own heated imagination, have generally been rather ungrateful to Joan. Voltaire's clever but indecent burlesque of the 'Pucelle,' is but too well known.

desolating the fertile plains of France; and occasionally the quiet marches of Lorraine witnessed the destructive progress of hostile bands. From her infancy, Joan had listened to these tales of horror, and the miseries of the land became mixed with her dreams of heaven. When she approached the age of womanhood, several singularities, both moral and physical, were observed in her, and she began to talk of visions and voices from another world. At first she saw a great light, and heard a voice, which merely told her to be wise and virtuous, and go frequently to mass. At this first warning, as she said afterwards, she took the vow of perpetual chastity. Then she saw the bright light again, and heard the voice, but the light at this time displayed angelic figures with wings on their shoulders; and one of these bright essences told her to go and succour the dauphin of France. There was an old prophecy in the country, that France, after being ruined by a wicked woman, should be restored by a spotless virgin: it was easy to fix the character of the destroyer on Queen Isabella—Joan thought herself called to be the virgin deliverer. She represented, however, to the voices that she was but a lowly maiden, not knowing how to ride a war-horse or to conduct men of war; but the great voice who made himself known to her as St. Michael, assured her that faith and aid would be lent to her for that great end, and that she would be assisted by St. Catherine and St. Margaret, telling her to remember the piteous wrongs of France,—to be wise and virtuous, and that all would go well. When her imagination reached this point, the two female saints appeared to her in the midst of the great light; she saw their heads crowned with glittering jewels,—she heard their voices, mild, and modest, and sweeter than music. The visions returned, but less frequently than the invisible voices, which she was very apt to hear when the bells of the church were ringing. When the voices had ceased, or the visions had departed, she was often found weeping, for that the angels of Paradise had not carried her away with them. For a long time, her parents had little faith in her visions, and they wished to cure her of them, by giving her a husband; but all proposals of this kind Joan rejected with horror. On a certain day, a troop of Bourguignons drove all the good people from Domremy, and burnt their church. Joan with her family took refuge for a short time in a humble inn in the town of Neufchâteau, where she heard many more relations of the sad events that were passing in France. From this time her visions became more frequent; she said that her voices told her that she was the veritable virgin of the prophecy, and that she must go and conduct the dauphin—for so according to her account Charles was to be called until he was crowned—to Rheims. The voices had already instructed her to proceed, in the first instance, to the Sire de Baudricourt, commander at Vaucouleurs, who would provide her with the means of travelling to Charles beyond

the Loire; and, in the summer of 1428, she resolved to go to that governor. Her honest father would as soon have seen her thrown into the Meuse, as travelling the country among wicked men-at-arms and camp-followers; but she had made a convert of one of her uncles, and in his company she travelled to Vaucouleurs. Baudricourt took her for one crazed, or for a vagabond impostor, and at first refused to see her, saying that she ought to be sent back to her father, in order to be well whipped. Joan, however, was not easily repulsed; and as the object of her coming made a great noise all over the country, the governor was in a manner obliged to grant her an audience. She told the worthy knight that she was sent to him by her Lord. "And who is your Lord?" said the governor. "The King of Heaven," replied Joan. This confirmed Baudricourt in his opinion that she was crazed, and he dismissed her with very little ceremony. The Maid remained with her uncle, who was a cartwright, in the town of Vaucouleurs; and still the fame of her sanctity grew and spread, for she passed whole days in the churches,—she fasted with great austerity,—her life was spotless; and still she continued to assert that her voices urged her night and day to go and succour the noble dauphin, and conduct him to Rheims, there to be crowned and consecrated. At length, Baudricourt confronted her with a priest well armed with stole, crucifix, and holy-water; and this clerk adjured her, if she were an evil spirit, to depart from them. Joan crawled on her knees to embrace the cross—a sure sign, according to the theory of those times, that she was no witch or sorceress. A short time after this, John of Nouvelourpont, surnamed De Metz, a gentleman of the neighbourhood, met her, and said it was time to think of seeing the king driven out of France, and of becoming every man an Englishman. Joan answered, in a tone of inspiration, that since the Sire of Baudricourt would not give ear unto her, she must make the journey to Charles on foot, even though she wore her legs down to her knees on the road; for, she added, it is neither kings nor dukes, nor yet the daughter of the King of Scotland, that can raise up this suffering France. "There is no help but in me. My voices have said it. And yet, in sooth, would I rather stay at home and spin at my mother's side; for this is not work that I have been used to; but I must go, and I must do, since my Lord so wills it." "Who is your Lord?" asked De Metz. "He is God!" answered Joan. De Metz was converted by her enthusiasm, and so was his friend Bertrand de Poulengi: the townspeople had been believers long before. There were some other portents and signs given by Joan, and nearly all Lorraine believed that she was deputed by Heaven; but Baudricourt, even to the last, seems to have doubted of her sanctity, and to have yielded rather to the voice of the public than to that of his own conscience or conviction. Things, however, were at that desperate state which makes men catch at straws. He gave permission to John

of Metz and Bertrand of Poulengi to conduct her to Charles. The people of Vaucouleurs eagerly furnished Joan with everything she wished. The Voices had long before told the maiden to put on man's attire; and this she now did, and put spurs to her heels. They bought her a horse, and Baudricourt gave her a sword. When everything was ready for her departure, the governor received the oaths of the two squires, that they would faithfully conduct her to the king. Then Joan mounted her horse, and rode away, followed by the squires and four servants mounted. The good people of Vaucouleurs were deeply affected; the governor merely said, "Go on, come of it what may."

It was on the 15th of February, when the Maid began her long and dangerous march through a country almost entirely occupied by the English or by the Bourguignons, and many were the perils she encountered. The servants, weary and vexed, had some misgivings as to the holiness of her mission; they fancied that, after all, she might be a sorceress; and more than once they thought of throwing her over a precipice. But she got safely to Chinon, as we have seen; and the accomplishment of such a journey seemed in itself a miracle. After three days of doubt, Charles consented to receive her; for messages had been brought from Orleans, imploring, for the last time, that he would aid his faithful city, and he saw no earthly means at hand. In this first interview, unabashed by the sneers of the court, Joan spoke with firmness, and in a tone which sounded very like prophecy, even to many incredulous ears. "Gentle dauphin," said she, "I am Joan the Maid. I come with a commission from the King of Heaven, to drive out your enemies, and conduct you to Rheims, where you shall receive the crown of France, which is your right." Charles took her aside, and spoke with her for a considerable time, in an under-tone of voice; and when she departed from him he felt or feigned a conviction that it had pleased Providence to place the fate of France in the hands of that peasant girl. And from this moment it is clear that efforts were made, not only to spread her fame, but to add, by ingenious inventions, to the marvellousness of her whole story. Here lay the tricky part of the business; but it scarcely needed, for popular credulity might now be safely left to its own imaginings. Still, however, Charles or his ministers hesitated ere they would commit themselves by proclaiming that Joan was to be their deliverer. Had they been but half as cautious in secular matters, it is probable that they would never have reduced France to such a state as to stand in need of such a miracle. In order to ascertain that there was no magic or sorcery in the case (for the least credulous seemed to have entertained a dread of this kind from the beginning), they delivered Joan over to a commission of priests, among whom were some who boasted that they could detect the devil under any disguise. These seekers found no diabolical indications. But Tremoille and the chancellor had still some doubts.

Charles, therefore, went from Chinon to Poitiers, where his parliament was assembled, and where there was besides a learned university. The king ordered that the Maid should be conveyed thither. Joan was growing weary of these long processes, and she had some dread of the doctors' bonnets; but, saying that she trusted in God to give her speech to convince the doctors, she went willingly to Poitiers. The monomania of this wonderful creature was free from all extraneous extravagance; she never varied in her story; she spoke with a natural eloquence and (admitting only her premises) with much good sense. One of the learned doctors, Friar Seguin, who interrogated her more harshly than the rest, and who had a gruff voice, provoked her to a repartee rather witty than sanctimonious. "What language do your Voices speak?" demanded the friar. "A pleasanter one than yours," said the Maid. She had an excellent notion of what was meant by heavenly assistance. "But," said one of the doctors, "if God wishes and intends to deliver France from her enemies, where is the use of our fighting?" "Let us fight," said Joan; "the help will come while we are fighting." They then asked her to give them some signs of her miraculous mission. "Not here," said Joan; "Poitiers is not the place: but send me to Orleans with as small a number of men-at-arms as you will, and I will give you a sure sign;—the sign that I am to give is the raising of the siege of Orleans." When her examiners brought down their ponderous learning upon her, she said that she was an unlettered peasant,—that she knew not the difference between letter A and letter B,—but this she *did* know, God had sent her to raise the siege of Orleans, and to conduct the dauphin to Rheims. The doctors of both faculties were convinced or silenced. Then the bishops of the south of France were consulted; and Jacques Gelu, Archbishop of Embrun, composed a very learned tractate to prove by quotations from Scripture that God might still interfere directly in the affairs of kingdoms,—that there was nothing wicked in Joan's wearing the culotte and the whole garb of a man, though it was contrary to a law in Deuteronomy, provided such things were pre-ordained, and necessary to the end in view,—that it was not wonderful, when miracles had been wrought by means of beasts (witness Balaam's ass), that they should be wrought by a virgin, albeit of lowly condition. Indeed, he said, that God had very frequently intrusted his secrets to virgins in preference to other conditions of mankind;—and here the erudite archbishop, as proofs, placed in curious juxtaposition the Virgin Mary and the Sibyls. It appears that it was well known in those days that a virgin could have no connexion with the devil: and a last and delicate proof was intrusted by Charles to the matronly inspection of his queen's mother and Madame Gaucourt. The report of the doctors to the council of state was, that they had neither seen, known, or discovered any particular in that virgin that was not conformable with

the character of a good Christian and true Catholic. When bishops, doctors, lawyers, ladies, had all made their inquiries, the soldiers would see how the Maid could sit a horse and wield a lance. Here Joan's early occupations, and the address they had given, stood her in good stead. They mounted her upon a charger, and she kept a firm seat; they put a lance into her hand, and she showed that she had a vigorous grasp and a good eye. Here, however, some little instruction was necessary, and this it appears was given to her.

As the English pressed the siege, and the people of Orleans still implored for aid, and requested that the miraculous maiden might be sent to them, it was at last resolved to give entire faith to her mission, and adopt Joan as the forlorn hope of France. They gave her the rank and the proper staff of a general officer. John Daulon, a brave and experienced knight, who had long served the king, was placed near her person as her esquire; two pages and two heralds were added; and a chosen squadron of horse was placed under her immediate orders. They caused to be made a complete suit of new armour to fit her person; her sword was an ancient blade bearing the mark of five crosses, which she was said to have miraculously discovered in the church of St. Catherine at Fierbois. Her standard, which was made to her order, was white, dotted with *feurs-de-lis*; on one side was figured the Almighty, on the other side were inscribed the words *Jhesus Maria*. She gave another standard to her chaplain, who was to bear it aloft at the head of a body of priests, which at her request was to follow her in all her military operations. Her charger was a snow-white steed; and when Joan first showed herself, mounted upon it, in her bright, new armour, and with her banner spread before her, the people could not sufficiently admire her noble and martial appearance. Some said that she was a lively image of St. George in the act of slaying the dragon; but these men had gone prepared for a marvellous sight, and their excited imaginations were not likely to suffer their expectations to be disappointed. By this time the army of Charles was greatly reinforced; men flocked from all parts to have sight of the inspired maiden; and a new enthusiasm, half patriotic, half religious, was awakened by the sight of Joan, and the reports of her holy living and apostolic deeds. The Maid, indeed, set a bold and uncompromising face against the prevailing dissoluteness of manners; she drove away all the camp-followers, she made the men-at-arms confess their sins and take the sacrament, and she would not allow a soldier to follow her that had not performed these religious duties. The profane language of the camp sorely distressed her virgin modesty; she tried to check it, and met with partial success; but Saintrailles, though a mirror of knighthood, continued to shock her ears occasionally.

A great convoy of provisions was got together at Blois, and thither repaired, with the determination of escorting it to Orleans, Saintrailles, Gaucourt,

the Marshal of Boussac, the Sire de Raiz, La Hire, Ambroise de Lorré, and the Admiral de Culant. Joan of Arc joined these renowned men of war in the month of April, and insisted that they should shape their manœuvres according to the inspirations which she had received, or which she might receive, from her voices. The captains, however, thought that a little military precaution would not be amiss; and, while they pretended to obey her, they had recourse to their own science and experience. In truth, their forces were now so considerable that some of them thought that they might do without the Maid, ungratefully forgetting that but for her they would not have had such forces or so renovated a spirit in the people. Joan said that her voices ordered her to march straight on from Blois by the right bank of the Loire; but the chiefs, who knew that the English troops were more numerous and better posted on that side, deceived the Maid, passed the troops over to the left bank, and got ready a convoy of boats to carry the provisions; and while Joan and the miraculous part of the expedition made way by water, they were flanked by an immense body of horse that kept close to the river. As they approached Orleans the garrison sallied out from several of their gates, and fell upon the besiegers with unusual vigour, shouting "The Maid! the Maid is come!"—words already of terror and dismay to the ears of English soldiers. Favoured by this diversion, Joan, with the provisions and a powerful reinforcement, got into the town a little after night-fall, and Orleans was saved. The starving people received her as an angel from heaven. After being conducted in triumph to the principal church, where *Te Deum* was sung, Joan was lodged in the house of the most virtuous matron of the place. She declined accepting a splendid banquet that was prepared for her, and supped humbly upon some slices of bread dipped in wine.

The English camp was now as sad as the city of Orleans was joyous: the soldiers had borne the risks and privations of a long siege without murmuring, but their bold hearts were not proof against the terrors of superstition. For two months they had heard of nothing but the miraculous Maid; they knew that she had caused a letter to be written to their chiefs, telling them that she was coming commissioned by heaven to drive them out of France; and she had come at last, and by provisioning Orleans, had already performed one of her miracles. It was in vain that the Earl of Suffolk and the other captains tried to check this dependency; in vain that they represented the whole affair as a miserable juggle got up by their enemies,—in vain spoke of the disgrace the dauphin and his people incurred in setting up a low-born woman as their champion:—when the best of their knights had been beaten in every battle, could the fools hope to turn the fortune of war, and overcome English valour by means of a cow-driving girl? These and the like arguments

had no effect; but it was otherwise with another assertion they made. They said that Joan was not an envoy from heaven, but from hell,—that she was a foul sorceress, working by spell and witchcraft. This had a very bad effect, for it agreed with their notions of things; and the men said, that, as brave soldiers, they would fight any earthly enemy, but that they were unequal to a contest with the powers of darkness. The consequence was inevitable; they began to see strange sights in the clouds; the sentinels were startled at night by strange sounds; some saw figures on horseback galloping through the air; others were quite sure that the moon and the stars were getting out of order. By degrees, the panic spread to every breast, not excepting, probably, many of their chiefs. But, at the same time, there were other material causes working on the side of this supernatural dread. Flemings, Burgundians, Picards, nearly all the people of Duke Philip had stolen away from the siege; when the lines were once broken or overawed, continual reinforcements poured into the town until there were many more fighting men within it than without. An army constantly recruited lay at Blois; boats with armed bands ascended and descended the river; and flying columns of horse scoured both the banks. The English, receiving no succour, must evidently from besiegers become besieged; and this soon took place. The Maid of Orleans—for such was the title now given to Joan—would have sallied in full force the very day after her arrival, to fall pell-mell on all their positions; but this was opposed by the Bastard of Orleans, who had always more reliance on his own military sagacity than faith in Joan's miraculous powers. A large reinforcement was expected from Blois; and the garrisons of all the places which held for King Charles received orders to march out, to unite their forces, and to fall upon the English lines. The Bastard and the Sire Daulon undertook to go to Blois to hasten the march of the forces assembled there. On the following day, Joan, with La Hire, and a good part of the garrison rode out of Orleans to escort them on the road to Blois. The bewildered English let them pass; indeed, they no longer attacked anything, but remained in their wooden towers or bastilles, to the foot of which French skirmishers from the city now advanced from time to time. In this manner the Maid was permitted to re-enter Orleans as freely as if there had been no siege. She had already caused to be written, in her name, a strange letter to the enemy, and now she determined to address them by word of mouth. Mounting on the wall opposite to the tower at the end of the bridge which was occupied by the English, she raised her voice like a prophet of old, and bade them all begone out of France, or woe and shame would befall them. Sir William Gladesdale, who commanded in the tower, replied with words of abuse, calling her a leman, and the French miscreants, to follow such a base leader, and telling her to go back and take care of her cows. Upon

this, it is said that she told Gladesdale that he would surely die there; but the prophecy was probably made for her after the event. Within the town Joan was still revered as an angel from heaven—at least by the common people—and her conduct was calculated to preserve and strengthen this feeling. She was still constantly at mass and prayer; she rarely spoke without an allusion to the Virgin Mother and the heavenly voices that guided and inspired her. She took extreme pains to check the immoralities and indecencies of the town and army; and certes, says one of her chroniclers, there was much to do in this way. At times, she paraded through the city mounted on her white charger, preceded by the sacred banner, and followed by her chaplain and a long line of priests bearing crosses and relics. The poor people who came trooping in from all the country round about crowded upon her path; and when they could not have the supreme felicity of touching her hand, or knee, or foot, they were happy at being able to touch the horse she rode on.

All warlike operations were wisely suspended until the return of the Bastard, who, in a few days, was seen marching along the right bank of the Loire with a complete army. At this welcome sight Joan made a *sortie* with a great part of the garrison to meet him, and make his way more easy. The English remained motionless in their bastilles, and let her pass. Some of the men cried "There goes the witch;" but others began to think that, after all, her marvellous power might be from above. This was by far the worse horn of the dilemma. The Bastard's reinforcement entered Orleans preceded by Joan and the priests. The Maid was told that Sir John Fastolf was again on his way to Orleans with troops and provisions for the besiegers. "Bastard," said the Maid, "in God's name let me know when he cometh, that I may deal with him." The Bastard assured her that she should receive timely notice. "If I do not," said Joan, "and if this Fastolf pass without my knowing it, I will cut off your head." She was irritated by seeing that measures were adopted on military principles without, or contrary to, her advice; and she probably knew, that though he spoke her fair before her face, the Bastard, when alone with his friends, laughed at her and her mission. On the same day, Joan, who had lain down to rest, suddenly awoke, sprung from her bed, and called for her arms. Her voices, she said, told her to go out and fight the English, but whether they meant the reinforcements under Fastolf, or the English in the bastilles, she knew not. She took her banner in her own hand, and rode to one of the gates. Here she saw a wounded man brought in. "Ha!" she exclaimed, "I can never see the blood of a Frenchman without my hair standing on end." Here also she learnt that an irregular *sortie* had been made, and that the French had been repulsed in an attack on one of the bastilles. She instantly resolved to head a fresh attack in person; and, as the moment was

favourable, the Bastard hurried to join her in force. The Maid led the assault with the intrepidity of a veteran; the French followed her with enthusiasm; and, after a desperate fight of three hours, the bastille of Saint-Loup was carried. No quarter was given; but Joan tenderly regretted that so many English should perish without confession and absolution. On the next day there was no fighting, because it was the festival of the Assumption of the Blessed Virgin; but Joan caused another letter to be thrown into the English lines, and stood on the ramparts to hear what they would say to it. They called her so many foul names, that she wept with shame and vexation; but she presently said, that her invisible voices spoke comfort to her ear, and brought her news from heaven. She proclaimed through the city that no soldier should dare follow her to the field on the morrow that had not previously confessed his sins; and to set a good example, she took the sacrament in public. The plan now adopted proceeded, however, not from her miraculous inspiration, but from a council of war. It was resolved to make a feigned attack on the right bank; and while the English were gathering on that side, to fall suddenly upon the bastilles on the left bank. Although this combined movement was awkwardly executed, Joan crossed the river, took one of the bastilles by assault, and passed the night on the left bank. On the following day she had a furious quarrel with Gaucourt, the governor of Orleans, and other great captains, who still wished to proceed cautiously, while Joan insisted, that, without caring for the right bank, the whole might of the French should be poured out on the left to reduce the formidable position of the Tournelles. Gaucourt would have opposed her will by open force, but the people of the town and the common soldiers, who were all for the Maid, rose against him, menacing him and his friends with death. Joan, therefore, had her way; and while she fell upon the Tournelles from the land-side with an overwhelming force, the citizens attacked from the side of the river in boats and on the bridge, which they had repaired with planks and trunks of trees. The grand assault commenced two hours before noon; but notwithstanding their superstitious fears, the English fought most bravely, and repulsed their countless assailants. Another assault was made; but again the French were slaughtered in the breach, or hurled from the wall. The fire of their guns, and still more the flight of the English arrows, several times cleared both bank and bridge. About two hours after noon, when the French seemed quite disheartened, Joan herself planted a scaling ladder, and mounted the wall: she was struck by an arrow in the neck, and fell as if dead into the ditch. The difference of half an inch would have made all the difference between victory and defeat; the arrow wound was not mortal, and Joan was drawn out of the ditch by a valiant knight, and carried to the rear. While they were drawing out the arrow, she yielded to the weakness

of her sex, and shrieked and wept; but when the first anguish was assuaged, she fell into earnest prayer, and then she heard over all the din of battle those voices that were sweeter than music. The English, who believed her dead, were confounded at seeing her presenting herself again at the edge of the ditch, urging on the French to the assault. They now felt assured that she was more than mortal; and as the superstitious panic spread, some of the men fancied they saw St. Michael the arch-angel, the patron saint of the city of Orleans, riding on a white horse, and fighting for the French. But what, perhaps, was even worse than this, in a military point of view, was, the notable circumstance that they had used nearly all the gunpowder and arrows they had with them in the fort. Thus reduced to comparative inaction, the English were assaulted from the bank and from the bridge, at the same moment. After defending the post like lions, Sir William Gladesdale and all his knights were slain. Then the French became masters of the tottering walls of the Tournelles, which were heaped within and without with piles of dead bodies. Scarcely an Englishman of any condition whatever escaped, but for every one that fell, there had fallen at least ten Frenchmen; so that Joan's miracle was not achieved without cost. That evening she entered the city in triumph by the bridge which had been for so many months a closed passage. That night a council of war was held in the English camp; and the Earl of Suffolk, Talbot, and the other captains, agreed that the siege should be raised. They were, however, most anxious to preserve the high military reputation of their country which had been won in so many fields; and, as morning dawned, they left their towers and entrenchments, and drew out in open array, hoping to tempt the triumphant army within Orleans to come forth and give them battle. Inferior as they were in numbers, they were quite ready to face Joan—whether harlot, witch, or prophetess—if she would meet them on a fair field. Joan was willing enough to gratify them in this respect, but she was suffering from her wounds, and had no intimation from her celestial voices. After waiting for some time, the English burnt or blew up their works, and marched on the road to Paris, retiring in perfect order with their colours proudly flying. Thus was raised the memorable siege of Orleans, on the 8th of May, 1429.*

Suffolk did not retreat far. Leaving the Paris road, he threw his men into different castles in the neighbourhood of the Loire, and then, trusting to the arrival of reinforcements from the Duke of Bedford, he shut himself up in Jargeau, only a few miles from Orleans. But he was attacked sooner than he expected. As soon as the siege was raised, Joan went from Orleans to meet King Charles, who, as usual, had kept himself aloof from danger. She was received with great honour by the court; and the courtiers proposed

* Hist. de la Pucelle.—Monstrelet.—Villaret.—Barante.

to regale her with feasts and entertainments. But Joan told them, that it was no season for piping and dancing,—that there was much work to do,—and that she had but a short time upon earth to do it. It is said that she predicted that she would die within a year. She did what she could to persuade Charles to set out instantly for Rheims, without caring for the English and the Bourguignons that lay between him and that city of coronations.

Charles did not immediately adopt this advice; but he was induced to put on his armour, and to show himself to his people as an active soldier for the first time in his life. He collected all his forces on the right bank of the Loire. Within four weeks, the white banner of the Maid was unfurled before Jargeau, and in ten days it was planted on the tower of that fortress. In this affair the Earl of Suffolk was made prisoner, and Joan had another narrow escape; for, as she mounted to the assault, she was struck on the head, and precipitated into the ditch. The Lord Talbot drew out the troops from the castles and garrisons in which they had been placed by Suffolk, and continued the retreat towards Paris. After taking possession of the places thus vacated, the French pursued him. Being met by a reinforcement of four thousand men, Talbot halted at Patay, but the French also were reinforced from every side, and even the disgraced Constable, the Count Richemont, marched with an army of Bretons to join the king, against whom he had so recently waged war. Charles remembered how the count had murdered his favourites; and Tremoille was still with the king, and the chief director of his council. So violent was the feeling against Richemont, that the king at first refused to receive him, and even sent him word, that if he approached, he would cause him and his troops to be attacked as though they were English. There were, however, many prudent men in the royal camp, who thought that past grievances ought to be forgotten; and most of the knights and esquires began to say that they would much rather follow an approved warrior like the count than all the maids in the world. It was therefore decided, in spite of the king and Tremoille, that the Constable should be welcome. There had been a whisper that Joan had undertaken to attack him in the name of Charles. When they met, the Constable said to her, "Joan, they say you wish to fight me; I am ignorant whether you are from God or not; if you are from God, I fear you not—if you are from the devil, I fear you still less." These words made a great impression—for it was known that Richemont had a keen eye in matters of witchcraft, and that he had burnt a great many witches in Brittany.

With all their forces and their recent successes, the majority of the French captains were still rather unwilling to risk a pitched battle with the English in the open field; they were awed by the great skill of the enemy in disposing their troops

in such encounters, and by the recollection of Azincourt, Crevant, and Verneuill. "We had better wait," said they, "for more horse." "Have you good spurs?" said Joan;—"ride on, in the name of the Lord, and conquer! The English are delivered over into my hands—you have but to smite them." And it was owing to the absolute will of the Maid, and the confidence the common men had in her, that the French were induced to fight the battle of Patay. Sir John Fastolf, who had brought up the reinforcements, was of opinion that the English ought to decline the battle, and retreat to some strong fortresses in their rear; and this, because, as he well remarked, the men were disheartened by the recent occurrences at Orleans, and had not yet recovered from their superstitious fears. But Talbot thought it would be ridiculous and disgraceful to turn their backs upon the French, whom they had so constantly seen flying before them. The country about Patay was level and open, with nothing but a village, or a young wood, scattered here and there. Talbot, when aware that the French were approaching, made a movement, in order to derive advantage from a village and some thick hedges; but he was too late, and before he could gain the position his skilful eye had chosen, the van of the French army, led on by La Hire and Saintrailles, charged into the midst of his moving columns, allowing them no time to form. The archers could not even fix their stakes, and they were disordered and mixed up with the enemy's horse, before they could bend their bows. The main body of the French closely followed the van; and when they saw that it was not repulsed, and that the English were in such a disorder as they had never seen them in before, they also charged with great spirit and confidence. The division under Sir John Fastolf turned and retreated without fighting. Those that remained with Talbot could never recover themselves or form with any effect. The archers were slaughtered in heaps; the horsemen spurred from the field, seeking safety in flight. The brave Talbot, who scorned such an expedient, was made prisoner, and with him were taken Lords Scales, Hungerford, and many other noble captains. Twelve hundred English remained dead on the field. The Regent, in his first rage at what he unjustly deemed the cowardice of Fastolf, deprived that captain of the honour of the garter; but Fastolf pleaded that it would have been a sure seeking of disgrace and destruction to lead men so utterly dispirited and panic-stricken as his were into battle, and that this conviction, and no other motive, was the cause of his sounding a timely retreat. The veteran was believed, as he well deserved to be, and the garter was restored to him. The French were intoxicated with their unwonted success, and as proud of the battle of Patay as if they had gained it with an inferior force. They could not conceal their exultation from their noble captives. "Well, Talbot," said the Duke d'Alençon, "you did not expect this, this morn-

ing." "It is the fortune of war," said the English veteran, without any emotion.*

Immediately after the battle, the Maid of Orleans rode to the king, who, though he had taken the field, still kept his precious person far from the scenes of actual warfare. She now insisted on his undertaking the journey to Rheims; for, putting aside the influence on the public mind which such a march would produce, Joan had no idea of a king, unless he were anointed and crowned in the proper place. Charles still hesitated, and many of the persons about him found good reasons for delaying the journey. It would be wiser, they said, to make sure of the ground they had gained, and reduce several strong fortresses on the right bank of the Loire which the English still held. They represented that the wide tract of country which lay between them and Rheims was almost entirely in obedience to the King of England or the Duke of Burgundy, and that such an expedition would be full of danger and difficulty. The Maid reproved them for their lack of faith: she told them that the relieving of Orleans was not an easy task; that Orleans had been relieved; that none of them expected to take the Earl of Suffolk, and yet Suffolk was their prisoner; that they had been afraid of fighting the battle of Patay, and yet that battle had been won; and, finally, she repeated her old assurances that she was guided by heavenly counsels, and that the powers entrusted to her knew no limits, as they were the powers of heaven. Seeing that no reinforcements arrived from England, and that Bedford was beginning to concentrate near Paris all the army that remained to him, Charles took heart, and resolved to follow the Maid to Rheims. Joan laboured hard to perfect the reconciliation with the Count of Richemont, the Constable, who wished to be of the journey; but the king and the favourite, La Tremoille, were still implacable; and the Constable received orders not to attend. The king even said that he would rather not be crowned at all than see Richemont at his coronation. Many other noble knights were dismissed by La Tremoille, whose greatest fear at this critical moment was, that a cabal might be formed against him to drive him from his post of chief minister and favourite. He refused the services of many of the poorer sort who kept flocking to the royal standard because he had no money to pay them. In spite, however, of these reductions, Charles set out on his flying expedition with a considerable force, composed entirely of horse. La Hire and Saintrailles led the van; the rear was formed of provincial gentlemen of no great name, but who were good patriots, and of respectable burghers from the cities of the south, who all rode their own small horses, and brought their own provisions. The important town of Auxerre made a submissive treaty. From Auxerre Charles marched to Troyes, in the hope that the weak garrison of five or six hundred Bourguignons would surrender to his army of eight or

nine hundred men. But the Bourguignons shut the gates of Troyes, and bade him defiance. Charles was not provided with artillery, and his troops were not inclined to make an assault by scaling the walls. For five days he lay before the town doing nothing. During this time, most of his troops suffered cruelly from want of provisions; and the ill humour which arose had well-nigh proved fatal, not only to the expedition, but also to the Maid of Orleans, whom the men began to apostrophise as a foul impostor. Even many of the captains advised Charles to return, and the Archbishop of Rheims, who had never thought much of Joan's supernatural mission, now openly expressed his doubts and misgivings. The Maid was summoned almost like a criminal to the bar to give an account of herself to the royal council; but her earnest eloquence again relieved her from all dangerous suspicions, and she made the leaders of the army agree to storm the walls as best they could. On the sixth day they began to fill the ditch with bags of earth and fagots, and to prepare scaling ladders; but the citizens of Troyes were lukewarm in the cause of the Duke of Burgundy, the garrison was weak, and the priests of the town were numerous, influential, and inclined to the cause of the king. Chiefly by means of a certain Friar Richard, a powerful preacher, negotiations were opened with the besiegers, and Troyes was quietly surrendered to Charles, who agreed to let the garrison depart with all the honours of war. When Joan was about to enter the town, she was met by Brother Richard, who rapidly made many signs of the cross, and sprinkled holy water on the threshold of the gate; for the friar was not quite certain that she might not be an evil spirit, and the good people were sorely afraid of her. But as the Maid stood this proof, she was instantly proclaimed as an angel. Friar Richard then attached himself to the king's service, and induced, by his eloquent preaching, the people of several towns to declare for Charles, and drive out their Bourguignon garrisons. From Troyes, Charles marched to Rheims, where the people, greatly alarmed at all they heard of the miraculous Maid, rose in his favour, expelled all the officers and friends of Bedford and Burgundy, and threw open their gates at his approach. On the 15th of July, 1429, escorted by Joan and a host of priests, Charles made his solemn entrance into Rheims; and, two days after, he was anointed and crowned in the cathedral church. Next to himself, the most conspicuous figure in this ceremony was Joan of Arc, who stood close by his side, bearing aloft her white standard. When the king was crowned, she threw herself at his feet in tears, and all present wept when they heard the words she uttered:—"Gentle king, now is accomplished the will of God, who would have you come hither to Rheims, to receive your consecration, and show you that you are the true king, to whom the kingdom of France rightly belongs." Not one of the peers of France was present at this coronation; but the

* Monstrelet.—Mémoires de Richemont.—Villaret.—Stow.

spontaneous joy and enthusiasm of the people gave to it the character of a national celebration.*

Joan had caused a letter to be written to the Duke of Burgundy a few weeks before, requesting or commanding him to attend the coronation of his lawful sovereign; and on the day after that ceremony, she again addressed Philip, with the full consent of Charles's ministers, who knew the differences and jealousies that existed between the Duke and Bedford, and who hoped that he might be detached from the English alliance. Joan's letter, like all those written in her name, began with the words, "Jhesus Maria," written under a cross. On the part of the King of Heaven, she required the duke to make peace, and live in friendship with the King of France: she told him that it was monstrous in him to make war against his cousin and liege lord, and to shed the blood of loyal and Christian Frenchmen; that if he loved war, there were the Turks whom he might go and fight. She added, in the name of the gentle king, that he, Charles, was ready and willing to be reconciled on any conditions, saving his honour, and that the peace and happiness of France depended entirely upon him, Duke Philip. The duke was probably not much affected by this letter, but many of his soldiers were uneasy at a prediction in it—that they would never gain another victory so long as they fought on the English side. Joan and Friar Richard gained more towns and fortresses for the king than several brave armies could have done in the same short space of time. Wherever Joan carried her white banner, the people saw swarms of beautiful white butterflies fluttering about it, and so they opened their gates to the miraculous visitant. The friar was scarcely less prevalent—sometimes winning a triad of towns by one eloquent discourse in the pulpit. It should be said, to the honour of both, that they strenuously inculcated lessons of religion and morality, representing to the lords as well as to the people, that it was the wickedness of the land that had brought down the judgment, and that the judgment was to be averted only by penitence and reformation.

Soon after his coronation, instead of being obliged to return to the Loire as he had expected, Charles was enabled to march from Champagne into the Isle of France. Town after town surrendered to him as he advanced. It was seldom that any attempt was made at resistance, and when there was any such attempt, instead of battering the walls with cannon, the friar assailed them with sermons, or the Maid showed her white banner, and that was generally enough to make the people rise upon their Burgundian garrisons and open the gates to Charles. Where, however, the garrison was composed of native English, matters were not quite so easily managed, for their ignorance of his language made them proof against the sermons of Friar Richard, and they still held the

Maid as a foul witch. At several places Joan narrowly escaped being made prisoner and burnt, for the men had made up their minds to treat her in the fashion in which witches were treated in all Christian countries whenever they should catch her. At the same time, notwithstanding the accomplishment of all her prophecies and the advantages they still gained through her, many of the French captains treated her with great coldness, and even with harshness, for they were weary of hearing every success attributed, not to them, the flower of the chivalry of France, but to the Maid of Orleans. Some foul attempts were made to commit her character for modesty and chastity, but these Joan defeated with the rage of a tigress. It appears clearly that she now kept the field against her inclination, and an inward conviction that she had done all that she had been appointed to do. Immediately after the coronation, she besought Charles to let her depart in peace, now that he was consecrated at Rheims and her mission fulfilled. She several times repeated the request with tears in her eyes, but Charles always found good arguments to detain her: he resolved not to part with the Maid as long as her name and presence could be of any use to him. When Joan was asked what she proposed to do with herself, she said that she would return to her native village,—to her father and mother, who longed to see her again,—and that there she would tend the flocks and herds as she had done before. This modesty—this absence of all worldly ambition—gained her fresh consideration, and touched the hearts of some who had been disposed to consider her as a lucky impostor hunting after wealth and honours. Her voices, however, made themselves less frequently heard, and as the operations became more complicated, they gave her contradictory suggestions, at least Joan frequently hesitated and varied in her opinions, which she had never done before.*

The Regent, Bedford, had done his best to prop the fast-falling dominion won by his great brother, but he was badly seconded by the government in England. He repeatedly represented to the council the great mischief doing through that "limb of the devil" (so he called Joan of Arc), and the straits to which he was reduced for want of money: he never spoke in despair of the cause, but, like a brave and confident man, full of hope and energy—like one never doubting of the justice of the cause, for in this respect the illusion endured to the last, and even survived defeat and disgrace. But in the English council there was perpetual discord and dissension, kept up chiefly by the jealousy and hatred which existed between the Regent's brother, the Duke of Gloucester, and his great uncle Cardinal Beaufort, Bishop of Winchester, who, after a short retirement, had resumed his post in the government. It was enough for one of these rivals to propose any measure to ensure the fierce opposition of the other; nor could they

* Monstrel. — Chron. de la Pucelle.—Documents: nd original MSS. quoted by Lebrun des Charmettes, and Laverdy.

agree even when the honour of their country was at stake. The enormous wealth of Beaufort, who, many years before this, was styled the "rich bishop," almost justifies a suspicion that there was a great peculation of the revenues of the state, and it was known that the cardinal, like old Odo, the brother of William the Conqueror, entertained the hope of raising himself to the popedom by means of his money. He had lent some large sums for the carrying on of the French war, but now he was not disposed to make fresh loans,* nor could Bedford procure money from the national exchequer, which was represented as poor and embarrassed, having enough to do to meet the expenses at home. As there was no raising of troops without money, Bedford got no reinforcements, and he was obliged to weaken his garrisons in Normandy in order to keep on foot a respectable force at Paris. Now, however, he received a small army, which Beaufort had raised by his own means, and for a very different purpose. The cry for religious reform which had been raised in England by Wycliffe was echoed in Bohemia and part of Germany, a few years after his death, by John Huss, an eloquent preacher, who formed a sect too powerful to be put down at once by the ordinary means of the gibbet, the block, and the fagot. The pope excommunicated them in a mass, and preached a crusade against them. All the Christian princes and people of Europe were invited to embark in this holy war, and the zealous Cardinal Beaufort got together two hundred and fifty men-at-arms, and about two thousand stout English archers, whom in spite of his years he determined to lead in person into Bohemia for the uprooting of heresy. But when the cardinal landed on the continent and saw the difficulties to which Bedford was reduced, he agreed, after some feigned hesitation, to join this force to the army of the Regent. About the same time some English knights collected a few retainers, and passed over into France, but their united number was very inconsiderable, and other adventurers were deterred by finding that the coffers of the Regent were empty. To fill them Bedford cast an eye on the rich possessions of the church of France.† It was but a glance, and seeing the difficulties, he did absolutely nothing except giving the alarm to a sensitive body. Hitherto he had had a strong party among the bishops and great abbots (the poor clergy were better patriots), but his friends now began to fall from his side, although at first secretly. The Duchess of Bedford, who was sister to the Duke of Burgundy, exerted her influence to reconcile her husband and brother. Duke Philip went to Paris, and had another long and friendly conference with the Regent: by mutual consent, the solemn treaties which bound them to one another were read in public, and so

* It appears, however, that the cardinal afterwards lent some money to Henry VI. to carry on the war in France. The cardinal had made a bargain, apparently before leaving England, with the council of government, who gave their bond for a thousand marks, and engaged to excuse him to the pope.

† Monstreil.

also was a circumstantial account of the atrocious murder of John Sans-peur on the bridge of Montereau. This was done to revive the horror men had felt; and it was asked what confidence could ever be placed in such manifold traitors as the murderers, who were still, almost to a man, with Charles "styling himself Dauphin." The character of Charles was not spared in the conversations of the English and their partisans; they declared him a coward and traitor, as guilty of the murder of Duke John at Tanneguy Duchâtel, and they renewed their old assertions, in which, at the least, there was great probability that he was not the son of the insane Charles VI., but of one of the infamous Isabella's many paramours. After a short visit, Duke Philip quitted Paris, leaving only a weak reinforcement of seven hundred men with the Regent; and very soon after, when Charles was approaching Paris, he received an embassy from him at Arras, and listened anew to overtures for a separate peace. He found, however, that he could not yet make a sufficiently advantageous bargain, and many of his most powerful adherents were not yet in a state of mind to tolerate a reconciliation with the detested Armagnacs. As is not uncommon, the personal animosities of the people remained in full vigour when their leaders, in policy, inclined to peace. Philip's plan now appears to have been to afford Bedford just such a degree of support as would prevent his being crushed (for he knew the danger of permitting Charles to be too triumphant while his terms were yet unsettled), and never to give him force sufficient to strike a decisive blow. The Regent could never collect more than ten thousand men; at times his army did not amount to half that number. The consequences of his weakening the garrisons in Normandy, and of Charles's advance to the same quarter, were inevitable. Insurrections broke out; great lords who had made separate treaties with the English took up arms for Charles; some towns overpowered their garrisons; others were taken by assault; and the banner of independence was planted in several important places on the Norman coast. Although very uncertain of the disposition of the populace of Paris, who in part were beginning to forget the horrors they had committed on the Armagnacs, and the spirit of vengeance which their butcheries had excited among the partisans of Charles, Bedford had been obliged to make more than one march into Normandy to provide for the security of that most important conquest. But the time was now come when he must face King Charles, whose forces made incursions to the very gates of Paris. As he advanced from the capital, the French retreated and fled so rapidly that there was no coming up with them. There was a great want of money on that side also, and Charles, who was never brave, proposed instantly retreating to his old positions on the Loire, but his wife and the Maid reasoned against this measure, and the Bastard of Orleans and other captains

vowed that they would not follow the king in that direction. Being unable to find Charles, Bedford sent him a letter. He reproached him with deluding the ignorant people by means of a female—an impostor and prostitute—and an apostate friar; he required him to give him a personal meeting; if it could be proved that any reliance could be put in the word of one who had betrayed the late Duke of Burgundy, and stained himself foully with blood, then he, Bedford, would be ready to conclude a peace on reasonable conditions; but otherwise he would fight him in single combat in order that the quarrel might end, and the world see whose cause was the just one. To this letter Charles sent no answer. About the middle of August, when neither force expected it, the two armies came suddenly in sight of each other near Senlis. The English, who were very inferior in number, took up positions in front of the French at a very short distance from them. The French kept their ground, but would not attack, and the English were determined not to begin the battle. The spirit of the latter had greatly revived; their superstitious dread of Joan was wearing out by use and familiarity; but they saw that the French had become cautious in the field, had condescended to employ large bodies of archers, and had adopted much of their own tactics and discipline. All this rendered their superiority in number a more serious consideration than it had been in former times.

Many of the hot-headed French knights wanted to attack, but when the more prudent captains cast their eyes along the English lines, and observed the firm countenance of the men and the masterly arrangements of Bedford, they declared that this was not a thing to be thought of. Some cavalry was detached to skirmish round the positions of the English, in the vain hope of tempting the troops to leave them. Troops of horse rode out to meet these assailants, and many fierce encounters took place; but the rest of Bedford's army, though eager for the fight, obeyed the voice of their general, and remained motionless. Then the Maid was asked whether the French might quit their posts and engage; but her voices gave no consistent advice; and still Charles was unwilling to risk his crown in a general engagement of any kind. For three days the two armies thus lay facing each other, and then each marched off the field by its own road. Many lives were lost in the skirmishes, where no quarter was given. A body of Picards fought very bravely for the English, and were more inveterate against the Armagnacs than were the English.

Bedford marched again into Normandy, which was invaded by the Constable Richemont. When he was at some distance Charles turned round upon Paris, with the hope of taking it during the Regent's absence. Beauvais, St. Denis, and other places in the neighbourhood of the capital, opened their gates to him, and, with the view of inducing the people of Paris to do the same, he published a general amnesty, and made the most brilliant pro-

mises to his good and loyal city. But the walls of Paris were defended by a small but determined garrison of English, and the populace had not yet made up their minds to receive the Armagnacs. It was then resolved to try the effect of force, and on the 12th of September an assault was made on the fauxbourg or suburb of St. Honoré. The Maid of Orleans was foremost in scaling the walls, but her white banner was no longer victorious; she was wounded and thrown down into the ditch, where her repulsed companions basely abandoned her. She crawled out of the ditch, and lay for some time alone among the dead; for the cannons, culverins, and arrows of the English were very active, and made great havoc among the assailants. Then rising, she waved her banner, and cheered on the men to a fresh assault. The soldiers lost heart, and soon fell back by troops, until she was again left alone. Some better spirits, ashamed to see a woman stand her ground while the mass of the army skulked behind some mounds of earth, where they were safe from the enemy's fire, moved forward and tried another assault, but they were driven back in the greatest confusion and fled, forcing the Maid with them. It was now evening, and the whole force marched away to St. Denis, where Charles had remained the whole day.* It was evident that Joan's influence was fast declining, and that even the common soldiers were no longer for her. A few days before the unsuccessful attack on Paris she had found some of the men committing shameful disorders, and she beat them soundly with the flat of her sword until the weapon broke in her hand. It was the miraculous blade marked with the five crosses, which she had discovered in the church of St. Catherine at Fierbois, and which she had worn ever since. She was grieved at the accident; but, as for the soldiers, they were disposed to think that her virtue lay in her sword, and that it departed from her when that sword was broken. Besides, they were weary of her rigid system of morals. Captains as well as men laid the whole blame of their recent failure upon her. "You are a false prophetess!" they cried: "you said we should have slept this night in Paris." "And so you would," said Joan, "if you had fought as I fought!" But she was not blind to what was passing; and smarting with her wound, and a keener pang within, she again resolved to withdraw from an army and court where she had experienced little else than ingratitude. She even went to the abbey church and hung up her suit of white armour before the shrine of St. Denis; but again Charles found arguments to convince her that she ought to remain, for he fancied that she might still be of some little use, and at this moment he was very despondent. The miscarriage before Paris was sure to produce a moral effect detrimental to his interests. The people in the neighbourhood were already disgusted at the excesses and rapine committed by his unpaid troops, who were chiefly men

* Monstrel.—Langlet.—Hist. de la Pucelle.—Barante.

of the south, and, as such, obnoxious to the prejudices of the people of the north, from whom they differed materially in language and manners. The burghers found that they had committed a mistake in opening their gates to these marauders,—the farmers concealed their produce, or carried it for safety into Paris. Charles had always drawn his main supplies from the country beyond the Loire, and he began to find a difficulty in subsisting at a distance from those provinces. Money was as scarce as ever; for want of it his troops were deserting; and Bedford, having done his business in Normandy, was advancing by forced marches. Charles therefore began a retreat, and scarcely halted until he had the Loire between him and the English regent. He left a few garrisons in the Isle of France, some of which were commanded by knights who enjoyed the friendship of the Duke of Burgundy, and who were instructed to do whatever they could to please and win over that prince. By the king's order, two or three of the towns which belonged to Duke Philip were delivered up to his officers. Bedford, who reached St. Denis soon after Charles's departure, marched into Paris in triumph, and there he was soon joined by his brother-in-law of Burgundy, who gave him the most consoling assurances of fidelity, and kept up a correspondence with the friends of Charles in the neighbourhood, at one and the same time. Soon after Bedford found himself obliged to resign the regency of France to Philip, who was further gratified by the payment of a large sum of money. Bedford withdrew to Normandy, where he retained the supreme command; and at the close of the year Philip left Paris for Flanders.

A. D. 1430.—During the winter months there was a nominal truce between the Bourguignons and the party of King Charles; and negotiations for the settlement of all differences were carried on by means of the Count of Savoy, some envoys of the emperor, and other agents. But still the Duke of Burgundy declined committing himself with the English, who had recently given him so much; and his faction in France was still as hostile as ever to the Armagnacs. Indeed, in spite of the truce, the Bourguignons continued to fight whenever they found an opportunity.*

Meanwhile Charles lay inactive at Bourges, where La Tremoille and his other ministers exhausted their wits in devising methods for raising money. Another miraculous woman was now presented, whose inspiration was wholly of a financial description. This was Catherine of La Rochelle, who promised the king an abundance of riches. Catherine did not pretend to fight, like Joan,—her forte lay in preaching, and in extracting money for the use of the king from those who possessed any. She announced that she could tell at a glance all those who had hidden treasures. She also had her visions, but these were rude and material compared with the celestial visitations of Joan, for she saw nothing but the figure of a single

lady covered all over with massive gold. In truth, the whole affair was a vulgar parody of Joan's ideal and glorious monomania, and it was considered in this light, notwithstanding the wishes of the court. Joan accused Catherine of imposture; but Friar Richard, that other great warrior in this unmanly struggle, supported the new prophetess; and both declared a deadly enmity to the Maid of Orleans. During the winter months Joan laid siege to St. Pierre-le-Moutier and La Charité: the first she took after the display of all her former valour and enthusiasm, but she was repulsed at the latter.* At the opening of spring Charles moved from Bourges, and his army prepared to advance once more from the Loire to the Seine. It was accompanied by two prophetesses; for Charles did not think proper to dismiss Catherine of La Rochelle. Joan said that peace lay at the end of the lance, but her rival maintained, on the contrary, that it was only to be procured by treating with the Duke of Burgundy; and she offered to go and try the effects of one of her sermons upon that prince. Catherine's offer was declined; and Joan, with banner and lance, marched with the van of the army to the neighbourhood of Paris.

During the absence of the Dukes of Bedford and Burgundy, a formidable conspiracy was arranged in favour of Charles; but it was discovered in time by the Bourguignons, who beheaded, drowned, or tortured to death a great number of the conspirators. A new plot was formed on Joan's approach; but this also was discovered, and all concerned in it were massacred by L'Isle Adam. After some unimportant skirmishes in the immediate neighbourhood of Paris, Joan marched to the relief of Compiègne, which was besieged by the people of Duke Philip. On approaching the town, she found that the duke had come up in person, and that he was pressing the siege with his whole army, assisted by a body of English under the command of Sir John Montgomery. She, however, fought her way into Compiègne with a considerable reinforcement. On the same day, the 25th of May, promising herself the same brilliant successes which had attended her at Orleans, she made a *sortie*, and fell upon the enemy's lines. She surprised one of their positions, and killed a great many men; but the whole Bourguignon force collected to a point and bore her back. With her usual intrepidity, she threw herself in the rear of her now flying host, and she several times drew rein, and, rallying some of her men, faced about and fought, in order to check the pursuers. In this manner, fighting and retreating, she nearly reached the edge of the town ditch, but there she was pulled from her horse by an archer, and her troops, without pausing to rescue her, fled over the drawbridge, and closed the gate upon her. Joan rose and tried to defend herself with a long sword, which she had taken from a Bourguignon warrior at Lagny, a few days before; but her

* During the winter Charles had ennobled the family of Joan, and had declared that her native village of Domremy should be forever exempt from taxes.

* *Betruste*.—Villaret.

efforts were fruitless—she was surrounded by her enemies—her friends made no sally to save her; and so, at last, she surrendered to the Bastard of Vendôme, who carried her in triumph to the quarters of the Bourguignons. All the captains of the army ran to gaze at the prisoner, nor was Duke Philip the last. This prince went to the lodgings where she was confined, and spoke many words with her; “but what they were,” adds Monstrelet, “I do not now recollect, although I was present.” The wonderful news was spread with the rapidity of lightning; the Bourguignons and the English sang *Te Deum* as if a great victory had been obtained; the ungrateful French deplored the loss for a season, but they made no effort to effect the release of the heroine by ransom, exchange of prisoners, or any other means. Three days after her seizure she was claimed, not by the Duke of Bedford, as generally stated, but by Friar Martin, doctor in theology, vicar-general of the Inquisitor of the Faith, in the kingdom of France. Martin, in right of the office he held under the pope, required that Joan called the Maid, who was accused of sundry crimes savouring strongly of heresy and witchcraft, should be instantly sent to him, that she might be tried by the Holy Inquisition. The Bastard of Vendôme, to whom Joan surrendered, had sold his prisoner to John of Luxembourg, who, without heeding Friar Martin’s letter, sent Joan to his strong castle in Picardy, where, though closely guarded, she was treated with humanity. The University of Paris then took up the cause, and wrote to the Duke of Burgundy, imploring him to cause the Maid to be delivered to the Bishop of Beauvais, in whose diocese she had been taken. The Duke took no more heed of the letter of the university than the count had taken of that of the inquisitor. Then the Bishop of Beauvais, who was a great foe to witchcraft, and a great friend of the English, took the cause into his own hands, and sent apostolic notaries to signify to the Duke of Burgundy, in presence of his captains, that he must deliver up the Maid, who, he said, could, in no sense, be considered or treated as a prisoner of war. A similar notification was served in the same manner on John of Luxembourg, who, after some months, sold Joan to the bishop for ten thousand francs.

In the interval, Duke Philip had returned into Flanders, leaving the Sires de Brimeu, de Lanoy, and de Saveuse, to prosecute the siege of Compiègne. But that place was strong, and well defended, and the siege was raised by the Marshal of Boussac, who came up with a very superior force, the principal army of Charles. The Duke was detained in the Low Countries till the approach of winter. The emissaries of King Charles had stirred up his subjects of Liege to revolt; and when Philip, not without great loss, had reduced these to obedience, he became occupied by another disputed succession. As he was the strongest, he had the best of the argument, and he annexed Brabant to his other vast possessions. But while he

was gaining these advantages in Flanders, he suffered defeat in France. He had concluded a treaty with the Count of Savoy, that former friend of Charles, who agreed to march an army into France, and to divide the south of that kingdom with the Duke of Burgundy. Philip sent an army into the provinces beyond the Loire, under the command of the Prince of Orange, who carried everything before him, and threatened Dauphiny, the Lyonnese, and even Languedoc. Those provinces, which had been so devoted to Charles, were exhausted by the long war, and could offer little resistance; but the royalists had secured the services of the celebrated Spanish adventurer, Villandrada, who threw himself into the south with some companies composed of Spaniards, Portuguese, Italians, and Germans. These companies of adventure, in conjunction with a French force under the Sire de Gaucourt, obtained a splendid victory at Authon over the Prince of Orange, who was obliged to evacuate the southern provinces. This defeat wholly disconcerted the scheme formed with the Count of Savoy. In the month of November, the Duke of Burgundy returned into France; but he undertook no great enterprise, and winter was passed in petty skirmishes or in idleness. In the skirmishes the Bourguignons and the English were several times defeated by La Hire and Saintrailles. The whole country between the Loire and the Seine was kept in a frightful state of disorder, being constantly ravaged and plundered by armed bands, who neither acknowledged the authority of Charles nor that of the English.

A. D. 1431.—Meanwhile the unfortunate Joan languished in prison: her friends forgot her; her enemies, who conceived her to be the cause of all their reverses, longed to reduce her to ashes. All the English, and at least one half of the French, firmly believed that all she had done had been by the direct aid of the devil. So strong was this feeling in Paris that they burnt alive a poor woman of Brittany for merely saying that she believed Joan’s inspiration proceeded from heaven. After being confined successively in the castles of Beauvoir, Arras, and Crotoy, she was transferred, at the end of six months, to Rouen, where, according to some accounts, the English loaded her with chains and shut her up in an iron cage. The Bourguignons, as well as the English, clamoured for her death; and the learned doctors of the University of Paris represented that religion would be in danger if sorcery and dealing with the devil were permitted to go unpunished. The Bishop of Beauvais claimed the right of conducting her trial, and this claim was formally admitted and confirmed by the clergy of Rouen and the University of Paris. The Duke of Bedford was desirous that the trial should be conducted in such a manner as to make a great impression on the whole kingdom, and the Bishop of Beauvais summoned priests, and lawyers, and lettered men from far and near. Upwards of a hundred doctors assembled to exercise their ingenuity in detecting

impossible crimes; but some of these men grew weary of the long business, others were excluded by the bishop, and, towards the end, not more than forty sat in judgment. It is difficult to conceive how such a process could be conducted according to any of the rules of reason or justice; but it appears that even as a witch trial, and even according to the code of frightful superstition then in vogue, the matter was most unfairly managed. For sixteen days she was sharply interrogated by men who were ready to detect a lurking devil in everything she said, and who cross-examined her, and twisted her words with all the adroitness of the schools. Though frequently puzzled by the long, hard words they used, and by polemical demonstrations, to her perfectly unintelligible, Joan, unsupported by any one, pleaded her cause with great spirit, at times confounding the doctors with her prompt and clear replies and her plain good sense, for still, on all points but one, she was perfectly rational. Whenever the Bishop of Beauvais saw that her simple eloquence was producing an effect, he raised his voice angrily and silenced her. The principal object in view was to terrify or entrap her into an avowal that she had been labouring under an illusion, and that she now knew that the spirits which had appeared to her were spirits of darkness; but Joan maintained that they were angels from heaven, and that neither the devil nor any of his ministers could have power over a virgin like herself. She made a strong stand on this position, and the judges were obliged to take up the scandal of the camp and to say that she was no maid. Her wearing of man's attire was held to be contrary to Scripture, and a very pernicious heresy; but she replied that she wore that garb by the express order of heaven, signified to her repeatedly by the Archangel Michael, and by St. Catherine and St. Margaret. The defence was deemed more heretical than the offence. Her judges thought that there must have been a deal of magic in her white banner, which had so often led the troops of Charles to victory, and raised such a panic among the bravest of the English and Bourguignons. Joan said that there was nothing about the banner save the blessing of God, and that she had used it fairly in battle as other combatants used their lances. The prominent figure she had made at Rheims was considered as a grievous insult to the nobility of France, and as a circumstance full of mysterious meaning. They asked her how she dared to stand there with her banner raised. She replied, that, having shared in all the danger and the toil, it was but fair that she should partake of the triumph. When questioned touching her attachment to Mother Church, she said that her whole life bore witness in her favour,—that she had been constant to all its duties and ceremonies even in the midst of war and carnage; but they drew from her an assertion that she could not submit to the ministers of that church when her voices ordered the contrary. This was considered the worst heresy of all. The court drew up articles of condemnation

and despatched them to the University of Paris and to several French prelates of the highest rank. All the faculties of the university, and all the bishops consulted, agreed that Joan was heretical, and an impious impostor, and, as such, deserving death by fire. Several of her judges were, however, averse to burning, and, though the French writers pretty generally accuse the English of pressing for this execution, there is more evidence to show that they would have been satisfied with a public exposure and imprisonment for life. From the beginning, Joan's own countrymen of the Bourguignon faction were the most eager for her destruction, and their hatred was singularly roused by her putting to death one of their favourite captains named Franquet, whom she had taken prisoner in the neighbourhood of Paris a few days before her own capture at Compiègne.*

After undergoing trying examinations in the court, the Maid was tormented in her cell by monks and confessors, who constantly represented that the church, which had tried her, was infallible in matters of faith, and that it was most merciful to those who recanted and submitted to its authority. These reasonings had their effect, and Joan was staggered at the array of bishops, doctors, and devout priests. She could hardly understand how such holy men could err, and, though there was plenty of time for such a measure, the bishops and priests of her own or the royalist party never set up a plea in her favour, or made any attempt to prove that she was a good Catholic. Indeed Charles and his friends forgot her at once, as a thing that had answered its purpose and was no longer of any use. It was infamous in her enemies to burn her, but it was more infamous in her friends to abandon her in this manner. On the 24th of May, Joan was brought up to hear her sentence. It was known that her mind was already wavering, and every means was adopted to render the scene imposing and terrific, in order to induce her publicly to acknowledge her errors. She was placed on a scaffold in the cemetery of Saint Ouen, and at a short distance stood a stake surrounded by fagots; the bishops and doctors sat in a gallery opposite to her, a dominican friar mounted a high pulpit to preach, and the executioner stood close by with his cart. The churchyard was crowded with French and English soldiers and citizens of Rouen. The preacher dwelt with vehement oratory upon the damnable sin of heresy, hitherto so little known in France, and he expressed his horror and astonishment that so christian a people as the French should have followed the delusions of an infamous loose woman. Joan listened in silence so long as the sermon turned upon her own character, but it was otherwise when the preacher attacked Charles, the man who "called himself king." "Speak of me," said the noble-minded enthusiast, "but sully not the fame of the king; he is good and royal; he is a christian,—the best in France."—"Make

* According to some accounts, Joan wished to save Franquet's life, but she was overruled by her more sanguinary companions.

her hold her tongue!" cried the Bishop of Beauvais. The Maid was silent, and the friar continued his discourse. In the end Joan submitted; a paper, containing a confession and renunciation of errors, was put into her hand, and, not knowing how to write, she signed it with a cross. Her punishment was commuted into perpetual imprisonment, and a penitentiary diet on the "bread of sorrow and the water of affliction." After being made to thank the church for its tender mercies, Joan was reconducted to her dungeon, where she put on the dress of her sex as she had agreed to do, her male attire being considered as one of the most detestable features of her heresy. But when bishops, doctors, friars, executioner, and stake had disappeared, her cell was again illumined by the miraculous light,—the saints and angels again appeared to her, and again she heard their voices floating on the stillness of night. She examined her own heart, and felt that she was still unconvinced by the arguments of the church—that she had meanly yielded to force and terror. She recalled all her former glories,—she longed again to have her foot in the stirrup and her hand on the white banner,—to be once more fighting for the independence of her country. By accident

or design, the dress of a soldier was left in her prison, and one morning Joan was discovered wearing it. This circumstance was considered a sufficient proof that she had relapsed into heresy, and then it was determined that she should die. Her firmness again forsook her when she was told they were going to burn her alive; she said that she did not fear death by the sword, or the axe, or the rope, but that to be burnt was too horrible; and she tore her hair, and made loud lamentations. The Bishop of Beauvais asked her if she had heard her voices again? She replied that she had heard them, and that they had told her she had done wrong to sign the paper presented to her by the churchmen. Even if it had been usual to show mercy to relapsed heretics, this would have been fatal to her. She was delivered over to the secular arm. On the 30th of May, seven days after her abjuration, she was put into the executioner's cart and carried to the old market-place of Rouen, in the centre of which was a stake, and on the sides of which were scaffoldings and galleries erected for the bishops, doctors, priests, captains, and other select spectators. At sight of the stake, and the fagots which they were heaping round it, she shuddered and wept; but by degrees she recovered her self-



MONUMENT OF JOAN OF ARC, in the Place de la Pucelle, at Rouen.

possession, and said that she hoped to be that night in paradise. The cart halted under the wooden gallery in which were seated the great Cardinal Beaufort and the French bishops. A monk delivered a short discourse, which reproached her with her backsliding, and which ended with these words:—"Go in peace, Joan; the church can no longer defend thee!" She knelt and prayed aloud, fervidly, though in tears. Much as he hated heresy, and hard-hearted as he was generally supposed to be, Cardinal Beaufort could not bear this lamentable spectacle; he rose from his seat and left the market-place, followed by several bishops, all shedding tears like himself. They covered her with the infernal livery of the Inquisition, and fixed on her head a black cap, which bore this inscription, "Heretic, Relapsed, Apostate, Idolator." They then forced her to the centre of the square, tied her to the stake, and set fire to the fagots. As the smoke and flames rose around her, Joan was seen embracing a crucifix, and the last word that she was heard to utter was the name of "Jesus." When the fire was burnt out, they carefully collected the ashes and threw them upon the placid surface of the river Seine, which flowed close by.*

The affairs of the English were not mended by the burning of the Maid of Orleans. Thinking to please the people of Paris, and to counteract some of the effects of the coronation at Rheims, they determined to get up another ceremony of the same kind. Young Henry, who had been crowned King of England at Westminster in the preceding year, was brought over to Paris to be crowned as King of France. His journey out of England had been for some time retarded by the poverty of the exchequer, and at last it had been found necessary to borrow money for the occasion. At one time it was proposed to conduct him from Paris to Rheims, where the regal unction was supposed to have more virtue; but this project was abandoned, owing to the dangerous state of the country, and, after many delays, he was crowned in the church of Notre Dame, at Paris, in the month of November, 1431. The ceremony was splendid, but there was no joy or enthusiasm on the part of the people: few of the great French lords attended; even the Duke of Burgundy was absent; and, instead of a French prelate, Henry's relative, Cardinal Beaufort, placed the crown on his head. Another discouraging

* Monstrel—Chron. de la Pucelle.—Villaret.—Lebrun des Charmettes.—Laverdy.... M. Laverdy's work consists chiefly of extracts from ancient manuscripts in the Bibliothèque du Roi, at Paris, and contains full accounts of Joan's trials. The works of different kinds relating to the Maid are very numerous: M. Chausserai enumerates upwards of four hundred expressly devoted to her life or including details of her history. The fullest accounts of the Maid are derived from the revision of her trial, which took place twenty-four years after her death, by command of the Pope, who had been petitioned by Joan's mother Isabella. Many of the Maid's companions of all ranks, from the lowest to the highest, were at this time living, and bore witness to the purity of her life and the marvellousness of her exploits. As a strong reaction had taken place, and as no English witnesses were heard, the accounts of this trial may afford some room for cavil, but most of the facts may be safely admitted after a little deduction on the score of oratory and amplification. As a continuous narrative, full of the spirit and colour of the times, without any sceptical inquiry, and vividly dramatic, we know nothing superior to the story of Joan given by Barante in his *Histoire des Ducs de Bourgogne*.

symptom was, that the royal boy,—the son of a hero,—though now nine years old, was spiritless and unpromising. He departed for England almost immediately after, and narrowly escaped being made a prisoner by the partisans of King Charles during his journey.*

The utter disorder of affairs in England still prevented the sending of money or any considerable reinforcements to the Duke of Bedford; and the incurable madness of the French nobles clogged and impeded the opposite party, who were still poorer than the English. Charles led an errant life, apparently indifferent to the fate of his country, which suffered more from a lingering, irregular war, than it had done during more decisive conflicts. He was gay in the midst of his mistresses, and his courtiers were only made unhappy by the rancorous jealousies they entertained of one another. Now and then the scene was darkened by an assassination, such as we have already described.† The only consistent plan acted upon was that of detaching the Duke of Burgundy from his English alliance; and here a circumstance upon which they had no reason to count played into their hands. The Duchess of Bedford, the strongest connecting link between her husband and her brother, died in November, 1432. In the month of May of the following year Bedford espoused Jacquetta of Luxembourg, a princess to whom he was attracted both by policy and personal regard, for her family connexions were powerful. The Duke of Burgundy instantly complained that Bedford had acted unfairly in marrying Jacquetta, his vassal, without asking his consent; and that by marrying so soon he had shown a shameful disrespect to the deceased duchess, his very dear sister, and to all the members of her family. The Duke of Bedford could not tolerate the harsh reproaches of his ally, and the less so from his knowing that Philip had courteously received fresh envoys from Charles immediately after the death of his sister. Some attempts at reconciliation were made by Cardinal Beaufort, but they were of no avail; Philip wanted a pretext for quarrelling, having at last almost concluded a satisfactory bargain with King Charles. It was high time for him to think that he had taken vengeance enough for the murder of his father. During the fourteen years which had elapsed since the tragedy of Montreuil, blood had been spilt like water in every corner of France; famine and pestilence, surpassing the horrors of the war out of

* Monstrel.

† In 1433-34 the Constable Richemont got up a plot against La Tremouille, the minister and favourite, whom he hated more than ever. One night, while the court was at the Castle of Chillon, the governor of that fortress, who was a partisan of Richemont, opened a postern gate, and admitted about fifty armed men into the chamber of La Tremouille. The favourite attempted to defend himself, and received a dagger wound, "which," say the chroniclers, "must have proved fatal had it not been for the fortunate circumstance that he had grown excessively fat." La Tremouille was then seized, bound, and carried off to a dungeon in the Castle of Montreuil by his own nephew. After some time he recovered his liberty by paying a ransom of six thousand crowns. All this was transacted almost under the eyes of the king. But the most amusing part of the story is, that the Constable Richemont was considered a mirror of knightly worth, and he doubted himself whether, as a great warrior and generous conqueror, he could be better compared to Julius Cæsar or Alexander the Great.

which they sprung, had carried thousands and tens of thousands of Frenchmen to the grave; the Dauphin had been reduced at times to the condition of a vagabond and beggar, and his capital and kingdom had been occupied by his hereditary enemies, who had made his name a scorn and a byword. As his passion cooled, Philip, a prince of the blood, could not avoid reflecting that the success of the English would cut off all his chances of succeeding to the throne of France. Some of his friends urged him from wise and patriotic motives, others from personal pique against Bedford and other English chiefs, who lost most of their partisans as soon as their remittances of English money failed them. To crown all, the Duke of Bedford's health was declining; and sickness, disappointment, and the daily exhibition of treachery, rendered him peevish and suspicious. Philip, however, affected scruples of conscience as to breaking the solemn oaths which bound him to the English. His brothers-in-law, the Duke of Bourbon and the Constable Richemont, who were now steady in the interests of Charles, suggested that the pope could remove this difficulty; and, in a private conference, they induced Philip to agree to the general mediation of the Church of Rome, which had made several fruitless endeavours to promote a peace. By degrees the English were persuaded to refer their cause to the same arbitration, never, it should seem, doubting of the legality of their claims or of the impartiality of the pope. Eugenius IV. entered actively into the business, and arranged a grand European congress, which assembled at Arras in 1435. The Duke of Burgundy summoned the nobility of all his states to his fair city of Arras; King Charles sent twenty-nine of his lords and ministers, the Duke of Bourbon and the Constable being at the head of them: the interests of England were defended by Cardinal Beaufort and twenty-six lords, one-half of whom were English, the rest French: the great council of Basil despatched the Cardinal of Cyprus, and the Pope was represented by the Cardinal of Santa Croce. In addition to all these negotiators there were ambassadors from the Emperor Sigismund, from the kings of Castille, Arragon, Portugal, Navarre, Naples, Sicily, Cyprus, Poland, Denmark, and the dukes of Brittany and Milan. The Duke of Savoy, who had played a conspicuous part in former negotiations as well as wars, sent no ambassadors, because he had lately grown weary of the sins of the world, and had retired to a sort of hermitage. Europe had not yet seen any assembly of the kind half so magnificent; and, before the diplomatists proceeded to business, Duke Philip entertained them with jousts, tournaments, mysteries, and feasts,—“for he was a very splendid prince, and cared not for expense.” After the feasting came a course of sermons suited to the occasion; and then the Cardinal of Santa Croce opened the congress with a long speech, in which he dwelt on the duty of christian nations to live in peace and harmony with one another. It was

soon made evident that the representative of the pope was wholly biassed in favour of King Charles; at the same time the English, though they saw the rapidly growing friendship between the Bourguignons and the French, maintained a high tone, and at last Cardinal Beaufort disavowed the authority of the congress, and retired in disgust. Matters then proceeded smoothly with those who remained. Fifteen days after the departure of the English negotiators the Duke of Burgundy concluded a treaty with Charles: the terms were, of course, most favourable to Philip. In the first article Charles expressed his regret and penitence for the murder of Duke John, “which had happened when he was young and inexperienced, and without sufficient authority.” By the second article he agreed to abandon the men who had done that wicked deed, in order that they might be punished in person and in property,—to do all that was possible to arrest them,—and, failing in this, to banish them for ever from his dominions. By the fourth article Charles engaged to build a chapel at Montereau for the good of the soul of Duke John; and, besides other pious foundations, a stone cross upon the bridge over the very spot where the duke had fallen. But these articles were insignificant preludes to those which followed. Charles engaged to pay Philip the sum of four hundred thousand crowns, and to put him in immediate possession of sundry fortresses as security for this money: he also ceded to Philip and his heirs the county of Macon, Boulogne, the towns and castles of Péronne, Roye, and Montdidier, together with several other towns and castles on the river Somme, which latter Charles was to redeem with money if he thought fit. There were other conditions almost equally advantageous to Philip, who might indeed boast that he had forced his sovereign to an *amende honorable*.

As soon as the treaty was sealed the congress repaired to the church of St. Waast, where mass was celebrated with extraordinary pomp. When mass had been sung, the Cardinal of Santa Croce ordered the treaty to be read. Then, as it had been previously regulated, Jean Tudert, a Dean of Paris, advanced, and threw himself at the feet of the Duke of Burgundy, and begged pardon publicly, on the part of King Charles, for the murder of his father. The duke showed great emotion, raised the dean from the ground, embraced him, and promised that there never more should be war between him and King Charles. Then the Cardinal of Santa Croce, having placed a golden cross and the holy sacrament upon a cushion, made the Duke of Burgundy swear to forget and forgive the death of his father, and to live evermore in peace and friendship with the King of France. Then the two cardinals laid their hands upon the duke's head, and gave him full absolution for all the oaths he had sworn to the English. The Duke of Bourbon and the Constable swore upon the crucifix for Charles; and then followed a long process of swearing in the French and Burgundian lords,

who to a man had taken many contrary oaths on former occasions. One of them was touched by this reflection:—"It is with this hand," exclaimed Lannoy, "that I have already five times sworn to a peace during this war; these five oaths have all been broken; but, with God's help, I intend to keep this, my sixth oath."*

The Duke of Bedford did not live to see the conclusion of the memorable congress of Arras; he died at Rouen on the 14th of September, and was buried there in the cathedral.† Considering the difficulties with which he had to contend, and the condition of the government of England, he had maintained himself in France for thirteen years in a wonderful manner. The French hoped that his death, and the secession of the Duke of Burgundy, would lead to an immediate conclusion of the war; but in part through their own miserable follies, in part through the valour of those with whom they had to contend, it took them fifteen more long years to drive the English out of their kingdom. Three days after the signing of the treaty of Arras, Isabella, the queen-mother, one of the principal causes of all the evils which had happened, died at Paris in poverty and obscurity, despised alike by every party. The troops of Charles took Meulan, Pontoise, and other places on the Seine, while the English were left without a chief. In Normandy, Dieppe was surprised; and the people in several places were excited to insurrection by Richemont. When the French ventured too frankly into the open field they were several times defeated; but the English found enemies rising on every side, and they could no longer trust any of their sworn allies. The subjects of the Duke of Burgundy were not much disposed to assist their lord in a new war: the Flemings, among whom, on account of trade, the English had many friends, were almost in a state of revolt: the people of Burgundy were ruined already; and the greatest disaffection prevailed among the inhabitants of the towns on the Somme, which had been put into the possession of the duke by the treaty of Arras. Amiens rose in rebellion against him. But notwithstanding these circumstances, and a strong opposition on the part of some of his ministers and many of his lords, who greatly feared the consequences, Philip declared open war against the English. He sent some troops to join the army of Charles, and began to make immense preparations in Flanders for the siege of Calais, which place he intended to appropriate. He made use of all his influence over the people of Paris, in order to induce them to forget their old quarrel with the Armagnacs, and declare for the king. In the month of April, 1436, the Parisians opened their gates to the famous Burgundian chief, L'Isle Adam; and the weak English garrison,

surprised and betrayed, was compelled to capitulate. The name of Charles was sung through all the streets; and the murderer, the bastard, the apostate, as he had been called in other times, was now declared to be the most innocent, legitimate, and religious of kings.

When the capital was lost, a successor to the Duke of Bedford arrived in the person of the Duke of York, who entertained secret views upon the crown of England, and who, from his position, was not entitled to entire confidence. York took with him a reinforcement of seven or eight thousand men; but the war no longer excited the English nation with dazzling visions of conquest and glory; the imprudent and impoverished government could no longer afford the same liberal pay to the soldiers; the hardy and respectable yeomen who had followed Henry V. with such enthusiasm, and who had filled the ranks of his archers with good will and merry hearts, no longer presented themselves, and the recruits were chiefly drawn from very inferior classes or conditions of men. The French said that these recruits were vagabonds, cut-purses, and paupers, the sweepings of the highways, prisons, and hospitals of England; and, doubtless, many of them were of no better origin; but, inferior as they were to the picked men that fought at Azincourt, they were not destitute of the hardy national spirit; and in the course of the ten following years the French were frequently made sensible of this fact. The gallant Talbot, afterwards Earl of Shrewsbury, soon reduced the revolted towns in Normandy; he defeated a French army near Rouen; he retook Pontoise in the depth of winter; he cleared the whole country round Paris; and, at one moment, nearly succeeded in retaking that capital. The Duke of Burgundy, who was supposed to have learned the art of war from the English, did not practise that art against them with any effect; and he never ventured personally to face them in the field. This, however, was in part attributed to scruples of conscience; for it was said, that in spite of his absolution, the memory of his former oaths gave him great uneasiness. Many of his lords were still more scrupulous than he; for they refused to make war in any manner upon young Henry, to whom they had sworn fealty. The annals of war scarcely present a more miserable and ridiculous exhibition than Philip's siege of Calais, in the prosecution of which he had spent immense sums. The Duke of Gloucester, formerly protector, now head of the council, who was getting ready reinforcements for Calais, sent a challenge to Philip, telling him that he would fight him and his whole army outside of Calais, as soon as the wind should serve for his voyage; and that if Philip would not await him there, he would follow him into his states of Flanders. Philip replied, that he would abide where he was; but even before Gloucester landed, his force, which consisted chiefly of the ill-disciplined militia of Ghent, Bruges, Ypres, and other towns, fled in a

* Monstrel.—Rym.—Olivier de la Marche.—Rot. Parl.—Barante. † The French wished Louis XI., the son of Charles VII., to destroy the monument, and throw the remains of the great warrior out of the church; but Louis rejected the brutal proposal, saying that he would not wage war against the dead, or insult the remains of one who had made his father tremble so often, and who, were he alive, might yet make all France tremble.—Stow.

panic; and knights, men-at-arms, and all—thirty thousand men wearing helmets—followed their example, leaving an enormous quantity of baggage and all their artillery and engines of war behind them. Philip was swept away by the rush of the fugitives, and the Constable Richemont, who had gone to share in the glory of capturing Calais, partook in his disgrace and vexation. The English, who had not waited for the raising of the siege to make incursions into Flanders, now fell with fury upon that country, taking several towns, and carrying off an immense booty. Gloucester, who arrived four days after the retreat of Philip, followed him into the heart of Flanders, sending the most provoking messages after him; but Philip would not meet this army, small as it was. Gloucester, who owed him many grudges on account of the affair of Madame Jacqueline, had now taken upon himself the title of Earl of Flanders, pretending that Philip had forfeited those states by his treasons, and that his nephew, Henry, as king of France, had bestowed them upon him. He had the folly to weaken the efforts made for the preservation of the French territories, by employing men and money in this direction.*

If Duke Philip's ardour for the war had been but lukewarm before the siege of Calais, it cooled almost to the freezing point, after that disgraceful miscarriage; and a similar failure in the following year, 1437, before the walls of Crotoy, in the neighbourhood of Crecy, did not tend to revive his spirits. Ghent and Bruges had openly revolted, and the subjects of all his states complained that they were beggared by the war. From this time he can scarcely be said to have taken a part in the struggle; but his neutrality alone was sufficient to turn the scales in favour of the French, who gradually regained possession of the provinces north of the Loire, though not without many a check. In Normandy and the neighbouring countries of Maine and Anjou, the English long presented a bold front. The Duke of York was recalled in 1437, and then the difficult command was given to the Earl of Warwick. Warwick died in two years, on which, after a considerable interval, the Duke of York was re-appointed. There was now a pause in the horrors of war occasioned by famine and the plague, which visited both England and France at the same time. In 1439 Talbot recovered Harfleur, the first conquest of Henry V. which had been wrested from the English. The valour of the nation never shone with a more brilliant light than during the siege, when Talbot, with a strong garrison before him, was attacked in the rear by an army far superior in number to his own, and annoyed at the same time by a fleet of ships which lay in the river and on the coast. Two years later, Talbot displayed admirable generalship in relieving Pontoise, which was besieged

by an army of twelve thousand men; but all his skill and the valour of his troops could not long preserve that isolated position. In the course of the years 1442 and 1443, the French turned their arms against Henry's possessions in the south; but while they were gaining some fortresses in Guienne, the English took others in the north, and overran Picardy and Anjou. Soon after this, the Duke of Burgundy turned a ready ear to proposals for an armistice; and negotiations were opened for a general peace. If the instructions preserved* were acted upon, the English envoys, the Earl of Suffolk and Cardinal Beaufort, must have astonished plain-dealing men, if any such were engaged in the business, with their truly diplomatic manœuvres, which, however, produced no important effect. Charles would have consented to resign the whole of Normandy and Guienne; but the *ultimatum* of the English was the fulfilment of Edward III.'s treaty of Bretigny; nor were their minds quite made up to forego their claim to the French crown—the justice of which they said had been fully established by the divine favour shown to them, and the miraculous battles they had gained with small numbers in prosecuting that claim. In the end, all parties agreed to a truce for two years, to terminate April 1, 1446.

Henry of Windsor was now in his twenty-fourth year, but it had long been apparent that no increase of years would bring him the spirit of a man, or the capability of managing his own affairs. Gentle, timid, submissive, and superstitious, he would have made a tolerably good monk, but he had not one of the qualities which constitute a good king. Parliament, which settled the regency, and apportioned and nicely limited the power and authority of its members, gave no authority whatever to the queen-mother, Catherine of France, the youthful widow of Henry V. This lady appears to have had little ambition; for three or four years after the death of the hero of Azincourt, she married Owen Tudor, an obscure gentleman of Wales, who, however, boasted a most ancient and even a royal descent; but what, perhaps, had more influence over Catherine's choice was, the circumstance of his being one of the handsomest men in England, besides being "garnished with many Godly gifts." In her affection for her promising family by this second marriage, from which sprung the royal line of Tudor, she may have somewhat neglected the care of the sickly and unpromising Henry; but all her cares had long ceased—for she died in 1437, and had now been buried nearly seven years in Westminster Abbey, by the side of her first husband.†

* Rymer.

† By an *ex post facto* law, passed in the sixth year of Henry VI., though not now found on the rolls of parliament, having apparently been torn out, such marriages as those of Catherine with Owen Tudor were declared presumptuous, derogatory to the royal dignity, and illegal, without the express consent of the sovereign. After Catherine's death, Tudor was apprehended and put in ward, but he was allowed to escape from the Tower, and was not very harshly treated, though there are accounts which state that he was retaken. He was, and afterwards beheaded for his adherence to Henry VI. Jacquetta of Luxembourg, the widow of the great Duke of Bedford,

* Monstrel.—Hall.—A detailed account of the ridiculous siege of Calais is given in Barante, *Hist. des Ducs de Bourg.*, and in Southey's *Naval History*. To render the account of the conduct of the Flemings intelligible, we must assume that there was a strong party among them still averse to the whole war.



QUEEN MARGARET.—From Portraits in Queen's College, Oxford, and St. Mary's Hall, Coventry.

In an evil hour, part of the council took up the notion that Henry's miserable deficiencies might be all supplied by marrying him to a princess of intelligence and spirit; and for the execution of this precious scheme, they fixed their eyes (of all the princesses in Europe!) upon Margaret of Anjou, the cousin of the French queen, and the devoted friend of Charles, in whose court she had passed much of her time. Margaret was handsome, of a womanly age, and noted for ability and decision of character, and she had not yet been intoxicated by power, or allowed opportunities of showing her pride, envy, and vindictiveness. The Earl of Suffolk, who negotiated the truce, and who was in high favour with the French court, also negotiated this fatal marriage. It appears that the original notion was his, but that, though opposed most strenuously by the Duke of Gloucester, who here spoke the sense of the English people, he was supported by Cardinal Beaufort and other members of the government. As for the signed and sealed authority to treat for this union, which Suffolk previously obtained from the king, it signified nothing, for Henry was notoriously incompetent to any great measure. The father of Mar-

garet, though titular king of Sicily and Jerusalem, and lord of many states, was deplorably poor—a very Lackland. Suffolk, instead of asking, as usual in such cases, for a dower in money or in territory, consented to pay a price for the young lady's hand, and finally agreed to resign Anjou and Maine, which were wholly or in greater part in possession of the English, to her father, whose hereditary states they were. This was giving up, by a stroke of the pen, that which the French had not been able to obtain by the sword; and, from the geographical position of the territories ceded, it was putting the keys of Normandy into the hands of the enemy. If Suffolk and Beaufort had made up their minds to end the ruinous struggle, and to give up the whole of the English conquests in France, we might, perhaps, abstractedly, and in the cool philosophy of a better period, applaud both the justice and the wisdom of the cession; but such notions were not suited to the fifteenth century, nor to the conquerors of any other time:—the nation was bent on preserving at least a portion of what they had obtained at an enormous expense of blood and treasure, and the minister that had dared to propose any such measure would have been torn to pieces by the English people. The cession, in the circumstances of the times, savoured strongly either of treachery or fatuity. We are not quite so sure as to Suffolk, but we can scarcely imagine that the cardinal was bribed or bought with splendid promises, or, that in sheer opposition to his old rival, Gloucester, he went into the matter with his eyes open. He had always

followed Catharine's example, and married, to the great annoyance of the English court, Sir Richard Woodville, who was only a knight. She and her husband, however, after some persecution and payment of a fine of 1000*l.*, were allowed to live in peace. Catharine, besides a daughter, had three sons, by Owen Tudor. During the reign of their half-brother, Henry VI., Edmund, the eldest, was created Earl of Richmond; and Jasper, the second, was made Earl of Pembroke. The first of these, by his marriage with the only daughter of John, Duke of Somerset, had Henry, who succeeded to the earldom of Richmond, and who afterwards ascended the throne as Henry VII.

been a strenuous supporter of the House of Lancaster, of which he was a member; and he had repeatedly shown a high feeling when the honour (true or false) of his country was assailed: but Beaufort was now nearly fourscore years old, and it is more charitable to suspect him of dotage than to accuse him of treachery.

As soon as the Earl of Suffolk returned to England with the bride, he was elevated to the rank of a Marquis, and from that moment he and the queen began to monopolize and divide between them the whole authority of government. They were constantly together, and people said that Suffolk looked more like her husband and King of England than the unfortunate Henry. There was a strong popular prejudice against French queens of any kind; nor did Margaret's conduct at all tend to remove it. She applied doctrines of government which she had learned in France to a country wholly and happily different, and she soon attempted to treat the English people with an absoluteness and imperiousness which they had not tolerated in the greatest of their

native kings. The friends and admirers of the Duke of Gloucester, among whom the citizens of London were very conspicuous, said every where that he would have found them a better queen, and taken better measures for the preservation of the English conquests; but the Duke, either from fear of the prevalent faction at court, or from some other motive, gave his approval, in a very marked manner, in parliament to all the negotiations concluded by Suffolk.* It is quite clear, however, that there was no sincerity in these outward demonstrations, and that the Duke,—“the good Duke Humphrey,” as he was called by the people,—would, on account of his great popularity, be a formidable obstacle in the way of the queen and her favourite. Besides, the passionate and vindictive Margaret was not likely to forget that Gloucester had at first strongly opposed the measures which made her a queen and gave to her father a respectable existence. On the other hand, the duke was imprudent and headstrong, and he had suffered things at the hands of Cardinal Beaufort's party (now in a great measure

* Rot. Parl.—Rymer.—Hall.



MARRIAGE OF HENRY VI.

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identified in its members with the Suffolk party), which he could never forget.

In 1441, after an altercation with the cardinal, in which the duke was defeated and humiliated,* a strange prosecution was got up against his wife the duchess. Eleanor Cobham, who, it will be remembered, had the misfortune of being Gloucester's mistress before she became his wife, could never wholly efface the unfavourable impression made by this circumstance. She is represented as an avaricious, grasping, ambitious, and dissolute woman; but her enemies drew this portrait, and whatever she might be, she was dear to the duke, although he was not the most faithful of husbands. Horror and absurdity are mingled in about equal portions in the story which follows. The duke was much devoted to all the learning then in vogue, and exceedingly fond of the society of learned men, a circumstance which probably led indirectly to this tragedy. Among other doctors and clerks whom he entertained was one Roger Bolingbroke, whom he kept constantly in his house as chaplain. This Bolingbroke was much given to the sciences, especially to astronomy, and astronomy in those days was generally made to include astrology, or the art of predicting events by observing the movements of the stars and the accidents of meteors and exhalations. Gloucester's wife, aware that Henry was sickly, and that her husband stood next in succession, was probably anxious to know whether the stars would tell when the king would die; and she had frequent consultations with the chaplain and others. On a sudden, soon after her husband's last violent quarrel with Cardinal Beaufort, she was accused of treason, "for that she, by sorcery and enchantment, intended to destroy the king, to the intent to advance and to promote her husband to the crown." The duchess and Bolingbroke were arrested, together with Southwell, priest and canon of St. Stephen's at Westminster, John Hum, priest, and Margery Jourdayn, commonly called the Witch of Eye. The duchess was examined in St. Stephen's Chapel before the Archbishop of Canterbury: she was condemned to do public penance in three places within the city of London, and afterwards to pass her life a prisoner in the Isle of Man, under charge of Sir John Stanley. Roger Bolingbroke, the learned astronomer, who died protesting his innocence of all evil intentions, was drawn and quartered at Tyburn; Margery Jourdayn was burnt in Smithfield; Southwell died in prison before the time of execution; and John Hum received the royal pardon. The worst thing proved against the duchess was, that she had sought for love-philthers to secure the constancy of her husband. The worst thing attempted to be proved against her was, that she kept by her a wax figure, made by the "cunning necromancers," and endowed with this remarkable quality, that, in proportion as it was

sweated and melted before a fire, it would, by magical sympathy, cause the flesh and substance of the king to wither and melt away, and his marrow to be dried up in his bones. The notion of this process was not new, and there are unfortunately people still living in Europe who believe in the magical power of pieces of moulded wax. "The Duke of Gloucester," says the chronicler,* "bore these things patiently and said little." But his enemies were now preparing for him the safe silence of the grave. A parliament was summoned to meet in February, 1447, not in the usual place at Westminster, because the Londoners were devoted to the erring but generous-hearted victim, but at Bury St. Edmunds, in Suffolk, where the favourite was in the midst of his dependents. Orders were given to the knights of the shire to come armed, and the men of Suffolk were collected and crowded in the town and neighbourhood. The king was conveyed to the town, and, as if his sacred person was in danger, a numerous guard was placed round the house he occupied. Gloucester, who was at his strong castle of Devizes, went to attend this parliament, and fell unsuspectingly into the snare. On the 11th of February, the day after the opening of the session, he was arrested on a charge of high treason, and, on the 28th day of the same month, he was found dead in his bed. There never was any positive proof of his being smothered or strangled, or otherwise put to death; but, as we have already remarked, such proofs are generally wanting in such cases. The whole nation believed that the duke was foully murdered, and, with a single but striking exception,† all the writers living at or near to the time, hint, more or less openly, that this was the case. The body of the duke was shown to the people at Bury St. Edmunds, and there were no marks of violence upon it; but all men remembered that the bodies of Edward II., of Richard II., and of the other great Duke of Gloucester, who had been taken off at Calais during the reign of Richard II., had been exposed to view in the same manner, and bore no signs of the murderous hands of their enemies. Suffolk's party wished it to be believed that he had died of apoplexy. Some said he had died of a broken heart; but, even in the latter case, Suffolk and the queen were his murderers. Humphrey, however, was not a man likely to die of grief and despair, for he knew his great popularity, which in all probability must have assured him that the parliament, however composed, would not venture to proceed to extremities against him. What followed was a miserable show designed to furnish a plausible justification of his arrest. Five of his retainers were seized, and accused of plotting to release the Duchess of Gloucester from her con-

* Hall.

† This is Whethamstede, who was Abbot of St. Albans at the time, a warm friend of Gloucester, and a declared enemy of the Suffolk party, whom he calls "dogs, scorpions, and impious noisers." He asserts that the duke died of grief and sickness. It appears that the abbot could have no motive for concealing the truth if he knew it.

* The subject of the quarrel was the liberation (upon ransom) of the Duke of Orleans and other prisoners taken at Azincourt. Gloucester opposed their liberation.

finement,—to come to the parliament in arms,—to murder the king, and proclaim the duke, their master, in his stead. They were convicted and condemned to die the horrible death of traitors; but when they were only half hanged, they were cut down, and, before the executioner could proceed in the bloody task of cutting up their bodies, Suffolk produced the royal pardon, and the men were easily restored to animation. The pains taken by the court to prove that this barbarous kind of mercy proceeded directly from the king without being suggested by any person, either layman or churchman, seems to us to prove directly the contrary; and knowing the state of nullity to which the imbecile Henry was reduced, we can scarcely conceive how any historian can venture to speak of him as a free and competent agent, and cite his merciful disposition and his religious feelings as proofs that Gloucester died a natural death.*

As if he had not already created odium enough, the Marquis of Suffolk seized all the estates of the deceased duke, and, after keeping what best suited him, divided nearly all the remainder among his own family and most devoted partisans.† The good Duke Humphrey left no legitimate children, and, on account of her conviction, Dame Eleanor could not claim any part of his property. The duke's friends in parliament boldly asserted his perfect innocence of treason, and laboured, session after session, to clear his memory from the imputations of his enemies. His old rival, his uncle Cardinal Beaufort, did not long survive him. He had for some time withdrawn from political affairs to his see of Winchester, where, however, in spite of the weight of fourscore years, he was still cherishing projects of ecclesiastical ambition, and dreaming of the triple crown of Rome which had so long eluded his grasp, but which he fancied was at last within his reach. He died in his palace of Walvesey, on the 11th day of April, and the *sign*; he gave of Christian feeling was shown in his will, whereby he bequeathed the mass of his property to charitable purposes. Two codicils to this will, which is still extant, were written on the 7th and 9th of April. With part of his money was built and endowed the still existing hospital of St. Cross at Winchester, and four thousand pounds of it (a great sum in those days) were distributed among prisoners for debt in London and Southwark. He was buried in Winchester Cathedral, in the beautiful chantry which bears his name.§

It has been said that Suffolk, in making the dis-

* Rymer.—Rot. Parl.—Whetham.—Hall.—Grafton. Dr. Liguard's reasoning only goes to prove that the king was innocent; and this was the popular conviction:—the people laid the whole blame upon the queen and Suffolk.

† Rymer.

‡ "Lord Cardinal, if thou think'st on Heaven's bliss,
Hold up thy hand; make signal of thy hope:—
He dies, and makes no sign."—

Hen. VI. part 2.

It is almost impossible to remove the impression made by Shakespeare's terrific death-bed scene; but that it is historically incorrect there can be little doubt. The great cardinal died almost in public, surrounded by the clergy of his diocese.

§ Hall.—Continuation Hist. Croyland.—Nichols, Royal and Noble Willa.—Miller's Hist. Winchester.

advantageous treaty of marriage, flattered himself that his liberality would secure an honourable peace, and that Margaret's father promised to protect to the best of his power the possessions which remained to the English in France. But these hopes, if ever entertained, were childish, and, with the national object in view of recovering their own kingdom, we may make a liberal allowance for the falsehood and delusive manoeuvres of the French court. When the truce expired, Charles consented several times to renew it for short periods; but this suited his own purposes, and he knew that many of his lords would not permit their operations to be hampered by any armistice in case of a favourable opportunity for attacking the troops of Henry. The fact was, Charles had another civil war in the South upon his hands: the Count of Armagnac, favoured by the now discarded minister, La Tremoille, had organized a formidable league against him. The Dauphin, also, after making a wild expedition against the Swiss in favour of the House of Austria, was disaffected, and intriguing against his own father, whom he soon engaged in another civil war. France, indeed, was for some time in such a distracted condition that she must again have fallen under the yoke if the government of England had been able and willing to press her; but that government was now influenced by Margaret of Anjou, whose father, brothers, cousins, and a host of relatives were to benefit by its folly, weakness, and vacillation. There were a number of secondary intrigues, demonstrations, retractions, and treaties, which signified nothing; but we may pass at once to the decisive movements which were made by the French as soon as they were in a condition to undertake anything important.

A.D. 1449.—Maine, which lay so conveniently along the southern frontier of Normandy, and which Suffolk had so liberally surrendered to the queen's father, René of Anjou, had gradually been filled with French troops and companies of adventure in the service of King Charles, who insulted the English lines almost with impunity. The Duke of York had been for some time recalled from the command in France, and sent into Ireland. In vain his successor, the Duke of Somerset, represented to his government that he had no money,—no efficient army,—and that all the fortresses in Normandy were falling to ruin from want of proper repairs. Charles wanted a decent pretext for breaking the armistice, and such pretexts are always found when sought for. Some English soldiers, who had been expelled from their houses in Maine, plundered a town in Brittany, just as the French had plundered many a place in Normandy during the truce. Somerset, conscious of his weakness, offered a reparation in money; but Charles named a sum which it was impossible for him to pay, and then threw his troops across the frontiers of Maine, and called up his columns from all sides to fall upon both Lower and Upper Normandy. While the English were negotiating

about the damage done in Brittany, Verneuil and Pont de l'Arche were surprised or betrayed. The Bastard of Orleans, now Count of Dunois, led the main body of the army to Rouen, within the walls of which he had many secret agents. His force was immense, but the capital of Normandy was taken rather through the treachery of the inhabitants than the valour of his troops. The Duke of Somerset, who saw the fortresses of Normandy falling around him, had been obliged to shut himself up in Rouen, and all that he had to oppose to an army without, and to a vast and disaffected population within, was a weak garrison of twelve hundred men; but the brave Talbot was with him, and where Talbot was the English were sure to do something to save their honour. One day a body of armed citizens, who pretended to be in the interest of King Henry, obtained the guard of a part of the walls, which they immediately took the opportunity of betraying to the French. The Bastard's soldiers scaled the wall and established themselves in force between two towers, but presently the cry was heard of, "A Talbot—a Talbot!" and that redoubted captain, charging with a part of the garrison, slaughtered both soldiers and city guards, or threw them into the ditch. But the situation of the English was too desperate to be saved even by the heroism of a Talbot: the whole town rose against them, opened their gates to the Bastard, and drove the garrison into the citadel, where Somerset capitulated on the 4th of November, 1449, being obliged to order the surrender of several other important fortresses as the price of his own liberty and that of his brave men. Talbot was given as an hostage,—Somerset retired to Caen.*

A. D. 1450.—Popular indignation obliged the minister Suffolk to do something; but all that he did, and it might be all that he could do, was to send a reinforcement of three thousand men into Normandy. Sir Thomas Kyriel, the leader of these men, had the old confidence of a captain of Henry V. and Bedford; and he did not doubt that, in case of the French meeting him in the open field, he could give a satisfactory account of them, however superior their numbers. He accordingly gladly joined battle at Fourmigni with an army under the command of the Count of Clermont; but, while he was engaged, a second army, led on by the Constable of France, made its appearance, and closed upon him in flank and rear. Some of his men then broke and fled, but more remained to fight desperately, and die with their swords in their hands. The victory of the French was complete, and they boasted of it without any reference to the enormous disparity of numbers.† Bayeux, Avranches, and other towns, immediately surrendered to them; and soon after the Duke of Somerset was driven out of Caen. The last siege

the English sustained was at Cherbourg; but that place being furiously assailed both by sea and land, surrendered on the 12th of August; and the whole of Normandy was lost.*

The Count of Dunois and other captains had already made an impression on the English possessions on the Garonne: the Count of Penthievre had recently been despatched with an army in that direction, and, soon after the conquest or submission of Normandy, the mass of Charles's forces marched against Guienne, where there were scarcely any English troops, and where the people, though not much attached to the French, from whom they still differed materially in language and habits, were wavering and divided. The nobles generally had declared against the English: when the French army began their campaign in earnest, in 1451, the castles were surrendered to them without any fighting. The burghers in the principal towns were not so submissive:—they generally held out until they had obtained favourable terms of capitulation, and the solemn engagement of the king to respect their municipal privileges and franchises. The English, collecting their weak and scattered detachments, retired to Bordeaux and the places in the neighbourhood of that fair and flourishing city, where their flag had floated for three hundred years. Castillon, St. Emilion, Libourne, Rions, were carried by assault; and the Sire d'Orval advanced with a body of horse to the environs of Bordeaux. At his approach the English garrison and eight or ten thousand of the citizens, with their mayor at their head, made a sortie with more spirit than discipline: D'Orval charged them rudely at several points, broke them, covered the roads with their wounded and their dead, and carried off a considerable number of prisoners to his quarters at Bazas. But Bordeaux was not lost by an unlucky sally; and this year the French were awed by its formidable attitude. In the following summer the counts of Dunois, Penthievre, Foix, and Armagnac penetrated into Guienne from four different sides: the important town of Blaye surrendered to them; other places declared for Charles; and, hemmed in or crushed by numerous and still increasing forces, the English, who no longer possessed a foot of ground in the province except Fronsac, Bayonne, and Bordeaux, were forced to consent to give up those places by the festival of St. John, if they were not previously relieved and reinforced by troops from England. The time passed; not a man was sent to their succour; and on the appointed day the garrisons of Fronsac and Bordeaux piled their arms and opened their gates to the officers of Charles. Notwithstanding their stipulation, the garrison of Bayonne still attempted to defend that place; but they were compelled to capitulate soon after to Count Gaston de Foix, who besieged them with a great force of Basques and men of Béarn.

* Monstrelet gives a curious account of the siege of Cherbourg, and of certain French batteries where the cannons and bombards were under water when the tide was in, and could only be used when the tide was out.

* Monstrelet.—Hall.

† Monstrelet.—Villaret.—Sir Thomas Kyriel had drawn some troops from the garrisons, and joined them to his three thousand; but his force was still very inferior to the army of Clermont, to say nothing of the second French army under Klement.

Thus was lost the last fragment of the brilliant heritage of Eleanor of Aquitaine, which had been secured by the policy and valour of Henry II. Nothing now remained to the English in France save Calais and a strip of marshy land commanded by its batteries. In Normandy and the other parts of France their expulsion was hailed with a general though not unanimous joy; but it was far different in Guienne, where the people, who did not consider themselves Frenchmen, and who were strongly attached to their old franchises, which the English, accustomed to liberties of the same sort, had respected, felt that they had much to lose and little to gain by being included in that national system, and placed under French governors. In spite of the solemn promises of Charles and the oaths of his captains, they presently found that their capitulations and guarantees were worth nothing. The seneschal who governed at Bordeaux in the name of the King of France refused to take the oath which the seneschals of the English kings had always taken, to respect the franchises, privileges, and customs of the city; their municipal rights were daily violated by the military and civil officers; their trade was almost destroyed, and the commercial habits of the people were made a subject of mockery by an arrogant soldiery, and a vain and beggarly nobility. Forgetting all their former complaints against the pride of the islanders, the people of Guienne long continued to regret the days when the red cross of England waved over their thriving cities and sea-ports. Nor did they submit to their new masters without an effort to restore the dominion of their old ones.*

The tables had been turned: the English began, under Henry V., to make their conquest of France when that country was cursed with a mad king, an intriguing and vindictive queen, and a factious nobility; and they finished losing all they gained, and a great deal more, when the same curses fell upon their own country. Happy would it have been for the nation had the loss of the territories in France been the only evils flowing from those copious fountain-heads of discord and misery. But the shame of those losses was not to be borne patiently by a high-spirited people, who felt that their honour had been sacrificed by treachery and fatuity. Before the final closing of the account of defeat and expulsion they took a terrible vengeance on the *Duke* of Suffolk,—for such was the title which this minister, rising as his country sunk, had now taken to himself.

Bitter complaints had been repeatedly made in parliament by a spirited minority, and as misfortunes thickened this minority became a majority, whose indignation was overwhelming. Towards the end of 1449, while the public mind was exasperated by the recent loss of Rouen, Suffolk was attacked in both houses. He had a short breathing-time during the Christmas recess,† but the popular

clamour rose louder and louder; and when parliament met early in January, 1450, he complained of the accusations made against him, defended his loyalty and patriotism in an eloquent speech, and challenged his accusers to the proof. This challenge was readily accepted. Four days after, the commons, with very little ceremony, requested the lords to commit him to the Tower. The lords replied that they could not commit a peer without some specific charge against him. The commons took only two days to get up a direct charge, and, when they produced it, it was neither honest nor ingenuous: but we have repeated instances in these ages of the irregular way of proceeding in high state trials, the criminal being often accused of things of which he was innocent, and not being charged with the things of which he was notoriously guilty. In the present case it was difficult to touch the question of the war in France without wounding the queen, and Margaret had already made herself feared by her vindictive and daring character. The commons simply charged the duke with having furnished the castle of Wallingford with provisions and military stores, with the object of assisting the King of France, who, they asserted, was preparing to invade England. The lords, however, without hesitation, ordered the arrest of the obnoxious minister, and he was seized and conveyed to the Tower. The bill of impeachment, which the commons prepared in ten days, contained several additional charges. Indeed, the house seemed to have adopted all the popular rumours without scruple or examination; and instead of keeping to facts which might be proved, or which at least were supported by presumptive evidence, they embarrassed and weakened their accusation by inserting wild improbabilities. For example, they charged Suffolk with the design of destroying both Henry and his partial mistress Margaret, and placing the crown on the head of his own son; and they said that he had contracted engagements with the French, in the view of obtaining their assistance for these ends. To the charges of liberating the Duke of Orleans, and of ceding Maine and Anjou, he was certainly amenable as a minister; and these charges were now preferred against him. But the commons were still wavering and uncertain as to their proofs; and on the 7th of March, a month after laying their first impeachment of eight articles, they presented a new impeachment of a very different kind, which contained sixteen articles, some of which seem probable enough, but none of them amounted to absolute treason. They accused the duke of misprision of treason; making a profligate waste of the public money; of diverting the supplies voted by parliament to other objects than those intended by parliament in voting them; of giving evil advice to the king in the matter of grants from the crown, whereby the king had been impoverished, and improper and disloyal persons advanced; of betraying the secrets of the king's government to the enemy; and of protecting from justice an infamous outlaw named William

* Monstrel.—A. Thierry. Hist. Guyenne.—Hall.—Stow.

† During this interval the Bishop of Chichester, a friend of Suffolk and Keeper of the Privy Seal, was massacred by the people of Portsmouth for the part he had taken in the negotiations about Maine and Anjou.

Tailbois. The murder of the Duke of Gloucester, of which he was accused out of doors, was never alluded to in the present parliament; but we can hardly take this silence as a proof that Gloucester died a natural death.

On the 13th day of March Suffolk was brought to the bar of the lords, and falling on his knees before the king, he vowed that he was innocent of any treason. In pleading, he kept to the absurd impeachment in eight articles, never alluding to the charges of waste of money, improvidence, and corruption, or indeed to any other of the sixteen charges contained in the second bill of impeachment. As to the article relating to his project to secure the crown for his own son, he maintained that it was absurd, and the project impossible. He could not deny the cession of Maine and Anjou, but he urged that he was not alone in that guilt (if guilt it were), for the other lords of the council had authorized that measure, and the peers in parliament had afterwards sanctioned it. He pursued this line of argument in several cases, alleging that many of the lords had been partakers and co-operators in the matters laid to his charge. The commons were determined that he should not escape, and refused to vote any supplies: the court, by which could be meant little but the queen, were equally resolved that he should not be convicted; and the whole proceeding ended, as it began, in irregularity.

On the 17th of March Suffolk was again called up to the lords, the king being present. The chancellor* observed to the duke that he had not claimed the privilege of a peer, and asked him whether he had more to say in defence of his conduct. Suffolk said that he thought he had said enough to establish his innocence; and after asserting that he knew no more of certain conversations and other matters deposed against him than the child unborn, he threw himself upon the will of the king, his master. The scene had been arranged beforehand: the chancellor instantly rejoined, saying that, as the duke did not put himself upon his peerage for trial, the king would not declare him either innocent or guilty; but with respect to the second impeachment (to which Suffolk had given no answer), the king, not as a judge taking counsel of the lords, but as one to whose authority the prisoner had submitted of his own free will, commanded him to quit England before the 1st of May, and to remain in banishment for the space of five years, during which he was not even to set his foot in any of the continental possessions of the crown. The peers, upon this, made a protest, stating that this was the act of the king, and not their act, and that it should not be taken as a precedent to injure the rights and privileges of the peerage.†

If parliament had entered into this compromise, and were satisfied with it, it was far otherwise with

* This was the Archbishop of York. Suffolk's chancellor, the Archbishop of Canterbury, resigned the seals at the first blush of the prosecution. According to some accounts, the present scene passed in the king's apartment, to which all the lords, spiritual and temporal, were summoned.

† Rot. Parl.

the people of London. These were furious that the traitor, the cause of all the disgrace abroad, as they considered him, should be allowed to escape so easily; and, on the day of his enlargement, upwards of two thousand persons collected to take his life. Suffolk, however, evaded the rage of this mob, and went to his estates, where he summoned his relatives, friends, and dependents. In their presence he swore upon the host that he was a wronged and innocent man; and then he went to Ipswich, and embarked for the continent. On the 2nd of May, as they were sailing between Dover and Calais, the two small vessels which carried the exile and his retinue were brought-to by the "Nicholas of the Tower," a great ship of war. The duke was ordered on board the Nicholas, the captain of which said to him, as he stepped upon the deck, "Welcome, traitor!" He was kept on board two days, during which the ship stood off and on, probably communicating with some great movers in the business on shore, and the duke employed himself with his confessor. On the third day a cock-boat came alongside, and in the boat were a block, an axe, and an executioner. Suffolk was handed over to the latter, who cut off his head as that of a traitor. A general cry had been raised that Suffolk still retained the confidence of Margaret, and that it was insupportable to see the "queen's darling" escape with a certainty of being soon recalled to power and to vengeance; but who were the directors of his assassination was never clearly proved. This much, however, is certain, that from the employment of the Nicholas of the Tower for the capture,—and there were several other great ships sent to intercept the duke,—the deed was done, not by the infuriated commonalty, but by persons having rank and authority. No investigation took place; the people rejoiced at the death, and their minds were soon excited by other events which were the faint prelude to the horrible wars of the Roses.*

John Cade was a native of Ireland, who had passed some time in France as a soldier of the English, or, according to other authorities, as an outlaw. It appears, however, that he had returned to his own country, and that he came from Ireland, then governed by the Duke of York, into England, at the moment when the excitement against the government was at the highest. Insurrections had broken out in several parts of the kingdom before Suffolk's fall, and Cade put himself at the head of a great popular movement immediately after that event. He assumed the noble name of Mortimer, and claimed a descent which made him a relation (though illegitimately) of the Duke of York. None but very questionable evidence was ever brought to show that this prince had employed him, yet it is certain that Cade, or rather the peculiar circumstances of the times, without which Cade would have been nothing, played the game of the duke, and encouraged the hopes that York had long entertained of grasping the royal

* Hall.—Cont. Hist. Crayl.—Stow.

power. The men of Kent had long been noted for their determined spirit; they were the boldest and least vicious of the insurgents who, under Wat Tyler, nearly overturned a former weak government; they were probably better informed than the people of the inland counties of what was passing in France; and they were now more violent in their complaints than the rest of the nation, where discontent was universal. It was said, probably without truth, that the queen held them guilty of the recent murder of her favourite, whose headless body lay for some time exposed on the beach near Dover, and that she had threatened to take a sanguinary vengeance. Cade threw himself among these men, who selected him to be their captain. He led them towards the capital; and about the middle of June, a great multitude, estimated at fifteen or twenty thousand, encamped at Blackheath, from which point Cade kept up a correspondence with the Londoners, among whom were many who wished success to his enterprise. The court sent to demand why the good men of Kent had quitted their homes. Cade gave their reasons in a paper entitled 'The Complaint of the Commons of Kent.' After alluding to the report, that Kent was to be destroyed by a royal power, and made a hunting forest, "for the death of the Duke of Suffolk, of which the commons of Kent were never guilty," Cade, or the pens that wrote for him, went on to complain, that justice and prosperity had been put out of the land by misgovernment; that the king was stirred to live only on the substance of the commons, while other men fattened on the lands and revenues of the crown; that the people of the realm were not paid for stuff and purveyance forcibly taken for the king's use; that the princes of the royal blood were excluded from the court and government, which were filled exclusively by mean and corrupt persons, who plundered and oppressed the people; that it was noised that the king's lands in France had been aliened and put away from the crown, and the lords and people there destroyed with untrue means of treason; that the commons of Kent had been especially overtaxed and ill treated; that their sheriffs and collectors had been guilty of infamous extortion; and that the free election of knights of the shire had been hindered. The court pretended to be preparing a proper answer to this startling list of grievances, but it employed the time thus gained in collecting troops in London. In this interval Cade sent in another paper, headed 'The requests by the captain of the great assembly in Kent.' This document, though conceived in respectful language, went more directly to the point. It required that the king should resume the grants of the crown, so that he might reign like a king royal; that he should instantly dismiss all the false progeny and affinity of the Duke of Suffolk, and take about his noble person the true lords of his royal blood, namely, the high and mighty prince the Duke of York, late exiled from the king's presence, and the mighty princes,

the Dukes of Exeter, Buckingham, and Norfolk; that he should punish the false traitors who had contrived and imagined the death of that excellent prince the Duke of Gloucester, of their holy father, the Cardinal,* and of others, and who had promoted and caused the loss of Anjou, Maine, Normandy, and other parts of France. Among the great extortioners they mentioned by name Sleg, Cromer, Lisle, and Robert Est, and called for instant justice upon them. The court had now levied a considerable army; and this force was sent out to give the rebels their answer. Cade fell back from Blackheath to Sevenoaks, where, in a good position, he halted, and waited the attack of a detachment of the royal army, which had followed him in his retreat. This detachment was defeated on the 24th of June, and the commander, Sir Humphrey Stafford, was slain. The soldiers had not fought with good will at Sevenoaks; and when their main body, still at Blackheath, got intelligence of that affair, they began to say that they liked not to fight against their own countrymen, who only called for a reasonable redress of grievances, and who had taken the field for the rights and liberties of the nation. The court now found that concession was expedient; and they sent Lord Say, a very obnoxious minister, and some other individuals, who had been closely connected with the Duke of Suffolk, to the Tower, which Lord Scales undertook to maintain for the king. The army was disbanded, and the king was conveyed for safety to the strong castle of Kenilworth. While this was doing, Cade reappeared at Blackheath, and, by the end of June, he had made himself master of all the right bank of the Thames, from Lambeth and Southwark to Greenwich. From Southwark he sent to demand entrance into the city of London; and this, after a debate in the common council, was freely granted to him by the lord mayor. On the 3rd of July, Cade marched over the bridge, and led his followers into the heart of the capital. He seemed anxious to preserve the strictest discipline—he issued proclamations forbidding plunder, and in the evening he led his host back to the Borough. The next day he returned in the same good order; but he forced the mayor and judges to sit in Guildhall, and pass judgment upon Lord Say, of whose person he had, by some means, obtained possession. Say demanded a trial by his peers, but Cade's men hurried him to the standard at Cheapside, and cut off his head. Soon after, they did the same by Say's son-in-law, Cromer, the sheriff of Kent.† When this was over, they retired quietly to the Borough for the night. In the course of the following day a few houses were pillaged, Cade himself, according to some accounts,

* This murder of old Beaufort was the most absurd statement in these documents. Surely it was natural enough for a man to die at the age of eighty; and the cardinal, as we have said, died almost in public.

† Bills of indictment were also found against the Duchess of Suffolk, the Bishop of Salisbury, Thomas Daniel, and several other friends of the deceased minister, who, fortunately, were out of reach of the insurgents.

setting the example by plundering the house in which he had dined. The citizens now took counsel with Lord Scales, who had a thousand soldiers in the Tower; and it was resolved that they should prevent Cade from entering the city on the morrow. The insurgents got news of this intention in the night, and instantly made an attack on the bridge. The citizens resolutely defended that passage, and, after a nocturnal fight, which lasted six hours, and cost many lives, they remained masters of the bridge. Part of this old work was of the nature of a draw-bridge; but it appears that Cade had destroyed the chains and machinery the first day that he crossed the bridge.

The insurgents retired into Southwark, and, in concert with the irritated citizens, it was resolved to delude them by promises of pardon, as had been practised with the followers of Wat Tyler. Both the chancellor and the ex-chancellor, the Archbishops of York and Canterbury, had taken refuge in the Tower, whence they despatched the Bishop of Winchester with a general pardon, under the great seal, to all such as should return to their homes. It appears that the prelate also promised a redress of grievances. His mission had the immediate effect of creating a division among the insurgents—one party being of opinion that they ought to accept the conditions; the other, that there was no faith to be put in them. Some began to retire into Kent: Cade accepted the pardon, and then the whole force began to disperse. But in two days, Cade was again in Southwark, with a considerable host, who maintained that it would be folly to lay down their arms until they had obtained some security from government for the performance of its promises. Dissension, however, broke out afresh, and, being awed by the warlike attitude of the Londoners, they retreated to Blackheath, and thence marched to Rochester, where their feuds terrified their leader. Cade, who expected to be murdered or delivered up to government, which had proclaimed him a traitor, and offered one thousand marks for his apprehension, got secretly to horse, and galloped across the country towards the Sussex coast. He was closely followed by one Alexander Iden, an esquire, who overtook him, and attacked him sword in hand. After a desperate fight, the squire proved the better man. The head of Cade was stuck upon London Bridge, with the face turned towards the pleasant hills of Kent; and Iden was made happy with the thousand marks. Pursuit was then made after Cade's companions, and many were taken and executed as traitors.* It was stated in a subsequent act of attainder, that some of these men confessed that their object had been to place Richard Duke of York on the throne; but this evidence is open to suspicion; and, moreover, it was not affirmed that the insurgents had been employed by the duke.† But whatever may have been the

caution, prudence, and patience of the Duke of York, that prince's name was certainly put prominently forward at this time; and it is equally certain, if the question was to be decided by descent and birth, that York had a preferable right to the throne.

We have shown in what manner the claims of the old line of the Plantagenets rested in Edmund Mortimer, Earl of March.* This Edmund, after faithfully serving the House of Lancaster in peace and in war, died in 1424; upon which, as he left no issue, and as his brother Roger and his sister Eleanor had died childless, his rights passed to his sister Anne, married to the Earl of Cambridge, who had been condemned and executed for treason in the beginning of the reign of Henry V. Anne Mortimer had a son, the present Prince Richard, who succeeded to the titles of his paternal uncle, the Duke of York, as also to the lineal rights of his maternal uncle, Edmund Mortimer, Earl of March. But notwithstanding the growth of the doctrine of hereditary right,—a doctrine which had gradually made way in Europe,—it may be questioned whether the nation would have paid much attention to the genealogy of the Duke of York, if the notorious and still increasing incapacity of Henry, and the odium which his wife incurred, had not forced the subject upon their attention. The English, as compared with most of their contemporaries, had not been much given to precipitate measures and revolutions; the princes of the Lancastrian line had on the whole paid a delicate respect to the national liberties, and they had raised the military glory of the country to the highest pitch. The memory of Henry V. was regarded with feelings that had almost the fervour of a religious worship, and it was not forgotten that their present king was the only son of that hero. For many years they bore with and compassionated his weakness; they even revered his meekness and devotion, the only qualities he possessed susceptible of a favourable view. The Duke of York was well acquainted with all these circumstances, and he proceeded with a moderation and caution scarcely to be expected, under any circumstances, from a prince claiming a crown by hereditary right. He had been recalled from the command in France through the influence of Queen Margaret, and his post in Ireland was considered by his friends as a kind of exile. He had, however, acquired great popularity among the English and the descendants of the English in that country; and recently (in the year 1449) he had gained much credit by the ability he displayed in the suppression of an insurrection of the native Irish. Resigning his command there, he suddenly appeared in England in the end of August, 1451. It is said that attempts were made to prevent his landing, but that he came accompanied by a force more considerable than any the government had on foot near the coast. After paying a short visit to the king in London, he retired to his castle of

* Stow.—Fabyan.—Paston Letters.

† The act here alluded to was an act of attainder passed against the Yorkists, in November, 1459, when their enemies were triumphant.

Fotheringay. He was mute as to his intentions, but the court took the alarm, and sought to oppose him by the Duke of Somerset, the nearest male relation to King Henry, and the head of the younger branch of the House of Lancaster. But it was under Somerset's government in France that the loss of Normandy was completed; and this circumstance, added to that of his being in high favour with the queen, rendered him almost as unpopular as the Duke of Suffolk had been.* Two years were spent in noisy discontent and silent intrigues. Each party stood in awe of the other, and measured its ground before proceeding to extremities. Some dark deeds were committed by both factions, but the scale of guilt seemed rather to incline to the side of the court. Tresham, the Speaker of the House of Commons which had prosecuted the Duke of Suffolk, was assassinated by some friends of the queen.

In the month of November, about two months after the return of the Duke of York, parliament assembled, and became the scene of angry debate. A member of the commons boldly proposed that, as Henry had no children, and was not likely to have any, the Duke of York ought to be declared heir to the throne; but the proposer was committed to the Tower. The commons, however, passed a bill of attainder against the deceased Duke of Suffolk,† and agreed in a request that the king would be pleased to dismiss from office and from the court the new minister the Duke of Somerset, and several lords and ladies related to Suffolk. The court resisted or evaded both measures. Violent quarrels arose between the adherents of government and the Yorkists; the former asserting that there was treason afloat,—the latter, that there were projects for depriving Duke Richard of his liberty, and treating him as the Duke of Gloucester had been treated at Bury St. Edmund's. In the beginning of the year 1452 the Duke of York repaired to his castle of Ludlow, in Shropshire, the neighbourhood of which was devoted to the Mortimer family. He collected a considerable armed force, but, by proclamation, declared that he had no evil intentions against the king, to whom he offered to swear fealty upon the sacrament. A royal army was sent against him; but while that force went westward by one road, York marched eastward by another, and appeared before the gates of London, which were shut in his face. He then marched to the borders of Kent, where he probably expected to be joined by the malcontents who had been out with Cade. It appears, however, that few joined him, and when Henry came up with him, at Dartford, he agreed to a peaceful negotiation. Two bishops were the negotiators on the part of the king; and, when they asked why York was in arms, he asserted that it was for his own safety, seeing that

repeated attempts had been made to work his ruin. The king confessed that he had been watched with a jealous eye, but that this was on account of his suspicious conduct, and of the treasonable talk of his partisans, who had put forward his right to the succession.* This was the only allusion made by either party to the duke's hereditary claims during the present rising. Henry, however, said that he cleared York of all treason, and esteemed him as a true man and his own well-beloved cousin. Notwithstanding the coyness of the men of Kent, it may be presumed, from the high tone maintained by the duke, that his force was considerable. He insisted that all persons who had trespassed and offended against the laws, especially such as were indicted of treason, "and others being openly noised of the same," should be arrested and put upon their trial in a proper manner. The king, or those who directed him, promised all this, and more. A mock order was given for the apprehension of the minister, the Duke of Somerset, and York was assured that a new council, in which he should have a seat, should be appointed forthwith. Upon this Duke Richard disbanded his army, and agreed to a personal interview. With singular confidence, considering the prevailing treachery, he went unarmed and almost alone to the king's tent. One of the first persons he saw there was the Duke of Somerset, who called him felon and traitor, epithets which were retorted with interest. When York turned to depart he was told that he was the king's prisoner. Somerset, it is said, would have proceeded to a summary trial and execution, but this was prevented, though rather, it appears, by the fears of the other ministers and courtiers than by the mercy of the king, whom we cannot consider in the light of a free and competent agent, though we believe the concurring accounts of all writers, who describe him as having a horror of blood. York was then sent to London, and held partly as a prisoner, and "straighter would have been kept, but it was noised that Sir Edward, Earl of March, son to the said Duke of York, was coming towards London with a strong power of Welshmen, which feared so the queen and council that the duke was set at full liberty; and on the 10th of March he made his submission, and took his oath in St. Paul's to be a true, faithful, and obedient subject to the king, there being present King Henry and most of the nobility."† This oath was exacted from York as a condition of his liberation. He retired to his castle of Wigmore, and remained perfectly quiet till he was brought forward by the movements in parliament.

We have said that the people of Guienne did not submit without a struggle to the oppressive government of Charles VII. Soon after the pacification of the Duke of York ‡ they sent a deputa-

* Rot. Parl.—Will. Wyrester.—Hall.—Stow.

† In this bill Suffolk was set down as the murderer of Gloucester, and was also accused of abridging the days of other princes of the blood. We do not go so far as Dr. Lingard, in holding that the circumstance is a positive proof of Suffolk's innocence; but it is certain that parliament never produced these charges while Suffolk was living.

* The king, or those who managed for him, absurdly accused York of unlawfully slaying the Bishop of Chichester, who had been killed in a popular tumult at Portsmouth while the duke was in Ireland.

† Stow.

‡ Paston Letters.—Whethamstede.—Rot. Parl.—According to Stow, the Duke of York was not allowed to go free and retire to Wigmore until after the arrival of the deputation from Guienne.

tion into England to request the assistance of a small army, to express their bitter regret at all the changes which had taken place, and to promise the most perfect loyalty and attachment to King Henry if he would enable them to throw off the French yoke. We have sufficiently explained the grounds upon which the burghers of Bordeaux and the other trading cities were dissatisfied; but the dislike of the change was not confined to that class. Nearly all the lords of the Bordelais were irritated against the French, and they united with the citizens in the project of recalling the English. The chief of these nobles—the men of the highest rank in the country—were the sires of Duras, L'Esparre, Monferrand, Rauzan, and L'Anglade. These noblemen repaired secretly to London, where they treated with good effect, for, weak as was the government, it was determined to make an effort to recover what had been lost by miserable negligence. Four or five thousand good soldiers were collected and equipped, and the command was offered to the brave old Talbot, who, notwithstanding the weight of nearly eighty years, accepted it joyfully. At his approach to Bordeaux there was a stormy debate in the municipal council; some wished to permit the French garrison and the civil officers of King Charles to retire safe and sound; others insisted that they ought to be thrown into prison and kept as hostages; and some, still more animated by hatred and vengeance, said that they ought to be given up to the fury of the populace. It was perhaps fortunate for the French that Talbot marched into the town during this debate: he made the garrison prisoners of war. The nobles of the country crowded to his honoured standard,—the people caught the flame of insurrection,—and in a brief space of time the red cross of England was again raised in nearly every town in Guienne. Charles, at the moment, was engaged in a senseless war with the Count of Savoy; but these startling events recalled him from the neighbourhood of the Alps to the hills of Gascony. Having failed in his attempts to win over the people by promises of better government, he advanced against the towns on the Dordogne and the Garonne with fire and sword. Some of them he took by assault; and in these cases his troops were even more merciless than is usual on such occasions. In order to strike terror, he also struck off the heads of several barons of the country who were made prisoners; and in all matters he treated Guienne as a revolted province. Being joined by some companies of adventure, and the forces of the counts of Foix and D'Albret, his army amounted to twenty-two thousand men. In the summer following he laid siege to the important town of Castillon. Talbot determined to relieve this place. On the 20th of July, between night and morning, he surprised and cut to pieces a considerable force, drove in the outposts, and fell upon the French in their intrenchments. Their position was strong, and defended by bombards that discharged stone shot; but Talbot had nearly carried it when the

Count of Penthièvre came up with another army. The English withdrew from the works, formed in good order, and even then did not despair of fighting their way back to Bordeaux; but their brave "octogenarian chief" was slain, and his son was killed in attempting to save him; and then the troops fled. About a thousand men were made prisoners, most of them within the French works which they had carried. There was no second army,—there was no Talbot to prolong the struggle. The French army soon appeared before Bordeaux, which, after a bold resistance of nearly two months, was compelled by famine to capitulate on the 10th of October. The English garrison, amounting to about two thousand men, were allowed to depart with all their property, and the citizens were told that such of them as disliked the French rule might go with them. This permission was accepted by so many, that for a long series of years Bordeaux remained comparatively depopulated, and without commerce.*

A.D. 1454. The uneasiness shown by Parliament at the increasing incapacity of the king, and at the power of the queen and the Duke of Somerset, brought about the recall of the Duke of York to the council; and this measure was soon followed by the committal of Somerset, who was sent to the Tower at the end of the year 1453. Some proceedings in Parliament have an irregular and intriguing air; but what immediately followed was a great constitutional measure forced upon the nation, who were aware that Henry's unhappy malady had assumed so decided a character of derangement or imbecility as to render him unfit for any of the offices of government, or indeed of the common duties of civil life. On the 14th of February, 1454, Parliament was opened by the Duke of York, as lieutenant or commissioner of the king. For some time, the court had endeavoured to conceal Henry's real condition; but the lords were now resolved to ascertain it, and an accidental circumstance afforded them a good reason for forcing the privacy of Windsor Castle. Kemp, Archbishop of Canterbury and chancellor of the kingdom, died, and, as it was usual for the House of Lords to confer personally with the sovereign on such high occasions, a deputation of twelve peers went to Windsor, and would not be refused entry into the castle. They found Henry incapable of answering them or understanding them;—in the words of their report to the House, "they could get no answer nor sign from him, for no prayer nor desire," though they presented themselves to him three several times. This report of the deputation was, at their prayer, entered on record in parliament, and was reasonably considered as authentic a testimony as could be procured of their sovereign's infirmity (of which there was no kind of doubt in the country), and after adjourning two days, they "elected and nominated Richard Duke of York to be protector and defender of the realm of England." York, still

* Moustrel.—A. Thierry. *Hist. de Guienne*.—Hail.

advancing no hereditary claim to the crown, accepted of the humbler office with all the limitations put upon it by Parliament; but a weighty circumstance probably this time contributed to his moderation. Queen Margaret had been delivered of a son about a year before, and, though the outcry seems to have been almost universal that this was no child of Henry, the legislature could not entertain the popular clamour, but recognised the infant Edward, by creating him Prince of Wales and Earl of Chester. In accepting his post as protector, York took care to obtain the most explicit declarations from the peers, that he only followed their "noble commandments." This done, the peers carefully and strictly defined the amount and duration of his power: it was to last till the king's recovery, or, in case of his non-recovery, till Prince Edward became of age. In about nine months Henry recovered his memory and some degree of reason—perhaps as much as he had usually possessed. The court instantly claimed for him the full exercise of royalty; and York at once gave up the protectorate. The first use made of this resumed authority by the king was to liberate the Duke of Somerset.* This step and some others, which showed that it was the intention of the court to restore the unpopular minister, irritated a great part of the nation, and induced York once more to take up arms. He retired again to Ludlow, where he was joined by the Duke of Norfolk, the Earls of Warwick and Salisbury, and other men of rank. Again Henry went, or was carried, with an army towards Ludlow; but this time the duke, instead of avoiding him by taking a different road, anticipated his movements, and met him near to the capital with an army equal to his own. It appears that neither force was very considerable, but that York had the superiority in the number or goodness of his archers.† On the 22nd of May, as the royalists were about to continue their march from St. Alban's, they saw the hills in their front covered with armed men, who were moving forward, and who did not stop till they came near to the barriers of the town. The banner of York, now for the first time raised in actual civil war, floated over this host, who were chiefly Welshmen, or men from the marches of Wales. The duke sent a herald into the town, professing great loyalty and affection for the king, but demanding the person of the Duke of Somerset. It was replied by, or for the king, that he would rather perish in battle than abandon his friends. Upon this, battle was joined. Unless the people of St. Alban's were disaffected—and we are inclined to think, from what followed, that they were—the royalists had every advantage of position, for they were within the town, and their enemy had to advance against them across barriers and through narrow lanes and streets. York was kept in check at the barriers,

but another way into the town was pointed out; and, winding round part of the hill on which it stands, and crossing some gardens, the Earl of Warwick entered St. Alban's, and attacked the royalists in the streets. York then forced the barriers, and, after a very short contest, the royalists gave way, rushed out of the town, and fled in the greatest disorder.* The Duke of Somerset, the Earl of Northumberland, and the Lord Clifford were slain: the Duke of Buckingham, Lord Sudely, the Earl of Stafford, and the unfortunate king were wounded,—all by arrows. The Duke of York found Henry concealed in the house of a tanner: his wound, though in the neck, was not serious. He was treated with mildness and outward respect; his conqueror conducted him to the noble abbey of St. Alban's, where it appears that they prayed together before the shrine of England's first martyr. After this affair, which left the helpless Henry a prisoner in the hands of his enemies, it might have been expected that York would put forth his hereditary claim, but the disposition of parliament was not yet favourable to any such pretension, the nation apparently was still unconvinced of the dogma of the indefeasible right by birth, and York again displayed moderation. When parliament met in the month of July, it did little else than renew the protestations of allegiance to Henry and his son. After a prorogation, parliament met again on the 12th of November, when the Duke of York was appointed by commission to open the proceedings as lieutenant of the king. The commons, thereupon, sent up a message to the lords, stating, that as the Duke of York had been appointed to represent the king on this occasion, so "it was thought by the commons, that if the king hereafter could not attend to the protection of the country, an able person should be appointed protector, to whom they might have recourse for redress of injuries, especially as great disturbances had lately arisen in the west through the feuds of the Earl of Devonshire and Lord Bonville." The new Archbishop of Canterbury, in his quality of chancellor, said that the subject would be taken into consideration by the lords. Two days after, the commons repeated their request—refusing to proceed with any other business until it should be granted. During the earlier Norman reigns, the archbishops and bishops had pretended more than once that the right of providing for the vacancy of the throne was especially vested in them; the great lay lords never left to the church the full exercise of any such power; but it was still held, that in the upper house, between the peers spiritual and temporal, lay the exclusive prerogative of appointing regents or protectors, and that the commons could not legally interfere in such high matters. But notwithstanding this theory, and several precedents, the lords submitted to the present interference, and granted the request of the

* Rot. Parl.—Rym.—Whethamstede.—Paston Letters.

† Whethamstede, Abbot of St. Alban's, who appears to have been in that abbey at the time, says that the Duke of York had only three thousand fighting men with him.

* The number of the Lancastrians killed in this affair has been absurdly exaggerated in most of our old histories. One of the Paston Letters, written immediately after the fight, says that only six scores were slain.

commons, who were so decided and active, that they sent up a third message on the following day.* York, therefore, was again declared protector, and with this remarkable difference in the terms of his appointment:—he was to hold his authority till discharged of it by the lords in parliament, instead of holding it as before, during the king's pleasure. Still, however, parliament respected the rights of the infant prince, and it was declared in this session, as in the preceding year, that the protectorate should cease, in all cases, as soon as Edward attained his majority.† The ostensible reason for superseding Henry was his acknowledged incapacity, derived from physical maladies attended by mental derangement. There is no positive proof that he was worse than he had been a few months before; but if he were no better, the step need not surprise us. It happened to him, as to his reputed grandfather, the unhappy Charles VI.; being known to suffer fits of insanity, people could never count with any certainty on his lucid intervals, or put any trust in a king who was alternately declared to be sane or insane according to the rise or fall of a party. The House of Commons and the people would certainly have gone farther in the way of revolution; but the prelates, with one or two exceptions, and most of the lay lords were still averse to a change of dynasty. Indeed, they seem to have yielded to a strong popular demonstration on this occasion, and to have appointed York protector, contrary to their inclinations. The duke, however, had a majority in the council, and he gave some of the most important offices to his tried friends. The Earl of Salisbury was made chancellor, and the Earl of Warwick received the command of Calais, which soon became the stronghold and refuge of the party. No acts of vengeance were committed: it was considered that the Somerset faction had suffered sufficiently in the deaths of the lords in the affair of St. Alban's. Not a drop of blood was spilt, nor a single attainder passed.

Queen Margaret was not idle during this second short protectorate, and the powerful party of the court was put in motion. When parliament met, after the Christmas recess, in 1456, Henry, to the surprise of most people, attended, and demanded back, and received from the lords, all his authority as king. No doubt was raised touching his malady, and York resigned the protectorate without a struggle—apparently without a murmur. All the officers he had appointed were dismissed and replaced by persons devoted to the queen. Then York thought it time to look after the personal safety of himself, his sons, and adherents. He retired to his estates, where he kept his vassals on the alert; and most of the great lords of his party did the same. This was the more necessary, as the families and friends of Somerset and Northumberland, and the other lords who had fallen at St.

Alban's, openly expressed their determination to take a sanguinary vengeance. Having once drawn blood, the Lancastrians and the Yorkists (we must now use these dreadful words) could no longer settle their differences by any other means than the sword; and they prepared to make England the seat of a civil warfare like that which had raged in France, under similar circumstances, between the Bourguignons and the Armagnacs. But there were some essential points of difference in the civil wars of the two countries: the objects of the English factions were loftier and better defined than those of the French parties; they deliberated a long time before they drew the sword; and, when they drew it, they wielded it in a more manly fashion. Instead of proceeding by surprises and assassinations, sieges of castles, and paltry skirmishes,—instead of dragging on an indecisive war year after year, harrowing and wasting the substance of the poor people, each party collected its forces at once, and hastened to try the issue on an open field of battle.

In the end of February a great council was held at Coventry, and a sort of pacification was there effected between the Yorkists and the court party, the duke and his friend Warwick being compelled to give fresh assurances and oaths of fidelity.* The king, who was, no doubt, sincere, whatever may have been the feelings of his wife and the courtiers, then endeavoured to reconcile York and his friends with the avengers of Somerset and Northumberland. London was chosen, by mutual consent, to be the scene of this great peace-making. The Yorkists were lodged in the city, where their protection was secured by the mayor and the armed burghers; the Lancastrian lords were lodged outside the walls and in the neighbourhood. After some days spent in deliberation, the king, who lay at Berkhamstead, and who had assumed the character of umpire, gave his award, signifying that the Duke of York and the Earls of Warwick and Salisbury should build a chapel for the good of the souls of the lords they had killed at St. Alban's; that both those who were killed there and those who had killed them should be held loyal subjects; that the Duke of York should pay to the widow and children of the Duke of Somerset the sum of five thousand marks; that the Earl of Warwick should pay to Lord Clifford the sum of a thousand marks, and that the Earl of Salisbury should release Percy Lord Egremont from the damages he had obtained against him for an assault, upon condition of Percy's giving securities to keep the peace for ten years. This award was accepted; the court came into the city; and king, queen, Duke of York, and all, walked lovingly together in procession to St. Paul's.†

* The transactions at Coventry, and those which followed soon after in London, are involved in considerable doubt. Some light is thrown on the obscurity by passages in the Paston Letters, but much will for ever remain dark. It is clear, however, that both in Coventry and London the Yorkists feared a plot on the part of the queen. According to some accounts, the Duke of York and the Earl of Warwick, by the terms of reconciliation, were to have places in the council. No such places were given to them.

† Whethamsted.—Rot. Parl.—Long accounts of the procession

* On this occasion the assent of the commons is formally introduced in the act passed to ratify the election of the peers.

† Rot. Parl.

This was on the 25th day of March. In the month of May, Warwick, who had been allowed to retain the command at Calais, engaged, with great bravery, but without a due regard to the laws of nations, a strong fleet belonging the Hanse Towns, captured five or six ships, and carried them into Calais. The powerful Hanseatic league complained to the English court, which called upon Warwick for explanations. Warwick presented himself at Westminster; but in a few days he fled, alleging that his life was aimed at by the malice of the courtiers, who had set on men wearing the king's livery to assassinate him.* The truth is, neither of the two parties could trust the other; the reconciliation brought about through the gentle-hearted king was only apparent; the relations of the lords killed at St. Alban's thirsted for vengeance as much as ever; and the Yorkists believed that the queen kept a dismal record in which the names of all the leaders of their party were inscribed in letters of blood. Warwick joined his father, the Earl of Salisbury, and soon after they had a conference with the Duke of York and his friends. He then hastened over to Calais, where he was so popular, that his recal or dismissal by the government of Henry would have been but an idle ceremony. During the winter months he collected some veteran troops who had served in the French wars. In England the Yorkists were not less active; and as the court was raising an army as fast as the embarrassment of its finances would permit, it became evident that a fierce conflict was inevitable. The Yorkists asserted, as before, that they only armed for their own security. In the month of September, 1459, the Earl of Salisbury moved from Middleham Castle in Yorkshire, to join his forces to those of Duke Richard, who lay in the Welsh marches. At Bloreheath, near Drayton, in Shropshire, he found himself in presence of a Lancastrian army, commanded by Lord Audley, who had thrown himself between the earl and the duke with the view of preventing their junction. The Lancastrians were far superior in number;—they are estimated by some writers at ten thousand men; but Salisbury, by a feigned retreat, and by superior generalship, and the better discipline of his troops, gained a complete victory. Two thousand of the Lancastrians were slain, and Lord Audley himself was included in the number.

Salisbury joined the duke at Ludlow Castle, and Warwick, the true hero of these unhappy times, appeared there soon after with the fine troops he had raised at Calais.† The Lancastrians were not unprepared: sixty thousand men had been collected from different parts, and Henry was at Worcester with this force. After some negotia-

to St. Paul's are given in Hall, Stow, and Holinshed. The Duke of York and the queen walked hand in hand. The great quarrel was between these two.

* As Warwick was leaving the court, one of his retinue was struck by a servant of the royal household, and a dreadful affray followed. It is not proved that there was a design to murder the earl, but it is quite clear that the parties were in such a state that any accident must bring them to a collision.

† Whotham.—Hall.—Stow.

tions, in which the Yorkists asserted that the king's promises and good intentions were things not to be counted upon, as the courtiers did their own will against his wishes, and had in the preceding year basely attempted to murder the Earl of Warwick, the Lancastrians advanced from Worcester against their enemies, who, notwithstanding the comparative smallness of their numbers, boldly awaited their attack. The positions occupied by the Yorkists showed the military science of Warwick and his father Salisbury; they had thrown up intrenchments and disposed in battery a number of cannons and bombards, and though as yet the field-artillery was very deficient, being clumsy, slow, and difficult to move, cannons had become of great importance in fortified camps or fixed positions of any kind. As the Lancastrians approached, they were cannonaded with some effect; the lines of the enemy were imposing; and it was resolved to put off the battle for that day. During the night Sir Andrew Trollop, who was marshal of the Yorkist camp, and who had the immediate command of most of the men brought from Calais, deserted with all his veterans to the standard of Henry. "When the Duke of York was advertised of this departing," says our old historian of the Wars of the Roses, "no marvel though his senses were moved and his wits disturbed, as a man that suddenly riseth out of a trance wotteth not what to do or say."* This defection finished the campaign: the Yorkists broke up from the intrenched camp near Ludlow, and retreated in different directions without being followed.

All this happened on the 13th and 14th of October, 1459. On the 20th of November a parliament met at Coventry, and attained the Duke of York, his duchess, his sons, the Earl and Countess of Salisbury, their son the Earl of Warwick, the Lord Clinton, and many others. The Duke of York, who was thus doomed, had got safely to Ireland, where he was still popular from the remembrance of his former government of that island. The Earl of Warwick had retired to his sure asylum of Calais, conducting with him his father, the Earl of Salisbury, and the young Earl of March, the Duke Richard's heir. The court appointed the Duke of Somerset to the command of Calais; but when that obnoxious nobleman appeared before the port, the batteries opened upon him, and he was glad to escape to Guisnes. While he lay there, the mariners of his fleet deserted to a man, and went over to their great favourite, Warwick, carrying all the ships with them. This gave the "king-maker" the command of the Channel, and after taking two small fleets, fitted out by the Lancastrians, he sailed to Dublin.† From Ireland he returned to Calais, and then, crossing the Channel, he landed in Kent towards the end of June, 1460. He only brought fifteen hundred men with him; but manifestos had been previously circulated, and the men of Kent crowded to his banner. As he approached Canterbury, the archbishop, who had been pro-

* Hall.

† Whitham.—Piston Letters.

moted during the first protectorate of the Duke of York, went out to meet him and welcome him. The Lord Cobham and all the knights and gentlemen in the neighbourhood soon joined his army, which was swelled to thirty thousand men before he reached Blackheath. On the 2nd of July, the city of London welcomed him as a friend and deliverer; and he rode through the city, accompanied by his father and Edward the heir of York, to whose beautiful person and promising appearance all eyes were turned. Five bishops followed in the train of Warwick, who, without losing time, continued his march into the midland counties. He found the Lancastrians at Northampton, occupying an intrenched camp not unlike that which he and his friends had formed at Ludlow in the preceding year. There were other points of resemblance between these two affairs, for Lord Grey de Ruthyn now deserted the Lancastrians as Sir Andrew Trollop had deserted the Yorkists. The former, however, were not so fortunate in their retreat: they lost three hundred knights and gentlemen, besides the Duke of Buckingham, the Earl of Shrewsbury, and the Lords Beaumont and Egremont.* It appears that in this, as in several other encounters, all the victims were men of condition, for Warwick adopted as a fixed principle that it was proper or politic to spare the common people, and to refuse quarter to the nobles and the leaders. The unhappy Henry was taken prisoner a second time, but Margaret escaped with her son Edward, and, after many adventures, got into Scotland. The victors marched back to the capital and summoned a new parliament, to meet at Westminster in the name of King Henry, whom they treated with great tenderness and respect. The parliament repealed all the acts passed at Coventry the year before, alleging that that parliament had not been duly and freely elected. Then the Duke of York, who had come over from Ireland, entered London with a splendid retinue all armed and well mounted. From the city he rode to Westminster, where he dismounted and entered the House of Lords. It was an exciting moment: he walked straight to the throne and laid his hand upon the gold cloth which covered it; but there he paused—looked round—and did not seat himself on the throne. He had, however, at last made up his mind to claim it. His friend, the Archbishop of Canterbury, asked him if he would not visit the king, who was in the palace hard by? The duke replied that Henry ought rather to wait upon him,—that he was subject to no man in that realm,—but, under God, was entitled to all sovereignty and respect. The peers maintained a dead silence, and the duke, leaving the house, took possession of the royal palace as his own.† In less than a week—on the 16th of October—the duke sent a formal demand of the crown to the lords, requiring their immediate answer. The lords told him that they refused justice to no man, but that they could give

no answer without the advice and consent of the king. They, however, were forced to attend to the duke's paper, in which he traced his descent, and claimed as the representative of Roger Mortimer, whose right he maintained was according to all law preferable to that of a descendant of Henry of Bolingbroke, who had entered upon the thrones of England and France against all manner of right. There was probably much in this proposition unpalatable, even as constitutional doctrine, to the upper house. Many of the great lords, moreover, had attained to their greatness under Henry of Bolingbroke, his son, and grandson, whom it was now proposed to declare usurpers; and the Yorkists had irritated the tenderest susceptibilities of many of the lords by their repeated threats of resuming the estates and grants of the crown. At the same time, no doubt, they felt some sympathy for the inoffensive king, who, now that the queen was away, was pitied by the people at large. Indeed, a notion had gone forth that Henry was very likely to become a saint, and to be canonised, like his predecessor Edward the Confessor, whom he resembled in many respects. As the Duke of York would not brook delay, the lords waited upon Henry on the following morning. The captive king, or those who advised him, made a spirited reply, reminding the lords that he, as an infant, had inherited the crown which had been worn with honour by his father and his father's father,—that he himself had been permitted to wear it without challenge for forty years, and that the lords and princes had all repeatedly sworn fealty to him. Instead, however, of standing on the firm ground of former precedents, which had shown that England was not to be considered as heritable property, and that the order of succession could be altered by the estates of the kingdom, the lords were requested to make search for arguments and proofs against the duke's right. This was in fact giving up the question, for as soon as the laws of hereditary descent were assumed as decisive, the title of Richard became indisputable, and all the objections to it were idle and ridiculous, excepting always that derived from the oaths of fealty the duke had taken to the reigning king. The lords, greatly embarrassed, wished to have the opinion of the judges, but the judges asserted that such high matters could be decided only by the princes of the blood and the parliament, and refused to attend. The Upper House then summoned the king's serjeants and attorneys, who were obliged to attend against their will, the lords holding them as bound by their office to give advice to the House. The lords deliberated and voted with an appearance of perfect freedom, just as if Warwick had not been at hand at the head of a victorious army; and, on the 23rd of October, they presented their objections to Richard's title. These were—1. The duke's oaths of fealty and the oaths they had all taken to Henry; 2. Many acts of parliament passed since the accession of the House of Lancaster; 3. That entails had been made of the

* Whetham.—Stow.—Hall.

† Whetham.—Hall.—Rot. Parl.

crown on the male line only, whereas he claimed through a female. The other two objections were thoroughly ridiculous; they referred to York not having borne his proper coat-of-arms, and to a declaration made by Henry IV., which everybody knew to be utterly false.* The duke's counsel had an easy task in replying to these objections. Nothing was of much weight except the oaths, and these the duke offered to refer to the consideration of the highest spiritual court. The lords were compelled to acknowledge that the hereditary law was wholly in favour of York. At the end of this curious inquiry, they suggested a compromise which York had the moderation to accept. Henry was to retain the crown during his life; but at his death it was to devolve to Richard, and to be vested in him and his heirs, to the exclusion of Prince Edward, the son of Margaret of Anjou.†

But there was a powerful party whose voices were not heard in these deliberations, and the energetic Margaret was at large exciting them to take up arms for her son. Soon the gentle hills of England glittered again with hostile lances, and hostile bands, collecting from all quarters, advanced to meet in two great armies, the one under the Duke of Somerset, the Earls of Northumberland and Devon, and the Lords Clifford, Dacres, and Nevil; the other under the Duke of York, the Earl of Salisbury, and other lords. They met, on the last day but one of the year, at Wakefield, in Yorkshire, where Richard, who was as quick in the field as he was slow and cautious in the council, imprudently gave battle with forces very inferior in number. The onslaught was terrific; the men on both sides fought with savage fury, for the people had entered into the delicate questions of right and legitimacy, and their passions were worked up to frenzy. For a time the Yorkists maintained the conflict with a good hope of victory, for they were in a better state of discipline than their adversaries; but a sudden charge in their rear, made by some troops of borderers who had been brought up by Queen Margaret, proved fatal to them. The duke himself was slain; and of five thousand men who had followed him to Wakefield, two thousand remained upon the field. The Earl of Salisbury was pursued and taken during the night: he was carried to Pontefract Castle, where he lost his head. York's second son, the Earl of Rutland, a beautiful boy only twelve or thirteen years old, was stopped at Wakefield Bridge, as he was flying with a priest "called Sir Robert Aspall, who was chaplain and schoolmaster to the young earl." The poor boy fell on his knees to pray for mercy, but, as soon as he was known, Lord Clifford, whose father had been

* Henry, it will be remembered, had claimed the crown as being "descended by right line of blood from the good lord King Henry III." (See Vol. I. p. 800.) He pretended that his ancestor, Edmund Earl of Lancaster, the great-grandfather of his mother the Duchess Blanche, was the elder brother of Edward I., but had been set aside in favour of Edward, in consequence of being deformed in body. This was simply a barefaced invention and untruth, in opposition to all evidence, and could not for a moment have deceived anybody. It seems to have been put forward merely as a decent superficial varnish, which might perhaps soften the irregular character of the transaction to formal consciences.

† Rot. Parl.—Whetham.—Hall.

killed by the Yorkists at St. Alban's, plunged his dagger into his heart, vowing, by God's blood, that he would do the like to all of kin to York, and then the savage bade Aspall go on and tell his mother, the duchess, what had happened. England was not yet accustomed to such deeds, and a cry of horror ran through the land. Margaret vented what spite she could upon the lifeless body of Duke Richard; by her orders his head was stuck over a gate of the city of York, and a paper crown was put upon it in cruel mockery. If he had had less mercy and moderation he might have worn the real crown long before, and have sent the husband and the son of Margaret to their graves. Nearly all the officers and persons of note died fighting at Wakefield, where no quarter was given; but a few knights and esquires who escaped from the field were taken and executed by order of the queen at Pontefract and other places. This vindictive woman was mad for blood, and her fury was but too well seconded by such of the Lancastrians as had lost friends and relations in the war. "At this deadly blood-sucking was much joy and great rejoicing; but many laughed then that sore lamented after, as the queen herself and her son: and many were glad then of other men's deaths, not knowing that their own were near at hand, as the Lord Clifford and others."*

A.D. 1461.—Edward Earl of March, now Duke of York, was lying at Gloucester when he received news of the death of his father, brother, and friends: he had raised a body of troops to reinforce the army in the north, but, being too late for that operation, he moved towards the south-east with the intention of throwing himself between the queen's army and the capital, within the walls of which was the main strength of his party. The fate of Duke Richard, which was proclaimed in manifestos, greatly irritated the vassals of the House of Mortimer, and thousands who had not moved before now left the Welsh marches and followed the standard of his son. Upon this he was encouraged to proceed directly towards the queen; but he found an enemy sooner than he expected, for a great force of Welsh and Irish had been detached under Jasper Earl of Pembroke, King Henry's half-brother, and a dreadful conflict took place on the 1st of February, at Mortimer's Cross, near Hereford. Edward gained a complete victory: three thousand six hundred of his enemies were left on the field; Owen Tudor, the second husband of Catherine of France, was taken, and, with eight other Lancastrians of rank, was beheaded at Hereford a few days after, as a retaliation for the queen's executions at Wakefield, Pontefract, and other parts in Yorkshire. Jasper, Owen Tudor's son, had the good fortune to escape out of the battle.

Before Edward could join him in the east, the Earl of Warwick was attacked and routed by the queen, who had followed the high northern road with good hopes of reaching London. At the

town of St. Alban's, which was held by the Yorkists, she experienced a severe check; but, turning that position, she fell upon the army of Warwick, which occupied the hills to the south-east of the town. The combat was prolonged over the undulating country that lies between St. Alban's and Barnet; and the last stand was made by the men of Kent upon Barnet Common. At night-fall, Warwick found himself beaten at all points; and so precipitate was his retreat that he left King Henry behind him at Barnet. The queen and her son found this helpless man in his tent, attended only by the Lord Montague, his chamberlain. In this running fight the Yorkists lost nearly two thousand men, and, on the following day, the Lord Bonville and the brave Sir Thomas Kyriel, who had been made prisoners, were executed in retaliation for the beheading of Tudor and his companions at Hereford. In this manner every battle swelled the account of individual and party vengeance, until the whole war took the dark character of a personal feud. On the 17th of February King Henry was freed again from the hands of his enemies: five days after, a proclamation was issued in his name, stating that he had consented to the late arrangement respecting the succession to the crown only through force and fear. Edward, "late Earl of March," was declared a traitor anew, and rewards were offered for his apprehension.

But Edward was now in a situation to proclaim traitors, and to put a price upon other men's heads himself. His victory at Mortimer's Cross, where more Lancastrians were slain than in any preceding battle, produced a great effect. As he marched eastward, every town and every village reinforced him, and when he joined the Earl of Warwick and collected that nobleman's scattered forces, he had an army more than equal to that of the queen. The favour of the Londoners, the cruelties of the queen, and the conduct of the undisciplined troops which she had brought from the north, made the balance incline wholly to the side of the Yorkists. It appears that Margaret and her party had no money, and that their troops subsisted by plunder. It was reported that the Borderers and the men of the north had expressly covenanted for the spoil of all things after they had once passed the river Trent, and their conduct seemed to verify this rumour. Wherever they stopped they laid the country bare, making free by the way with whatever they could carry off, and not making much difference between things sacred and things profane. After the battle, they not only plundered the town of St. Alban's, but also stripped the rich abbey.* These doings got them an evil fame in all the south, where every man who had been quiet before began to arm for the protection of his property. According to one of our old historians, "the wealth of London looked pale, knowing itself in danger from the northern army, in which

were Scots, Welsh, and Irish, as well as English." At the same time the Londoners were told that Margaret had threatened to wreak her vengeance upon them for the favour they had so constantly shown to her enemies. She sent from Barnet to the city, demanding supplies of provisions; and the mayor, not knowing as yet that Edward was at hand, loaded some carts with "lenten stuff" for the refreshing of her army; but the people would not suffer them to pass, and, after an affray, stopped them at Cripplegate. During this disturbance some four hundred horse, who had ridden from Barnet, plundered the northern suburbs of the city, and would have entered one of the gates had they not been stoutly met and repulsed by the common people. A day or two after, on the 25th of February, the united forces of Edward and Warwick appeared in view, and were received as friends and deliverers. The northern army was in full retreat from St. Alban's, and Edward, who was a stranger to the scruples and indecision of his more amiable father, was fully resolved to seize the throne at once. He rode through the city like a king and a conqueror: and he was carried forward to his object by a high stream of popularity and the enthusiastic feelings of the people, who could not sufficiently admire his youth, beauty, and spirit, or pity his family misfortunes. One of the chroniclers is at a loss for words to declare "how the Kentish men resorted,—how the people of Essex swarmed,—and how all the counties near to London daily repaired to see, aid, and comfort this lusty prince and flower of chivalry, as he in whom the hope of their joy and the trust of their quietness then consisted."⁶

The Lord Falconberg got up a grand review of part of the army in St. John's Field; and a great number of the substantial citizens assembled with the multitude to witness this sight. Of a sudden, Falconberg and the Bishop of Exeter, one of Warwick's brothers, addressed the multitude thus assembled, touching the offences, crimes, and deceits of the late government,—the long-proved incapacity of Henry,—the usurpation and false title through which he had obtained the throne; and then the orators asked if they would have this Henry to reign over them any longer. The people, with one voice, cried "Nay, nay." Falconberg, or the bishop, then expounded the just title of Edward, formerly Earl of March, and drew a flattering, but not untrue, picture of his valour, activity, and abilities. Then they asked the people if they would serve, love, and obey Edward; and the people of course shouted "Yea, yea;" crying "King Edward! King Edward!" with much shouting and clapping of hands. But this scene in St. John's Field could scarcely be deemed a sufficient election or recognition. On the following day, the 2nd of March, a great council, consisting of lords spiritual and temporal, deliberated and declared, without any reference to the authority of parliament, which never met till eight months

* The plunder of the abbey entirely changed the worthy abbot's politics, and, from a zealous Lancastrian, Whethamstede became a Yorkist.

after, that Henry of Lancaster, by joining the queen's forces, had broken faith, and violated the award of the preceding year, and thereby forfeited the crown to the heir of the late Duke of York, whose rights by birth had been proved and established. On the 4th of March, Edward rode royally to Westminster, followed by an immense procession. There he at once mounted the throne which his father had only touched with a faltering hand; and from that vantage ground he explained to a favourable audience the doctrine of hereditary

right, and the claims of his family. The people frequently interrupted him with their acclamations. He then proceeded to the abbey church, where he repeated the same discourse, and where he was again interrupted by shouts of "Long live King Edward!" On the same day he was proclaimed in the usual manner in different parts of the city.*

At the time he took these bold steps, Edward was not twenty-one years old.

* Whetham.—Cont. Croyl.—Stowe.—Hall.—Paston Letters!

EDWARD IV.



EDWARD IV

From a Painting on a board, formerly preserved in the Manor House, Southwick, Northamptonshire.

A.D. 1461. Instead of staying in London to enjoy the pageant and festivity of a coronation, Edward was obliged to take the field instantly, and face the horrors of a war which became more and more merciless. The Lancastrians, after their retreat from St. Alban's, had gathered in greater force than ever behind the Trent and the Humber; and, by the middle of March, they took up ground in the neighbourhood of the city of York, being, horse and foot together, sixty thousand strong. Their chief commander was the Duke of Somerset, who acted in concert with Queen Margaret; for Henry still lay helpless at York, and the Prince Edward, Margaret's son, was only eight years old. Instead of awaiting their attack in the southern counties, the Yorkists determined to meet them on

their own ground in the north. This resolution was adopted by the advice of the Earl of Warwick, who set out at once with the van of the army. Edward closely followed him; and, partly through good will to him and his cause, and still more from an anxious wish to prevent a second visit from the northern army, the men of the south flocked to his advancing banner, and, by the time he reached Pontefract Castle, he was at the head of an army of forty-nine thousand men. England had never before witnessed such a campaign as this. There was no generalship displayed; the ordinary precautions and manœuvres of war were despised, and Yorkists and Lancastrians moved on in furious masses, with no other plan than to meet and strike. They met in full force at Towton,



GREAT SEAL OF EDWARD IV.

on the 28th of March, and began a general combat in the midst of a terrible snow-storm. They fought from nine o'clock in the morning till three in the afternoon, when the Lancastrians, who were more numerous than their adversaries, but not so well armed and equipped, were driven from the field, upon which they left twenty-eight thousand dead—a far greater number than had fallen in battle on the side of the English during the whole French war. Edward, who had none of the generous or merciful feelings of youth, had ordered that no quarter should be given. The Earl of Northumberland and six northern barons died fighting; the Earls of Devonshire and Wiltshire were taken prisoners, and beheaded as traitors. The Duke of Somerset, the commander-in-chief, escaped with the Duke of Exeter to York, whence they fled rapidly to the Scottish borders, carrying with them Queen Margaret, her son, and her husband. The previous battles of the Roses sink into insignificance when compared with this mighty slaughter: the loss on both sides had hitherto usually ranged between the moderate numbers of three hundred and five or six thousand; but at Towton there perished, between Yorkists and Lancastrians, thirty-eight thousand men.* The effect of this deplorable sacrifice of human life was firmly to fix, for a time, the crown upon the head of a prince who soon proved that he was unworthy of it.

Edward entered York a very short time after the flight of Henry, and having decapitated some of his prisoners, and stuck their heads upon the walls, from which he took down the heads of his father and young brother, he continued his march as far north as Newcastle. The people submitted to the conqueror, whose hands were yet reeking with the blood shed at Towton; but the Scots, who had contracted a close alliance with Henry, were

* Paston Letters.—Cont. Hist. Croyl.

disposed to give him farther trouble. But Edward, confident in his officers, and impatient for his coronation, soon left the army, and returned to London. On the 29th of June, he was crowned at Westminster, with the usual solemnities; and he then created his brother George, Duke of Clarence, and his brother Richard, Duke of Gloucester. The Scots, who had been gratified by the gift of their old town of Berwick, laid siege to Carlisle, and assisted Margaret in making an incursion into the county of Durham: but both these operations were unsuccessful. Henry, who was carried about by the Lancastrians, had a narrow escape from being made prisoner near Durham; and the Scottish army before Carlisle was defeated with great loss by Lord Montague, one of Edward's commanders. By the time the new king assembled his first parliament, which was not till the 4th of November, all opposition had disappeared, and there was no armed force on foot in England, except such bands of his victorious army as he could afford to keep embodied. As the chiefs of the Lancastrian party were all proscribed, or about to be so, as some of the peers were absent, and others intimidated, and as the House of Commons and the city of London were declared and enthusiastic Yorkists, no opposition, no defence of the revolution which had placed the family of Lancaster on the throne, was to be apprehended. An act was passed to declare Edward's just title. No allusion was made to the mental derangement or incapacity of Henry, or to any of those demerits in the late government which might have justified this revolution. The position assumed was the high ground of legitimacy, which, however, would hardly have been thought of by the nation had it not been for the miserable weakness of the expelled sovereign. After stating Edward's right by descent, the act proceeded to declare the three kings of the Lan-

castrian line tyrants and usurpers, and to recite how, upon the 4th day of the month of March last past, Edward had "taken upon him the realm of England and lordship of Ireland, and entered into the exercise of the royal estate, dignity, and pre-eminence, having on the same 4th day of March, amoved Henry, late called Henry VI., son to Henry, son to the said Henry, late Earl of Derby, son to John of Gaunt, from the occupation, intrusion, reign, and government of the realm."* The act thus confirmed Edward's title, and fixed the commencement of his reign from the 4th of March, the day on which he had been proclaimed. The other proceedings of this parliament were in keeping with this act: the grants made by the three Henrys were resumed, with certain exceptions, and bills of attainder were passed against the expelled king, the queen, Prince Edward, the Dukes of Somerset and Exeter, the Earls of Northumberland, Devonshire, Wiltshire, and Pembroke, the Lords Beaumont, De Roos, Nevil, Rougemont, Dacre, and Hungerford, and one hundred and fifty knights, esquires, and priests. Considering the fearful thinning the party had undergone on the bloody field of Towton, this proscription must have included most of the heads of the Lancastrian faction. As usual in such cases, the loyalty of the Yorkists was gratified and enlivened with gifts of the forfeited estates. Before the dissolution, Edward made a gracious speech to the commons, thanking them for the "tender and true hearts" they had shown unto him, and promising to be unto them a "very right wise and loving lord."† It was plain, however, from these unequivocal demonstrations, that this would be a reign of terror; and such it proved from beginning to end, being rendered horrible by blood, cruelty, and treachery.

If the deposed Henry had been left to himself, he would have found peace, and as much happiness as he was susceptible of, within the walls of some religious house; but Margaret was as resolute and as active as ever, and nothing was left to the proscribed nobles but their desperate swords. The queen, on finding her intrigues in Scotland counteracted by the money and the large promises of Edward, passed over to France, to see what assistance might be obtained from family affection and gratitude for past services. The Duke of Brittany, pitying her forlorn condition, gave her a little money; but Louis XI., who had succeeded in the preceding year to his father, Charles VII., was a most cunning, cautious prince—one that never gave anything without an equivalent, immediate or prospective, and who had even less family affection than the generality of kings. Louis explained how poor he was, how distracted the state of his kingdom; but when Margaret spoke of delivering up Calais as the price of his aid, he turned a more ready ear. He was not, however, in a condition to do much; and all that the fugitive queen obtained from him was the sum of

* Rot. Parl.

† *Ibid.*

twenty thousand crowns, and about two thousand men, under the command of Peter de Brezé, seneschal of Normandy, who, it appears, raised most of the men at his own expense. Such a reinforcement was not likely to turn the tide of victory. Margaret, however, returned to England, and threw herself into Northumberland, where she was joined by the English exiles and some troops from the borders of Scotland. She even obtained some trifling successes, taking the castles of Alnwick, Bamborough, and Dunstanburgh; but she was obliged to flee when the Earl of Warwick advanced with twenty thousand men: the French got back to their ships, all but five hundred, who were cut to pieces at Holy Island, where they thought they could maintain themselves. A storm assailed her flying ships; the vessels that bore her money and stores were wrecked on the coast, and she and De Brezé reached Berwick in a wretched fishing-boat. This was in the month of November. In December, Warwick reduced Bamborough and Dunstanburgh, or rather those places surrendered, on condition that the Duke of Somerset, Sir Richard Percy, and some others should be restored to their estates and honours, upon taking oaths of allegiance to Edward; and that the Earl of Pembroke, the Lord de Roos, and the rest of the garrisons of the two places should be allowed to retire in safety to Scotland. Alnwick Castle was garrisoned by more determined men; and an attempt was made by a Lancastrian force to relieve it; but Warwick got possession of it by capitulation early in January.

A.D. 1463. Edward gave Alnwick to Sir John Ashley; and this circumstance converted Sir Ralph Gray from a very violent Yorkist into a very violent Lancastrian; for Gray had expected to get Alnwick for himself. This kind of sudden political conversion became very prevalent: we mention the fact, which goes far to explain the otherwise unaccountable conduct of the public men of the time, but we cannot enter into details of the particular cases. Somerset and Percy got back their lands, and their attainders were reversed in Parliament. It is stated that King Henry was now conveyed for safety to one of the strongest castles in Wales. Meanwhile, Margaret sailed once more from Scotland, to solicit foreign aid. She landed at Sluys, in Flanders, attended by De Brezé, the Duke of Exeter, and a small body of English exiles. Philip, Duke of Burgundy and Lord of Flanders, with all the adjoining country, was the same Duke Philip that had so long been the ally of the Lancastrians, and that had repeatedly sworn oaths of fealty to Henry; but the whole political system of his early life had changed, and in his old age he had become cautious and reserved. He had no wish to quarrel with the predominant faction in England; his subjects of Flanders were intolerant of all measures likely to interrupt their trade with the English; the Duke therefore gave Margaret some money to supply her immediate wants, and sent her with an honour-

able escort to her father in Lorraine, counselling her to wait events and be patient. But patience was a virtue little known to Margaret of Anjou, who, though she remained some years on the continent, never remitted her endeavours to raise up enemies against Edward, and stir the people of England to fresh revolts.

A.D. 1464. As early as the month of April, the Lancastrians were again in the field. The Duke of Somerset, in spite of his recent submission, flew to the north, where Percy had raised the banner of King Henry, who had been brought from Wales to give the sanction of his presence to this ill-arranged insurrection. The Lord Montague, brother to the Earl of Warwick, scattered their forces or prevented their joining: he defeated Percy on the 25th of April, at Hedgley-Moor, near Wooller; he surprised Somerset on the 15th of May, at Hexham. Percy died fighting; the Duke of Somerset and the Lords de Roos and Hungerford were taken and beheaded; and their deaths were followed by a series of executions at Newcastle, Durham, and York. Sir Ralph Gray, who had been out in this affair with the Lancastrians, was taken by the Earl of Warwick in the castle of Bamborough some weeks after, and carried to King Edward, who, during the short, murderous, and inglorious campaign, had been detained at Doncaster by an illness brought on by vicious excesses. Edward treated Gray with the utmost severity; his knightly spurs were stricken off by the king's cook; his coat-of-arms was torn from his body, and another coat, reversed, put upon his back: he was sent bare-foot to the town's end, and then he was laid down on a hurdle, and drawn to a scaffold, where his head was struck off.* King Henry lurked for a long time among the moors of Lancashire and Westmoreland, where not a man was found capable of betraying him, or of refusing him assistance. About a year after the battle of Hexham he removed into Yorkshire, where he was recognised by some persons of the opposite faction, or, as some say, betrayed by a monk. In the month of July he was seized in Waddington Hall, as he was sitting at dinner, by the servants of Sir James Harrington, who, with his associates, the Tempests, Talbots, and other Yorkists of those parts, forwarded the royal prisoner with a good guard to the capital. As the captive king rode through Islington, he was met by the Earl of Warwick, who lodged him safely in the Tower. From the savage character which the contest had taken, it might be expected, that if not sent publicly to the block, Henry would have been disposed of by secret assassination; but whether from pity or contempt, or from an apprehension of popular feeling, he was allowed to live on, and was even humanely treated in his prison.

The destruction of the greatest of his enemies, the flight of Queen Margaret, the captivity of her husband, the truces and treaties he had concluded with Scotland, with the King of France, with the

* Stow.

Duke of Burgundy, the Duke of Brittany, the Kings of Denmark, Poland, Castile, and Arragon, and the congratulations of the pope on his accession, seemed to prove that Edward's throne was safe and unassailable; but a sudden passion for a beautiful woman—the least dishonourable and ungenerous passion he ever indulged in—shook the throne until it fell; and he, in his turn, became for a season a fugitive in foreign lands. Jacquetta, the Duchess of Bedford, was still living with her second husband, Sir Richard Woodville, or Wydeville. One day Edward paid this lady a visit at her manor of Grafton, near Stoney Stratford. By accident or design, Jacquetta had with her at the time of this visit, her beautiful daughter Elizabeth, who was widow of Sir John Gray, a Lancastrian, who had been slain in the second battle of St. Alban's, and whose estates had been forfeited. This young widow, who is described as being as accomplished and eloquent as she was beautiful, threw herself at the feet of the young and amorous sovereign, imploring him to reverse the attainder of Sir John Gray, in favour of her innocent and helpless children. Whether the effect of this touching appeal were foreseen or not, it seems quite certain that the experienced Jacquetta contrived to turn it to the best account for the advantage of her daughter, and that it was through her ingenious manoeuvres that the impetuous Edward was induced to contract a private marriage with Elizabeth at Grafton, on the morning of the 1st of May, 1464. The fears of Edward induced him to keep this union a profound secret for some months; but on the 29th of September, having prepared his friends, and gathered around him the relations and connexions of his wife, who, notwithstanding their having been all of them Lancastrians, were not slow in changing their politics when Elizabeth became queen, he summoned a great council of the prelates and lay lords to meet in the royal abbey of Reading. There the king's brother, the Duke of Clarence, and the Earl of Warwick, who are generally supposed to have been incensed at the unequal and impolitic marriage, took the fair Elizabeth by the hand, and introduced her to the august assembly, by which she was welcomed as their good and right queen. In the month of December following, Edward summoned another great council at Westminster, which settled upon his wife four thousand marks a year. Early in the following year he began to make preparations for her coronation, being anxious to elevate her in the eyes of the people, and place her, by a solemn act, above the level of the noble dames of England who had affected to treat her as an inferior, or, at most, as their equal. Jacquetta, who was come of a princely line, suggested or seconded an invitation which Edward sent to her brother James of Luxembourg; and James came over with a retinue of a hundred knights and esquires to do honour to the coronation of his niece. On Saturday, the 25th of May, Elizabeth was paraded in a horse-litter through



.QUEEN ELIZABETH WOODVILLE.

the streets of London, being most richly attired, and escorted by thirty-eight new-made Knights of the Bath, four of whom were citizens of London; and on Sunday she was crowned at Westminster. The feasts, the tournaments, and public rejoicings which followed were unusually magnificent.

Up to this time Edward had left most of the offices and emoluments of government to the great family of the Nevils, to whom he indisputably owed his crown. Warwick, the eldest brother, was chief minister, general, and admiral; he held, besides, the posts of warden of the West Marches, chamberlain, and governor of Calais—the last the most profitable of all. The second brother, the Lord Montague, after his victories at Hedgley Moor and Hexham, had received the title and forfeited estates of the Percies, Earls of Northumberland, and he had the wardenship of the East Marches besides. The youngest brother, whom Edward had found Bishop of Exeter, had received the seals as chancellor on the 10th of March, 1461, six days after Edward's accession; and he had very recently been raised to the archiepiscopal see of York. Other members of the family had found most liberal provisions in the spoil and estates of the Lancastrian families; and while Edward had employed himself in the pursuit of pleasure, the Nevils had their own way in the council. But now the Woodvilles, the Grays, all the relations and connexions of the new queen, rushed to the table with an enormous and indiscriminating appetite, every man, in right of con-

sanguinity, seeking a title, an estate, a place, or a rich wife. The court had great influence in such matters; and as the fortunes of the family had taken a turn by an unexpected marriage, they seem to have determined to pursue the system, and actually contracted five or six profitable alliances in a very short time. In one of these matches they clashed with the Nevils. Warwick had solicited the hand of the heiress of the Duke of Exeter for his own nephew; but by the superior influence of Elizabeth, this young lady was contracted to Thomas Gray, her eldest son by her former marriage. The Nevils were incensed at this measure; and other things trenching on their monopoly soon followed. The queen's father, now created Earl Rivers, was made treasurer in the place of their friend Lord Mountjoy; and, shortly after, the hitherto insignificant husband of Jacquetta was made lord high constable, in lieu of the Earl of Worcester. Other great families were irritated by the queen absorbing five heirs of dukes or earls for her five unmarried sisters. For a time the history of this reign is nothing but a scandalous chronicle of match-making and match-breaking, and selfish family intrigues.

A. D. 1467. In this year a marriage was negotiated for Edward's sister, Margaret of York, whose hand was solicited by Charles, Count of Charolois, heir to Philip, Duke of Burgundy, and by Louis XI. of France, Charles's deadly enemy, for one of his sons. This Count of Charolois, who, in a very few months, succeeded to his

father, and who obtained the name of Charles the Rash, had always been the declared friend of Henry VI. and the Lancastrians; but he changed, like other men, on seeing Edward firmly established, and even courted his alliance, in the hope that he would assist him against Louis. Edward inclined to these proposals, and was in this probably seconded by the nation, which considered the trade with Flanders as a primary object, and which never was well disposed to French marriages and alliances; but Warwick, who hated the Count of Charolois, insisted that it would be more honourable and advantageous to marry Margaret to the French prince. Edward yielded, or pretended to yield, to his arguments, and commissioned the great earl himself to go over to France and negotiate the alliance. Warwick went with his usual magnificence; and the astute Louis, who beat all his cotemporaries in king-craft, received him with the honours usually paid to a sovereign prince. The first interview took place at La Bouille, on the Seine, five leagues from Rouen, on the 7th of June. Warwick then proceeded to the capital of Normandy. "The inhabitants of the town went out to meet the earl as far as the gate of the Quay St. Eloy, where the king had ordered all the parishes to give him a most honourable reception, with banners, crosses, and holy-water presented to him by the priests in their copes. He was thus conducted in procession to the cathedral, where he made his offering, and thence went to the lodgings that had been prepared for him at the Jacobins. The queen and princesses came likewise to Rouen; and the king remained there with the Earl of Warwick the space of twelve days, when the earl returned to England."* During the whole or the greater part of the time that Warwick staid at Rouen the King of France lodged in the next house, and he visited the earl at all hours, passing through a private door with a great air of mystery. This looks like one of the usual mischievous tricks of Louis, who must have known that the best way to weaken and distract the English government was to provoke suspicions and a rupture between Edward and Warwick. The earl arrived in London on the 5th of July, and he was soon followed by the French king's ambassadors, the Archbishop of Narbonne, and the Bastard of Bourbon, who, it appears, were charged to put the finishing hand to the treaty of alliance. But another more prevailing bastard had been before them. Under pretence of performing a joust with Edward's wife's brother, Anthony Woodville, who, by marrying the heiress of the late lord, had become Lord Scales, Anthony, Bastard of Burgundy, had crossed over to England while Warwick was absent in France. According to the chronicler, this visitor performed his deeds of arms much to his credit; but the encounter did not last long—"for as it was done to pleasure the King of England, he would not suffer the combat to continue fierce any time, so that it

* Monstrelet, Contin.

seemed rather for pastime."* Indeed, Messire Anthony had come on another errand than to get his bones broken in Smithfield, where the joust was held. He was commissioned by the Count of Charolois to press the match with Margaret; and he had obtained the promise of Edward, who overlooked the commission he had given Warwick to treat with King Louis. If afterwards any obstacle arose, it was removed by the sudden death of Duke Philip, which happened at Bruges, on the 15th of July, and which left to the count, his heir, the succession of states and territories which exceeded in wealth, if not in extent, the whole kingdom of France as then possessed by Louis. Such a suitor was sure to prevail over a weak, young French prince with nothing but a narrow and uncertain appanage. But weighty as were these considerations, they did not prevent the proud Earl of Warwick from considering himself juggled, insulted, and disgraced; and as the king, who had resigned himself to the counsels of the queen's relations, took no steps to soothe his irritation, he soon retired, in the worst of humours, to his castle of Middleham.† Edward, upon this, pretended to be in danger from treasonable attempts; he no longer moved any where without a strong body-guard of archers, and he or his court circulated reports that Warwick had been won by Louis, and that that king considered him as secretly disposed to restore the line of Lancaster. The Nevils were now expelled from court; but the youngest of the brothers, George, Archbishop of York, notwithstanding the family resentment, put himself forward as an arbitrator and peacemaker; and chiefly by his means a reconciliation was effected in the beginning of the following year.‡

A.D. 1468. Warwick presented himself again at court and in the capital, where he was hailed by the people. He appeared with the king and queen in some public pageants; but he could not tolerate the abridgement of his influence. The Woodvilles and the Grays, on the other hand, thought that he was still too powerful; and Edward, who desired a life of ease and pleasure, was annoyed by the stern interference of the man who had made him a king. It was soon understood that all this was likely to end in another field of Towton. The intrigue, the perfidy, the action and re-action which ensued, were not likely to be divulged to the solitary chroniclers of the time; they have never been cleared up and authenticated in legitimate history, and they now defy research. Indeed, the pen seems to have fallen, through disgust

* Monstrelet, Contin.

† The common account of the origin of Warwick's disaffection attributes it to his disgust at the king's marriage with Elizabeth Woodville, which took place, it is said, at the very time that he was in France negotiating a marriage for Edward with Bona of Savoy, sister to the wife of the French king. But this story, as Dr. Linsgard has observed, is not found in the oldest authorities; it is inconsistent with the manner in which Warwick is known to have conducted himself at and immediately after the marriage; and, in certain particulars, it clearly appears to be false. Besides, it is sufficiently refuted by the other story given in the text, of which it seems to be a blundering misrepresentation.

‡ Wyrcost.—Bryn.

or despair, from the hands of contemporary writers ; and at this perplexed and disgraceful period, the records of Parliament become scanty, or are altogether silent. We will, therefore, grope our way, as fast as we can, through this darkness tinted with blood.

The Duke of Clarence, second brother to King Edward, was considered as next male heir to the throne ; for Edward, as yet, had only daughters by his marriage with Elizabeth. The duke's position probably made him an object of suspicion and dislike to the queen, and, at the same time, of ambitious speculation to Warwick, whose society he much affected. The earl had a daughter, the fair Isabella, who, it appears, inspired the young prince with a sincere and, for a time, uncalculating passion. Edward and the queen's party endeavoured to prevent the union ; but, in spite of all opposition, the Duke of Clarence married the Lady Isabella at Calais, in the month of July, 1469. While the Earl of Warwick and his brother, the Archbishop of York, were engaged abroad with this ceremony, an insurrection of the farmers and peasants of Yorkshire broke out, and assumed a very alarming character ; and it appears that Warwick's other brother, the Earl of Northumberland, who was on the spot, did little to crush it. The rallying words of the insurgents varied several times ; but at last they fixed in a general cry for the removal of the queen's relations—the taxers and oppressors—from the council. Edward advanced as far as Newark ; but his army was weak and unsteady, and he fled, rather than retreated, to Nottingham. From Nottingham Castle, he wrote letters with his own hand to Calais, beseeching his brother Clarence, Warwick, and the archbishop to come immediately to his assistance. These personages did not appear for some weeks, and in the interval a royal army, under the command of the Earl of Pembroke, was defeated at Edgecote, on the 26th of July. Pembroke fell in the battle, and it is said that five thousand of his men perished with him. The insurgents, in a hot pursuit, overtook and captured in the forest of Dean the Earl Rivers, the father, and Sir John Woodville, one of the brothers of the queen : they carried these victims to Northampton, and there cut off both their heads. The Earl of Devon, whose folly and pride had been the real cause of the wretched defeat at Edgecote, was also taken and beheaded. The court believed that the insurgents in these executions acted under orders received from Clarence and his father-in-law, Warwick.* These great personages, with the Archbishop of York, now arrived in England, and, being joined by the Archbishop of Canterbury, they repaired in a very friendly manner to Olney, where they found Edward in a most unhappy condition ; his friends were dead or scattered, flying for their lives or hiding themselves in remote places ; the insur-

gents were almost upon him. A word from Warwick sent the rebels quietly back to the north ; but the king was scarcely freed from that danger ere he found that he was a prisoner in the hands of his pretended liberators, who presently carried him to the strong castle of Middleham. Thus England had two kings, and both prisoners.

At this remarkable crisis the Lancastrians rose in arms in the marches of Scotland ; and, after some trifling successes in those parts, meditated an advance into the south. Warwick had at this moment no notion of restoring Henry. In conjunction with the parliament, he summoned all loyal subjects to the standard of King Edward, and immediately marched northward to meet these new insurgents. The murmurs of the army compelled him to release his captive ; and at York Edward was presented to the troops as a free and happy king. Warwick then went on and dispersed the Lancastrians : he took their leader prisoner, and brought him to Edward, who ordered his immediate execution. Soon after—but not before Warwick and his associates had exacted sundry grants and places—Edward was allowed to return to London, where, for the first time since his leaving Olney, he became really free. Then family treaties were signed, pledges given, and the most solemn oaths interchanged—each party binding itself to forgive and forget all that had passed. Edward was to love his brother Clarence as before ; and even the insurgents of Yorkshire and other parts were included in an amnesty.*

A. D. 1470.—In the month of February, when this family peace had lasted about twelve weeks, the Archbishop of York gave an entertainment to the king, the Duke of Clarence, and the Earl of Warwick, at his manor of the Moor, in Hertfordshire. As Edward was washing his hands previous to supper, an attendant whispered in his ear that an armed band was lurking near the house. Without his supper, and without any examination as to the correctness of this report, the king got secretly to horse, and, riding all night, reached Windsor Castle. The Duchess of York, the mother of the king, and the friend of Warwick, laboured to dispel these jealousies and animosities, and another hollow reconciliation was brought about. But then there broke out an insurrection among the commons of Lincolnshire, who complained of the extortions and oppressions of the purveyors and other officers of the royal household. Although he believed that this new disorder was their own work, the king was obliged to permit the Duke of Clarence and the Earl of Warwick to take the command of some forces destined for its suppression. Edward, however, marched from a different point with a more numerous army : and, after some faithless and savage deeds, he came up with the insurgents before Clarence and Warwick could reach them, and beat them in a sanguinary battle, which was fought on the 12th of March, at Erpingham, in Rutlandshire. The common insurgents were permitted to

* It seems, however, probable that the unfortunate men were sacrificed by the spontaneous fury of the people. [The Earl of Devon was beheaded at Bridgewater.

* Cont. Hist. Croyl.—Rot. Parl.—Paston Letters.

depart; but all the leaders who had not fallen in battle were sent to the block. The king then turned openly against his brother Clarence and Warwick, who, it was said, would have joined the insurgents on the following day. After some military manœuvres and long marches, the duke and the earl found it necessary to disband their forces, and listen to conditions which the king offered by proclamation from the city of York. These terms were not very harsh, if they had been honourably meant; but they were not, and this was well known. Warwick, therefore, turned from the north, fled into Devonshire, and, with his wife, daughter, and several other ladies, his son-in-law, Clarence, and a considerable number of friends, embarked at Dartmouth, and made sail for Calais. But when, after a tedious navigation, he reached his old place of refuge, he found the artillery of Calais pointed against his ships, and, on seeking an explanation, learned that a Gascon knight, whom he had left there as his lieutenant, was advised of all that had recently passed in England, and was resolved to keep the place for King Edward. While they lay at anchor before the town, the young Duchess of Clarence, who had been married at Calais about a year before, was brought to bed of a son, and great entreaties were used before Warwick's lieutenant could be persuaded to send her two flaggons of wine; "which," adds Comines, "was great severity for a servant to use towards his master."

Warwick then sailed away for the coast of Normandy, to seek a temporary asylum with his cunning friend King Louis, who was right glad to see him as he was; for, in the preceding year, as soon as Warwick had made his peace with Edward, it had been resolved to join the Duke of Burgundy, who was at war with the French, and to send a great English army to the continent under the command of the earl, whose military reputation stood very high. It was in the month of May that Warwick, Clarence, and their families landed at Harfleur, where the Lord Admiral of France received them all with great respect, showing much gallantry to the ladies. Their vessels were admitted into the harbour, though they were numerous enough to excite some suspicion.* After a short time, the ladies with their retinues were honourably escorted to Valogne, where lodgings had been prepared for them by order of the French king. Though a truce had been concluded, Louis was exasperated against his nominal vassal Charles the Rash, who, since his marriage, had become wholly English and Yorkist: he wore on all occasions the blue garter on one of his legs, and the red cross on his mantle, which, adds the chronicler, plainly showed how fierce an enemy he was to his liege lord, the King of France. When the Duke Charles heard of the honourable recep-

tion given to the fugitives, and of Warwick's men being allowed to sell the captured ships and goods of his subjects, in Normandy, he became still more furious, and, by way of reprisal, seized upon all the French merchants who had gone to the fair of Antwerp. Louis, who was prepared for a war, cared little for all this, and gave frequent audience to the fugitives at Tours, Amboise, Vendôme, and other places. He was happy in his own way; for never did sovereign so delight in political manœuvre and intrigue, and never was intrigue more difficult than the one he had now upon his hands.

In the month of June, in the château of Amboise, the fallen Lancastrian queen and Prince of Wales met (at first by secret appointment) their old enemy, the Earl of Warwick. It was a scene for Shakspeare. Warwick had accused the queen of an attempt to murder him, and he knew her to have been the person that had sent his own father, his friends and associates, to the block. Margaret had cursed the name of Warwick for fifteen long years of misfortune and humiliation. Through that nobleman's means her husband was a prisoner, and she and her son, after suffering the extremity of privation and peril, were exiles and wanderers, dependant on the stinted bounty of relations or political friends. But even the vengeance and hatred of Margaret of Anjou could give way to higher considerations, and, when Warwick joined in cursing Edward of York, and engaged to restore the Lancastrian line, either in the person of her husband or son, she took him to her heart as a friend and brother. The great earl, however, did not engage to do all this without driving another of his hard bargains. Margaret's son, Prince Edward, married the Lady Anne, Warwick's second daughter; and thus, though he destroyed the prospects of Isabella, Duchess of Clarence, he still provided, and in a more direct manner, that one of his children should be Queen of England. "An unaccountable match this," exclaims Comines, "to dethrone and imprison the father, and then marry his daughter to the son; but this was by King Louis's adroit management." "It was no less surprising," continues this chronicler, who wrote of state matters with the knowledge of a statesman and diplomatist, "that he should delude the Duke of Clarence, brother to the king whom he opposed, who ought, in reason, to have dreaded and endeavoured to prevent the restoration of the House of Lancaster; but affairs of this nice nature are to be managed with great craft and artifice, and not without." Up to this point it seems pretty evident that Warwick's scheme was to place his first son-in-law, the Duke of Clarence, upon the throne instead of his brother Edward; but this plan would never have found favour in the sight of King Louis, whose assistance was indispensable, and even the all-prevailing Warwick might have doubted whether the Yorkists, to whom he must have addressed himself in this case, would have been mad enough to divide against each other, and endanger a re-

* It is said, in the continuation or supplement to Monstrelet, that they arrived with about eighty vessels; but this number, no doubt, included a great many merchantmen bearing the flag of the Duke of Burgundy, which Warwick had picked up and appropriated during his voyage from Calais.

volution which had been effected with such difficulty. The Lancastrian party, on the contrary, weakened though it was, was quite ready for another desperate plunge into the vortex, and Warwick, who was determined to recover his ascendancy and vast property, and to be revenged on him whom he considered the ungrateful king of his own making by whatsoever means that offered, did not despair, when allied with Margaret and her son, of making that party believe in the sincerity of his conversion, though he had slaughtered their relations and friends in the field and on the scaffold. But, in that case, it was necessary to give up the duke; and we have some doubt whether Warwick, as has been usually asserted, either stipulated for the succession of this prince in case of Margaret's son dying without issue, or for Clarence having a principal share in the administration during the minority.

The Duke of Clarence was at this time not much more than twenty-one years old, and, judging from all that is recorded of him, he must have conjoined a weak, bad head to a very indifferent heart. He was not, however, so far gone in fatuity as to be insensible to Warwick's startling alliance,—perilous to the whole House of York,—or to be blind to his own false position; and now an excellent negotiator came to him from his brother's court in the person of a fair lady. Comines, who was actively engaged in some of these transactions as friend, agent, and confidential minister of the Duke of Burgundy, and who had gone to Calais to keep the lieutenant-governor "true to his principles," tells us that, one day, a lady of quality passed through that town into France to join the Duchess of Clarence. "But," he adds, "the secret business to be managed by this lady was to implore the Duke of Clarence not to contribute to the subversion of his own family, by going along with those who were endeavouring to restore the House of Lancaster,—to remember their old insinuations, and the hereditary hatred that was between them,—and not to be so infatuated as to imagine that the Earl of Warwick, who had married his daughter to the Prince of Wales, and sworn allegiance already, would not endeavour to put that prince upon the throne to the exclusion of all the Yorkists. This lady managed the affair with so much cunning and dexterity, that she prevailed with the duke to go over to King Edward's party, the duke desiring first to be in England. This lady was no fool nor blabber; and being on her way to join her mistress, the Duchess of Clarence, she, for that reason, was employed in this secret mission rather than a man." This mission seems to have been the sole precaution taken by Edward or his court at this crisis. "The king seemed never concerned at anything, but still followed his gallantries and his hunting; and nobody was so great with him as the Archbishop of York and the Marquis of Montague, both brothers to the Earl of Warwick: these swore to be true to him against all enemies whatsoever, and the thoughtless king

put an entire confidence in them."* Comines does not pretend to be so well informed as to matters passing on this side the sea. It is not likely that Edward put much trust in Warwick's brothers, but it is very likely that he was afraid publicly to show any distrust of them. His brother-in-law, Charles the Rash, was both prudent and active on this occasion: he got ready a strong fleet to blockade Harfleur and the mouth of the Seine; he sent Edward word of the very port where Warwick designed to land; and, as the sea was an uncertain element, and the earl might break his blockade and escape his ships, he repeatedly warned him to take care of himself, and put his kingdom in a posture of defence. But Edward only laughed at these fears: he said he wished his adversary were landed; and only begged the duke to keep a good look-out at sea, so as to prevent the earl from again escaping into France, when he, Edward, should have beaten him in battle by land.

Warwick did not make him wait long. The Duke of Burgundy's fleet, which lay in battle array at Havre, was dispersed by a storm: as soon as the weather cleared Warwick set sail with a fair wind, and on the 13th of September landed safely on the Devonshire coast. We are not informed as to the force he brought with him, but, as King Louis had aided him both with ships and men, and as many persons had gone over to him from England, it must have been considerable. Edward at the moment was in the north, whither, it appears, he had been drawn by a feigned revolt headed by some of the Nevils. The great earl had not been landed above five or six days before the whole country flocked to his standard. "Fully furnished on every side by his kindred and friends, he took his way toward London, where he expected to find more open friends than priy enemies."† The capital, indeed, had been greatly excited by one Dr. Godard, who had preached at St. Paul's Cross in favour of the king in the Tower; and, in the neighbourhood, the men of Kent had taken up arms. As London seemed secure, and as news was brought that Edward had retraced his steps to Nottingham, Warwick soon changed his direction, and marched straight towards the Trent, summoning every man between the ages of sixteen and sixty to join him. Edward, in the mean time, found that the men he summoned did not come, and that those who were with him began to desert. One day, as he sat at dinner, news was brought him that the Marquis of Montague, Warwick's brother, and several other persons of quality had mounted their horses and caused the soldiers to toss their bonnets into the air, and cry "God bless King Harry!" It appears that Edward was at this moment in Lincolnshire, near the river Welland: he instantly armed himself, and posted a battalion of his guards at a neighbouring bridge in order to prevent the passage of the enemy, for Warwick's van was within half a day's march of him. The Lord Hastings was with Edward with a body of

* Comines, † Hall.

three thousand horse; but Hastings had married a sister of the Earl of Warwick, and, while the king had probably no great confidence in him,* the soldiers possibly had no great affection for the queen's brother, the Lord Scales, now Earl Rivers, who was also in attendance. Edward, at all events, determined to fly without fighting; and as his bravery, almost his only virtue, was always conspicuous, we must conclude that resistance was hopeless.

It happened that his quarters were at no great distance from the sea, and a small ship that followed with provisions for his army lay at anchor with two Dutch vessels hard-by, apparently in the Wash.† He had but just time to get on board these vessels, with a few lords and knights and about three hundred men. Before leaving the rest, they were exhorted to go and join the Earl of Warwick, pretending great friendship, but at the same time to retain secretly in their hearts their old affection and allegiance to King Edward,—a lesson which, as it has been remarked, might have been spared; for upon this principle high and low on both sides now acted whenever occasion called for dissimulation. The three vessels presently weighed anchor: not one in twenty of Edward's followers knew where they were going, and they were all without any clothes except the warlike gear they had on their backs, and no money had they in their pockets.‡ Edward sailed directly for Holland. The Easterlings, who joined the calling of privateers to that of merchants, and who at times appear to have been pirates as lawless and cruel as the corsairs of Tunis or Algiers, were then at war both with the English and French: they had many ships in the narrow seas, and had done the English much prejudice this year already, having taken several of their ships. Eight of these Easterlings gave chase to Edward's weak squadron. Edward ran his ships ashore on the coast of Friesland, near the small town of Alkmaar. Grutuse, the governor or stadtholder of Holland, Friesland, and Zeeland, was at that time in Alkmaar, and he, by his prompt protection, saved the whole party from captivity,—for the Easterlings had brought their ships close in shore, and only waited the turn of the tide to board the three vessels. "The king," says Comines, "having no money, was forced to give the master of his ship a gown lined with martens, and to promise to do more for him another time; and sure so poor a company was never seen before; yet the Lord de la Grutuse dealt very honourably by them, giving them clothes, and bearing all their expenses till they came to the Hague, to which place he safely conducted them." From the Hague the governor despatched news to the Duke of Burgundy, Edward's loving brother-in-law, "who," adds the chronicler, "was much surprised when he heard it, and would have been

much better pleased if it had been news of Edward's death, for he was in great apprehension of the Earl of Warwick, who was his enemy, and now become absolute in England." On the other side, King Louis, whose many agents soon carried him the intelligence, was overjoyed, and, being a religious sovereign, he gave orders that the nobles, the clergy, and the good people of Paris should make processions in honour of God and the Virgin Mary, and continue them for three days, with praise and thanksgiving for the great victory which Henry of Lancaster, lawful King of England, had gained over the foul usurper, the Earl of March, as also in gratitude for the happy peace that would now subsist between the two countries. Processions were afterwards performed in all the principal towns in Louis's dominions. This calculating monarch was all the better pleased by Warwick's sending immediately to repay some money he had borrowed from him for the expedition: the money and the messenger, it is true, were captured by one of the Easterlings; but the earl's good intention was made evident, and Louis comforted himself with the thought that his confederate was in a situation not only to pay his debts, but to render him more important service.

Warwick was now indeed possessed, in appearance, of all the power in England. From the neighbourhood of the Welland he turned back upon London, which he entered in triumph on the 6th of October, in company with Clarence,—for as yet this son-in-law concealed his disaffection and hostile projects. Warwick went directly to the Tower, and released King Henry, whom five years before he had himself committed to that prison. "When he imprisoned him he went before Henry, crying 'Treason! treason!' and 'Behold the traitor!'—but now he proclaimed him king, attended him to his palace at Westminster, and restored him to his royal title; and all this in the presence of the Duke of Clarence, who was not at all pleased with the sight."* A great number of persons of the first rank, who were in King Edward's interest, and who afterwards did him good service, took sanctuary in different religious houses. The queen, with her mother Jacquetta and her three daughters, had fled to the sanctuary of Westminster, where, being in great want of all things necessary, Elizabeth was shortly after delivered of her first son. Save that of the Earl of Worcester, who was hated for his cruelty by the people, who styled him "the butcher!" no blood was shed in this rapid revolution. We are left in the dark as to the proceedings of the parliament which met in the month of November, for its acts were erased from the rolls at the subsequent counter-revolution. It is stated, however, on good authority, that an act of settlement entailed the crown on Henry's son Edward, Prince of Wales, and, in case of that prince's death, on the Duke of Clarence. Warwick, of course, would take care to attain his enemies and reward his friends: this "king-maker," in fact, was in all

* Hastings, however, remained true to Edward, accompanied him in his flight, contributed to his return, and continued to serve him faithfully, with the exception of taking "bribes from France."

† Hall says that Edward embarked at Lynn on the Wash.

‡ Comines.—Hall.

essentials king, and the imbecile Henry was still a captive, and in all probability a more unhappy one than he had been in his undisturbed prison in the Tower.*

A.D. 1471.—But if Edward had lost a crown like a game at cards, he regained it with equal rapidity. On the 12th of March, about five months after his flight from the Wash, he appeared with a fleet off the coast of Suffolk, having been assisted in secret by the Duke of Burgundy, who played as double a part in this business as might have been expected from his great rival Louis XI. He had issued a proclamation forbidding any of his subjects to join Edward, but, underhand, he sent him fifty thousand florins, with St. Andrew's cross, furnished him with three or four great ships of his own, which he had equipped for him at Vere, in Walcheren, and hired secretly fourteen Easterling ships all well armed,—“which supply was very great considering the times.”† As Edward's troops, however, did not exceed twelve hundred men, he was deterred from landing in the Wash, on the shores of which was assembled a Lancastrian army, but, bearing to the north, he sailed into the Humber, and landed on the 16th of March at Ravenspur, the place where Henry of Bolingbroke had disembarked when he came to dethrone Richard II. Finding the people in the north not very favourable, he veiled his designs; and even at York he only engaged the citizens to assist him to recover his honour and estate as Duke of York, solemnly swearing not to attempt to recover the crown. A few oaths cost nothing in these times, and, in the present case, the necessity for dissimulating soon passed. At Pontefract, Warwick's brother, the Marquis of Montague, who already repented of the revolution he had helped to make, opened a correspondence instead of fighting, and permitted Edward's weak column to march within sight of his quarters, where a great force was collected. As soon as the Yorkists crossed the Trent they were on their own ground, and the people flocked from all sides to the standard of Edward, who then reassumed the royal title. In the neighbourhood of Coventry he found himself in presence of a Lancastrian army, under the command of the Earls of Warwick and Oxford and the Duke of Clarence: now was the moment for the latter to act, and, making his men put the White Rose of York over their gorgets, he went over with colours flying to his brother Edward. Upon this sudden manœuvre of his son-in-law, Warwick found himself compelled to decline the battle which was offered to him, and then Edward threw himself fearlessly between his enemies and the capital, which had forgotten the sermons of Doctor Godard and the roast-meats ‡ of the Earl of Warwick, and was once more all

for Edward. Comines attributes the enthusiastic reception he met with in London to three things especially:—the first was, he says, the great number of his partisans in sanctuary within the walls, and the recent birth of a young prince; the next, the great debts which he owed to the richest of the merchants, who could only hope for payment through his restoration; and the third was, that the ladies of quality and rich citizens' wives, whom he had formerly delighted with his gallantries, forced their husbands and relations to declare themselves of his side. Whatever were their motives, it seems certain that the return of the White Rose of York was hailed with enthusiasm, though the citizens took good care not to declare themselves openly until they saw which way the campaign would turn. But Edward had short time to enjoy these demonstrations,—the Lancastrian army had collected in one mass, and Warwick was advancing upon the capital by the high north road. After passing only two days in London, Edward took the field. He found Warwick's force drawn out in order of battle on Barnet Common, only twelve miles from London. About forty thousand Englishmen prepared to draw the sword and bend the bow against each other,—the two armies, it appears, being nearly equal in number. But it was late in the day, and it was the eve of Easter Sunday, and so the battle was delayed till the morrow. The Duke of Clarence was in a trying position, for his wife, who had great influence over him, was daughter to the Earl of Warwick, and his own happiest days, as well as his unhappiest, had been spent in the society of that nobleman. He sent to make an offer of his mediation, but this was indignantly rejected by his father-in-law. “Go tell your master,” cried the proud earl to the messenger, “that Warwick, true to his oath, is a better man than false perjured Clarence, and will settle this quarrel by the sword to which he has appealed.” At an early hour on the following day, battle was joined. “Both sides fought on foot, and the king's van-guard suffered extremely in this action; the earl's main battle advanced against his, and so near, that the king himself was engaged in person, and behaved himself as bravely as any officer in the army. The Earl of Warwick's custom was, never to fight on foot; but when he had once led his men to the charge, he mounted on horseback himself, and if he found victory inclined to his side, he charged boldly among them; if otherwise, he took care of himself in time and provided for his escape. But now, at the importunity of his brother the Marquis of Montague* (who was a person of great courage), he fought on foot and sent away his horses. The conclusion of all was, that the earl, the Marquis of Montague, and several other brave officers, were killed; for the slaughter was very great, King

* Cont. Hist. Croyl.—Fabyan.—Hall.—Comines. Comines.

† One of the secrets of Warwick's popularity lay in his kitchen and buttery. His hospitality was as boundless as his wealth. “When he came to London,” says old Stow, “he held such an house, that six oxen were eaten at a breakfast, and every tavern was full of his meat; for he who had any acquaintance in that house, he should have had as much boiled and roast as he might carry on a long dagger.”

* After what had passed at Pontefract, it is curious to find the Marquis on the side of Henry at Barnet. But there were all kinds of clingsings, and sudden changings again, during this contest. Some accounts make Montague a traitor at Barnet, and hold him answerable for the defeat and death of his brother.

Edward having resolved at his departure from Flanders to call out no more to spare the common soldiers and kill only the gentlemen, as he had formerly done, for he had conceived a mortal hatred against the commons of England for having favoured the Earl of Warwick so much, and for other reasons besides, so that he spared none of them at that time. This battle was bravely fought, for on the king's side there were killed fifteen hundred men.*

This battle of Barnet lasted from four o'clock in the morning till ten, during which time there was a thick mist, raised, as was once generally believed, by Friar Bungy, a great magician. There is a mist of another kind, and one which we cannot now clear, hanging over nearly the whole history of the battle, which, notwithstanding the time it lasted and the statement of Comines, we are disposed to believe was much less fierce and murderous than most of the preceding conflicts.† The results, however, are well authenticated. Of all the great Lancastrian lords who had fought on the side of the king-maker, not one escaped except the Earl of Oxford, who joined Jasper Tudor, Earl of Pembroke, who was in arms for King Henry in Wales.‡ Edward lost Lord Cromwell, Lord Say, and the son of Lord Berners, with Sir John Lisle, Thomas Par, and John Milwater, who were esquires to his brother Richard, Duke of Gloucester. The common dead were buried on the same plain, half a mile from Barnet, where a chapel was erected for the good of their souls.§ The body of the "king-maker," with that of his brother Montague, was carried to London, and lay naked in the church of St. Paul's for the space of three or four days, that all men might see the end he had met with. The bodies of both were afterwards buried among their ancestors at Bisham Priory in Berkshire. King Henry, who had been taken in London, defenceless and helpless, was sent back to his old apartments in the Tower. But Margaret of Anjou, who was as active and resolute as ever, called the victorious Edward again into the field only five days after the battle of Barnet. Many circumstances had detained her on the continent, and it was her fortune to land at Plymouth with her son Prince Edward and a body of auxiliaries, chiefly French, on the very day on which Warwick was defeated and slain. In part, probably, on account

* Comines.

† Sir John Paston, who, along with one of his brothers, fought in the battle on the Lancastrian side, says, in a letter to his mother, written on the Thursday following, that the killed of both parties amounted to more than a thousand. Paston Letters, ii. 64.—Some historians make the amount of the slain ten thousand.

‡ The Duke of Exeter was left for dead on the field, but his servants, it appears, recovered him, and carried him for safety to the sanctuary at Westminster. A few months after, his body was found floating in the sea, near Dover.

§ Stow says that this chapel, which marked the field of battle, was standing in his time. Lyons (see Environs of London) gives it as his opinion that the battle was not fought on Barnet Heath, but rather to the south-east, about East Barnet; but he quotes no authority, and all tradition is strongly opposed to his opinion. The conflict seems really to have taken place on the elevated plateau to the north of the town of Barnet, and is probably marked with sufficient accuracy by the modern stone column at the end of the common, where the high road forks. The night preceding the battle, King Edward slept at Barnet, and Warwick was certainly not between that town and London.

of their old antipathy to the French queen, who now came surrounded with Frenchmen, and in part because they were weary of this civil war, the people opposed her progress, and, by securing the bridges and fords of the river Severn, prevented her joining the forces under the Earl of Pembroke in Wales. On the 4th of May, King Edward, with his brothers Clarence and Gloucester, fell upon her on the left bank of the Severn, near Tewkesbury. Her troops had thrown up some intrenchments from which they had repulsed the Yorkists; but the Duke of Somerset had the folly to quit this position, and, sallying forth, he ordered the mass of his troops to follow him, which some did, and others did not. Those who sallied were driven back with dreadful loss, and those who stayed behind were suspected of treachery, for no general was now sure of his officers. Somerset rode up to the Lord Wenlock, who had remained behind the intrenchments, and knocked out his brains with his battle-axe. The banner of the audacious Richard Duke of Gloucester was already within the Lancastrian lines; Edward and Clarence now followed, and the affair of Tewkesbury terminated in panic, confusion, and murder. Margaret of Anjou, who had survived so many catastrophes and escaped from so many battles, remained a prisoner at last, and with her was taken her son, the Prince of Wales, who was now only in his eighteenth year. "What brought you to England?" cried the ungenerous Edward. "My father's crown and mine own inheritance!" boldly replied the royal youth. Edward brutally struck him on the mouth with his gauntlet, and then Clarence and Gloucester, or their attendants (or, according to an earlier account which does not mention Clarence and Gloucester, Edward's servants), despatched him with their swords in the king's tent.* The Duke of Somerset, with the Grand Prior of St. John's, Sir Humphrey Audely, Sir Gervis of Clifton, Sir William Gainsby, Sir William Cary, Sir Henry Rose, Sir Thomas Tresham, and seven esquires, escaped from the field and took sanctuary in a church in Tewkesbury. This sacred kind of asylum had long been respected, and to this principle and feeling Edward had recently owed the preservation of his wife, his children, and his best friends, whom the Lancastrians had permitted to live undisturbed in the sanctuaries they had chosen in London and Westminster. But the king and his brothers were regardless of these circumstances, and Edward broke into the church at Tewkesbury sword in hand. A priest, bearing the sacrament, threw himself between the savages and their victims, and would not move till the king promised to pardon all who had taken sanctuary there. These men, who might have

* Con. Hist. Croyl.—Fabyan.—Hall.—Stow. The Monk of Croyland, a contemporary, says the prince was slain "ultrichibus quorundam manibus" (by the avenging hands of certain persons), but names nobody as the murderers. Fabyan, who was a boy at the time, says, "he (the king) strake him with his gauntlet upon the face; after which stroke, so by him received, he was by the king's servants incontinently slain." Hall, who wrote in the time of Elizabeth, was the first to name Clarence and Gloucester.

escaped, tarried in the church, trusting in the royal pardon, from Saturday the 4th of May till Monday the 6th, when they were dragged from the foot of the altar and beheaded.

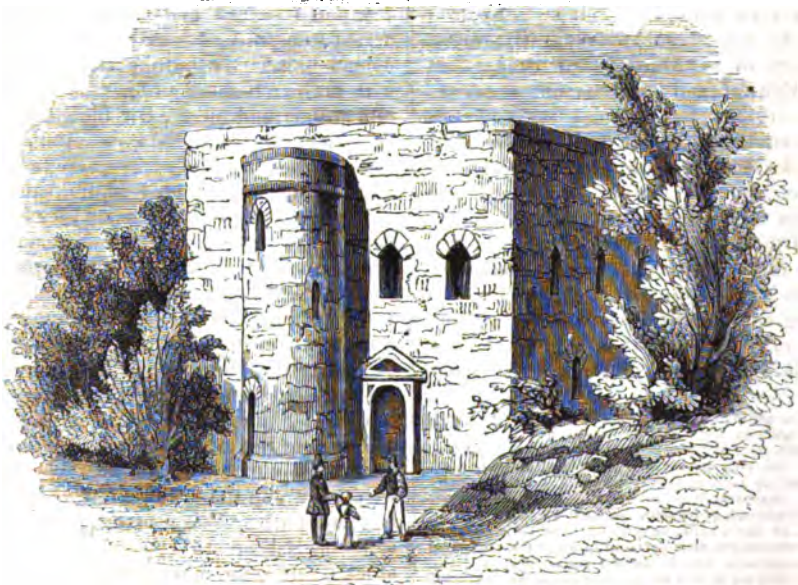
Margaret of Anjou's heart did not break at these executions and the murder of her child; she lived for five years the prisoner* of her conqueror, was then ransomed by Louis XI., and died in France about eleven years after the fight at Tewkesbury. The death of her husband, which immediately followed Edward's return to London, probably did not much affect her. The triumphant party had now evidently made up their minds to show no mercy; but that event was probably precipitated by a desperate attempt made on the 14th of May, by Thomas Nevil, the Bastard of Falconbridge, Warwick's vice-admiral, to release Henry from his confinement and proclaim him once more. On the 21st of May, King Edward entered London in great pomp with thirty thousand men, and on that evening, or the following morning, King Henry was found lifeless in the Tower. The best of the contemporary chroniclers, though he does not name the murderer, hints clearly that he *was murdered*, and that the deed was done, or ordered by Edward, or by his brother Clarence, or Richard Duke of Gloucester, or some other member of the royal House of York. "May God," he exclaims, "grant time for repentance to the person, whoever he was, who laid his sacrilegious hands on the

* She was at first confined in the Tower of London, afterwards at Windsor, and then at Wallingford. All that Edward would allow for the support of herself and servants was a pittance of five marks per week.

lord's anointed."* The dead body, surrounded by guards and torches, was exhibited to the people in St. Paul's, and afterwards quietly buried in the Abbey of Chertsey. But this unhappy prince was not allowed rest even in the grave. A few years after, Gloucester, then Richard III., was made uneasy by the popular belief that miracles were wrought at his tomb, and ordered his bones to be removed,—some say to Windsor: then, on the fall of Richard, Henry VII. wished to remove them to Westminster, but it appears that they could not be found.

The episodes to the lamentable history of the fall of the House of Lancaster are numerous, and, in some respects, exceedingly romantic. Some of the leaders, like the Duke of Exeter, appear to have been secretly assassinated; others, like the Earl of Oxford, were shut up in different castles; and others, like the Earl of Pembroke, the late king's half-brother and uncle to Henry VII., escaped to the continent, where, for the most part, they lived in extreme poverty. Some Lancastrians,

* Cont. Hist. Croyl. The monk uses the words *tyrannus* and *peccator*. If used strictly in its classical sense (which probably it was not), the term *tyrannus* could only apply to Edward or to Richard, who were both kings. Walpole, in his ingenious, but in part paradoxical, "Historic Doubts on the Life and Reign of King Richard III.," says, that he *thinks* the monk alluded to Richard as the murderer; but he goes on to maintain that there is no proof that the Duke of Gloucester really did the deed. As far as this goes, Walpole is certainly right here, as also in the case of the murder of Prince Edward at Tewkesbury; and on the same ground he might object to the commonly received accounts of fifty other state crimes. Fabyan, who was living in London at the time, says, "Of the death of this prince (Henry VI.) divers tales were told; but the most common fame went, that he was stiched with a dagger by the hands of the Duke of Gloucester, which, after Edward IV., usurped the crown, and was king, as after shall appear."



THE SANCTUARY AT WESTMINSTER.

From a Sketch by Dr. Stukeley, before its destruction in 1775.

whose learning and abilities were worth purchasing—as Dr. Morton and Sir John Fortescue, lord chief justice to Henry VI. and the greatest English lawyer of his time—obtained the reversal of their attainders, together with fresh employments from the Yorkists.

Now seemed the “glorious summer” of that house. The young Prince Edward, who had been born in the sanctuary of Westminster during his father’s flight and absence in Holland, was created Prince of Wales, and recognised as lawful heir to the crown—not in parliament—but in a great council of prelates and lay lords. The Lancastrians as a party were annihilated. Except some risings among the Welsh, the temporary occupation of a castle in Cornwall, and some insignificant piratical excursions at sea, there was nothing to disturb the tranquillity of the Yorkists but the base and selfish passions of the three royal and most legitimate brothers; but these passions were violent enough to renew all the past horrors and iniquities. The Duke of Clarence, the second brother, it will be remembered, had married the Earl of Warwick’s eldest daughter, Isabella, and, in her right, he now demanded the entire property of his deceased father-in-law; but Richard Duke of Gloucester, the youngest brother, was eager to divide the great prize with him, and therefore proposed to marry Anne, Warwick’s younger daughter and widow to Prince Edward, whom the brothers between them had murdered at Tewkesbury. Clarence, to defeat this project, concealed the young lady; but Gloucester had far too much activity and cunning to allow himself to be duped by so miserable a manœuvre,—he soon found out the Lady Anne in London, where it is said she was disguised as a cook-maid, and, getting possession of her person, he lodged her, for present security, in the sanctuary of St. Martin’s. Richard then appealed to Edward and the council, and was allowed to marry the Lady Anne; but Clarence swore that he would not “part the livelihood with him.” The loving brothers pleaded each his cause in person before the king in council, and every man, says the monkish chronicler, admired the strength of their respective arguments. In the end, but not until the whole capital had been agitated as if by the approach of another civil war,* the king composed these differences, allotting a handsome portion to the Lady Anne, and leaving all the rest of the property to the elder

* Sir John Paston, writing to his brother, on the 17th of February (1471), says,—“Yesterday, the king, the queen, my Lords of Clarence and Gloucester, went to Shene to pardon; men say, not all in charity; what will fall men cannot say. The king entreateth my Lord of Clarence for my Lord of Gloucester; and, as it is said, he answereth, that he may well have my lady, his sister-in-law, but they shall part no livelihood, as he saith; so what will fall can I not say.” On the 18th of April, 1472, he writes:—“The world seemeth queasy (uneasy) here; for the most part that be about the king have sent hither for their harness, and it is said for certain that the Duke of Clarence maketh him big in that he can, showing as he would but (only) deal with the Duke of Gloucester; but the king intendeth, in eschewing all inconvenience, to be as big as they both, and to be a stickler (stickler) between them; and some men think that under this there should be some other thing intended, and some treason conspired; so what shall fall can I not say.”—Paston Letters, ii. 91 and 139.

sister, Isabella, the wife of Clarence. As it has been remarked,† the greatest sufferer in this adjustment was the widowed Countess of Warwick, who was mother to both the ladies, and who had brought the mass of the property into the family, for Clarence and Gloucester got the whole between them, and the countess was reduced to absolute want. These iniquitous proceedings in council, together with other precautions to bar the claims of Warwick’s family, were voted good law by a subservient parliament, in the year 1474; but to reconcile sincerely the Dukes of Clarence and Gloucester was beyond the power of parliament, council, or king.‡

A.D. 1475. After some curious negotiations with the Duke of Brittany and his brother-in-law, the Duke of Burgundy, who was finding himself overmatched by the policy and craft of Louis XI., Edward contracted an alliance offensive and defensive with the two dukes; and in order, we presume, to give a startling effect to his beginning, he sent a herald to demand from the French monarch the immediate surrender of his kingdom, which he claimed on the old grounds. Comines says that this was only a letter of defiance,§ and that it was written in such an elegant style, and such polite language, that he could scarcely believe any Englishman wrote it. When Louis had read the letter to himself, he wisely withdrew into another room, and, sending for the herald that brought it, he told him that he had a wonderful respect and affection for his master, King Edward, whom he knew in this matter to be set on and deluded by the Duke of Burgundy, a weak and treacherous ally. “Besides which,” continues Comines, who had changed sides, and was now in the service of Louis, “the king used several good arguments to induce the herald to persuade his master to a peaceful accommodation, secretly putting three hundred crowns with his own hands into his pouch, and promising him a thousand more when the good peace should be concluded; and then, in public, his majesty ordered that a piece of crimson velvet thirty ells long, should be presented to the said herald, who was garter king-at-arms.”¶ His chivalrous occupations did not render him insensible to a good bribe. Garter promised to do what he could, and advised Louis to open a correspondence with the Lord Howard, or the Lord Stanley, two of Edward’s favourites and ministers, whom he knew to be averse to the war. The following is the account given by Comines of his own share in the business:—“There were many persons waiting outside during the king’s private discourse with the herald, all of them impatient to hear what the king would say, and to see how his majesty looked when he came forth. When he had done, he called me, and charged me to entertain the herald till he ordered him some other company, that might keep

• Walpole, Hist. Doubts.

† Cont. Hist. Croyl.—Rot. Parl.—Paston Letters.

‡ He states, however, that Edward demanded the French crown as “his inheritance.”

§ Comines.

him from talking privately with any body. He commanded me likewise to give him a piece of crimson velvet of thirty ells; which I did. After which, the king addressed himself to the rest of the company, gave them an account of his letters of defiance, and calling seven or eight of them apart, he ordered the letters to be read aloud, showing without the least sign of fear in the world; and, indeed, he was much revived by what he had got out of the herald."

Having prolonged a truce with Scotland, and concluded a matrimonial treaty with that court, and being most abundantly furnished with money by means of repeated grants voted by parliament, and of benevolences—an unheard of species of imposition first introduced in the present period—Edward collected a fine army of sixteen or eighteen thousand men. With this force he landed at Calais, on the 22nd of June. The first check to this mighty enterprise proceeded from his brother-in-law of Burgundy, who had agreed to join him in force, but who, having wasted his resources in one of his rash expeditions in another direction, came to the rendezvous with a mere handful of troops. Edward, irritated at this circumstance, and still more at seeing that Charles and his subjects entertained the greatest jealousy of the English, refusing them admittance into the towns of Artois and Picardy, soon inclined his ear to the skilful negotiations of Louis and the lords of his own council, who, through conviction or bribery, recommended an immediate peace with the French king. The English army lay inactive for nearly two months at Peronne, where all the preliminaries were settled, and where the money of Louis was made to circulate freely among the corrupt minister and courtiers of Edward. The French diplomatists promised whatever was asked, and agreed, among other things, to pay fifty thousand crowns for the release of Margaret of Anjou. One day the King of France sent the King of England three hundred cart-loads of the best wines of the kingdom; and a few days after, the two sovereigns agreed to a personal interview on a bridge thrown across the Somme at Picquigny, near Amiens, there being a strong barricade of wood between them—for Louis was very suspicious, and he knew the old story of the bridge of Montereau, in which his own father figured. Comines and another agent were sent to survey the river and neighbourhood. "On the one side, by which our king was to come," says this historian, "was a fine open country; and on the other side, indeed, was the same, *only* the king of England, to come to the river, was obliged to pass a causeway about two bow-shots long, with marshes on both sides of it, which might have been of very dangerous consequence to the English, if our intentions had not been honourable. And certainly, as I have said before, the English do not manage these matters with so much cunning and policy as the French do, let people say of them what they will, but proceed more inge-

nuously, and with more frankness; but one must be patient with them, and take care not to quarrel." The barricade in the midst of the bridge is described as being made of strong grating or lattice-work, such as lions' cages are made of, the space between the bars being no wider than to admit a man's arm. On the 29th of August, in the morning, the two kings appeared on opposite sides of the river. Louis went first to the grating, attended by about twelve persons of the greatest quality in France, among whom were John Duke of Bourbon, and the cardinal, his brother. "The King of England advanced along the causeway, very nobly attended, there being in his train his brother, the Duke of Clarence, the Earl of Northumberland, Lord Hastings, his chamberlain, his chancellor, and other peers. He was dressed in cloth of gold, and he wore upon his head a black velvet cap with a large *fleur de lis* made of precious stones. In truth, he was a prince of a most noble, majestic presence; his person graceful and erect, but now a little inclining to fat. When he came within a short distance of the railing he pulled off his cap, and bowed to within a foot of the ground; and Louis, who was leaning against the barrier on the other side, bowed in the like manner. They embraced through the holes of the grating; and the King of England, making another low bow, the King of France said, 'Cousin, you are right welcome—there is no person living I was so ambitious of seeing, and God be thanked that this interview is upon so good an occasion.'" The King of England returned the compliment in French; and Comines tells us that his French was very good. When the compliments and ceremonies were over, they proceeded to business, and, in the end, a missal and a crucifix, said to contain some of the wood of the true cross, were brought to the grate, and the two kings, putting one hand on the book, and the other on the crucifix, swore religiously to observe the present treaty. When the two kings had sworn, "our king," continues Comines, "who had always words at command, told the English king, in a jocose way, that he should be right glad to see him at Paris; and that if he would come and divert himself with the gay ladies there, he would assign for his confessor the Cardinal of Bourbon, who he knew would grant him easy absolution for any peccadillos in the way of love and gallantry. The King of England was much pleased with this raillery, and made his majesty several smart repartees—for he knew that the cardinal was a gay man with the ladies, and a boon companion." After a few words spoken in secret to one another, the lords being sent to a distance, these gracious sovereigns shook hands through the grating, and departed, each his own way, Louis riding back to Amiens, and Edward to his army. The King of England was accommodated out of the King of France's stores with whatever he wanted, to the very torches and candles. The

minute relater of these events expressly tells us that Richard Duke of Gloucester, and some other Englishmen of high rank, were not present at the interview of Picquigny, as being averse to the whole treaty, and esteeming it dishonourable to their country; but he adds that they recollected themselves after the treaty was signed, and went into Amiens to King Louis, who splendidly entertained them, and generously presented them with plate and some fine horses. Louis, while thus buying and bribing, hated, feared, and despised Edward, all in a breath; and his caution, timidity, and contempt are hit off as if involuntarily by his confidential agent. During their ride to Amiens, he told Comines that he was rather uneasy at the readiness with which Edward had accepted his invitation to Paris. "Certes," said he, "our brother of England is a very fine king, and a warm admirer of the ladies; he might chance to find some dame at Paris so much to his taste as to tempt him to return; his predecessors have been too often in Paris and Normandy already, and I have no great affection for his company on this side the Channel, though ready to hold him as friend and brother on the other side of the water." "Nor," continues Comines, "ought any man to wonder, considering the mighty mischiefs which the English had brought upon France, and the freshness of their date, that the King of France should be anxious to send them home again, and to do all he could, by money or otherwise, to keep them in a good humour." That same evening, as they were going to supper, Lord Howard, who was to remain some time with the court, made Louis quake again, by telling him in his ear, with great glee, that it should go hard, but he would find a way to induce his master to go to Paris to be merry awhile with him. "Though this proposition was not in the least agreeable to the king," adds Comines, "yet he dissembled pretty well, and fell a washing his hands, without giving a direct answer to the Lord Howard; but he whispered me, that he feared his forebodings were coming to pass. After supper, they fell upon the same subject again, but the king put them off with the greatest gentleness and wisdom imaginable, pretending that his expedition against the Duke of Burgundy would require his immediate presence in a different part of France." In private, Louis expressed his opinion of Edward in pretty strong terms; but if he perceived that his words were overheard by any save his most confidential friends, he fell into a tremour and trepidation, and took great pains to prevent his words from being repeated.* Although this strange being preferred craft to force, he was not, on proper occasions, destitute of courage; but he knew the factious spirit of his great lords, whose power he was slowly undermining, and he preferred buying a peace to risking a dangerous war with the English, who were sure to find several allies, besides the Dukes of Burgundy and

Brittany, in the very heart of his kingdom. Some of his friends, and the chivalry of France generally, considered the treaty of Picquigny as very dishonourable to the nation; but he let them talk on, and felt himself a happy man when he saw Edward's back fairly turned, and heard that he and his army were on the other side of the Channel. If the French thought it disgraceful to buy, the English thought it disgraceful to be bought; and as they had given immense sums for carrying on the war, and had flattered themselves with recovering Normandy, Anjou, Maine, and Guienne, at the very least, they were greatly incensed at the transactions of Picquigny, though all the corruption of Edward's ministers and courtiers was not revealed to them, and but few understood the fact, that both the king and his cabinet had become pensioners to France. The principal articles of the treaty of Picquigny were, that Louis should pay instantly (which he did) the sum of seventy-five thousand crowns; that he should pay Edward an annuity of fifty thousand crowns; that he should marry his son, the dauphin, to Edward's eldest daughter Elizabeth, or, in case of her death, to her sister Mary, such marriage to be concluded when the parties were of proper age; and that a peace or truce for seven years, at least, should be secured, together with a free trade between the two countries. On many accounts we, in the present day, should prefer a settlement of this kind to the most glorious war; but the sons of the men who had fought at Azincourt judged very differently; and it is also not to be forgotten, that the pay and pensions of a foreign king would go to make Edward too independent of his parliament, and were on that account constitutionally objectionable, as well as disgraceful. Following their master's example, the Lord Hastings and the chancellor got pensions of two thousand crowns each; and Louis agreed to distribute annually twelve thousand crowns more among the Marquis of Dorset, the Lord Howard, Cheney, the master of the horse, Sir Thomas Montgomery, Thomas St. Leger, and some others of the profligate courtiers. It was fortunate for this immoral government that the trade and industry of the country made rapid strides, and that the people, tired of civil war, and left without leaders, were not to be easily roused to a fresh struggle.

On the whole, the country seems to have been tranquil and happy for some years, till the House of York became suddenly involved in one of the darkest tragedies. It was impossible for a nature like Edward's to forget conduct like that of his brother Clarence; and that weak-headed prince appears to have accelerated his fate by fresh imprudence, and the betrayal, on all occasions, both public and private, of a provoking suspicion and jealousy of his brothers, the king and the Duke of Gloucester. Nobody of any consequence was now allowed to die a natural death. The use of witchcraft—one of the commonly reported causes of

* For some very amusing instances see Comines.

death—was a monstrous absurdity; and probably more than half the cases of poisoning and secret smothering had no better foundation; but the prevalence of such opinions proves the vicious and detestable state of society. In 1476 Clarence's wife, Isabella, died after an illness of two or three months; and one of her female attendants was condemned and executed for poisoning her. About the same time, Charles the Rash was killed at the battle of Nanci, and, leaving no heirs male, his immense estates fell to his daughter Mary. Taking advantage of his opportune widowhood, Clarence immediately proposed himself as a husband to this great heiress, whose step-mother (Clarence's sister) seconded his suit. But as soon as Edward heard of this negotiation, his jealousy took the alarm; he opposed it with all his might, and caused it to miscarry. Clarence, who had not been guarded in his expressions before, could now put no restraint upon his tongue. The court, probably well informed of all this incautious man did and said, soon made him feel its vengeance. At first they attacked him through the sides of his friends. One Stacey, a priest in his service, was accused of having recourse to damnable magic (much like that laid to the charge of Eleanor Cobham, the wife of the unfortunate Duke Humphrey) to hasten the death of the Lord Beauchamp, by the slow melting of certain images. Being put to torture, that he might be forced to confess who were his setters on and accomplices, he named Thomas Burdett, a gentleman of Clarence's household, and one to whom the duke was greatly attached. These unfortunate men, it appears, were tried in a hurried manner by the judges and some temporal peers, convicted, and executed. They both died protesting their innocence. Clarence, who was too late to save their lives, presented himself in the council, which for some time he had rarely attended, to prove that his servants had met with an unjust doom; and for this attempt, which was called an interference with justice, his brother, the king, in a public manner committed him to the Tower. Everything was conducted in a public manner except the execution. A parliament was summoned on the 16th of January, 1478, when the king appeared in person to prosecute his own brother, Clarence, who was brought to the bar of the lords. The charges were monstrous, and for the greater part absurd; but Edward had witnesses to swear to them all, and the impossible part of the guilt was probably that which made the greatest impression. Clarence was accused of dealing with the devil by means of conjurors and necromancers; of having plotted to dethrone the king, and disinherit the king's children; of having given to his servants large sums of money, venison, &c., that they might assemble and feast the king's subjects, in order to induce them to believe that Thomas Burdett had been wrongfully executed, and to spread a rumour that the king himself was notoriously guilty of the black art and dealing with the

devil, and secret poisoning, and was, besides, a bastard, without right to the crown. After all this, it was charged that Clarence had induced divers of the king's subjects to be sworn upon the sacrament to be true to him and his heirs; that the duke had engaged to restore the confiscated estates of the Lancastrians; that he had gotten and preserved an act under the great seal of Henry VI., late king, whereby he, Clarence, was declared next heir to the crown in case of the death of Edward, Prince of Wales, and that the duke had ordered his retainers to keep themselves ready to take up arms for him and his rights at an hour's notice. None of the peers spoke in his behalf; but Clarence, it appears, vehemently denied every charge. His reply, however, has not been preserved; for, during the greater part of this reign, nothing was inserted or allowed to remain on the rolls of parliament that was displeasing to the king. The Duke was found guilty, and received sentence of death on the 7th of February. Soon after, the House of Commons were induced to appear in the Lords, and petition for the immediate execution of this sentence.* But, notwithstanding these high sanctions, it was not thought proper to execute the sentence in an open manner, or, indeed, to allow that it had been executed in any way. On the 18th of February, or, according to some authorities, on the 11th of March, it was whispered that the duke had died in the Tower, upon which people speculated in their usual manner as to the mode of his death; the most popular belief—which there is nothing either to prove or disprove—being, that his brothers had secretly caused him to be drowned in a butt of Malmsey wine. Suspicion rested on Richard Duke of Gloucester, on account of their old enmity, and because Richard kept fair with the queen, and profited by Clarence's forfeiture.

Edward, it is said, felt the pangs of remorse at this murder; but his outward conduct never betrayed such feelings—his life continued in the same round of dissipation and debauchery. His thoughts seemed wholly employed upon the ladies, hunting, and dressing. In his summer hunting it was his custom to have gay silk tents set up for the ladies, "wherein he treated them after a splendid and magnificent manner." "And, indeed," adds Comines, who knew him well, and drew the comparison from a personal acquaintance with most of his royal contemporaries, "his humour and person were as well suited to gallantry as those of any prince I ever saw in my life; for he was indisputably the most beautiful man of his time—I mean before he grew too corpulent."

A. D. 1480.—In this year the pleasant life of the king was somewhat disturbed by a war with Scotland; but, though greatly irritated, Edward did not take the field, but intrusted the command to his brother Richard, who had an indefatigable

* About the same time an act was passed, reversing, as illegal, the judgment passed upon the female servant accused of poisoning the Duchess of Clarence.

activity, a good military reputation, and the favour of the army. At the northern court, brothers were intriguing against brothers, and the king, James III., whose tastes and habits were little suited either to overawe his boisterous nobles, or to secure their willing obedience, was tottering on his throne; yet, notwithstanding these auspicious circumstances, the English made no impression upon Scotland. Richard of Gloucester failed in an attempt upon Berwick; and for two years the war was nothing more than an alternation of those raids on the borders of the two countries, which no truce or peace ever yet prevented. But matters took a different turn when the Duke of Albany, the brother of King James, returned from a short exile in France, and laid claim to the crown, pretending that his brother was a bastard. On coming to the English court, Albany proposed that Edward should lend him a good army, and, in return for such assistance, he offered to surrender Berwick, to acknowledge himself the vassal of England, to renounce all alliance with Louis of France, and to marry one of Edward's daughters, if the church would permit—for he had two wives already. Without pausing at the consideration that Albany was pursuing that very line of conduct for which only four years before he had procured sentence of death against his own brother Clarence,—without reflecting that every throne in Europe must be shaken by such insidious measures,—Edward joyfully listened to the traitor Albany, and concluded a treaty with him in the month of June, 1482, at Fotheringay. The army was again intrusted to Gloucester, who marched to Berwick and invested that town. Richard had upwards of twenty thousand men; and Albany, who co-operated, had a Scottish force, and a party within the walls of Berwick. The gates of the town were opened, but the castle defied the enemy; and King James, having assembled his barons, marched towards the borders. As that sovereign lay at Lauder, his nobles, headed by Archibald Douglas, Earl of Angus, commonly called, after this event, "Archibald Bell-the-Cat," burst into the royal tent at an early hour between night and morning, carried off the chief favourite, Robert Cochran, together with five more of the king's habitual associates, and hanged them all over the bridge of Lauder. Upon this summary execution, James fled, or was carried a prisoner, to the castle of Edinburgh. The army disbanded, and the road to the capital was left open to the Duke of Gloucester and Albany, who appeared there in the month of July, the Queen of Scotland and her son being obliged to take refuge in the castle of Stirling. The presence of an English army seems to have made some of the great lords sensible of the madness of their conduct; and the Archbishop of St. Andrew's, the Bishop of Dunkeld, Lord Evandale, the Chancellor, and the Earl of Argyll, collected a small army of patriots, and posted themselves at Haddington, between Edinburgh and the English borders. These noblemen sum-

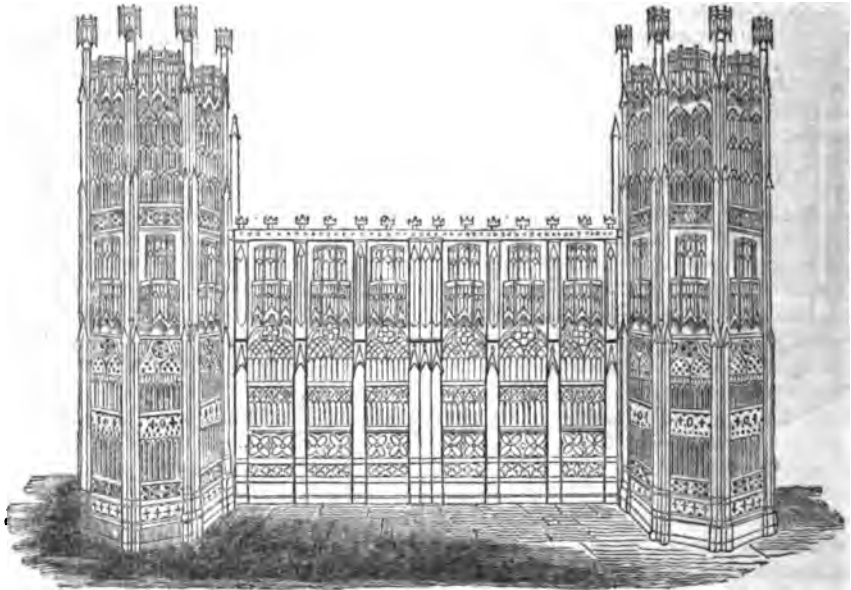
moned all true Scots to their standard, but, at the same time, opened negotiations with the Duke of Albany, who, on the 2nd of August, concluded a treaty, the principal clauses of which were, that he, on his part, would be a true and faithful subject to his brother, and that the court should restore to him all his estates and honours, and grant to him and his adherents a pardon for all past offences. There was, however, a third party to conciliate: this was the King of England, who obtained the town and castle of Berwick, and the restitution of certain sums of money which he had paid to James on a now exploded treaty for a marriage between his daughter Cecily and the son of the Scottish king. The Duke of Gloucester returned into England; and his companion, the Duke of Albany, liberated his brother from the castle, rode with him to Holyrood House, on the same horse, and slept with him in the same bed—for these things in Scotland, as in France and other countries, were considered the best proofs of a perfect reconciliation. In less than six months Albany was again intriguing to deprive his brother of his throne; and to this end he opened a fresh negotiation with the English king. But the mind of Edward was at the moment occupied by another affair; and death soon prevented him from joining the Scottish traitor.*

By the treaty of Picquigny, the dauphin was to marry Edward's eldest daughter as soon as she was of proper age. By the usage of the times, a princess was marriageable at the age of twelve; but Elizabeth was now sixteen, and yet the French court never sent to claim her. Edward had been told repeatedly that Louis would not keep to this family engagement; but he believed, or pretended to believe, that that sovereign would not dare to insult him in so tender a point. But the old fox of France was now in a very different position from that in which he stood when he was fain to bribe, and fawn, and flatter through the grating on the bridge at Picquigny: his consummate craft had reduced his factious nobles to obedience; his great rival the Duke of Burgundy was in his grave, and he had cut off the head of the Duke of Brittany, that other ally of the English. While princes were disputing for the hand of Mary, the daughter of Charles the Rash, Louis had seized most of the territories which belonged to that orphan, and now he saw an opportunity of giving a colour to that appropriation, and of rounding his kingdom, by means of union with the House of Burgundy. In the month of February, 1482, the Duchess Mary, who was holding her court in the rich city of Bruges, went out one day with a small retinue to fly her hawks at the herons which abounded in that neighbourhood. In following the sport, her palfrey, in taking a leap, burst the girths of the saddle, and she was thrown with great violence against the trunk of a tree. She died in consequence of the injury she sustained in the month of March. She was only twenty-five

years old; and her short life, say her historians, had been rendered more agitated and unhappy than her gentleness and innocence seemed to merit. She left three children by the Duke Maximilian of Austria: Philip, born in 1478; Margaret, called "Margot la gente demoiselle," born at the beginning of 1480; and Francis, born at the end of 1481. Her old persecutor, King Louis, was in a very languishing state of health at the time; but the joy he felt at the death of his fair neighbour and relative revived him wonderfully, and he instantly prepared to take advantage of the event. With all their turbulence, the people of Flanders had entertained some respect and affection for the fair Mary of Burgundy; but they had none for Maximilian, whom they considered, not as their prince, but only as the husband of their duchess, whose authority or influence was terminated by her death. Louis, who was well informed of all this, opened a secret correspondence with the people of Ghent, and then demanded the hand of the "gente demoiselle" for his son, the dauphin, the affianced of the Princess Elizabeth of England. Maximilian, the father of the infant, was averse to the match; but Louis expected this, and had provided against it. The citizens of Ghent, who had all three children in their custody, forced a consent, and delivered up Margot to the agents of the French king, who settled upon her, as her marriage portion—which she was to convey to his son, the dauphin—all the broad and rich provinces which he, Louis, had gained from her mother Mary by fraud and by force of arms. The infant Margot, thus affianced at the age of three years, was carried from Flanders into France to be "nourished and brought up." As long as it was neces-

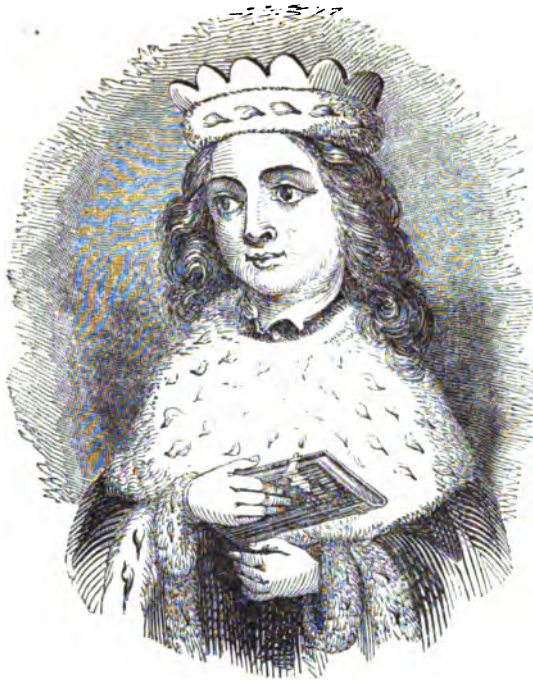
sary, Lord Howard, the English ambassador, was bribed, and Edward was amused with fine assurances; for, if the English had supported the Duke Maximilian at the proper time, they might have defeated the project—the last great achievement of the greatest politician of his day. But now the veil was dropped; the contract of marriage was confirmed publicly by the parliament at Paris, and great rejoicings and feastings were held in that city. Edward felt himself duped, insulted, and disgraced, and he vowed that he would punish the old traitor, and carry such a war into France as had not yet been seen, in that country.* The excess of his rage is supposed to have hastened his death; but, from his habitual excesses and the dissolute life he had led for twenty years, Edward was not likely, under any circumstances, to reach an old age. Whatever were the causes of his death, he died, after an illness of a few weeks, on the 9th of April, 1483, in the twenty-first year of his reign, and the forty-first or forty-second year of his age. He spent his few last days in a very penitent and devout manner: it was said that he ordered repayment out of his treasury to all persons whom he had cheated out of their money, or from whom he had forced "benevolences;" but so great a spendthrift was not likely to leave much money behind him; and the people by whom he was surrounded on his death-bed were still less likely to make any such restitution. After his death he was exposed on a board, naked from the waste upwards, in order that people might see he had not been murdered. The body was buried with great pomp in the new chapel at Windsor.

* Comines.—Barante.



TOMBS OF EDWARD IV. AT WINDSOR.

EDWARD V.



EDWARD V.

From a MS. in the Archbishop's Library at Lambeth.



GREAT SEAL OF EDWARD V.

When Edward expired at London, Richard Duke of Gloucester was in the marches of Scotland at the head of an army devoted to his service; the Prince of Wales, a boy of thirteen, was at Ludlow Castle, with his maternal uncle, the Earl of Rivers; and Edward's second son, who was

only eleven years old, was in London with his mother. It is apparent that all eyes were from the very beginning fixed with doubt upon the powerful uncle, whose first movements however were calculated to remove suspicion from the public mind. Upon receiving the news of his brother's death, he

rode southward to York, which city he entered with a retinue of six hundred knights and esquires, all clad, like himself, in deep mourning. His first care was to order a grand funeral service in the cathedral; his second to collect all the nobles and gentlemen of that neighbourhood, who swore fealty at York to his nephew, Edward V. Richard himself was the first to take this oath; he then wrote to the widowed Queen Elizabeth and to his brother the Earl Rivers, assuring them of his loyalty and affection. When he again put himself in motion for the south, it was observed that the number of his followers was greatly increased; but, as he asserted that this force was only meant to give security and dignity to his nephew's coronation, this circumstance did not awaken any great suspicion. But though they had been sworn friends and confederates, the queen mother had her misgivings, and the fear and imprudence of Elizabeth contributed not a little to the ruin of her children. She had written to her brother, Earl Rivers, to bring up the young king to London, with an escort of two thousand armed horsemen, and she had attempted to collect another army against the advice of the council. At this moment, the Marquis of Dorset, her son by her first marriage, had possession of the tower, other Woodvilles and Grays had commands in different places, and the young princes were both in the hands of the queen's relations, who, unrestrained by the frightful executions made by Warwick on the insurgents, were ambitious and daring. On his death-bed, Edward, foreseeing evil consequences to his children, had patched up a reconciliation between his wife's relations and their rivals, the Lords Howard, Hastings, and Stanley, and they had all embraced, and sworn oaths of mutual forgiveness and future friendship. But we have seen the value of such ceremonies: the Howards, the Stanleys, and the rest of the great lords hated the aspiring family as much as ever, and the instinct of self-preservation alone would have excited a lively alarm at seeing the whole power of the State divided among them. The queen mother too, disregarding the precedents which established as a principle of the constitution that the right of regulating regencies belonged to parliament alone, betrayed, or at least she was suspected of, a design to assume the regal power during the minority of her son, and this the great lords knew would lead to an administration composed exclusively of her relations, who had most of them the passion of revenge to gratify, as well as the passion of ambition. Before Richard began his march from the borders, the most violent altercations took place at the council board. The Lord Hastings was so irritated at one moment, that he threatened the queen. But the greatest of the malcontents was the Duke of Buckingham, a prince of the blood.* Richard, it appears, sent secret emissaries to Buckingham from York, and probably this adroit plotter did not forget Hastings and other

lords. He so calculated time and distance that he arrived from the north at the town of Northampton on the same day (the 22nd of April) that his nephew, travelling from the north-west, reached Stoney Stratford, only ten miles distant. The Earl Rivers and the Lord Richard Gray rode back to Northampton to salute the Duke of Gloucester on the part of the king. Richard received them with much courtesy, and invited them to sup with him; but immediately after their arrival there came another visitor of higher rank, and whom he received with a more sincere welcome;—this was the Duke of Buckingham, who brought with him a retinue of three hundred horse. The two dukes, the earl, and the lord spent the evening together in a pleasant convivial manner, but after supper the two latter retired to quarters assigned to them in Northampton, and, while guards were placed over them, and all the outlets from the town secured, Gloucester and Buckingham remained in secret debate. On the following morning the Duke of Gloucester continued his march to Stoney Stratford, riding a-head in company with the Duke of Buckingham, the Earl Rivers, and the Lord Gray, and still maintaining a friendly appearance with the two latter. As soon, however, as he was within the town, and found the young king within his grasp, he changed his tone, accused Rivers and Gray of estranging the affections of his nephew, and ordered them both under arrest. Then, accompanied by the Duke of Buckingham, he waited on the king. The two dukes bent their knees and saluted the poor boy as their sovereign, but in the next minute they arrested Sir Thomas Vaughan and Sir Richard Hawse, two of his favourite servants, and ordered all the rest of his attendants to disperse immediately. All this part of the story is somewhat obscure; it is not explained very clearly whether the two thousand horse that came from Ludlow retired at this order, or joined the dukes; but it appears pretty certain that the Earl Rivers, Lord Richard Gray, Vaughan, and Hawse were immediately conveyed northward under a strong guard to Pontefract Castle, and that from this moment young Edward remained a prisoner in the hands of Gloucester and Buckingham.*

The news was soon carried to London: the queen mother received the tidings "a little before the midnight following, and that in the sorest wise; that the king, her son, was taken, her brother, her son, and her other friends arrested, and sent, no man wist whither, to be done with God wot what," and in "great heaviness," at the dead of night, she fled to her old sanctuary at Westminster, taking with her her second son, the Duke of York, and her five daughters. Meanwhile the Lord Hastings assured the people that the two dukes were loyal and acting for the public weal. From the fate he met with we must conclude that Hastings was a dupe, or that though he was ready to go to a certain length in order to displace the queen mother and her relations, he was not prepared to abandon the cause

* This weak man was a lineal descendant of Thomas of Woodstock, the youngest son of Edward III.

* Cont. Hist. Croyl.—Sir Thomas More.—Hall.

of the children of his deceased master and friend. He, however, obeyed the summons of the dukes, and went from London to meet them. Rotherham, Archbishop of York and Chancellor, went to the queen mother and endeavoured to comfort her and soothe her alarms; he delivered to her a friendly message which he had received from Hastings. Elizabeth suspected the faith of this nobleman, and she exclaimed—"A woe worth him, for he is one of them that goeth about to destroy me and my blood!" The archbishop replied—"Madame, be of good cheer, for I promise you if they crown any other king than your son, whom they have now with them, we shall on the morrow crown his brother whom you have here with you." He then delivered the great seal to Elizabeth and departed home again, as day was dawning, by which time "he might in his chamber window see all the Thames full of boats of the Duke of Gloucester's servants, watching that no man should go to sanctuary, nor none should pass unsearched."* Then, continues the contemporary historian, "was great commotion and murmur as well in other places about, as specially in the city, the people diversely divining upon this dealing; and some lords, knights, and gentlemen, either for favour of the queen, or for fear of themselves, assembled in sundry companies and went flock-meal (crowding) in harness, and many also for that they counted this demeanor attempted not so specially against the other lords, as against the king himself in the disturbance of his coronation." The Archbishop of York, whose intellect seems to have been confounded, presently repented of so hastily delivering up the great seal to the queen mother, "(to whom the custody thereof nothing pertained,) and he sent secretly for the seal again, and carried it with him, after the customable, to a meeting of the nobility and gentry. The Lord Hastings, whose truth towards the king no man doubted nor needed to doubt, attended this meeting, and asserted again that the Duke of Gloucester was sure and fastly faithful to his prince, adding that the Earl Rivers and the Lord Richard, with the other knights, were, for matters attempted by them against the Duke of Gloucester and Buckingham, put under arrest for their surety, not for the king's jeopardy, and that they should soon be examined by all the other lords of the king's council indifferently." Hastings strongly recommended peace and good order in the city, in order that the king's coronation might not be disturbed, for which ceremony he said that the dukes were coming up. He admitted, however, "that matters were likely to come to a field, but that if they did, though both parties were in all other things equal, yet should the authority be on that side where the king himself was." With these persuasions of the Lord Hastings, "whereof," says Sir Thomas More, "part himself believed, of part he wist the contrary," London was somewhat quieted. The adherents of Gloucester and Buckingham spread the report through the city that proofs

* Sir Thomas More.

had been obtained of the horrible plotting of the queen's relations to destroy the two dukes and others of noble blood, to the end that they might alone govern the young king at their pleasure, and they even exhibited to the populace barrels filled with arms which they said the traitors had privily conveyed to destroy the noble lords withal. The common people were very well satisfied with this kind of proof, and said, "it were alms to hang the traitors."

It is quite evident that the queen mother had no party in London, that her relations were most unpopular, and that the peaceful and wealthy citizens longed for the arrival of the two dukes in order that tranquillity might be restored; for, in the quaint language of More, they knew that "such men were abroad as made their lucre of others' loss." At the approach of the young king, Edmund Shaw, goldsmith, then mayor, with William White and John Matthew, sheriffs, and all the other aldermen, in scarlet, together with five hundred of the citizens, clad in violet, and all gallantly mounted on horseback, rode out to meet him as far as Hornsey Wood, where they received him right reverently.*

There is a difficulty in fixing precise dates to these rapidly succeeding events, but it appears to have been on the 4th or 5th of May that Gloucester arrived in London, riding bare-headed before his nephew, who was shown to the people attired and attended as became a king. At first the royal boy was lodged in the palace of the bishop, but a great council was summoned, and, at the motion of the Duke of Buckingham, it was agreed to send the young king to the Tower, as the place of greatest safety. The lords in council then fixed the 22nd of June for the coronation; summoned fifty lords and gentlemen to attend and receive the honours of knighthood, which were usually distributed before that ceremony; appointed the bishop of Lincoln chancellor, in the place of the archbishop of York; changed a few other officers of the crown, and gave the post of Protector to the Duke of Gloucester, who thereupon styled himself "brother and uncle of the king, protector and defender, great chamberlain, constable, and lord high admiral of England."†

Richard took up his residence in Crosby Place, Bishopsgate, where the majority of the council attended him late and early. At the same time a minority, composed of Lord Hastings and others, met in the Tower; but like the Marquis of Dorset, they seem to have had the garrison of that place against them. Hastings vainly thought that he was secure, and that he could outwit the cunning Gloucester. On the 12th of June he told Lord Stanley, who was uneasy at the proceedings at Crosby Place, that he kept his secret agent there, who was sure to inform him of all that was doing. On the following day the Protector suddenly entered the Tower, and took his seat at the council table.

* Fabyan.

† Sir Thomas More.—Cont. Hist. Croyl.—Fabyan.—Rym.

The scene which followed appears to have been somewhat over-coloured by the imagination of the historian; but the accusation of witchcraft was perfectly in keeping with the spirit of the times, and did not differ very materially from certain recent proceedings.

Shakspeare has helped Sir Thomas More to make this scene immortal. More says that Richard presented himself on Friday the 13th of June, about nine in the morning, "in a very merry humour. After a little talking with them, he said unto the bishop of Ely, 'My lord, you have very good strawberries in your garden in Holborn; I request you, let us have a mess of them.' "Gladly, my lord, (quoth he): would to God I had some better thing as ready to your pleasure as that!" and then withal, in all haste, he sent his servant for a mess of strawberries. The Protector set the lords fast in communing, and thereupon, praying them to spare him for a little while, departed thence, and soon after one hour, between ten and eleven, he returned into the chamber amongst them all, changed, with a wonderful sour angry countenance, knitting the brows, frowning and fretting, gnawing on his lips, and so set him down in his place." Soon after he asked what those persons deserved who had compassed and imagined his destruction. Lord Hastings answered that they deserved death, whoever they might be; and then Richard affirmed that they were that sorceress his brother's wife (meaning the queen) and others with her. "And," said the Protector, "we shall see in what wise that sor-

ceress, and that other witch of her council, Shore's wife, with their affinity, have by their sorcery and witchcraft wasted my body." In saying this, he plucked up his doublet sleeve to his elbow upon his left arm, when the arm appeared to be withered and small, "as it was never other." The lords of course perceived that this matter was but a quarrel, and they were all silent except Hastings, who said, "Certainly, my lord, *if* they have so heinously done, they be worthy heinous punishment." "What! (quoth the Protector) thou serveest me, I ween, with ifs and with ands! I tell thee they have so done, and that I will make good on thy body, traitor!" "And therewith," continues More, "as in a great anger, he clapped his fist upon the board, a great rap. At which token one cried treason, without the chamber. Therewith a door clapped, and in came there rushing men in harness as many as the chamber might hold. And, anon, the Protector said to the Lord Hastings, "I arrest thee, traitor!" "What, me, my lord!" (quoth he). "Yes, thee, traitor!" (quoth the Protector). Another let fly at the Lord Stanley, which shrunk at the stroke, and fell under the table, or else his head had been cleft to the teeth; for as shortly as he shrank, yet ran the blood about his ears. Then were they quickly bestowed in divers chambers, except the lord chamberlain (Hastings), whom the Protector bade speed, and shrive him apace, "for by Saint Paul (quoth he) I will not to dinner till I see thy head off." Whatever were the charges brought forward by



JANE SHORE.

Head, from a Picture in the Provost's Lodge, King's College, Cambridge; the Costume, from another in Magdalene College, Cambridge.

Richard, it seems certain that the Lord Hastings was instantly seized by a body of armed men, who rushed into the council-chamber, crying "treason! treason!" at a signal given by Richard, hurried him to the green by the side of the Tower chapel, stretched his neck over a log of wood which happened to lie there, and cut off his head; and that the Lord Stanley, the Archbishop of York, and the Bishop of Ely were arrested at the same time, and shut up in separate cells in the Tower. On the very day upon which these things happened in London, the Earl Rivers, the Lord Gray, Sir Thomas Vaughan, and Sir Richard Hawse, were beheaded at Pontefract Castle, without any form of trial. The execution was public; but the victims were prevented from addressing the people by an armed band, that was directed in person by Sir Richard Ratcliffe, one of Richard's boldest adherents, who is described as "a man that had long been secret with him, having experience of the world and a shrewd wit, being short and rude in speech, and as far from pity as from all fear of God." The Earl Rivers, who thus perished, was an accomplished man; he was fond of literature, he encouraged literary men, and first introduced to the notice of Edward IV. William Caxton, the first English printer. These executions, it should appear, produced no re-action. On the 16th of June, only three days after, the Protector, with my Lord Cardinal the Archbishop of Canterbury, and several other prelates and lay lords, proceeded to the sanctuary at Westminster, to demand the person of the Duke of York, whose presence at the coronation was said to be indispensable, and whose abiding in sanctuary was held to be dangerous and dishonourable, as causing scandalous rumours to be spread and suspicions to be cast on the Protector. The cardinal undertook to persuade the queen mother with gentle words, for Richard was quite ready to disregard the sacred rights of church and sanctuary. According to the best authority Elizabeth at last yielded rather to the conviction of the uselessness of all resistance, than to the arguments of the cardinal archbishop, and, calling for her beautiful boy, she embraced him and delivered him over to them, and then burst into tears, as though she felt her child was lost. Richard carried the poor boy to the Tower, and secured him there with his brother.

The pleasant vices of the late king were now made scourges for his innocent progeny, and the dissoluteness of the whole court had disposed the minds of many people to look with a favourable eye upon any prince or minister that should present himself as a reformer of morals. Stories were circulated, both new and old: the late king was again said to be a bastard; and his children were made equally illegitimate in reports which stated, with much circumstantiality, that the marriage of Elizabeth Woodvil was altogether illegal. Among the many mistresses of Edward was none so conspicuous as Jane Shore, whom he had seduced from her husband, a young and wealthy citizen,

and to whom he continued attached to the time of his death. "Many," says More, "the king had, but her he loved: whose favour, to say the truth (for sin it were to belie the devil), she never abused to any man's hurt, but, to many a man's comfort and relief, where the king took displeasure she would mitigate and appease his mind; where men were out of favour she would bring them in his grace; for many that had highly offended she obtained pardon; of great forfeitures she got men remission. . . . A proper wit had she, and could both read well and write. As if it were in a virtuous anger, not for covetousness (it appears, however, that Richard kept the goods or the money), the Protector sent into the house of Shore's wife (for she dwelt not with her husband) and seized all her plate and jewels, to the value of two or three thousand marks, and then sent her to prison." She was delivered over to the ecclesiastical court to be punished according to canons which had long been a dead letter, at least about court. "Every man," says More, "was surprised to see the matter so suddenly and so highly taken; and for this cause, as a godly, continent prince, clean and faultless of himself, sent out of heaven into this vicious world for the amendment of men's manners, he made the Bishop of London put her to open penance." With no clothes on but her kirtle, bare-footed, and carrying a lighted taper in her hand, Jane Shore was compelled to walk through the crowded streets of the city on a Sunday. The exhibition had the double effect of fixing the attention of the people on the immoralities of the late king, and of displaying in a striking light the moral rigour of the new Protector.

This scene was followed by a sermon preached by Dr. Shaw, the brother of the lord mayor, upon the text—"The multiplying brood of the ungodly shall not thrive, nor take deep rooting from bastard slips.*" The doctor proceeded boldly to show that the two young princes in the Tower were illegitimate, inasmuch as Edward their father, in the very beginning of his reign, before he knew Elizabeth, the widow of Sir Thomas Gray, had clandestinely married Eleanor, the widow of the Lord Boteler of Sudely. He afterwards took up the scandal which had been propagated by the Duke of Clarence, and by the Duke of Burgundy before him, expressing his learned doubts whether Edward, the late king, were in reality the son of his reputed father Richard Duke of York, seeing that there was no resemblance between them. But then he went on to tell the great crowd that attended him—for he was holding forth at Paul's Cross, and was a very popular preacher—that the Lord Protector, that right noble prince, was the very image and plain express likeness of that noble duke. It had been previously arranged that Richard should appear in the sermon-ward just as Dr. Shaw drew this striking comparison, but either he came too slow or the preacher went on too fast; he appeared at length, and then the doctor repeated

* Wisdom of Solomon, iv. 3.

his similitude; but the words lost the air of an inspiration, and the people, instead of shouting "Long live King Richard!" as they ought to have done, stared at each other in silent astonishment. The Protector then pretended to be displeased with the preacher, who sneaked away.

On the Tuesday following (the 24th of June) the Duke of Buckingham, who went hand-in-hand with the Duke of Gloucester, presented himself on the hustings at the Guildhall, and there, supported by a number of lords, knights, and citizens, he eloquently harangued the Londoners. He spoke of the tyranny, extortion, and lust of the late king,—of the numbers he had reduced to beggary by benevolences,—of the honest families he had disgraced by his illicit amours. He went over the whole sermon of Dr. Shaw, and told the people that Richard was the only true issue of the Duke of York, and that the lords and commons of the north had sworn never to submit to a bastard. It appears that the more respectable citizens, among whom, however, Richard had a very strong party, required time for deliberation, but many of the poorer sort threw up their bonnets, and cried "Long live King Richard!" On the next day a great deputation from the citizens, headed by Shaw the mayor, and accompanied by the Duke of Buckingham and many lords and gentlemen, waited upon the Protector, who was lodging in Baynard's Castle. Richard, it is said, affected to be alarmed, and at first declined receiving them; but soon Buckingham was admitted to present an address, which was styled the "Consideration, election, and petition of the Lords spiritual and temporal, and commons, of this realm of England." In this re-

markable document, of which a copy has been preserved in the rolls of parliament, the former allusions to the illegitimacy of the late king and his brother Clarence were suppressed, but Edward's marriage with Eleanor Boteler was insisted upon; and "as Edward (the discourse proceeded) during his life, and Elizabeth, lived together sinfully and damnably in adultery, against the law of God and of his church, so it appeared evidently and followed that all the issuing children of the said King Edward be bastards." Then, to get rid of the children of the Duke of Clarence, Richard's elder brother, the attainder for treason against that prince was quoted; and, finally, Richard was invited and pressed to take the crown as his by right of birth, and by lawful election of the three estates of the land. The Protector hesitated; spoke of his want of ambition; his warm affection for the young princes his nephews, for whom he yet trusted to preserve the crown. "Not so," said Buckingham; "the free people of England will never be ruled by a bastard; and if you, the lawful heir, refuse the crown, they know where to find another who will gladly accept it." Upon this, Richard modestly replied that it was his duty to submit to the will of his people; and that, since they would have him for their king, he would take upon himself the royal estate of the two noble realms of England and France,—the one to rule from that day forward, the other (meaning France), with their good help, to subdue and get again as soon as might be.* This is commonly reckoned the last day of the brief nominal reign of Edward V.

* Sir Thomas More.



BAYNARD'S CASTLE, as it appeared in the Seventeenth Century.

RICHARD III.



RICHARD III.

From a Painting on Glass belonging to Trinity College, Cambridge.



GREAT SEAL OF RICHARD III.

On the 26th of June, the day following the scene acted at Baynard's Castle, Richard proceeded to Westminster, where he seated himself between the great Lord Howard and the Duke of Suffolk upon the marble seat in the

Hall, telling the admiring people that he commenced his reign in that place because it was his first duty as a king to attend to the laws and the doing of justice. He then rode back to the city, and was received at St. Paul's by a grand

procession of the clergy and the joyful shouts of the people. Ten days after, on the 6th of July, he was crowned in Westminster Abbey with his wife Anne, the daughter of Warwick. Neither lords spiritual nor lords temporal started the least difficulty: the Archbishop of Canterbury, with his clergy, anointed the usurper. There was a very full attendance of peers and peeresses; and while the Duke of Buckingham bore the train of the king, the Countess of Richmond did the like office for the queen. The ceremony was followed by promotions, donations, and acts of mercy. The Lord Howard was made earl marshal, and received the title of Duke of Norfolk: his son was created Earl of Surrey. Of the prisoners made in the council chamber in the Tower on the day of Lord Hastings's execution, Lord Stanley was received into favour, the Archbishop of York was set at liberty, and the Bishop of Ely was released from the Tower, to be more gently guarded by the Duke of Buckingham in his castle at Brecknock.

Richard did not call a parliament, but he held a long conference with the lords who had attended his coronation, and whom he charged to be strict in preserving the peace, and putting down all crimes and disorders in their several counties. In a few days he began a royal progress through the kingdom, and wherever he stopped, he listened to petitions and administered justice in person. His course lay through some of the pleasantest parts of England, and the fine summer season disposed the people to enjoy the splendour and parade of the court, which it showed to the greatest ad-

vantage. Everywhere he was received with acclamations—in the north with enthusiasm; but it appears that part of this joy was ordered beforehand, and was probably paid for. From Warwick he went by Coventry, Leicester, Nottingham, and Pontefract, to York, where he and his queen were again crowned.* Since the days of King John it had not been usual with English sovereigns to repeat this august ceremony, but Richard, it appears, wished to gratify his friends in the north—his best friends, who had testified their good will to him long before he became a king.†

But while all was sunshine at York, a dark cloud arose in London, and gradually overspread nearly the whole of the south. Meetings were held by the friends of the queen-mother in different parts, and it was resolved to make an attempt to liberate the princes from the Tower. Their healths were drunk in secret; but the poor boys were already dead, and their fate had probably been hastened by these friends—for nothing was likely to escape the quick and suspicious eye of their uncle and his numerous agents. We venture to repeat the old story as told by Sir Thomas More; for, in spite of the scepticism of a few modern writers, it has not only consistency and probability, but also some remarkable evidences in its favour. In the course of his progress, Richard despatched from the neighbourhood of the town of

* Rotherham, Archbishop of York, here officiated, and set the crown upon his head.

† Sir Thomas More.—Cont. Hist. Croyl.—Drake, Eborac.—Rouse.—Rouse, who was living an eremitical life at Guy's Cliff at the time of this splendid royal progress, saw Richard at Warwick, and describes his personal appearance.



ANNE, QUEEN OF RICHARD III.

From an Ancient Painting on Glass, engraved in "Walpole's Historic Doubts." Google

Gloucester one John Green, "whom he specially trusted," with a letter to Sir Robert Brackenbury, the governor of the Tower, ordering that the said Sir Robert should, "in some wise, put the two children to death." Brackenbury refused the commission, as something too horrible and dangerous to himself. Green returned with this answer to Richard, who, being then at Warwick, despatched Sir James Tyrrel, his master of the horse, with a commission to get, and keep for twenty-four hours, all the keys and the command of the Tower. One night, apparently in the month of August, Tyrrel, accompanied by Miles Forest, "a fellow fleshed in murder beforetime," and John Dighton, Tyrrel's own horsekeeper, "a big, broad, square, and strong knave," ascended the staircase which led to the chamber where the young princes lay sleeping together. While Tyrrel waited at the door, Miles Forest and John Dighton entered the room, and smothered the children in the bed-clothes as they lay, keeping the pillows and feather-bed hard upon their mouths. When the deed was done, Tyrrel stepped into the chamber to take a hasty view of the dead bodies, which were then, by his orders, carried down and buried by the two murderers "at the stair-foot, meetly deep in the ground, under a great heap of stones."* Honours

and rewards were immediately bestowed upon Tyrrel, Forest, Dighton, Green, and Brackenbury.

It was not King Richard's intention to reveal this atrocious murder; but when the insurgents were up in arms he permitted the fact to be divulged. The news disconcerted the conspirators; but these men had gone too far ever to expect mercy from such a king, and they resolved to raise up a new competitor for the crown in the person of one who was not a prisoner in the Tower, but an exile in France, who was not an innocent, helpless boy, but a man in the vigour of life†—and crafty, cool, and politic as became one that had studied his politics in the school of Louis XI. This was Henry Earl of Richmond, the grandson of Owen Tudor and Catherine, the widow of Henry V. Richmond was considered as representing the line of Lancaster by right of his mother, Margaret Beaufort, who was daughter of a Duke of Somerset, and a great grand-daughter of John of Gaunt. Some princes or princesses might have been found in Spain or Portugal among the descendants of John of Gaunt, who were nearer representatives of that house; but the eyes of the legitimates on this side did not reach so far; and the Yorkists could not very consistently recognise the rights of a line of princes

* Sir Thomas More.—The continuator of the History of Croyland, another contemporary, says simply, that the children were reported to have died in the Tower, though it was uncertain by what kind of

violent death. A little more light will be thrown on this mysterious transaction in our narrative of the reign of Henry VII.

† Henry was nearly thirty years old when he ascended the throne.



MURDER OF EDWARD V. AND THE DUKE OF YORK, IN THE TOWER.—HILDEBRANDT

whom they had voted usurpers. It was, therefore, proposed that Henry Earl of Richmond should marry the Princess Elizabeth, (formerly affianced to the dauphin,) eldest daughter of the late king, and now, by the death of her brothers, the representative of the more legitimate House of York. Many men who were engaged in this plan had voted all the children of Edward IV. to be bastards only two or three months before; but this was of no importance—they could all swear that they had acted under compulsion. Elizabeth, the queen-mother, whose sanctuary was still respected, found means of corresponding with the managers for this new revolution; and she entered warmly into the project of the marriage. The Dowager Countess of Richmond, who had married Lord Stanley, became a party to the contract, as representative of her son, the exile Henry; and the Marquis of Dorset, with several members of the Gray and Woodville families, and many other noblemen who had hitherto pursued very different politics, united against Richard, and entered into the scheme. The best explanation of the conduct of the Duke of Buckingham, who had done more than any man to place Richard upon the throne, is, that he was a fool and scoundrel. The more detailed explanations usually given are, that though made Constable of the kingdom, justiciary of Wales, governor of all the royal castles in Wales, and steward of the royal manors in Hereford and Shropshire, and though he had obtained from Richard what had constantly been refused to him by Richard's brother and predecessor,* the whole or the greater part of the immense inheritance of Humphrey de Bohun, which he claimed in right of descent, Buckingham was still dissatisfied, and was, therefore, induced to listen to the acute reasoning of his prisoner Morton, Bishop of Ely, who was an implacable enemy of King Richard, and (next to Richard) the most adroit statesman in the country, and to the persuasions of his own wife, who was sister to Queen Elizabeth. It is certain that indignation and horror at the murder of his wife's nephews in the Tower, had nothing to do with Buckingham's sudden change; for he engaged to put himself at the head of an insurrection before that event was known; and, by letters rashly written, and imprudently delivered, he called upon his friends to join him in placing upon the throne the legitimate king, Edward V., whom he, Buckingham, on the 24th of June last past, had proclaimed a bastard at Guildhall. When that plan fell to the ground, he entered eagerly into the other, and was among the first to invite the Earl of Richmond into England. Shortly after the battle of Tewkesbury, the Earl of Pembroke fled with his nephew, Henry Tudor, from Wales, to seek refuge in the court of Louis XI. A storm drove the vessel upon the coast of Brittany, and both these Lancastrian princes were detained by Francis II., the duke of that country. They were claimed as

* Edward IV. had kept the De Bohun inheritance to himself.

friends by King Louis—as enemies and fugitive traitors by King Edward; but Duke Francis would deliver them to neither. As, however, he stood in need of the assistance of England, he was induced to shut up Henry and his uncle in one of his fortresses in Brittany, and to assure Edward that they never should be allowed to disturb his government.* For a time the Yorkists were obliged to rest satisfied with these assurances; but Edward continued to fear them; and at one time the Duke of Brittany was induced to deliver them over to an English embassy, which professed nothing but friendship and affection for the exiles. Young Henry had even arrived at the port of St. Malo, and was on the point of embarking for England, when Landois, the minister of the Duke of Brittany, suddenly arrived, prevented his sailing under different pretexts, told him he was taken in a trap, and at length gave him the means of escaping from King Edward's agents. At this moment Landois continued his friend, and, hoping much from his gratitude if he should become king of England, he agreed to furnish Henry with some ships, men, and money.†

King Richard obtained the first hint of what was intended from the answer which Henry sent to the invitation of his friends in England. This was within a few days of the 18th of October, the time fixed for a general rising. He instantly summoned all his loyal subjects to meet him at Leicester. The summons was readily attended to in the north, and a good army gathered round his standard. On the appointed day the insurrection broke out, and Henry was proclaimed at Exeter by the Marquis of Dorset; by the Bishop of Salisbury at Devizes; by the gentlemen of Kent at Maidstone; by the gentlemen of Berkshire at Newbury; and by the Duke of Buckingham at Brecknock.

Richard hit all the leaders at once by a remarkable proclamation, in which, maintaining his tone of morality, he called them all traitors, adulterers, and bawds, and said that their object was, the letting (hindrance) of virtue and the damnable maintenance of vice. At the same time, he set a price upon the heads of Buckingham, Dorset, and their confederates. Henry Earl of Richmond appeared with a fleet off the coast of Devonshire; but none of the confederates were there to meet him, and it did not accord with his prudence to attempt a landing with the small force he had brought. While he was sailing back to St. Malo, Buckingham, who moved from Wales too late, and who, when he did move, proceeded like an idiot, was blundering along the right bank of the Severn, seeking in vain for a passage across that river. The people of Herefordshire, Worcester,

* "The Earl of Richmond," says Comines, "told me, not long before his departure from France, that from the time he was five years old, he had always been a fugitive or a prisoner. He had endured an imprisonment of fifteen years, or thereabouts, in Brittany, by command of the late Duke Francis, into whose hands he fell by extremity of weather, as he was escaping out of England with his uncle, the Earl of Pembroke. I was at the Duke Francis's court at the time when they were seized. The duke treated them very handsomely for prisoners."

† Daru, Hist. Bretagne.

and Gloucestershire, who had no great affection for him and his Welsh army, broke down or defended all the bridges; and the fords it is said were rendered impassable by the autumnal rains. In a very short time the Welshmen, finding that the duke had made no arrangements for feeding them, and that they could not maintain themselves by plunder, deserted almost to a man, and returned to their mountains. Buckingham fled and concealed himself; and the news of his miserable failure induced the rest of the insurgents to disperse. Richard, without drawing a sword, marched all the way from Leicester to Salisbury, where Buckingham, his captive, having been betrayed by one of his own servants, named Banister, meanly implored to see him. Richard would not grant him an interview, but ordered his head to be struck off in the market-place, which was done immediately. The king then continued his march into Devonshire; but this was scarcely necessary, for the Marquis of Dorset and his friends had already taken flight for Brittany. He executed a few insurgents, the most conspicuous of whom was St. Leger, a knight, who had married Richard's own sister, the Duchess of Exeter; and then he returned to London to meet a parliament which had, at length, been summoned.*

This, which was Richard's only parliament, met on the 11th of November, and was so far from showing any dissatisfaction, that it proceeded at once to confirm the celebrated petition which had been presented by Buckingham and the citizens at Baynard's Castle the day before the protector changed himself into a king; and it declared him the lawful sovereign by birth, inheritance, free election, consecration, and coronation, and entailed the crown on the issue of his body, beginning with his son Edward, now declared Prince of Wales. It voted a bill of attainder, in the usual form, against the traitors who had attempted to disturb the lawful government. This bill was much less severe than might have been expected. Some of the forfeited estates were retained for the crown; others were allotted to gentlemen chiefly of the north country who had given valuable proofs of their attachment to Richard. The Countess of Richmond, Henry's mother, who had taken a most active part in the late attempt, was pardoned at the earnest entreaties of her second husband, the Lord Stanley—a man who seems to have been a match even for Richard in craft and duplicity, and who now, and indeed to the last moment, persuaded him that he had renounced all former notions, and had become his truest friend and servant. In the address or petition presented at Baynard's Castle, was the following strong passage, expressive of the feelings with which the rapacity and misgovernment of Edward IV. had filled the citizens: "For certainly, we be determined rather to adventure and commit us to the peril of our lives and jeopardy of death, than to

live in such thralldom and bondage as we have lived long time heretofore, oppressed and injured by extortions and new impositions against the laws of God and man, and the liberty, old policy, and laws of this realm, wherein every Englishman is inherited." Parliament now passed an act, which, after reciting in equally strong terms the grievances lately suffered, abrogated and forever annulled all exactions under the name of benevolences—that equivocal and odious term introduced in the late arbitrary times. This was a boon to the nation, whose liberties were not directly impaired by the usurpation of Richard. The first acts of government in such circumstances are generally of a popular kind; and Richard did not retain power long enough to show his true character. "But," says a judicious and right-hearted historian, "from, an act so deeply tainted with moral guilt, as well as so violent in all its circumstances, no substantial benefit was likely to spring."**

A.D. 1484.—Richard felt that in spite of acts of parliament and all other instruments, whereby the children of his brother had been declared illegitimate, the whole party of the Yorkists were still inclined to consider the Princess Elizabeth as heiress to the crown. He was aware of the project of uniting her to Henry, Earl of Richmond, whose title was otherwise most defective, and he resolved to get the young lady into his power. He was startled by a circumstance which took place during the festival of Christmas. The English exiles, with the Marquis of Dorset at their head, met Henry at an appointed place in Brittany, and after he had sworn to make Elizabeth his queen, they did homage to him as their legitimate sovereign. Richard opened an active and affectionate correspondence with his brother's widow, who was still with her daughters in the sanctuary at Westminster; and that vain, ambitious, heartless woman, tired of her long privations, and eager again for the pleasures of a court, listened to the proposals offered by the murderer of her children, brother, and nearest friends. It is said that threats were used to make her accept his protection, but from what followed, we should doubt whether any threats had been found necessary. Some precautions, however, she took; for Richard swore upon the host before some bishops and lords, and the lord mayor and aldermen, that her life and the lives of her daughters should be in no peril; that they should all be treated as his kinswomen; and that he would grant an annuity to the mother, and marriage portions to the young ladies. After this, she left the sanctuary and went to court, where every possible attention was paid to her eldest daughter. Richard's design was, in this instance, transparent—it was to marry the Princess Elizabeth, whom he had called a bastard, but whom others called the lawful heiress, to his son, the Prince of Wales, a boy of eleven years. The plan, however, was defeated by the death of the young prince, who expired suddenly at Middleham Castle. For a

* Rot. Parl.—Rym.—Cont. Hist. Croyl.—Drake, Eborac.—Hall.—Stow.

** Hallam.—Rot. Parl.—Cont. Hist. Croyl.

time Richard was bowed to the earth by this unexpected calamity, but as soon as he recovered he evidently resolved to work out his scheme of ambition by marrying Elizabeth himself. Except for the poor boys who perished in the Tower, or in some other place, it is scarcely possible to feel the least sympathy for a single member of this abominable family. The Lady Elizabeth was kept constantly about the person of Richard's queen, and indulged in all the pleasures of the court, which did not always wear a puritanical gloom, for Richard found, that though his affectation of moral austerity might gain him friends in one direction, it made him lose friends in another. On a sudden Queen Anne fell sick, and it seems to have been calculated that she should die. In the month of February (1485) Elizabeth, the mother, wrote to her son, the marquis, telling him to retire immediately from Henry, Earl of Richmond, as she had arranged a better plan for the family; and Elizabeth, the daughter, (the worthy child of such a mother,) wrote to Howard, now Duke of Norfolk, and in high favour with the king, to implore his good offices in forwarding her marriage with Richard, whom she called "her joy and maker in this world—the master of her heart and thoughts." She expressed her surprise that the queen should be so long in dying—the better part of February, she observed, was past, and the queen still alive—would she never die? Anne died in March, and then Elizabeth, who had already worn robes similar to those of the queen, and who had appeared at court balls and festivals as the peculiar object of her uncle's attentions, expected to mount the throne. But when Richard opened his plan to his chief advisers, Ratcliffe and Catesby, they represented that such a marriage would be considered as incestuous by the clergy and the people; that it would confirm suspicions, already beginning to be entertained, that he had poisoned Queen Anne, and that such a conviction would assuredly deprive him of his friends in the north, whose attachment to him had mainly arisen out of their hereditary affection for the daughter of the great Earl of Warwick. Richard had counted on obtaining a dispensation for the marriage from the pope, but he was now made to feel that this, even if he had got it, would not be sufficient to screen him from popular indignation, and he resigned all thoughts of making the heiress his wife. His next step was to assert that he had never entertained any such project. He summoned a meeting in the great hall of the Temple, and there before the commoners and the lord mayor and aldermen, who had an unusually large share in State matters during this reign, he protested that he had never thought of such matter. In order to tranquillise the people of the north, he wrote a letter to the citizens of York, telling them how he had explained matters to the citizens of London, and requiring them to seize and send before the council all such persons as propagated false and malicious reports.

In the preceding summer Richard had adopted measures which drove Henry from Brittany, and well-nigh proved fatal to that rival. By means of money he converted Landois from a friend and ally into an enemy, and that Breton minister with, or without the consent of his master, the Duke Francis, engaged to seize the Earl of Richmond and send him a prisoner into England. Henry being warned of this plot, fled with a few friends from Vannes, threw himself into a neighbouring forest, and, by pursuing unfrequented roads and using great speed, he gained the territories of the king of France. There he was safe, for the French court considered Richard as an usurper. "This Richard," says Comines, "desired to live in the same friendship with our king as his brother Edward had done, and I believe would have had his pension continued; but our king looked upon him as an inhuman and cruel person, and would neither answer his letters nor give audience to his ambassadors." And though Louis XI., the king here alluded to, died seven weeks after Richard's coronation, his son, Charles VIII., entertained the same sentiments. Henry was kindly received at Paris, and Charles even supplied him with some money and about three thousand Normans, whom Comines describes as "the loosest and most profligate fellows of all that country." "And thus," says the same writer, "did God of a sudden raise up against Richard an enemy without power, without money, without hereditary right (according to my information), and without any reputation, save what his person and deportment had acquired for him." Richard was well informed of all these proceedings, and as Henry collected his ships and troops at Harfleur, he prepared to meet him on his landing.

The real descent of his rival, his alliance with the French king, and the complexion of the army he was bringing into England, were all made the most of in a proclamation which Richard issued with the intention of exciting the prejudices of the people. He called him "One Henry Tudor, descended of bastard blood both by father's and mother's side, and who, therefore, could never have any claim to the crown of England, but by conquest." He asserted that this Henry Tudor, that he might achieve his false intent by the aid of the ancient enemies of England, had covenanted to give up in perpetuity to the crown of France all the right to Normandy, Anjou, Maine, Guienne, and even Calais, and to dissever the arms of France from the arms of England for ever; that he had promised and given away to traitors and foreigners archbishoprics, bishoprics, duchies, earldoms, baronies, and other inheritances, of knights, esquires, and private gentlemen; that he intended to change and subvert the ancient laws and liberties; that he was coming with bands of robbers and murderers, and with rebels attainted by the high court of parliament, of whom many were known for open cut-throats, adulterers, and extortioners. He called upon his subjects, like true and good Englishmen, to arm for the defence of their wives, children,

goods, and hereditaments, and he promised, like a diligent and courageous prince, to put his most royal person to all labour and peril, necessary in their behalf. This proclamation was drawn up with great skill, and his activity and courage answered to his promise; but he was without money, and he soon found that he could depend but little on his officers.

The last remnant of his popularity among the citizens of London appears to have been rent and destroyed by the exacting of some forced loans. As he and his parliament had for ever proscribed those practices of the late reign, he would not permit these extortions to be called "benevolences," upon which the Londoners called them "malevolences."* The plan of his campaign was to intrust the defence of the sea-coasts to his friends, and to collect himself a great army in the centre of the kingdom. Most of these friends betrayed him; but, when he raised his own banner at Nottingham, the people of the north hastened to it, under the Earl of Northumberland. On the 7th of August Henry landed at Milford-Haven with about five thousand men, of whom not above two thousand were English. Richard moved southward to Leicester, where he was joined by the Duke of Norfolk, the Lord Lovel, and Brackenbury, who brought up the levies from the eastern counties, from Hampshire, and from London. Many other lords and sheriffs of counties, who had been summoned, did not appear, and the Lord Stanley, the husband of Henry's mother, was among the missing. Keeping up his deception to the last, Stanley sent to say how much he regretted his non-attendance, which was caused solely by the sweating sickness that confined him to his bed. But Richard, who probably knew by this time that Henry had been allowed to march undisturbed through Wales, and through the whole country where the influence of the Stanleys was greatest, determined to look after the Lord Strange, the son of Lord Stanley, who was in his camp. Strange attempted flight, was seized, interrogated, and made to confess that the Stanleys were in league with the invader,—all of them except his father, who, he said, he knew would soon join King Richard. He was allowed to write to Lord Stanley to hasten his coming, but he was kept a close prisoner as hostage for his father. It was then arranged that the Stanleys should march a little in advance of the invading force, as though they were retreating before it, and that they should only join openly on the field of battle, when it was calculated Richard's mind would be too much occupied to attend to Lord Strange.

Henry, after crossing the Severn, was joined by the Talbots and a few other families, but his force was still very inconsiderable as compared with the army under his bold and experienced rival. But Henry knew that not one man in ten would fight for Richard, and he continued to press forward. On the 21st of August he moved from Tamworth

town to Atherston, where he was joined by swarms of deserters from the enemy. On the same day Richard marched from Leicester, and encamped near the town of Bosworth. Early on the following morning Richard, with the crown on his head, mounted his horse, marshalled his troops, and advanced. Henry at the same time moved from Atherston: and the two armies soon met in the midst of the fine and spacious plain, nearly surrounded by hills, which commences about a mile to the south of Bosworth. "There," in the quaint language of a contemporary, "was fought a sharp battle, and sharper should it have been if the king's party had been fast to him; but many, towards the field, refused him, and rode over to the other party, and some stood hovering afar off, till they saw to which party the victory should fall."* In fact, of all the lords that followed Richard scarcely one was true to him except the Duke of Norfolk and his son the Earl of Surrey. As he gazed along the enemy's lines he saw many a banner which, a few hours before, had been on his own side; and either immediately before the first attack, or very soon after, Lord Stanley appeared in the field with three thousand men, and joined his adversary. On looking back on his own lines he saw them wavering and broken by desertion, for whole bands at a time left their positions to fall into the rear or go over to Henry. Even the Earl of Northumberland, with the hardy men of the north, seemed inclined to keep aloof. Hesitation could only increase these evils: Richard gave the order, and the Duke of Norfolk, who led the van, began the attack by falling upon the advanced guard of the enemy, which was commanded by the old Earl of Oxford, who had recently been delivered from prison by Sir Walter Blount, once Richard's sworn friend, but who now, like so many other adherents, drew his sword for the Earl of Richmond. Norfolk's attack made a great impression, but no other leader seconded him. Of a sudden Richard put spurs to his horse, and, shouting "Treason!" galloped into the midst of the enemy. His quick eye had caught a glance of Henry, and, desperate as seemed his case, he hoped to retrieve it by his personal valour and his skill in the use of arms, if he could only engage his adversary hand-to-hand. He cut his way to Henry's standard; killed Sir William Brandon, the standard bearer; made Sir John Cheney bite the dust; and was directing a deadly thrust at his rival, when a whole host closed upon him, threw him from his horse, and despatched him with many wounds. Then Lord Stanley picked up his crown, battered and blood-stained, and put it on the head of Henry. The Duke of Norfolk, the Lord Ferrers, Sir Richard Ratcliffe, Sir Robert Brackenbury, and a few other knights, shared the fate of their master. It is said that, in the battle and the flight, three thousand men perished; but, considering the way in which the affair was managed, and Henry's politic anxiety to reconcile parties, and to

* Cont. Hist. Croyl.

show himself a clement sovereign, it is probable that this number is somewhat exaggerated. The battle of Bosworth-field, which terminated the war of the Roses, was altogether on a scale inferior to that of several preceding conflicts. Counting both armies, there were not eighteen thousand men on the field, and of these the greater part were never engaged. When the victorious party had finished shouting "Long live King Henry!" they picked up the body of King Richard, stripped it, and laid it across a horse behind a pursuivant-at-arms, who, thus mounted, rode a little in the rear of the new king into the town of Leicester. There the body was exposed for two or three days, "that all men, might behold it;" after which it was buried with little reverence in the church of the Grey Friars.

Such was the fate of Richard III., who had reigned two years and two months. There is some uncertainty about his precise age, but it

appears probable that he was only in his thirty-third year when he died.* The disputes which have been raised on every part of his history have been extended even to his personal appearance. It seems very certain that the portrait usually exhibited is an incorrect one: he was small of stature, had a sharp visage, and unequal shoulders,—his right shoulder being a little higher than his left:† the other traits seem to have been put in by imagination. There is some evidence to show that, instead of being a monster of ugliness, he was almost as handsome in features as his brother Edward IV.‡

* Cont. Hist. Croyl.—Fabyan.—Hall.—Buck, *Life of Rich. III.*—W. Hutton, *Battle of Bosworth-field.*

† So at least says Rouse, the Hermit of Guy's Cliff, who saw Richard (whom he hated) at Warwick a little after his coronation.

‡ Walpole, *Hist. Doubts.* This appears to us one of the particulars in which the ingenious writer has best made out his case; and yet he can scarcely be said to have got rid of Richard's hump.

SERIES OF AUTOGRAPHS OF ENGLISH KINGS.

Le roy Ro

This is the signature of Richard II., and is believed to be the earliest autograph of an English king extant; from him the series continues unbroken. The present signature is taken from the Cotton MS. Vesp. T. xiv., and consists of the words *Le roy Red.*

-H. R.-

Signature of Henry IV., consisting of the initials H.R. (for Henricus Rex), from the same MS.

R. H.

Signature of Henry V. (R.H.), from the same MS.

Henry

Signature of Henry VI. (Henry), from the same MS.

R. E.

Signature of Edward IV. R.E. (for Rex Edwardus), from the Paston Letters.

R. Edwardus Quintus

Signature of Edward V. (R. Edwardus Quintus), from the Cotton MS. Vesp. T. xiv.

Ricardus Rex

Signature of Richard III. (Ricardus Rex), from the Paston Letters.

The course of affairs in Scotland has been adverted to from time to time in the preceding pages; but it will be convenient to subjoin a brief summary of the history of that kingdom from the commencement to the close of the period, that the leading events may be seen at one view in their sequence and proper connexion. The arrival of the fifteenth century found the throne of Bruce occupied by his great-grandson Robert III., who had ascended it in 1390;—a prince whom much amiability of nature, a genuine though a somewhat superstitious piety, and even intellectual tastes and accomplishments beyond the rude times upon which he was thrown, did not protect from the misfortunes and contempt that were the natural consequences of his extreme deficiency in all the more energetic and manly virtues. He had passed his fiftieth year before he obtained the crown; and for some years before his accession, the whole powers of the government, in the feeble old age of their father, had been left in the hands of his two younger brothers, the Earls of Fife and Buchan, whose very vices were fitted to win more admiration from their countrymen than his good qualities; for, although the one was a man of craft, the other of violence, both were equally unrestrained either by conscience or feeling, and in their respective ways of action equally unscrupulous and daring. The weakness of the new reign was sufficiently indicated from the first, by the Earl of Fife, afterwards created Duke of Albany, being permitted to continue, with the office of Custos or Guardian, ruler both of the kingdom and the king. From his timid brother, Albany never would have encountered any attempt to overthrow or limit his power; but Robert's eldest son, the Duke of Rothsay, showed himself as he grew up to manhood, to be of a very opposite temper to his father. A strong party of the nobility as well as the national feeling rallied around the heir apparent; and in 1398, Albany found himself compelled to resign the post of regent to his nephew. The government was in the hands of Rothsay, when Henry IV. of England, in the close of the year 1400, made that inroad into the country as far as Edinburgh, which was attended with no results, but is memorable as the last expedition ever conducted by an English monarch in person against the northern kingdom. In bending, however, for the moment to the storm, and retiring from the head of affairs, the dark and ambitious Albany had only stepped aside to lie in wait for an opportunity of regaining his position. The thoughtless character of Rothsay made him an easy prey to his designing uncle. His wild pursuit of pleasure, and neglect first of his wife, and then of the mistress for whom he had abandoned her, had already involved him with several powerful enemies, when, by means of artful representations conveyed to the old king, of the licentious conduct of his son, he was induced, about the beginning of the year 1402, to give an order, under the royal signet, to Albany, to arrest the prince,

and place him in temporary confinement. He was seized at Straththyrum, near St. Andrew's, as he rode towards that city, and immediately lodged in the castle there, from which he was soon after transferred to a dungeon in the royal palace of Falkland, and there, it is believed, starved to death: The resumption by Albany of the office of regent immediately followed this horrid tragedy. Soon after, hostile operations against England were resumed: two Scottish armies were successively marched into that country, and were both defeated and dispersed—the first at the battle of Nesbit Moor, fought on the 22nd of June; the second at that of Homildon Hill, on the 14th of September. In the latter, Lord Murdoch Stewart, Albany's eldest son, along with many other Scottish noblemen, fell into the hands of the victors. The following year, a numerous Scottish force again advanced towards the border—this time under the command of Albany himself; but, although the Regent gave out that his design was to avenge himself on the Percies for the disasters of the preceding campaign, there is every reason to believe that he was really in league with his former enemies, and was prepared to join their rebellion against King Henry, when the news of the result of the battle of Shrewsbury, which he received before he had entered England, at once induced him to return home and disband his army. The connexion, however, that had been formed by the Scottish government with the disaffected party in England, was not broken off by the failure of the bold enterprise of Hotspur. Albany appears to have been again a party to the conspiracy of old Northumberland and Archbishop Scrope, in 1405, and to have, after its detection, actually raised another army for the invasion of England. At this moment, however, there was a truce between the two countries, and no hostile movement on the part of the Scottish Regent had yet taken place when the remarkable event occurred (on the 30th of March) of the capture by an English vessel off Flamborough Head, of King Robert's second son, James, now the heir apparent, on his voyage to France, and his retention as a prisoner by the English king. The news of this event is commonly said to have broken the heart of the old king; but it may be doubted if he really regarded it as a very heavy calamity. Robert III. survived the capture of his son rather more than a year, dying at his castle of Rothsay, in Bute, on the 4th of April, 1406, after having enjoyed the name of king for nearly sixteen years, but the power for not one day in all that time.

In whatever light King Henry's seizure of the Prince of Scotland may have been regarded by his father, it was no cause of grief, we may be sure, to his uncle, the Duke of Albany. Immediately on the death of the king, a parliament met at Perth, and, after declaring James Earl of Carrick, then a captive in England, their lawful king, continued Albany in the regency. He was now in possession of whatever power belonged to the royal

station, unlimited by even the form or shadow of participation. For some years after this, peace was preserved between the governments of England and Scotland, although occasional encounters still took place on the borders between the subjects of the two kingdoms, and also between private merchant ships on the coast. Meanwhile a formidable rebellion of the Lord of the Isles was suppressed by his defeat in the destructive battle of Harlaw, gained by the Earl of Mar, on the 24th of July, 1411, and by the treaty of Lochgillip, by which Albany soon after compelled the northern potentate to acknowledge himself a vassal of the Scottish crown, and to give hostages for his fidelity. On the 17th of May, in the following year, a new truce was concluded with England to last for six years. In 1414, Albany at last succeeded in obtaining from Henry V. what he had long vainly endeavoured to extort from the more obdurate disposition or more cautious policy of the late king, the liberation of his son Murdoch. He was exchanged for the young Henry Percy, the son of Hotspur, who was not only re-admitted to his native country, but reinstated in all the forfeited honours of his family.

The Scottish Regent made no such effort to procure the restoration of his captive sovereign as he had made to get back his son; on the contrary, he is accused, though rather on considerations of probability suggested by his position and character, than on the evidence of any certain facts, of having applied all his powers of intrigue to prevent the liberation of James. It is supposed that it was an apprehension of not being able much longer to ward off the return of the king, if the two nations should remain at peace, that moved him suddenly, in September 1417, to break the truce, and to commit what was long popularly remembered as the "Foul Raid," by marching towards the border at the head of an army of sixty thousand men, and, after beginning the siege of Roxburgh, immediately retreating in all haste on learning that an English force was on the way to meet him. The consequence was, that all the south of Scotland was laid waste by the avenging invaders.

It is possible that this unfortunate attempt of the Scottish government may have been made at the instigation of the French court, with which a close alliance had always been maintained by Albany, even while at peace, or, at least, in peaceful intercourse, with England. It was not until a short time after the "Foul Raid," however, that the Duke of Vendome came to Scotland on an embassy from the Dauphin; when it was agreed to send a body of Scottish troops to serve against the English in France. Seven thousand men were sent under the command of the Earl of Buchan (the Regent's second son) and the Earl of Wigton. The services of these brave men in a succession of bloody fields, till they were nearly all, together with five thousand more that had been subsequently brought over by the Earl of Douglas, swept away

at Crevant and Verneuil, have been commemorated above. Long before these disastrous days, however, the state of affairs in Scotland had undergone a great change. The Regent Albany died at the palace of Stirling on the 3rd of September, 1419, having reached the age of eighty years, during thirty-four of which he is said to have held the supreme power, under the nominal reigns of his father, brother, and nephew. He is properly to be regarded as the chief, or leader of the feudal nobility, by whom he was raised up and supported against both the crown and the people, and whom, in return, he protected in all their local despotism and oppression. His regency was thus what the power of the crown itself had originally been,—a power created and sustained by the aristocracy, with which it was identified in feeling and interest, until, as its position was strengthened by long tenure, it had begun to detach itself from, and to endeavour to make itself independent of, the body from which it had sprung. Their maintenance of Albany was an attempt, on the part of the nobles, to prevent this, and, as it were to revive, in favourable circumstances, the institution of a dependent king. In the accounts of the old historians the feudal tyranny under which the country groaned during the whole period of the government of Albany is drawn in the darkest colours. The strongest proof of the closeness of the union that bound the one party to the other was given on the death of the old duke, when his son and heir Murdoch was suffered, as a matter of course, to assume the regency at the same time with his hereditary estates and honours. But Murdoch had neither the capacity nor the ambition of his father; he continued indeed to occupy the elevation to which he had been lifted by circumstances and accident, but all real power gradually fell from his hands, and his government at length became a mere anarchy. Things were in this state when the captive King of Scots, after the death of Henry V., whom he had accompanied on his glorious expedition to France, was at last permitted by the English government to return to his own country. His liberation was the result of negotiations which his friends in Scotland had long been pursuing, and which terminated in an agreement concluded at York on the 10th of September, 1423, by which it was stipulated that forty thousand pounds should be paid to England within six years, by half-yearly payments, under the name of compensation for the expenses of the maintenance of James during the eighteen years of his captivity. On the 24th of February following the Scottish king espoused, at the church of St. Mary Overy, in Southwark, the Lady Joanna Beaufort, the daughter of the Duchess of Clarence, by her first husband the Duke of Somerset, and the descendant of Edward III., by both her parents, with whom tradition makes him to have fallen in love some years before, on beholding her from his prison in the Round Tower of Windsor Castle, an incident which is believed to have suggested his plaintive and elegant poem entitled "The King's Quhair." He

arrived in Scotland on the 5th of April, 1324, and on the 21st of May was solemnly crowned, with his queen, in the usual venerated sanctuary, the abbey church of Scone.

The first great work to which James found it necessary to address himself, in the state to which his kingdom had been brought, was the reduction of the power of the nobility. The overthrow of that many-headed domination was indispensable, both for the security of his own position, and for the restoration of the blessings of order and good government to his people. Nor did he proceed timidly or by half measures towards an object, his success or failure in the complete attainment of which was to be his salvation or his ruin. "Let God but grant me life," he is said to have indignantly exclaimed when made fully acquainted with the universal violence and rapine that prevailed, "and by his help I shall make the key keep the castle, and the furze-bush the cow, throughout my dominions, though I should lead the life of a dog to complete it." A truce for seven years had been concluded with England, and James lost no time in taking advantage of this season of security from foreign hostility, to proceed with his work of internal reform. In a parliament which met at Perth five days after his coronation, a complete review of the manifold disorders of the kingdom was gone into, and numerous regulations were enacted for their correction. But legislation could in such circumstances only lop and somewhat repress the growth of the evil; its root lay too deep to be so reached. Having sedulously employed the interval in gaining over the instruments of his scheme, and making the other necessary preparations, James assembled another parliament at Perth, on the 12th of March, 1328, and on the ninth day after suddenly ordered the arrest of Murdoch, Duke of Albany, his youngest son Alexander, and twenty-six of the other principal barons, their partisans, whom he had thus got into his power. Walter Stewart, Albany's eldest son, had been seized and placed in custody, some time before. He was the first of the prisoners brought to trial, in a court held in the palace of Stirling, and over which the king himself presided, on the 20th of May. It is needless to add that he was condemned to die. He, his father, his brother Alexander, and Albany's father-in-law, the Earl of Lennox, now in his eightieth year, were all executed on the Heading Hill, in front of Stirling Castle. All the estates of this once-powerful family being then declared forfeited to the Crown, the other nobles who had been apprehended were set at liberty, and left to their reflections on the terrible example they had witnessed.

For several years after this James continued to occupy himself, with the assistance of his parliament, which was usually summoned every year, in endeavouring to promote the improvement of his kingdom, and to remedy the mishaps of a long course of misgovernment, by means of a series of legislative enactments, still preserved, which

comprehend the subjects of agriculture, commerce, foreign and domestic manufactures, the regulation of weights and measures, the police of the country, its defence against foreign hostility both by land and by sea, the administration of justice, and even the constitution of the supreme government, and which probably, taken altogether, furnish the most complete collection of materials that now exists for the illustration of the internal condition of any European country at this remote era. He also strengthened himself, and made provision for calling into activity the industry and resources of the country, by treaties of alliance or commerce with France, Flanders, and other foreign powers. The only part of his dominions in which the authority of the laws continued for some time to be set at nought, or imperfectly obeyed, was the northern Highlands. Determined that the chiefs of that region should bow under the same sceptre which had already repressed the turbulence of the southern nobles, in the spring of 1427 he assembled a parliament at Inverness, and there ventured again upon the same bold expedient which he had adopted two years before at Perth. About fifty heads of clans, who had been summoned to give their attendance, were seized; of which some were instantly condemned and executed, others were not put to death till after a more deliberate investigation, and others were only imprisoned for a time. Of the last-mentioned class was Alexander, Lord of the Isles. This potent chieftain upon being set at large, after a confinement of about two years, collected his armed followers, and rose in open revolt against the royal authority; but James instantly marched against him in person, and, coming up with him near Lochaber, completely defeated and dispersed the rebel force. Alexander soon after threw himself on the royal mercy. Another Highland rebellion which broke out in 1431, headed by Donald Balloch, a near relation of the Lord of the Isles, was met by the Scottish king with the same promptitude and spirit, and as successfully repressed. Balloch himself lost his life, and the pacification of the Highlands is said to have been completed by the execution, as it is termed, or slaughter in cold blood, of no fewer than three hundred captured thieves and robbers. About the same time another truce for five years was concluded with England.

If James had stopped at this point he might, perhaps, have succeeded in maintaining and consolidating the reforms which he had commenced with so much courage and ability. But his scheme for breaking the strength of the nobility, and re-establishing the royal supremacy, was yet far from being completed. The blood that had been shed had, after all, destroyed but one of the great families; many others still remained sufficiently powerful to be dangerous, even singly, and nearly irresistible if they should combine. On the other hand the Crown had been greatly impoverished and weakened during the regency, by many lavish alienations of the royal domains, that had helped

to build up the greatness of the aristocracy. These grants James now determined to resume. The success that had attended his first attempts seems to have somewhat thrown him off his guard; in so far, at least, as the imperfect details that have come down to us can be understood, there is in his latter proceedings much apparent precipitation and over-confidence, as well as not a little of a despotic and rapacious spirit. By acts which did not perhaps in any case go beyond the letter of the law, but which were at the least very rigorous and harsh applications of it, several of the most eminent among the nobility were suddenly stripped of estates of which they or their predecessors had held undisturbed possession for many years. Meanwhile, having formed an intimate alliance with France, and sent his infant daughter Margaret, in 1435, to that country to be betrothed to the dauphin (afterwards Louis XI.), he became involved through this connexion in a dispute with the English government, which led him in the course of the following year to break the truce, and, marching with an army to the Border, to lay siege to the castle of Roxburgh. One motive that has been assigned for his having thus, contrary to his previous uniform policy, thrown himself into a war with the neighbouring kingdom, is, that he proposed in this way to find occupation for the fierce spirits whom his recent conduct could not but have alarmed and irritated, and to draw off their attention from domestic politics. While he lay before Roxburgh, however, the queen suddenly made her appearance in the camp, and, apparently in consequence of something she had communicated, the king immediately raised the siege, disbanded his army, and returned to the north. This was before the middle of August. The conspiracy against his life was probably already arranged; but it would appear that the king's suspicions, if they had really been awakened, were again lulled, and he resumed his usual mode of life. On the approach of Christmas he repaired to Perth, and there, taking up his lodging in the great monastery of the Black Friars, spent the holy season in the midst of a numerous and brilliant court. The gay succession of revels and festivities had been prolonged far into the new year before the conspirators determined to strike their blow. The chiefs of the plot were Sir Robert Graham, Walter Stewart Earl of Athole, and his grandson Sir Robert Stewart, who held the office of chamberlain in the royal household, and whom, it appears, it was the intention to proclaim king, as being the descendant of Robert II., and, as was pretended, his rightful heir and representative—Robert III. having, it was affirmed, been born out of wedlock. Both Graham and the Stewarts had been adherents of Albany, and both had also more recent injuries of their own to avenge. Graham, a man of the darkest and most determined character, took the conduct of the bloody enterprise. On the night of the 20th of February, he proceeded with his armed accomplices towards the royal bedchamber, where

James, standing in his night-dress, was still conversing with the queen and her ladies before retiring to rest. The noise of their tumultuous approach instantly struck alarm to the hearts of the king and those with him. He flew to the windows, but found them secured by immovable bars. When they rushed to fasten the door, it was found that the bolts had been removed; in his extremity of despair, James then tore up one of the planks of the floor; and in this way, after replacing the board, dropped into a dark vault below, while a heroic woman, Catherine Douglas, making her arm a bolt for the door, held it till the bone was snapped in two. At first, the mode of the king's escape was not detected; but, on hearing a noise, which was occasioned by his attempt to come up from the vault, the assassins returned again to the chamber, and soon discovered where he was concealed. Naked and unarmed as he was, he made a desperate defence when they sprung down upon him to despatch him; but Graham himself at last succeeded in giving him his death-stroke. His body, when examined, was found to be pierced with sixteen wounds.*

Thus perished James I., in the forty-fourth year of his age, and the thirteenth of his actual reign. The conspirators gained none of their ulterior objects; on the contrary, although they escaped in the first instance, they were all eventually retaken, and put to death, every complicated refinement of torture being applied to deepen and prolong their dying agonies. The only son of their murdered king, an infant of six years old, was immediately crowned as James II. The early part of this reign is a scene of the most perplexed intestine confusion, of which the records are so imperfect as to make the whole nearly unintelligible. The principal personages that figure in the dark and troubled drama are Sir William Crichton, Sir Alexander Livingstone, and the several mighty barons who successively became the heads of the house of Douglas. We cannot here enter into any detail of the long fluctuating game of fraud and violence in which these different interests contended with each other for the possession of the king and the government of the kingdom. Both the royal infant and his mother were for some time constantly prisoners in the hands of one or other of the fierce and restless factions. As the boy grew up towards manhood, however, notwithstanding all the disadvantages under which his early years had been passed, he evinced his inheritance of no small share of the spirit and ability of his great father, and also of all the determination of the late king to be king in reality as well as in name. William, the fifth Earl of Douglas, and also Duke of Touraine in France, a youth of seventeen, had already been cut off along with his younger brother, in

* Pinkerton, in his *History of Scotland* (Appendix to vol. i. pp. 462—473), has published a contemporary narrative of this barbarous murder, and also of the execution of the regicides, which professes to be translated from a Latin original—probably the account published by authority at the time. Few stories, either in history or in fiction, can compete with the horrors of this grim chronicle.

1440; the two were seduced by Crichton and Livingston, at that time in confederacy, to the castle of Edinburgh, where the king was, and then seized as they sat at dinner, and, after the briefest form of a trial, hurried to execution—a deed of perfidy which shocked even that unscrupulous age, and was long a theme of popular horror and execration. After a few years, however, nearly all the old power of that great baronial house was revived in the person of William, the eighth Earl of Douglas; he was the most formidable subject of the crown at the time when the king began to take the management of affairs into his own hands. James, though still very young, proceeded from the first with wonderful prudence and dissimulation. From among the several competitors for the supreme power he selected Crichton, whom he made lord chancellor, as his confidential adviser, along with the able and enlightened Kennedy, Bishop of St. Andrew's, a prelate whose high birth, for he was first cousin to the king, added additional influence to his eminent rank in the church. The first blow was struck at the Livingstons; the principal heads of that faction, being assembled in 1449, in a sort of family convocation at the bridge of Inchbelly, near Kirkintilloch, were suddenly surrounded by the king's forces, seized, and thrown into prison. A few of them were afterwards executed; the rest made their submission; and the power of the faction was completely destroyed. The more united strength of the Earl of Douglas, whose great territorial possessions in the most important district of the kingdom made him almost a rival potentate, was not so easily thrown down; policy and force were alternately resorted to; at last the mighty earl was induced to visit the king in Stirling Castle; in a conversation between him and James warm words were uttered on both sides; till the king, at last giving way to his passion, drew his dagger, and plunged it into the earl's throat. Some of the courtiers, rushing in from the adjoining apartment, soon despatched the defenceless man. This atrocity happened in February, 1452, when James was yet only in his sixteenth year. The consequences did not cease to be felt to the close of his reign. The open rebellion of the adherents of the house of Douglas that immediately followed was indeed speedily suppressed; but the new earl, James, the brother of him who had been murdered, never relinquished his vengeance while the murderer lived. By his intrigues with the faction of the Yorkists in England, after he had been driven from his own country, he was instrumental in fomenting those differences which eventually led James, soon after Margaret of Anjou and her son had taken refuge in his dominions, to raise an army, and set out at its head for the invasion of England. Marching directly upon Roxburgh, he proceeded to lay siege to that castle, which had now for more than a century been in the hands of the English. The siege had not lasted many days when one of the cannons that were pointed against

the fortress burst on being fired off as the king stood beside it, and killed him on the spot. This event happened about the end of July, 1460.

The death of James II. again placed the crown of his unfortunate country on the head of a minor, James, the eldest of his sons by his wife, Mary of Guelders, whom he had married in 1449. The new king was only in his eighth year. The history of his reign is in great part a repetition of the same scene of turbulence and intrigue which filled the commencing years of the last. The families of the Boyds and the Hamiltons now enact nearly the same parts which had been before sustained by the Livingstons and the Douglasses. James III., however, as he outgrew his boyhood, showed himself to be in various respects of a very different character from his father and grandfather. Without any of their energy and resolute qualities, he seems to have had some degree of the love of art and literature which distinguished the first James; but an indolent and unwarlike disposition, after all, had probably more to do with his fondness for privacy than any strong addictedness to intellectual occupations. What little we know of his tastes and studies betrays the weakest and most frivolous character of mind. He early, also, manifested a baneful passion for favourites, no trace of which is to be found in the history of either of the two preceding kings. The Boyds first obtained possession of his person and his affections in consequence of one of them having been employed to assist in his education. For some years their ascendancy at court placed the whole government of the country in their hands. Means, however, having been found to alienate the versatile and suspicious mind of their royal protector, they were, in the year 1469, not only suddenly hurled from favour and power, but pursued with a rancour on the part of the king which did not rest satisfied till it had slaked itself in their blood. After the Boyds were thus swept away, the most conspicuous figures that appear on the scene are James's two younger brothers, who bore the titles of the Duke of Albany and the Earl of Mar. These two princes were both of a character altogether the opposite of that of the king, and as much the favourites of the warlike nobility, whom they resembled in tastes and habits, as he was their aversion and scorn. It is not at all improbable that they had, one or both of them, early begun to cherish the design of getting the government into their own hands, and that their existence, therefore, was not without danger to the royal power. They were attacked, however, by the king before they appear to have committed themselves by any aggression against the throne. Mar was arrested in 1480, on the insane charge of seeking to destroy the king's life by witchcraft (in which James was a devout believer). According to one account he was immediately put to death by the royal order; another version of the story is, that he was seized with fever, and occasioned his own death by tearing off, in his delirium, the bandages that had been tied

round his temples after having been let blood by his medical attendant. Albany's career was much more protracted. After escaping to France, he returned from that country in 1482, and entered into a treaty with the English king Edward IV., in which he boldly assumed the title of Alexander king of Scotland, consenting to receive the crown from the gift of Edward as his lord superior. It was in consequence of this agreement that the Duke of Gloucester, afterwards Richard III., entered Scotland, as related in a preceding page, at the head of an army in the summer of the above-mentioned year. James also raised an army and went forth to meet the invader. Meanwhile, however, the Boyds had been succeeded in the monopoly of the king's regards by a number of persons of the lowest rank, some of whom, indeed, are said to have been persons of talent and accomplishments, but whose ascendancy did not on that account the less disgust both the nobility and the whole nation. The most notorious of these favourites was a person of the name of Cochrane, upon whom the infatuated king had lavished wealth and honours with the most profuse and senseless prodigality, and who with equal folly made the most offensive display of his power and magnificence. We have already related how, when the army, on its march south-

wards, had reached the town of Lauder, this person, and about half a dozen more of the royal minions, were suddenly seized by a party of the nobility, headed by Archibald Earl of Angus, and, without even the form of trial, hanged over the parapet of the bridge. The king himself was then shut up in the castle of Edinburgh, and the army was disbanded. After a short time a reconciliation was effected between the king and Albany, on which the former was released from imprisonment, and the latter appointed lieutenant-general of the kingdom. But, before a few months had passed, another revolution had taken place, and Albany, driven from office, was again in rebellion. His resistance, however, was speedily put down, on which he fled once more to England. By this time Edward IV. was dead; but Albany and Richard had hitherto been good friends, and the latter at first showed some inclination to aid the duke's pretensions. The necessities of his own position, however, soon made him anxious for a termination of the war with Scotland; and, negotiations having been opened, a peace between the two countries, to last for three years, was concluded at Nottingham in September, 1484. The short remainder of the reign of James III. belongs to the next period of our History.

CHAPTER II.

THE HISTORY OF RELIGION.



HE history of the Romish fabric of ecclesiastical polity during the fifteenth century exhibits the established authorities of the state still standing by the system as steadily as ever, but that hold on the affections and respect of the people, which was its real strength, manifestly

loosened, and becoming weaker and weaker every day. The support it received from kings and their ministers was now, indeed, augmented in the direct ratio of the decline of that other and better strength, and of the growth of the popular alienation and hostility. Its pretensions as a rival power were no longer formidable, and at the same time its maintenance was felt to be the common cause of old establishments, all of which, whether of a spiritual or temporal character, seemed to be menaced by its danger.

One of the main causes which precipitated the decay of this once mighty dominion was undoubtedly the great schism which broke out on the death of Gregory XI., in 1378, and divided the Western church for half a century. The death of Gregory was followed in a few weeks by the election in the usual form, and by the unanimous votes of all the cardinals then in Rome, being sixteen of the twenty-two composing the sacred college, of the Archbishop of Bari, Bartholomew Pregnano, who took the name of Urban VI. It is alleged, however, and is probably true, that this choice was compelled by the threats of the populace. On this pretence, at least, the cardinals, five months after, stole away from Rome, and, assembling first at Anagni and then at Fundi, excommunicated Urban as an apostate and antichrist, and announced as the pope of their free election Robert of Caneva, or Clement VII. The imperious and severe rule of Urban probably drove them to a bold and rash act from which they would otherwise have shrunk: "they soon discovered the features of the tyrant, who could walk in his garden and recite his breviary while he heard from an adjacent chamber six cardinals groaning on the rack:"* but the primary motive with the majority of the college

of cardinals, as with the people of Rome, was to obtain a pope of their own nation. Only the preceding year, after his predecessors, from Clement V. inclusive, had resided for seventy years at Avignon in France, Gregory XI. had restored the papacy to its ancient seat. A pope of ultramontane birth, it was apprehended by the Romans, would again remove his court from Italy. A majority of the cardinals, on the other hand, were Frenchmen, and, as such, opposed to an Italian pope. The different nations of Europe were influenced by feelings of the same kind. Most of the Italian states adhered to Urban, and on the same side, actuated chiefly by enmity to France, were ranged England, Portugal, the Netherlands, Germany, Sweden, Denmark, and Norway; France, acknowledging the election of Clement, was supported by Scotland, Navarre, Castille, Aragon, Savoy, Sicily, and Cyprus.

The succession of the Roman (now generally held to be the true) popes was continued after Urban VI. by the elections, in 1389 of Perrino Tomacella, or Boniface IX.; in 1404 of Cosmato Meliorato, or Innocent VII.; and in 1406 of Angelo Corrarior, or Gregory XII. On the death of Clement VII., in 1394, the cardinals at Avignon chose as his successor Peter de Luna, who assumed the name of Benedict XIII. After many attempts had been made to effect an accommodation, both Gregory XII. and Benedict XIII. were deposed, in 1409, by the council of Pisa; and by an unanimous vote of the same assembly Peter Philaret, a Greek, or Alexander V., was raised to the chair of St. Peter. On the death of Alexander, the following year, Balthazar Cossa, a Neapolitan, or John XXIII., was in the same manner chosen to succeed him. Meanwhile, however, notwithstanding these interferences of the council, Germany, Hungary, and Naples still adhered to Gregory; and Benedict, himself a native of Spain, commanded the obedience of that important country. In this state affairs remained till the assembling of the Council of Constance, in 1414; that assembly deposed the monster John; Gregory, deserted by the powers that had at first supported him, and left without dominion or authority beyond the walls of Rimini, resigned; and in 1417 the Cardinal Otho de Colonna, who took the name of Martin V., was declared the head of the Christian world. The election was made by the college of twenty-three cardinals, assisted by thirty deputies from the council, six from each of the five great nations into which Christendom was held to

* Gibbon, Decline and Fall, chap. 70,

be divided,—the Italian, the German, the French, the Spanish, and the English. "I cannot," observes Gibbon, "overlook this great national cause, which was vigorously maintained by the English ambassadors against those of France. The latter contended that Christendom was essentially distributed into the four great nations and votes of Italy, Germany, France, and Spain; and that the lesser kingdoms (such as England, Denmark, Portugal, &c.) were comprehended under one or other of these great divisions. The English asserted that the British Islands, of which they were the head, should be considered as a fifth and co-ordinate nation, with an equal vote; and every argument of truth or fable was introduced to exalt the dignity of their country. Including England, Scotland, Wales, the four kingdoms of Ireland, and the Orkneys, the British Islands are decorated with eight royal crowns, and discriminated by four or five languages,—English, Welsh, Cornish, Scotch, Irish, &c. The greater island, from north to south, measures eight hundred miles, or forty days' journey; and England alone contains thirty-two counties and fifty-two thousand parish churches (a bold account!)* besides cathedrals, colleges, priories, and hospitals. They celebrate the mission of St. John of Arimathea, the birth of Constantine, and the legantine powers of the two primates, without forgetting the testimony of Bartholomy de Glanville (A. D. 1360), who reckons only four Christian kingdoms,—1, of Rome; 2, of Constantinople; 3, of Ireland, which had been transferred to the English monarchs; and 4, of Spain. Our countrymen prevailed in the council, but the victories of Henry V. added much weight to their arguments."

The election of Martin V., however, did not altogether put an end to the schism. Benedict XIII., who fixed his residence at Peniscola, in Valencia, continued to be acknowledged by the kingdom of Aragon till his death, in 1424. His cardinals then elected a successor, who took the name of Clement VIII. In 1429, however, this person made his submission to Martin V., who was thus at last acknowledged by the whole Latin church. But, as an eminent Catholic historian of our own day has remarked, "if the schism was thus terminated, it had previously given a shock to the temporal authority of the pontiffs, from which it never recovered. The contending rivals dared not employ the imperious tone of their predecessors. It was the policy of each to conciliate, to increase the number of his adherents, and to avoid every measure which might drive men to seek the friendship of his opponent. Hence the pretensions which had given so much offence to the sovereigns were allowed to fall into desuetude; enactments hostile to the immunities or claims of the church were either passed over in silence or but feebly opposed; and, instead of the spiritual weapons of excommunication and interdict, were adopted the more persuasive means of entreaty and conces-

sion."* It may be added, in the less cautious words of a great writer not trammelled by the same ties of sect and profession, that "in the furious conflicts of Rome and Avignon the vices of the rivals were mutually exposed; and their precarious situation degraded their authority, relaxed their discipline, and multiplied their wants and exactions."†

The absolute power of the popes also met with serious resistance during this period from the pretensions of the great body, or at least of the aristocracy, of the clergy, as assembled or represented in general councils. The Council of Constance, before its separation in 1418, enacted that such synods should henceforth be held regularly for the government and reformation of the church, each, before dissolving, appointing the time and place for the meeting of its successor. But the Council of Basil, which, reluctantly convoked by Martin V., assembled in 1431, immediately after the accession of his successor Eugenius IV., and continued to sit till 1443, went a great deal farther, assuming and maintaining, indeed, an attitude of open revolt against the supremacy of the pontiff. It not only solemnly asserted the superiority of a general council over the occupant of the chair of St. Peter, but proceeded to divest the pope of some of his most valuable and hitherto universally recognised rights; prohibiting him from creating new cardinals, and suppressing the annates, or tax of the first year's income upon benefices, which constituted a large portion of the papal revenue. At length, in 1437, Eugenius, who had taken up his residence at Bologna, dissolved the council, and called together another, which met at Ferrara in 1438. All Christendom was now divided between the two councils, as it had lately been in the case of the rival popes. Nor was it long before there was again a rivalry of popes as well as of councils. Having deposed Eugenius, the Council of Basil, in 1439, called to the pontifical dignity, from the hermitage of Ripaille, the retired Duke of Savoy, Amadeus VIII., who thereupon exchanged his temporal style for the spiritual title of Felix V. Eugenius and his council at Ferrara were adhered to by the governments of Venice and of the southern and middle states of Italy; Germany, France, Lombardy, Spain, England, and the rest of Europe generally, supported Felix V. and the Council of Basil. In point of fact, however, everywhere the bishops and the rest of the ecclesiastical aristocracy were with Eugenius: the supremacy of general councils, as asserted by that of Basil, was favoured by the great body of the clergy. A short time before the deposition of Eugenius, indeed, the lower house of convocation of the province of Canterbury had, in answer to questions proposed by the archbishop, resolved, after some days' deliberation, that the pope had the power of dissolving a general council,—that the Council of Basil had no power to depose Pope Eugenius,—and that, if that council should depose him, they would still

* See vol. i. p. 349.

• Lingard, Hist. of England, v. 63. † Gibbon, ch. 66.

obey him as lawful pope. But some years afterwards the same body, to all the appeals both of pope and archbishop, firmly refused any contribution to the expense of sending representatives to the meeting at Ferrara. Meanwhile the two popes and councils continued an active and bitter warfare of decrees and denouncements, each party treating the other as rebels against the fundamental constitution of the church. In a bill of excommunication which he launched against all the members of the Council of Basil, Eugenius designated that synod an assembly of demons; they retaliated by charging him with simony, perjury, tyranny, heresy, and schism, and by declaring him to be incorrigible in his vices, unworthy of any title of honour, and incapable of holding any ecclesiastical office. This unseemly condition of the Christian world lasted till after the death of Eugenius, in 1447. By this time all parties were become weary of the contest; and when the cardinals at Rome had elected Nicholas V., it was proposed by Felix himself that he should resign the tiara, and thus terminate the scandal of the church. The abdicator of two sovereignties returned to his hermitage on the banks of the Lake of Geneva, in 1449. Then the "vigour of opposition," Gibbon has remarked, "was succeeded by the apathy of despair; a general peace was secured by mutual acts of oblivion and indemnity; all ideas of reformation subsided; the popes continued to exercise and abuse their ecclesiastical despotism; nor has Rome ever since been disturbed by the mischiefs of a contested election." But this statement must be understood as implying only the restoration of agreement within the ecclesiastical body itself, and

the consequent extinction of the spirit of reformation in the bosom of the church: the rent that had been thus apparently closed in the superstructure of the fabric remained still open, though concealed, in its foundations; the habitual respect of the people for the whole system was rudely and powerfully shaken; their violent recriminations could not fail lastingly to impair the authority over the minds of the multitude both of pope and council; the noise of such a contention must have awakened many feelings that would otherwise have slumbered; and the suppression of the process of reform from within the church would really only tend to prepare and hasten its much more tempestuous reform from without.

In England throughout this period the crown continued to make common cause with the clergy; every successive king began his reign by court- ing their favours, and ever after relied upon them as his chief supporters. The part which the clergy took in the deposition of Richard II. has been characterized as "the only instance in English history wherein their conduct as a body was disloyal."* Even here, however, they took no part against the crown. Of two competitors they only sided with the one against the other; they still stood by their natural ally, the king. They probably espoused the cause of Henry, simply as being that of the party most likely to prevail in the struggle—in other words, of the competitor, who was properly to be considered as most truly king of the two—thus substantially adhering to their principles even in the seeming violation of them. At all events, their

* Southey's Book of the Church, l. 349.



CONVOCACTION OF CLERGY. From the Harl. MS. 4379.

accustomed loyalty was suspended only for a moment; their attachment, withdrawn from Richard, was immediately transferred to the House of Lancaster, and was never found wanting by the princes of that house so long as they maintained themselves on the throne. One of the first acts of Henry IV. after his accession was to despatch the Earl of Northumberland with a gracious message to a convocation of the province of Canterbury, which met on the 6th of October, 1399, in the Chapter-house of St. Paul's, at London. While he begged the prayers of the church for himself and the kingdom, he declared, first, that he would never demand any money from the clergy except in cases of the most extreme necessity; secondly, that he would protect them in all their liberties and immunities; and, thirdly, that he would assist them with all his power in exterminating heretics. The first of these promises was but indifferently observed: Henry IV., indeed, throughout his reign, demanded subsidies from the clergy as regularly as from the laity; and probably obtained altogether a larger amount of money from the former than any preceding English king; he even threatened on one or two occasions to take their money or goods from them by force; but still they acted as if they felt their interests to be bound up with his, and, although they sometimes resisted, they did not desert him. Nay, not even his daring execution of Archbishop Scrope, after the insurrection of 1405,* made any permanent breach between him and the church: a vague and inoperative censure, retracted on the first explanation, was the only notice taken by Rome of an act that in other times would have shaken the strongest throne in Christendom. On the other hand, Henry gratified the clergy by steadily supporting them in the assertion of all such powers as could be conceded to them consistently with the maintenance of the integrity of the civil authority, and in particular of that upon which they naturally set the highest value, the empire which they flattered themselves with exercising over opinion and belief. In the falling away of their old popular strength, they now had recourse to new expedients, in order to sustain this tyranny, exposed as it was at the same time to a more vigorous resistance than it had ever before encountered.

Till the present age, the offence of heresy had never greatly vexed the church in England. The old laws accordingly upon that subject were comparatively mild; a considerable degree of protection was thrown around the accused; and sanguinary punishments for the offence appear to have been nearly unknown; for, although it is held by some lawyers that the writ *de hæretico comburendo* (or process of putting a convicted heretic to death by burning) is a part of the ancient common law, no example, we believe, is recorded of any person having actually suffered that sentence in England till after the commencement of the fifteenth century.

* See ante, p. 17.

Mention has been made in a former chapter of the manner in which certain poor Germans were treated, who made their appearance in the country, and proceeded to propagate some new theological views, about the middle of the twelfth century.* Being brought before the ecclesiastical judges, they were branded and scourged, and some or most of them, it is said, eventually died from being stripped half naked, and then left to wander about, without finding any door open to them, in the midst of winter; but still the law did not actually doom them to die. Henry IV., in his first parliament, held in 1399, the year of his accession, issued a proclamation, with the assent of the lords spiritual and temporal, against a sect that had newly appeared in Italy, and were there known by the names of Albati and Bianchi, from the long white gowns in which they wrapped themselves, and the white veils which they wore over their faces: they professed great austerity and sanctity, though what were their particular opinions we are not informed; but all that was ordered in this case was, that the foreign enthusiasts should not be permitted to land, if any of them arrived in an English harbour. The zeal of the heads of the church, however, was not long satisfied with such moderate measures.

Among the small number of persons by whom Bolingbroke was accompanied on his return from exile, was Thomas Fitzalan, or Arundel, the Archbishop of Canterbury, who had been banished by Richard the year before.† Arundel, who was the second son of Robert Fitzalan, Earl of Arundel and Warrenne, had, during the interval of his deprivation, been nominated by the Pope, Boniface IX., to the see of St. Andrew's, in Scotland.‡ It appears that Richard assented to this nomination, though at first he objected that St. Andrew's was too near England. Arundel, however, never took possession of his Scottish dignity, but remained on the continent till his return home with Bolingbroke; when, on the latter obtaining the crown, he recovered his archbishopric—Roger Walden, Dean of York, and treasurer of the royal household, who had been set by the deposed king in his place, being obliged to retire, after the example of his master. Arundel was a man of talent, as well as accomplished in the learning of the times. The latter circumstance probably did not tend to make him more indulgent to the innovators in religion, who, under the name of Lollards, now began to show themselves in great numbers.

The Lollards have been usually regarded as the disciples or followers of Wycliffe; but they seem to have rather been a sect of foreign origin, whose opinions in their general complexion resembled those taught by the great English reformer. It is

* See vol. i. p. 557.

† Ibid. pp. 795, 797.

‡ This appears from the Rolls of Parliament, and from documents in Wilkins and Nyer. It is remarkable that none of the Scottish ecclesiastical historians seem to have been aware of this appointment: we find no mention of it either in Keith (Catalogue of Scottish Bishops), in Martine (Reliquiæ Divi Andree), in Spotswood (History of the Church of Scotland), in Sir Robert Sibbald (History of Fife), &c. St. Andrew's was, as yet, only a bishopric; the archiepiscopal rank was not bestowed till 1471.

said, indeed, that some of the writings of Wycliffe had been carried into Bohemia, by one of the natives of that country, who had visited England, in consequence of the marriage of Richard II. with his first wife, the Princess Anne, sister of the Emperor Wenceslaus, king of that country; and that from them the celebrated John Huss drew those opinions for which he was, in 1415, condemned to the stake by the Council of Constance, and which were, through him, extensively propagated over Germany. One account of the name Lollards derives it from *lolum*, the Latin word for tares; as if it had been intended to designate the reformers as tares among the wheat,—not without an allusion to the expediency of consigning them to the flames. Another notion is, that they were so called from the old German word *lollen* or *lullen* (the same with our English *lull*), signifying to sing as a mother when she lulls her babe, in reference to their practice of singing hymns. But the true origin of the term is probably from the German reformer Walter Lolhard, who was burned at Cologne in 1322, and was charged with holding opinions very similar, on the whole, to those that have been imputed to the English Lollards of the fifteenth century. Besides preaching against the mass, extreme unction, the efficacy of penances, and the authority assumed by the pope, he is alleged to have maintained that no obedience was due to magistrates,—that there was no use either in baptism or repentance,—with various other tenets of a similar character,—all, however, most likely misrepresented in the accounts that have come down to us. It appears that the name of Lollards used to be given on the continent to bodies of religionists marked by any peculiarity of creed or practice, long before it was known in England. The English Lollards were certainly declared opponents of the established church and of all the pretensions of the Romish hierarchy. They were as truly reformers and Protestants as Luther and his followers in the next century, though their doctrines may not have been in all respects the same. The most distinct and authentic account which we have of their creed is that given by themselves in a petition which they presented to the House of Commons in 1395, and which may be considered as a protest against the whole system, doctrinal and institutional, of the established religion. In this document they maintain, in substance, that the possession of temporalities by the clergy is contrary to the law of Christianity, and destructive of faith, hope, and charity,—that the Romish priesthood is not that established by Christ,—that outward rites of worship have no warrant in Scripture, and are of little or no importance,—that the celibacy of the clergy is the occasion of scandalous irregularities in the whole church,—that the pretended miracle of transubstantiation tends to make people idolaters,—that exorcisms and benedictions pronounced over wine, bread, water, oil, salt, &c., have more in them of necromancy than of religion,—that the clergy, by ac-

cepting secular places under the government, become hermaphrodites, attempting at the same time to serve both God and Mammon,—that prayers made for the dead are more likely to be displeasing than otherwise to the Almighty, inasmuch as, for one among other reasons, they are probably in most cases offered for persons (more especially the founders of monasteries and other such pernicious endowments) who have already been consigned to punishment for their evil lives, and are beyond the reach of mercy,—that pilgrimages and prayers made to images are nearly akin to idolatry,—that auricular confession is a highly objectionable practice,—that priests have no power of absolution for sin,—that to take away the life of a man, either in war or by sentence of a court of justice, is expressly contrary to the spirit and the precepts of Christianity,—and, lastly, that certain trades ought to be put down as both unnecessary and the occasion of a great deal of sin, especially those of the goldsmith and the sword-cutler, both of which, though they might be tolerated under the Mosaic dispensation, were not lawful under that of the New Testament.* All these positions the petitioners attempted to support by reasoning and by the authority of Scripture, professing to deliver their testimony by virtue of a divine commission, and under the character of ambassadors of Christ. It may be remarked that these Wycliffites, as they have been often styled, and avowed adversaries of the pretensions of the see of Rome, as they unquestionably were, nevertheless, in this solemn declaration of their opinions and articles of faith, make no mention either of Wycliffe on the one hand or of the Pope on the other. The denial, however, of the papal infallibility is involved in the whole tenor of their statements and arguments.

In these new heretics, therefore (as they were deemed), the church saw a hostile force, formidable from numbers and enthusiasm, openly arrayed against it, and avowing the desire to pull it down. The measures which the clergy and other friends of the existing order of things took for their own protection in these circumstances were neither morally justifiable nor even politic in any enlarged view, but, all things considered, they were not very unnatural. Very soon after the accession of Henry IV. they availed themselves of the circumstances of the time to obtain a new law for the punishment of heresy. In January, 1401, the commons joined the clergy in a petition upon the subject to the king, and the result was, the passing of the famous statute known as the 2 Henry IV. c. 15. The preamble of this statute sets forth, among other things, that, whereas the Catholic faith and holy church had been hitherto maintained in England without being "perturbed by any perverse doctrine or wicked, heretical, or erroneous opinions, yet nevertheless divers false and perverse people of a certain new sect, of the faith, of the sacraments of the church, and the authority of the same, damnably thinking, and against the

* Wilkins, Councils, ii. 281.

law of God and of the church openly preaching, do perversely and maliciously, in divers places within the said realm, under the colour of dissembled holiness, preach and teach these days, openly and privily, divers new doctrines, and wicked, heretical, and erroneous opinions; and of such sect and wicked doctrine and opinions they make unlawful conventicles and confederacies, they hold and exercise schools, they make and write books, they do wickedly instruct and inform people, and, as much as they may, incite and stir them to sedition and insurrection, and make great strife and division among the people, and other enormities horrible to be heard daily do perpetrate and commit." The unspecified enormities may be passed over as merely a flourish of legislative rhetoric; but from the rest of the description, making the requisite allowance for the misrepresentations of an adverse party, we may gather some information as to the ways which the Lollards took to diffuse their tenets. The act goes on to complain that "the diocesans of the said realm cannot by their jurisdiction spiritual, without aid of the said royal majesty, sufficiently correct the said false and perverse people, nor refrain their malice, because the said false and perverse people do go from diocese to diocese, and will not appear before the said diocesans, but the same diocesans and their jurisdiction spiritual, and the keys of the church, with the censures of the same, do utterly contemn and despise, and so their wicked preachings and doctrines do from day to day continue and exercise to the utter destruction of all order and rule of right and reason." In order that "this wicked sect, preachings, doctrines, and opinions, should from henceforth cease and be utterly destroyed," it is then ordained, "by the assent of the great lords and noble persons of the said realm," that no person presume to preach any where, openly or privily, without the licence of the diocesan of the place; that none shall "anything preach, hold, teach, or instruct, openly or privily, or make or write any book, contrary to the Catholic faith or determination of the holy church," or hold schools or conventicles for the dissemination of the new doctrines, or in anywise favour the preachers or teachers of them; and that all persons having any heretical books or writings shall deliver the same to the diocesan within forty days from the time of the proclamation of this ordinance and statute. The diocesan is empowered to cause the arrest of all persons failing to render due obedience to these requirements, and to detain them in his prison until they clear themselves of the articles laid to their charge, or else abjure the new opinions, the diocesan being bound to proceed in the case and determine it within three months after the arrest. On the conviction of any prisoner, he is further empowered to keep him in custody "as long as to his discretion shall seem expedient," and also to fine him in proportion to the manner and quality of his offence, the fine being paid to the king and levied by authority of the secular courts.

And then follows the terrible enactment, to the effect that persons so convicted refusing to abjure, or relapsing after abjuration, shall be made over to the sheriff of the county, or mayor and bailiffs of the nearest town, "and they the same persons, and every of them, after such sentence promulgate, shall receive, and them before the people in an high place do to be burnt, that such punishment may strike in fear to the minds of other, whereby no such wicked doctrine, and heretical and erroneous opinions, nor their authors and fautors in the said realm and dominions, against the Catholic faith, Christian law, and determination of the holy church, which God prohibit, be sustained, or in anywise suffered."

At this time the commons would seem to have been as zealously opposed to Lollardism as either the nobility or the clergy. At a date only a few years later, however, we find the sentiments of the lower house to have undergone a great change. In the famous lack-learning parliament which met at Coventry in October, 1404, the commons, as we have seen, in answer to the king's demand of a grant to carry on the Welsh war, went the length of proposing that he should seize the revenues of the church and apply them to the public service.* The clergy, they represented, while engrossing a great part of the wealth of the kingdom, lived in idleness, and contributed very little in any way to the public advantage,—a complaint which, so far as it went, was the very language of the Lollards, and one, no doubt, of the most offensive of their heresies. Afterwards, also, in a parliament which met at Westminster in 1409, when the king demanded another large grant, the commons, according to the historian Walsingham (although there is no notice of the affair on the rolls), again strongly advised him to have recourse to the revenues of the church. If he would please, they said, to take away the estates of the bishops, abbots, and priors, which were spent by them in useless pomp and luxury, his crown and kingdom would reap great advantage, inasmuch as he might thereby be enabled to support fifteen earls, one thousand five hundred knights, six thousand two hundred esquires, and one hundred hospitals, each earl receiving three hundred marks annually, each knight one hundred marks and the produce of four ploughlands, each esquire forty marks and the produce of two ploughlands. On this occasion the peers interfered, praying the king to protect the patrimony of the church, and to punish all such as taught the people that it was lawful to take it away; and Henry severely reprimanded the commons for their presumptuous proposition.

Meanwhile the statute against Lollardism had not been allowed to remain a dead letter. A case came before the same parliament in which it was passed, that put its sharpness of fang to the proof. William Sawtre had been rector of Lynn, in Norfolk, and had been deprived of that living on a charge of heresy in 1399. Having been prevailed

upon, however, to abjure his alleged erroneous opinions, he had since been appointed priest of St. Osith's, London. Holding that situation, he now petitioned the parliament that he might be heard before them on the subject of religion,—unhappy, apparently, under the feeling of having denied his convictions, and anxious to make up, by a public profession of what he deemed the truth, for the pusillanimity of his late recantation. "The enthusiast," says a reverend living historian, who, in his contempt for the unfortunate man, has forgotten to characterize the conduct of any of the other parties in the affair,—“the enthusiast aspired to the crown of martyrdom, and had the satisfaction to fall a victim to his own folly.”* There are probably few persons at the present day capable of contemplating the transaction with the equanimity indicated by these remarkable words. Sawtre was, in fact, summoned to appear before the convocation to answer to various charges, of which the chief were his having affirmed that he would not worship the cross on which Christ suffered, and that the sacramental bread continued to be bread after it was consecrated. It is said that he admitted the truth of the charges, but denied that he had already abjured the same opinions. The probability must be held to be, that he endeavoured to show, by argument, that the opinions he had abjured the preceding year were not identical with those he now admitted. On this point, however, the court decided against him; he was adjudged to be a relapsed heretic, and as such sentenced to be degraded, deposed, and then delivered over to the secular power, according to the awful doom of the new law. The primate Arundel and six other bishops assembled in the cathedral of St. Paul's, arrayed in their pontifical robes, to perform the impressive preliminary ceremonial. Their victim was brought before them in his priestly attire, with the chalice for holding the host and its paten or lid in his hands. As the archbishop solemnly pronounced his degradation from the priestly order, he took from him these sacred insignia, and at the same time stripped him of the casule, or distinctive robe of the priesthood, made in imitation of the scarlet robe of mockery of the Saviour. His degradation from the office of deacon was in like manner effected by putting the New Testament into his hands and then taking it from him, and depriving him of the stole, or tippet worn about the neck in memory of the cord with which Christ was bound. He was next divested of the alb or surplice, and also of the maniple (otherwise called the fanon or fannel), a kind of scarf worn on the left wrist, to denote his degradation from the order of sub-deaconship: after that he surrendered, as acolyte, the candlestick, taper, and small pitcher called urceole; as exorcist, the book of exorcisms; as reader, the lectionary or book of daily lessons; and, as sexton, the surplice of that office and the key of the church-door. Finally, his priest's cap was removed from his head, the tonsure obli-

* Lingard, *Hist. of England*, iv. 338.

terated, and the cap of a layman put upon him. When he had been thus wholly divested of his clerical character he was delivered over to the custody of the high constable and marshal of England, who were there present to receive him, the primate finishing his task by pronouncing the formal recommendation to mercy with which the church was accustomed to veil, but only with a deeper horror, its deeds of blood. Sawtre was burned in Smithfield in the beginning of March, 1401, a vast multitude of people crowding to witness, with various, doubtless, but all with strong emotions, a spectacle then new in England.

This terrifying example seems to have had the effect of putting down the open profession of Lollardism for some years. The new opinions, however, continued to spread in secret. The next recorded case in which we find the aid of the secular power called in by the church for their suppression is that of William Thorpe, a priest distinguished for his learning and ability, who was brought before Arundel on a charge of heresy on the 3rd of July, 1407. We have his own account of the proceedings, drawn up at considerable length and with much particularity.* He was first called into the presence of the primate in his castle of Saltwood, after having lain for some time in prison in that stronghold. "When I came to him," Thorpe's narrative proceeds, "he stood in a great chamber, and much people about him; and when that he saw me he went fast into a closet, bidding all secular men that followed him to go forth from him soon, so that no man was left in that closet but the archbishop himself and a physician that was called Malveren, parson of St. Dunstan's in London, and other two persons unknown to me, which were ministers of the law." The archbishop, then addressing him, told him that he knew well he had been for twenty winters and more travelling about busily in the north country teaching his false doctrines, but now at last he was taken, and should be suffered to spread his poison among the people no longer. Thorpe, then, having obtained permission to declare what his opinions really were, recited them at great length; the archbishop seems to have heard him patiently, but at the end only replied, "I will shortly that now thou swear here to me that thou shalt forsake all the opinions which the sect of Lollards hold and is slandered with." He also required that Thorpe should not favour any man or woman holding the said opinions, but do his utmost to withstand all such disturbers of the holy church; "and them," he added, "that will not leave their false and damnable opinions, thou shalt put them up, publishing them and their names, and make them known to the bishop of the diocese." On the prisoner's refusal to assent to these conditions, "Thine heart," exclaimed the primate, "is full hard endured (indurated) as was the heart of Pharaoh, and the devil hath overcome thee and perverted thee. But I say to thee, leud losel

* In Foxe's *Acts and Monuments*, and also in the *State Trials*.

(low rascal), either thou quickly consent to mine ordinance, and submit thee to stand to my decrees, or by St. Thomas thou shalt be degraded, and follow thy fellow to Smithfield." To this Thorpe made no answer for some time; at last, after being repeatedly urged to speak, he addressed the primate in another long discourse, in which he related how his father and mother had "spent mickle money in divers places," in educating him for the priesthood,—how, when he came to years of discretion, he had no will to be a priest,—how he was at last persuaded to take holy orders by the vehement and incessant solicitations of his friends,—and how he had then acquired his knowledge of the truth from the conversation and example of various pious and learned clergymen, of whom one of the chief, he declared, was Philip of Rampenton, since become Bishop of Lincoln, and now a zealous persecutor of the very opinions he had formerly held and taught. In the course of the conversation that ensued the archbishop said, "Thou and such other losels of thy sect would shave your heads full near to have a benefice. For, by Jesu, I know none more courteous shrews than ye are when ye have a benefice. For, lo! I gave to John Purvay a benefice but a mile out of this castle, and I heard more complaints about his covetousness for tythes, and other misdoings, than I did of all men that were advanced within my diocese." Purvay, Thorpe replied, was to be accounted neither of the one party nor of the other,—neither hot nor cold; and, from what is added, he appears to have been one of a number of such churchmen of the time, who were considered as hanging between the old opinions and the new. After this Thorpe proceeds to give an interesting account of the teachers from whom he had obtained his knowledge of the reformed doctrines. At the head of the list he places "Master John Wycliffe," who, he observes, "was holden of full many men the greatest clerk that they knew then living;"—"great men," it is added, "communed oft with him, and they loved so his learning that they writ it, and busily enforced them to rule themselves thereafter." The rest are spoken of as all of them the disciples and imitators of Wycliffe. We may transcribe the now little remembered names of these first English reformers; they were Master John Aiston,—Philip of Rampenton, while he was a canon of Leicester,—Nicholas Herford,—Davy Gotray of Pakering, monk of Byland, and a master of divinity,—John Purvay (or Purnay, as he is elsewhere called),—"and many others which were holden right wise men and prudent;" notwithstanding that, now, "some of these men," adds the speaker, "be contrary to the learning that they taught,—for they feign, and hide, and contrary (contradict) the truth which before they taught out plainly (fully) and truly." "That learning," replied the archbishop, "that thou callest truth and soothfastness, is open slander to holy church, as it is proved of holy church. For albeit that Wycliffe, your author, was a great clerk,

and though that many men held him a perfect liver, yet his doctrine is not approved of holy church, but many sentences of his learning are damned, as they well worthy are." He soon, however, broke off the argument, recurring to his former demand,—“Wherefore tarriest thou me thus here with such fables?—wilt thou shortly, as I have said to thee, submit thee to me or no?” “I dare not, for the dread of God, submit me to thee,” answered the prisoner; on which the archbishop, “as if he had been wroth,” desired one of his clerks to fetch him quickly the certification that came from Shrewsbury, “witnessing the errors and heresies that this losel hath venomously sworn there.” The document, on being produced, was found to attest that Thorpe had asserted openly, in a sermon preached shortly before in St. Chad’s church in Shrewsbury, that the sacrament of the altar, after consecration, still remained material bread,—that images should in nowise be worshipped,—that men should not go on pilgrimages,—that priests have no title to tithes,—and that it is not lawful to swear in anywise. He now, however, emphatically denied that this was a true account of what he had said. “I am,” he exclaimed, “both ashamed on their behalf, and right sorrowful for them, that have certified you these things thus untruly; for I preached never nor taught thus privily nor apertly.” After much further wrangling, it is at last suggested by one of the clerks that the prisoner should be questioned on the points certified against him one by one, that they might learn what his real opinions were out of his own mouth. The long debate that followed is of much interest and value in reference to the history of the reformed doctrines; but we shall only notice one or two passages that curiously illustrate the notions or customs of the times in the matter of religion. Touching the sacrament of the altar, Thorpe denied that he had said a word at Shrewsbury. Only, he said, as he stood in the pulpit preaching, there knelled a sacring bell, when many of the people turned away hastily, and began, with great noise, to run forth from the church; on which he turned to them, and remarked that they would do better to stand still and hear God’s word,—the virtue of the holy sacrament of the altar standing much more in the belief thereof that they ought to have in their souls, than in the outward sight thereof. The discussion upon the second point—the worship of images—is very curious. Thorpe begins by stating his belief as follows:—“Wood, tin, gold, silver, or any other matter that images are made of, all these creatures are worshipful in their kind, and to the end that God made them for; but the carving, casting, nor painting of any imagery made with man’s hand, albeit that this doing be accept of men of high estate and dignity, and ordained of them to be a calendar to leud people, yet this imagery ought not to be worshipped in the form nor in the likeness of man’s craft; nevertheless, every matter that painters paint with, since it is God’s creature,

ought to be worshipped in the kind and to the end that God made and ordained it to serve man." An image, the archbishop admits in reply, ought not, indeed, to be worshipped for itself; but, still, he contends, it ought to be worshipped for the sake of the religious doctrine that is depicted therein, and "so brought there-through to man's mind."—"For, lo!" he adds, "earthly kings and lords, which use to send their letters ensealed with their arms, or with their privy signet, to men that are with them, are worshipped of these men; for when these men receive their lord's letters, in worship of their lords they do offer their caps to these letters." "It is a great moving of devotion," he goes on to argue, "to men to have and to behold the Trinity and other images of saints carved, cast, and painted; for beyond the sea are the best painters that ever I saw. And, sirs, I tell you this is their manner, and it is a good manner, when that an image-maker shall carve, cast in mould, or paint any images, he shall go to a priest, and shrive him as clean as if he should then die, and take penance, and make some certain vow of fasting or of praying, or of pilgrimages doing, praying the priest specially to pray for him that he may have grace to make a fair and devout image." Afterwards taking up another ground—"Ungracious losell!" he exclaimed, "thou favourest no more truth than an hound. Since, at the rood at the north door at London, at our Lady at Walsingham, and many other divers places in England, are many great and praisable miracles done, should not the images of such holy saints and places be more worshipped than other places and images where no such miracles are done?" The Virgin at Walsingham, in Norfolk, was the most famous image in England. The monastery in which it stood was built by Richolde, a noble widow, the lady of the manor, in the twelfth century. "In the last age," writes Camden, "whoever had not made a visit and an offering to the blessed virgin of this place was looked upon as impious and irreligious." In that invaluable record and picture of the social customs of the fifteenth century, the Paston Letters, this renowned object of superstitious devotion is repeatedly noticed. Thus, in one letter, we find Sir William Yelverton, one of the judges of the King's Bench, ascribing all the good fortune he had met with in the world, and all his escapes from danger, and from the malice of his enemies, to our Lady of Walsingham.* Again, in an affectionate letter to her husband, who had been for some time absent in London and unwell, Margaret Paston informs him that her mother, to promote his recovery, had vowed another image of wax of his weight to the same image, and had sent four nobles (1*l.* 6*s.* 8*d.*) to the four orders of friars of Norwich, that they might pray for him; and that she herself had vowed to go a pilgrimage for him to Walsingham and to St. Leonard's,—a priory at Norwich also famous at this time for the resort of pilgrims to the images of the Virgin, the

Cross, and St. Anthony; and at a somewhat later period still more celebrated for an image of Henry VI., by which many miraculous cures were believed to be performed.* Our Lady of Walsingham was particularly resorted to by women in anticipation of the perils of childbed.† Erasmus, who visited Walsingham in the reign of Henry VIII., informs us, in one of his letters, that the place was almost entirely maintained by the great numbers of persons who came to make their offerings to the Virgin, and that these offerings formed nearly the entire revenue of the monastery. In the church, he tells us, in which the image stood, was a little chapel of wood, into which the pilgrims were admitted from each side by a narrow door. There was but little light,—almost none, indeed, except that of the gratefully odorous wax-tapers; but a person looking in would say that it was an abode of the gods, so bright and resplendent it was all over with jewels, gold, and silver. It is said that Henry VIII., when a child, walked barefoot to Walsingham from the neighbouring town of Basham, and made an offering of a necklace of great value to the Virgin. The same king afterwards stripped the magnificent shrine of all its treasures, and dissolved the religious house of which it was the pride and the support. In September, 1538, the image of Walsingham, with those of Ipswich, Worcester, Welsdon, and many others, were all taken away at the instance of the Lord Cromwell; those of Walsingham and Ipswich were brought up to London, "with all the jewels that hung about them," and along with the rest were burned at Chelsea by Cromwell's order.‡

The question of pilgrimages is next debated. Thorpe is accused by the archbishop of having asserted that "those men and women that go on pilgrimages to Canterbury, to Beverley, to Karlington, to Walsingham, and to any other such places, are accursed and made foolish, spending their goods in waste." Thorp, in effect, admits such to be his opinion, and in justifying himself is led into a lively description of what the fashionable pilgrimages of the time really were. "Examine," he says, "whosoever will, twenty of these pilgrims, and he shall not find the men or women that know surely a commandment of God, nor can say their Pater-Noster and Ave-Maria, nor their Credo, readily in any manner of language." "The cause," he affirms, "why that many men and women go hither and thither now on pilgrimages is more for the health of their bodies than of their souls, more to have riches and prosperity of this world than to be enriched with virtues in their souls, more to have here worldly and fleshly friendship than for to have friendship of God and of his saints in heaven." Such persons as thus spend much money in seeking out and visiting the bones or images of this or that saint, do that, he contends, which is in direct disobedience to the commands of God, inasmuch as they waste their goods partly

* Paston Letters, i. 21.

* Paston Letters, iii. 22. Digitized by Google. Id. ii. 96, and iv. 444.

‡ Holinshed, p. 945.

upon hostellers (or innkeepers), many of whom are women of prodigate conduct, partly upon rich priests that already have much more than they need. "Also, Sir," he concludes, "I know well that when divers men and women will go thus after their own wills, and finding out one pilgrimage, they will ordain with them (arrange with one another) before to have with them both men and women that can well sing wanton songs, and some other pilgrims will have with them bagpipes; so that every town they come through, what with the noise of their singing, and with the sound of their piping, and with the jangling of their Canterbury bells, and with the barking out of dogs after them, they make more noise than if the king came there away with all his clarions and many other minstrels. And if these men and women be a month in their pilgrimage, many of them shall be an half year after great janglers, tale-tellers, and liars." The defence of all this merriment by the archbishop is too good to be omitted. "Lewd losell," he replies, "thou seest not far enough in this matter. I say to thee that it is right well done that pilgrims have with them both singers and also pipers, that when one of them that goeth barefoot striketh his toe upon a stone, and hurteth him sore, and maketh him to bleed, it is well done that he or his fellow begin then a song, or else take out of his bosom a bagpipe, for to drive away with such mirth the hurt of his fellow. For with such solace the travel and weariness of pilgrims is lightly and merrily brought forth." Arundel is quite of the mind of the host in Chaucer,—

Ye gon to Canterbury; God you speed,
The blissful martyr quitée you your meed;
And well I wot as ye gon by the way
Ye shapen you to talke and to play;
For tru-ely comfort ne mirth is none
To riden by the way dumb as the stoon.

Only, the head of the church seems disposed to patronise something still more exuberant in the way of disport than "our host" of the Tabard.

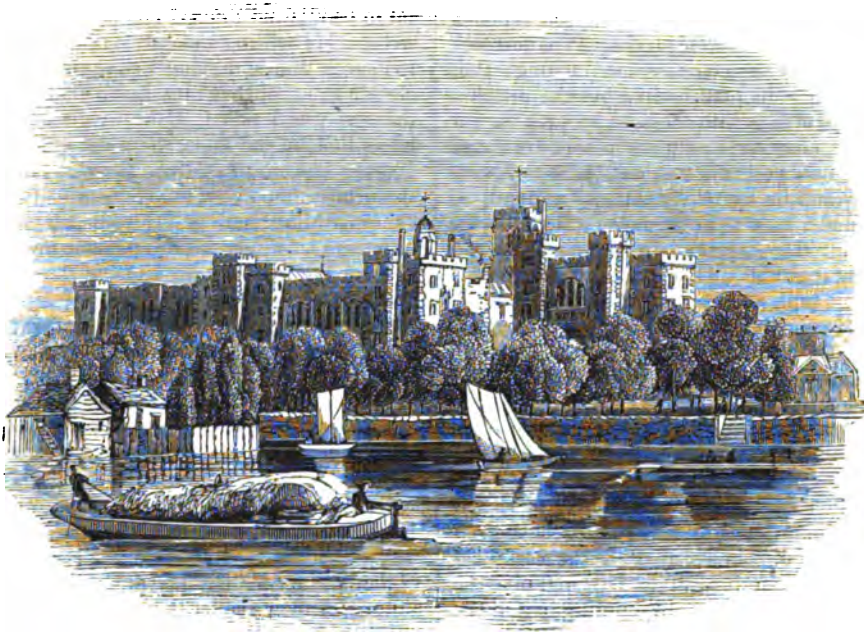
There was no greater agreement between the two parties on the remaining points of tithes, oath-taking, confession, &c., than in regard to those previously discussed; but the rest of their debate contains nothing that is necessary to be adverted to for our present purpose. Neither persuasions nor threats would move the intrepid Lollard, though, in the end, some of the persons that were sent for to give their counsel advised the archbishop to burn him, and others proposed that he should be drowned in the sea, which was near at hand. He was at last led forth to what he calls "a foul, dishonest prison," where he had never been before. It is not certainly known what was the fate of Thorp, but he was never again heard of, and most probably he died in his dungeon.

We can only notice very shortly the cases of the other Lollards that are recorded to have suffered in England during this period of persecution. The second victim known to have perished at the stake was John or Thomas Badby, called in some accounts a tailor, in others a smith, who, on the

1st of March, 1410, was, after an examination by Archbishop Arundel, conveyed to Smithfield, and there burned in a large tun surrounded with dry wood. "The king's eldest son, the Lord Henry, Prince of Wales, having been present," says the chronicler, "offered him his pardon, first before the fire was kindled, if he would have recanted his opinions; and after, when the fire was kindled, hearing him make a roaring noise very pitifully, the prince caused the fire to be plucked back, and exhorted him, being with pitiful pain almost dead, to remember himself, and renounce his opinions, promising him not only life, but also threepence a-day so long as he lived, to be paid out of the king's coffers; but he, having recovered his spirits again, refused the prince's offer, choosing estoons to taste the fire, and so to die, than to forsake his opinions. Whereupon the prince commanded that he should be put into the tun again, from thenceforth not to have any favour or pardon at all, and so it was done, and the fire put to him again, and he consumed to ashes." * The heresy of which Badby was accused was a denial of transubstantiation.

The accession of Henry V., in 1413, did not put a stop to these scenes of horror. With all his generosity of disposition, the new monarch had a soldier's sternness of feeling in regard to human suffering; and, besides that considerations of policy made it expedient for him, as it had been for his father, to conciliate the clergy, he took pride in showing himself a dutiful son of the church and a zealous defender of the faith. We have just seen, in the case of Badby, how he acted in the struggle between his kindness of nature and his bigotry or sense of duty, while he was yet, if we may believe the popular tradition, in the untamed wildness of his youth;—his feelings were put to a much more severe trial immediately after he ascended the throne by the proceedings involving his friend Lord Cobham; but here, again, his abhorrence of heresy supported him against any weakness or shrinking of heart, proving stronger than either his compassion or his friendship. The history and fate of Cobham have been already related. † His apprehension and condemnation were among the last acts of Archbishop Arundel, who died in February, 1414; the sentence by which Cobham was made over as an heretic to the secular judgment being dated the 10th of October preceding. Arundel was succeeded in the primacy by Henry Chicheley, translated from the see of St. David's,—a change which brought no relief to the Lollards. Chicheley, indeed, seems to have proceeded against the new sect in a more sweeping fashion than his predecessor, not, perhaps, as being of a more sanguinary or unscrupulous temper, but rather, probably, from being driven to more desperate and wholesale methods for the suppression of the obnoxious opinions, by their increasing diffusion in spite of all that had been already done to put them down. The Lollards were now appre-

* Holinshed. † See ante, pp. 25 and 28.



LAMBETH PALACE.

As it appeared before the recent alterations. The Lollards' Tower stands to the right.

hended in great numbers, and crowded the prisons of the church. It was Chicheley who built the addition to Lambeth Palace still known as the Lollards' Tower, from the small apartment at its summit, in which the unhappy persons accused of heresy were confined, tied, as it would appear, to iron rings, which remain fixed in the walls, the thick wainscot of which also yet exhibits the names of some of the sufferers rudely scratched upon it. In August, 1415, John Claydon, a furrier in London, in consequence of certain English books of Lollardism which were found in his possession, was condemned by the archbishop as a relapsed heretic (he had formerly been imprisoned on a similar charge), and was burned in Smithfield. Richard Turmin, a baker of London, underwent the same fate the same year. Cobham was put to death in St. Giles's Fields on the 25th of December, 1417, being hung by the middle in iron chains, from a new pair of gallows, over the fire, till both his body and the gallows were consumed to ashes.*

The early part of the reign of Henry VI. also witnessed many similar executions. It was impossible, however, to burn or otherwise put to death all the parties whom the spiritual courts were constantly finding guilty of heresy; and Chicheley soon found it necessary to substitute, in the greater number of cases, prolonged imprisonment, whipping, and various other punishments. The utmost rigour of the law appears to have been for the most part reserved for such of the clergy

* Holmsted.—Account by Bishop Bale in State Trials.

as were convicted of preaching or holding the new opinions. In 1423 four ecclesiastics were committed to the flames in Smithfield for the crime of Lollardism. Archbishop Chicheley died in 1443, and was succeeded by John Stafford, Bishop of Bath and Wells; Stafford was succeeded by John Kemp, Archbishop of York, in 1452; he lived only two years, and, on his death, Thomas Bourchier, Bishop of Ely, was promoted to the primacy. These three last-mentioned bishops were all cardinals, and each of them for a time held the office of lord high chancellor.

The most remarkable charge of heresy which occurs in the latter years of the present period, and the last we shall here notice, was that brought against Reginald Peacock, or Pocock, Bishop of Chichester, who was cited, on the 22nd of October, 1457, to appear to answer for various false opinions that were imputed to him before Archbishop Bourchier, at Lambeth. Peacock was one of the most learned men of his age, and was as much distinguished for his moderate and conciliatory spirit as for his high talents and extensive acquirements. He had been one of the eminent scholars patronised by the Duke of Gloucester,—“the good Duke Humphrey,”—and this connexion may have had some share in exciting a party against him; but his published opinions were quite sufficient to call down upon him the hatred and vengeance of the church, notwithstanding that they did not go the length of absolute Lollardism. Peacock, indeed, was decidedly opposed to some of the tenets of the Lollards, and gave only a qua-

lified assent to others; he wished the church to yield at least so far to the spirit of the times as to tolerate a latitude of opinion upon some points that, if not indifferent, were so obscure as scarcely to be comprehensible by the human judgment; in a few other things he may have been more inclined towards the new than the old doctrines; but it was at most the reform of the church that he sought, not its overthrow; nor did he either join its adversaries or withdraw himself from its communion. The very moderation and reasonableness, however, of his dissent from his brethren made it only the more irritating to a body inflamed with suspicion and fear, and apt to regard everything as lukewarmness or concealed hostility that was not undiscriminating and reckless partisanship. Peacock's fate was that which, in all ages, has usually attended moderators and mediators between extreme opinions in the height and fury of their mutual opposition and resentment. His conduct in regard to the Lollards themselves, even independently of any inclination or charity he might have shown towards their opinions, would have been enough to set a mark upon him in the eyes of the ecclesiastical authorities; for instead of busying himself, like most of his brethren, in hunting out these dissenters from the church for the purpose of bringing them to punishment, he was wont, we are told, to converse familiarly with them upon their peculiar notions, and to endeavour to reason them out of such as he deemed to be erroneous. It was not to be expected that his fellow-churchmen would submit quietly to so palpable a rebuke of their own scourging and burning system. In one material point, at least, Peacock had distinctly laid himself open to a charge of heresy. In admitting that a particular belief upon certain mysterious questions was not necessary to salvation, he had unavoidably denied, by implication if not in terms, the assumed infallibility of the church, which had declared such belief to be indispensable. This accordingly appears to have been the chief accusation laid against him. The other heresies with which he was charged amounted to a denial of the necessity of a belief in certain doctrines, not to a denial of the doctrines themselves; the only doctrine he was charged with denying was this of the church's infallibility. He was convicted upon all the articles exhibited against him, and would have been put to death, if, in the spirit of conciliation and aversion to extreme courses by which his life had been distinguished, he had not consented to a recantation of his obnoxious opinions. He read his abjuration at St. Paul's Cross before the archbishop and three other bishops, delivering at the same time fourteen of his books with his own hand to an attendant, who threw them into a fire lighted for the purpose, while many thousands of spectators filled all the space around. Such other copies as had been collected were afterwards in like manner delivered to the flames. Their author, however, although he thus saved his life, did not obtain his liberty. "He was sent to Thorney

Abbey (in the Isle of Ely), there to be confined in a secret, closed chamber, out of which he was not to be allowed to go. The person who made his bed and his fire was the only one who might enter and speak to him without the abbot's leave and in his presence. He was to have neither pen, ink, nor paper, and to be allowed no books except a mass-book, a psalter, a legendary, and a Bible. For the first quarter he was to have no better fare than the common rations of the convent; afterwards the pittance of a sick or aged brother, with such further indulgence as his health might require; for which, and for fitting up his close apartment, the prior was allowed eleven pounds." * Peacock died in his prison after a confinement of about three years. Notwithstanding all the efforts of the church to destroy them, some of his works still remain, especially an answer to certain of the more extravagant opinions of the Lollards, which, it has been remarked, "contains passages well worthy of Hooker, both for weight of matter and dignity of style." †

One effect of the distracting wars of the Roses was to interrupt for a time the persecution of the Lollards. As Fuller has finely said, "the very storm was their shelter." That tempest of blood put out, while it lasted, the fires of Smithfield. The convulsion, also, which shook and unsettled everything ancient, was probably favourable to the growth of the new opinions in another way as well as by affording a breathing time to the hunted converts. The most destructive of moral as well as of physical hurricanes generally cleanse and purify the atmosphere at the same time that they sweep and devastate the earth; and this period of violent agitation must have done something to arouse men from the slumber of custom, and to roll away the mists of hereditary prejudice.

The nation appears to have been divided during this period, in regard to ecclesiastical matters, into three parties,—the avowed enemies of the established church,—the members of the church who desired its reform, but not its abolition,—and the unswerving and unyielding adherents to the existing establishment. The mere reformers were perhaps more numerous than has been generally supposed. It is likely that more of the clergy had imbibed the sentiments of Bishop Peacock than those of Thorpe and the thorough Lollards, which would have gone almost to the complete extinction of their order. That portion of the community of which the House of Commons, as then constituted, is to be taken as a fair representative, may also be regarded as having been inclined rather to the correction of the abuses of the church than to its entire overthrow, or even to any great change either of the basis on which it stood or of the general form and character of the edifice. In general the House of Commons went along with the lords and the clergy in calling for the execution of the laws against the

* Southey's Book of the Church, i. 392.

† Hallam, Mid. Ages, iii. 476. The Life of Bishop Peacock has been written by the Rev. John Lewis. One of his works, entitled 'A Treatise on Faith,' was printed, in 4to., in 1656.

followers of Wickliffe as disturbers of the public peace, and in denouncing their doctrines with regard to the revenues of the church as destructive of all the rights of property. The old subject of papal provisions repeatedly engaged the attention of the legislature during the reigns of the Lancastrian princes. The former statutes were renewed and extended immediately after the accession of Henry IV., and both then, and at various other times, great solicitude was evinced to prevent any unconstitutional interference of the Roman see in regard either to this or other matters. The contest here, however, was mainly one between the pope and the heads of the national church;—whatever was taken from the former was acquired by the latter. Whether the kingdom was any gainer by the prohibition of papal provisions came after some time to be doubted. Complaints were very soon heard that the patronage of benefices was not exercised by the bishops with so much advantage to the interests of religion and learning as it had formerly been when it was to a considerable extent in the hands of the pope. A representation to this effect had been presented to the convocation in 1399 by the two universities; they stated that the popes, in dispensing livings by the mode of provision, had always been wont to give the preference to the most distinguished graduates; but that since provisions had been put down, this encouragement to talent and industry had been so entirely removed that the schools were almost deserted. And at length the evil became so evident that, in 1416, we find the commons petitioning the king that, if no other adequate remedy could be provided, the statutes against provisors should be repealed. In consequence of this application the convocation passed a law the following year, that, for the next ten years, every spiritual patron should bestow

the first vacant benefice of which he had the patronage, and after that term every second, on some member of either university, graduated in divinity, law, or physic. The parliament during this period steadily maintained the great principle which had been established by the act of premunire and other statutes, of the supremacy of the civil over the ecclesiastical courts. In 1447 the bishops and clergy presented a petition bitterly complaining of this encroachment, as they considered it, upon the rights of the church, and representing that the spiritual courts were much better qualified to be the interpreters of statutes, and the tribunals of ultimate appeal, than the temporal; but to this remonstrance the parliament paid no respect.

The church (meaning by that term the body of the clergy) continued to set its face against all reform or concession to the spirit of the age. In a very few points of mere order and discipline some amendments of the ancient practice were attempted: on none of the doctrinal questions at issue between the adherents to the papal system and their opponents was the slightest approximation made to the new opinions. The only deviations from the ancient standards of faith and worship were in the opposite direction. Archbishop Arundel endeavoured to put down the holding of fairs in churchyards on Sundays; and his successor, Chicheley, forbade the barber-surgeons to keep open their shops on that day, which, in the prohibition still extant,* he somewhat strangely described as the *seventh* day of the week. On the other hand, the ritual observances were in various ways stretched to a greater height of rigour than ever. Arundel, in particular, affected a great zeal for the adoration of the Virgin. It is said that he

* Wilkins, *Constit.*, iii. 263.



PASSAGE OF THE HOST. Cripples worshipping.
Cotton MS., Nero, D. 1.



HOLY WELL AT NORTHAMPTON. Dedicated to St. Thomas a Becket.

was wont to ascribe to her intercession the fortunate revolution in the state which had restored him to his see; he accordingly amplified the ceremonial of her worship; he also made the day dedicated to the memory of her visitation, and other saints' days, double festivals. Several new saints were likewise added to the calendar during this period, for each of whom, of course, a festival day was set apart. The number of holidays thus received a considerable increase. The churches also became much more crowded than they ever had been before with images of the Virgin and of other saints. All the ancient popular superstitions, indeed, were still sanctioned by the church as much as in the earliest and darkest ages. Among others, the veneration for holy wells was still a favourite species of devotion among the people. It was during this period that the cup in the sacrament of the Eucharist was gradually taken from the laity. In one of the ecclesiastical ordinances of the time the clergy are directed to begin by withholding the cup in small, obscure churches.* The people were at the same time to be taught that both the body and blood of the Saviour were given at once in the bread,—that the wine was mere wine, which had been given to enable them to swallow the bread the more easily, but that it was better swallowed without the wine, and also without chewing, that none of it might stick in their teeth. The efficacy of indulgences, and the importance of confession, of processions, and of pilgrimages, were now exalted more than ever. Great pains were taken to denounce heresy as the chief of all possible sins. In certain con-

* Wilkins, *Concilia*, iii. 662.

stitutions of the province of Canterbury, published in 1409, all persons in any manner calling in question the determination of the church were declared to be excommunicated for the first offence, and subject to the punishment of heresy for the second; and it was declared at the same time to be heresy to dispute either the utility of pilgrimages, or the lawfulness of the adoration of images and of the cross. Pilgrimages to Rome were still frequent; a few individuals even continued to find their way to Jerusalem, and were glad, at the cost of submitting to many exactions and insults, to be allowed to pay their devotions at the holy sepulchre. Nor was even the old crusading mania altogether unknown in the fifteenth century. When Pope Martin V., in 1428, proclaimed a crusade against the famous Zisca and his followers, the insurgent Hussites of Bohemia, the great Cardinal Beaufort was appointed captain-general of the crusaders, and immediately raised an army of five thousand English archers and five hundred lancers to act against the heretics. It has been already related how this force was intercepted before it reached Germany, and employed in France in another sort of contest.* These were the last soldiers ever raised in England for a war against either heretics or infidels. When Pope Pius II. (better known as Æneas Sylvius) proclaimed his crusade against the Turks, a few years after the fall of Constantinople, he found little inclination in England, among the clergy or laity, either to take the cross or to contribute their money to the expedition: it was with great difficulty that the clergy were induced by the king, Edward IV.,

* See ante, p. 71.



RICHARD BEAUCHAMP, EARL OF WARWICK, as a Pilgrim, worshipping at the Holy Sepulchre, Jerusalem.

From a MS. of Rouse's History of the Earls of Warwick, in the Cottonian Library (Engraved in Strutt's Regal and Ecclesiastical Costume).

to tax themselves on the occasion to the extent of sixpence in the pound. The countenance of the pope and of the church was at this time of considerable importance to Edward, in the circumstances in which he had just mounted the throne. While he exerted himself, therefore, to gratify the former by endeavouring to procure this assessment, he sought to secure the favour of the national clergy by the grant of a charter endowing them with the most extravagant privileges. In this stretch of prerogative he boldly dispensed with the statute of premunire, and deprived the temporal courts of all right of interfering in the case of offences, of whatever nature, committed either by ecclesiastical persons, or even by persons pretending to possess the clerical character,—thus again elevating the spiritual courts to that entire independence of the state which they had enjoyed in the first years after the Conquest, and which it had cost so long a struggle on the part of the parliament and the judges to destroy. The charter was never confirmed by parliament; but at that æra of confusion, and the temporary restoration of arbitrary power in the government, it was not to be wondered at that the clergy should, under such a sanction, again put forth some of the most objectionable of their old pretensions.

The general conduct and character of the clergy of this age are not presented in a favourable light by such notices as the documents of the time afford. In 1415 the University of Oxford being commanded by Henry V. to furnish a statement of such things in the church as needed reformation, drew up a catalogue of abuses in forty-six articles,

most of which are, in fact, charges of rapacity and various descriptions of profligacy against the general body of the clergy. It is asserted, among other things, that the debaucheries of churchmen, however notorious, were never punished except by a small fine privately exacted, no public notice being taken, by suspension or otherwise, even of the most heinous cases. About half a century later we find Archbishop Bourchier, in a commission empowering his commissary-general to take measures for the establishment of an improved discipline, describing many of the clergy, both secular and regular, as persons wholly destitute both of literature and capacity; and adding that they were as profligate as they were ignorant, neglecting their cures, spending their time in strolling about the country in the company of loose women, and their incomes in feasting, drinking, and other excesses.* These accounts, it is to be observed, are not the inflamed invectives of the enemies of the church, but the admissions of its friends.

We may here mention, though not strictly belonging to the period under review, a curious enactment of the reign of Richard II., touching the keeping of dogs by the clergy, from which we may gather that the custom was not confined to the opulent spiritual nobility, the bishops and abbots, but was followed, on such a scale as they could afford, by the humblest members of the ecclesiastical order. The act (the 13 Rich. II., st. 1, c. 13) sets forth that artificers, labourers, servants, and grooms kept greyhounds and other dogs, with which they were wont to go hunting on

* Wilkins, Councils, iii. 573.

the holidays, when good christian people were at church hearing divine service. The clergy could hardly have been decently enumerated in this preamble; but the enacting part of the statute shows that some of their body were addicted to the same practices as the artificers and labourers. While it is ordained that no layman who is not possessed of lands or tenements of the yearly value of forty shillings shall in future keep any greyhound or other dog for hunting, the same prohibition is extended to all priests or clerks whose benefices are not of the yearly value of ten pounds; they shall not, it is added, use ferrets, hays, nets, hare-pipes, nor cords nor other engines for taking or destroying deers, hares, coneyes, or other game, under pain of a year's imprisonment.

A statute respecting the mendicant friars was passed in 1402 (the 4 Hen. IV. c. 17) which deserves to be here noticed. It ordained that no friar of any of the four orders, the Minorites, Augustines, Preachers, and Carmelites, should take into their order any infant under the age of fourteen without the consent of his nearest relations or guardians, nor should remove such infant during the first year after his reception away from the place where he had been received. To the intent, it is added, that this statute and ordinance should hold place for ever, the principals of the four orders (who are mentioned by name) "being in their proper persons before the king, and the lords spiritual and temporal, and the commons of the realm, in the full parliament, laying their right hands on their breasts, made an oath, and promised in the same parliament, to hold, keep, observe, and perform the statute and ordinance aforesaid, for them and their successors for ever." The unusual solemnity adopted on this occasion indicates how prevalent had been the evil which it was the object of the new law to put down. The friars, it was asserted, used especially to haunt the universities for the purpose of seducing into their ranks the most promising of the youthful members; and this practice had been carried so far that parents were thereby deterred from sending their sons to Oxford or Cambridge,—a circumstance which was alleged as a principal cause of the decay of these national establishments. The universities accordingly had now come to look upon the friars with feelings of alienation and strong aversion. A keen jealousy also existed between the Mendicants and the general body of the secular clergy, with whom they competed too successfully for the popular reverence and favour. In the reign of Edward IV. this antipathy broke out into a violent controversy, in which each party maintained its cause by the most unscrupulous abuse of its opponents. The great boast of the Mendicants was, that Jesus Christ himself, while on earth, had belonged, as they said, to their class. This assertion the secular clergy, on the other hand, denounced as both false and daringly impious. At last Pope Calixtus II., by a bull published in 1475, declared the doctrine of the friars to be heretical.

Some notion of the mode of preaching commonly followed at this time may be gathered from the constitutions of a convocation of the province of York held in 1466. These contain both directions as to the manner in which the clergy ought to conduct the religious instruction of the people, and a summary of the doctrines they were to inculcate. Every parish priest is commanded to preach, either by himself or by a substitute, to his flock four times in the year, and on these occasions to explain in English, with plainness of speech, and without any attempt at metaphysical refinements, the fourteen articles of faith, the ten commandments, the two precepts of the Gospel, the seven works of mercy, the seven mortal sins, and the seven sacraments. In the summary of doctrine the Decalogue is somewhat curiously expounded: not only are the usual liberties taken of omitting the second commandment altogether, and dividing the tenth into two, but the first is strangely described to be a prohibition of the use of superstitious characters and enchantments. In the collection of the Paston Letters may be seen a curious specimen of the pulpit eloquence and divinity of the fifteenth century, in a Whitsunday sermon preached by a Minorite friar at Norwich, from a copy preserved in his own handwriting. It does considerable credit to both the piety and the good sense of the reverend father.*



[FRIAR PREACHING FROM A MOVEABLE PULPIT.]
Royal MS. 14 E. iii.

A few notices remain to be added respecting the history of ecclesiastical affairs in Scotland. The clergy of that kingdom, or some of them, are spoken of under their ancient name of Culdees down to so late a period as the close of the thirteenth century. The Culdees, indeed, whatever may have been peculiar in their original constitution, appear to have gradually become converted into a body of the same character with the clergy of England and of the other countries of Christendom. Till about the commencement of the eleventh century they seem to have been derived chiefly or exclusively from Ireland and from the Irish semi-

* Paston Letters, iii. pp. 393—397.

nary of Iona; after that date learned churchmen were often brought from England to fill the principal stations in the Scottish establishment. The earliest historical record of any interference with Scotland on the part of the Romish pontiffs is that of the appearance in the country of John of Crema as papal legate in 1126; but we are scarcely entitled thence to assume, as has sometimes been done, that the papal supremacy over the Scottish church was then for the first time asserted or admitted. Little can be inferred from the silence of history upon a particular point in a period of which scarcely anything that can be properly called history has come down to us. Some other circumstances, however, make it appear probable that, if any dependence upon Rome was so much as formally acknowledged by the early Scottish church, it was practically all but or altogether unfeelt. The mere remoteness and barbarous condition of the country would secure its being left very much to itself. The most ancient bishopric in Scotland north of the Forth, that is, in ancient and proper Scotland, was undoubtedly St. Andrew's. It was most probably founded towards the close of the ninth century. From this time St. Andrew's was considered as holding the primatial rank, which had been held by Iona till the destruction of the monastery there by the Danes in the ninth century, and had been then transferred to Dunkeld. Long before the commencement of the present period the ecclesiastical establishment of Scotland had become completely assimilated in the general outline of its constitution to the other churches of the Latin world.

The history of the Scottish church in the fifteenth century, so far as it can now be recovered, consists principally of the enumeration of a series of provincial councils, whose acts, however, imperfectly reported as they are, contain little or nothing of much interest. The most accurate notice of them is that given by Hailes in his 'Historical Memorials concerning the Provincial Councils of the Scottish Clergy from the Earliest Accounts to the era of the Reformation.* They appear to have been usually held at Perth, and one of them is described as "the annual council of the clergy held on the festival of St. Kynelin Martyr, according to laudable and ancient custom, and with permission of the papal see." Of this saint, or of the day of his festival, nothing is known; and the list of councils, as we now possess it, is very far from exhibiting one for every year.

The following passage gives, in brief compass, a comprehensive view of the state of the Scottish church at this period:—"The privileges of the church seem to have been an exemption from tribute and war, and from the sentence of a temporal judge; a judicial authority in the spiritual causes of tithes, testaments, matrimonial and heretical affairs; freedom to let lands and tithes; submission to no foreign church, but to the pope alone; a power of holding provincial councils for the re-

gulation of the national church. In benefices the pontiff had only the right of confirmation and deprivation, and the purchase of any benefice at Rome was strictly prohibited. (By an act of parliament passed in 1471 the procurement of any benefices from the court of Rome, other than those anciently at the disposal of the pope, was declared to be a crime punishable with the pains of treason.) The bishops were elected by the chapter, and the royal recommendation seems seldom to have intervened. Abbots were chosen by the monks alone; the secular clergy were named by the proprietors of the lands. These clergy were either parsons (rectors) or vicars. Many were in the appointment of the bishops, and of collegiate bodies, whose chapters they formed. Hence the lay patronage was much confined. Many sees and abbeys were opulent; but James III. seems to have been the first monarch who seized and made a traffic of the nomination.**

The religious zeal of the age expended itself upon the same objects in Scotland as in England. Whithern, in Galloway, appears to have been the most noted Scottish pilgrimage. St. Treignan, repeatedly mentioned by Rabelais as the name of a Scottish saint, is supposed to be a corruption of St. Ninian, the founder of the bishopric of Whithern.†

The new doctrines, however, penetrated to the northern part of the island very soon after they made their appearance in the south. The first propagators appear to have come from England,—whether seeking a refuge from the active inquisition after heresy, which had begun in that kingdom, or, as is more likely, ambitious of exercising the apostleship of the truth in a new land. In the year 1408 John Resby, an English priest, was apprehended as a Wycliffite, and brought before a council of the clergy, presided over by Laurence of Lindores, an eminent doctor of divinity,—the same who, on the institution, a few years after, of the University of St. Andrew's, was appointed reader of the canon law in the new seminary. Resby, it is said, was charged with maintaining no fewer than forty erroneous opinions, of which, however, only two are particularised,—one, that the pope was not Christ's vicar; the other, that he was not to be esteemed pope if he was a man of wicked life. The unfortunate man was condemned on these and the other charges, and was burned at Perth along with his books and writings,—being, as far as is known, the first person who thus suffered in Scotland. The example, like that of the similar execution of Sawtre in England a few years before, appears to have been considered sufficient to strike terror into the popular mind for some time. The second Scottish martyrdom did not take place till the year 1433, when Paul Crawar, a Bohemian physician, was burnt at St. Andrew's on the 23rd of July. Crawar appears

* Pinkerton, Hist. of Scotland, i. 174.

† See, among other passages, Liv. i. ch. 33, and Liv. ii. ch. 8, with the Notes of Le Duchat.

to have been sent by the reformers of Bohemia to open a communication, partly perhaps of a political as well as of a religious nature, with those of the same creed in Scotland, and to propagate in that country the tenets of Wycliffe, Huss, and Jerome of Prague. He is admitted by the ecclesiastical chroniclers to have been a person of great learning and of singular acuteness and dexterity in argument. All his knowledge of the Scriptures and logical powers, however, availed him nothing in the contest with his hostile judges, and with the remorseless inquisitor Laurence of Lindores, who was again the president of the court. It is lamentable to have to add that both these executions also took place during the primacy of Bishop Henry Wardlaw, the venerated founder of the first Scottish university, and a prelate to whose enlightened munificence history and tradition bear the same testimony with this and other still enduring works of public usefulness. It is Wardlaw of whom the story is told, that when the managers of his household complained to him of his unbounded hospitality, and proposed that he should draw out a scheme for its regulation and retrenchment, he called his secretary and named as the first guests whom he would have always welcome, Fife and Angus,—the two counties principally forming his diocese. "His servants," adds his successor Spotswood, "hearing this, gave over their purpose of retrenching his family, for they saw he would have no man refused that came to his house."*

Although no person is recorded to have been brought to the stake for heresy in the space of nearly thirty years that elapsed between the executions of Resby and Crawar, it is certain, nevertheless, that the new opinions obtained an extensive diffusion in Scotland during that interval. This is evident from the accounts of the trial of the Bohemian, who is spoken of as an emissary to a numerous body sharing the sentiments of himself and his countrymen. The growth of Lollardism may also be inferred from a statute that had been passed for its suppression by the parliament that assembled immediately after the return of James I. from England in 1421. This statute directed that every bishop should make inquisition within his diocese for all Lollards and other heretics, in order that they might be punished according to the laws of holy church, the civil power being called in for that purpose, when necessary, in aid of the ecclesiastical. It is stated that the little treatises which Resby and his disciples had dispersed had spread the obnoxious doctrines; Bower, the continuator of Fordun, who wrote some years after the second of the two executions that have been mentioned, tells us that there were still in his day some unhappy persons, instigated by the devil, by whom these writings were secretly preserved, and their pernicious heresies cherished, in accordance with the scriptural text, that "stolen waters are sweet, and bread eaten in secret is pleasant."

The most important event that happened during

* *History of the Church of Scotland*, p. 57.

the present period in the history of the Scottish ecclesiastical establishment was the erection of the see of St. Andrew's into an archbishopric by Pope Sixtus IV., in 1471. This measure was resorted to in consequence of the renewal by Nevil, Archbishop of York, of the old claim of his see to supremacy over the kingdom of Scotland. The papal bull declared it to be an unfitting thing that an English prelate should be Primate of Scotland and ordained all the rest of the Scottish bishops, twelve in number, to be henceforth subject to St. Andrew's. The occupant of the latter see at this time was Patrick Graham, a nephew of the late King James I., but who had been driven by the ascendancy of the faction of the Boyds, in the reign of James III., to retire from his native country to Rome. He was resident at the pontifical court when the bull was granted; but he now thought that, with the increase of dignity that had been conferred upon him, he might venture to return home, the rather as he was at the same time appointed papal legate for three years, with a commission to reform all abuses in the national church. He found, however, that his new rank and authority only inflamed the jealousy of his brethren, and made him new enemies. He was soon after arrested at the suit of some Roman bankers, who appear to have advanced the money to pay the dues on his bull of privileges, and whose claims he was now unable to satisfy, in consequence of the arbitrary seizure of part of his revenues by the king, and the expenses he had been put to in bribing the persons possessing influence at court, that he might be allowed to retain the rest. He was shut up in the first instance in his own castle at St. Andrew's, and soon after committed to the custody of the person who is said to have been the most active of his enemies, William Schevez, the archdeacon of his diocese, a young man who had insinuated himself into the favour of the court by his agreeable talents, and especially, it is affirmed, by his skill in astrology, a study which he had pursued with great success under John Spernick at the University of Louvaine. In no long time Schevez was appointed his coadjutor; and eventually a process was raised against the unfortunate archbishop, the result of which was, that he was found guilty of schism, simony, heresy, and other crimes, and sentenced to lose his dignity and to pass the rest of his life in confinement. One of the charges brought against him is stated to have been that he had said three masses in one day,— "whereas," remarks Spotswood, "in those times it was difficile to find a bishop that in three months did say one mass." This strange affair was terminated by the astrologer Schevez being appointed archbishop. He held the primacy from 1478 till his death in 1494. Meanwhile his deposed and imprisoned predecessor had been transferred first to the Isle of Inchcolm, thence to Dunfermline, and finally to the Castle of Lochleven, in which last stronghold he died within a few months after his enemy had obtained his place.



CORONATION OF HENRY IV. Harleian MS. No. 4379.

CHAPTER III.

HISTORY OF THE CONSTITUTION, GOVERNMENT, AND LAWS.



DURING the greater part of the present period of English history, the civil wars, and disputed titles to the crown, gave little leisure for legislation or juridical improvement; for the same reason, however, in no other period is the history of the constitution more important.

We have seen in the preceding Book,* that even under the vigorous and successful reign of Edward III., the royal prerogative had sensibly declined. We have also seen the effect of the reign of a weak prince upon the royal authority. We might therefore expect that if the prerogative had declined under Edward III., it would do so much more under his grandson and successor, Richard II. In fact, in the reign of the latter, the power of the commons received an increase so considerable, that we must enter somewhat fully

See vol. i. p. 819.

into an account of it. But first it will be convenient to say a few words on the meaning of the term prerogative. The word prerogative, according to its etymology, (from *præ* and *rogo*—to ask before) signifies something that is required or demanded before, or in preference to all others; and hence it has been applied to those rights and capacities which the king enjoys alone. From an examination of the use of the term by the English lawyers, we should say that prerogative means that part of the sovereignty which remained to the kings of a monarchy, like that of England, limited to a certain extent by law or precedent. The line of this limitation was, however, down to a late period of English history very indistinctly marked, the royal prerogative being, as long as there was much of it, an interdicted subject of discussion to the people at large, and even to parliament itself. We may better show what is meant by prerogative by example than by definition. Blackstone divides prerogatives into *direct* and *incidental*. The former are substantial parts of the character of sovereignty, as, the right of sending ambassadors, of creating peers, and of making war or peace. The *incidental*, Blackstone describes as only ex-

ceptions, in favour of the crown, to those general rules that are established for the rest of the community; such as, that no costs shall be recovered against the king; that the king can never be a joint-tenant; and that his debt shall be preferred before a debt to any of his subjects.*

The advance made in the power of the commons under Richard II. was attributable, as we have already hinted, mainly to the personal character of the king. On one or two occasions during his short life, Richard II. evinced courage, firmness, presence of mind, and even talent that seemed not to belie the vigorous and heroic race from which he was sprung. To him may be applied, better than to Edward II., the words which Sir Walter Scott applies to the latter—

And yet within his eye was set
Some spark of the Plantagenet.

[*Lord of the Isles.*]

These displays, however, which he sometimes made of ability and decision of character must have been the result of extraordinary effort, produced in an ordinary character by the force of position and circumstances, and the memory and example of his heroic ancestors, particularly his father and grandfather, the Black Prince and Edward III.; not the easy habitual product of a character naturally strong and great without effort. As soon as the extraordinary stimulant ceased to act, he sunk down again into the weak voluptuary, who exhibited no other proofs of energy than intemperate pride, undignified violence, and the most wasteful extravagance. One of the most characteristic differences between a strong mind and a weak one is knowing when it is necessary to make a concession, and making it with a good grace. The strong, brave, far-sighted man looks at all the consequences with a calm but piercing eye; he sees where he must yield a point, and he yields it. On the contrary, to the vision of the weak, short-sighted man, who occupies a certain position, all points seem equally strong; and he spurns the idea of yielding any. There were times at which the crown, if not the life, of Edward I., one of the strongest and most warlike of the stern and warlike race to which he belonged, depended upon his making concessions, and he made them. At such times, princes of the calibre of Edward II. and Richard II. refused all concession, and refused it too with indecent and outrageous insolence of expression. Take a case in point from the reign of Richard II. In the tenth year of his reign parliament determined to reform the administration, and punish its chief leader, Michael de la Pole, Earl of Suffolk, and Lord Chancellor. In reply to a message from the two houses, requesting the dismissal of Suffolk, since they had matter to allege against him which they could not mention while he kept the office of chancellor, Richard answered that he would not for their request remove the meanest scullion from his kitchen. In the end, however, Suffolk was removed, and the impeachment instituted against

* Com. i. 240.

him; so that Richard gained nothing by his insolence but an exhibition of his weakness, and the consequent contempt of his subjects. This impeachment of Suffolk was, says Mr. Hallam, "the second precedent of that grand constitutional resource, parliamentary impeachment; and more remarkable, from the eminence of the person attacked, than that of Lord Latimer, in the fiftieth year of Edward III."*

After this impeachment, the commons sought to reform the administration, by petitioning the king to ordain in parliament certain chief officers of his household, and other lords of his council, with power to reform abuses. With this petition the king complied, and a commission for the purpose in view was established by statute. A temporary reform was thus produced; but it was only temporary. For, as Mr. Hallam observes, "no voice of his people, until it spoke in thunder, would stop an intoxicated boy in the wasteful career of dissipation. He loved festivals and pageants, the prevailing folly of his time, with unusual frivolity; his ordinary living is represented as beyond comparison more showy and sumptuous than even that of his magnificent and chivalrous predecessor. Acts of parliament were no adequate barriers to his misgovernment. 'Of what avail are statutes,' says Walsingham, 'since the king with his privy council is wont to abolish what parliament has just enacted?' The constant prayer of the commons in every session, that former statutes might be kept in force, is no slight presumption that they were not secure of being regarded. It may be true that Edward III.'s government had been full as arbitrary, though not so unwise as his grandson's; but this is the strongest argument that nothing less than an extraordinary remedy could preserve the still unstable liberties of England."†

In the parliament summoned in the 20th of Richard, a circumstance occurred so indicative of an insurgent spirit growing in the commons, and at the same time of their weakness, without support from the nobility, that it deserves special mention. "The circumstances," says Mr. Hallam, "are thus related in the record:"—During the session the king sent for the lords into parliament one afternoon, and told them how he had heard of certain articles of complaint made by the commons, in conference with them a few days before, some of which appeared to the king against his royalty, estate, and liberty, and commanded the chancellor to inform him fully as to this. The chancellor accordingly related the whole matter, which consisted of four alleged grievances; namely, that sheriffs and escheators, notwithstanding a statute, are continued in their offices beyond a year; that the Scottish marches were not well kept; that the statute against wearing great men's liveries was disregarded; and, lastly, that the excessive charges of the king's household ought to be diminished, arising from the multitude of bishops and of ladies who are there maintained at his cost.

* Middle Ages, vol. iii. p. 101.

† *Ibid.* p. 104.

Upon this information the king declared to the lords, that through God's gift he is by lineal right of inheritance King of England, and will have the royalty and freedom of his crown, from which some of these articles derogate. The first petition, that sheriffs should never remain in office above a year, he rejected; but, passing lightly over the rest, took most offence that the commons, who are his lieges, should take on themselves to make any ordinance respecting his royal person or household, or those whom he might please to have about him. He enjoined, therefore, the lords to declare plainly to the commons his pleasure in this matter; and especially directed the Duke of Lancaster to make the speaker give up the names of the persons who presented a bill for this last article in the lower house. The commons were in no state to resist this unexpected promptitude of action in the king. They surrendered the obnoxious bill, with its proposer, one Thomas Haxey, and with great humility made excuse, that they never designed to give offence to his Majesty, nor to interfere with his household or attendants, knowing well that such things do not belong to them, but to the king alone; but merely to draw his attention that he might act therein as should please him best. The king forgave these pitiful suppliants; but Haxey was adjudged in parliament to suffer death as a traitor. As, however, he was a clerk, * the Archbishop of Canterbury, at the head of the prelates, obtained of the king that his life might be spared, and that they might have the custody of his person; protesting that this was not claimed by way of right, but merely of the king's grace.†

We may add here that the judgment passed on Haxey was reversed in the first parliament of Henry IV., on petition from the commons.‡

The king, having humbled the commons, next attacked the lords; and having crushed the most powerful of them, he summoned a new parliament, which proved completely subservient to his wishes. The commons granted him a subsidy upon wool, during his life. The petitions of the commons not having been answered during the session, a commission was granted for twelve peers and six commoners to sit after the dissolution, and "examine, answer, and fully determine, as well all the said petitions, and the matters therein comprised, as all other matters and things moved in the king's presence, and all things incident thereto, not yet determined, as shall seem best to them."§ These commissioners upon this exercised the full powers of the legislature, which "undoubtedly," observes Mr. Hallam, "were only delegated in respect of business already commenced." Richard had now a revenue for life, and the whole legislative power

was in the hands of his creatures. His power therefore was absolute; and his government immediately became, what an absolute irresponsible government has a very strong tendency to become in the hands of any man, and what it is sure to become in those of a weak and intemperate man, tyrannical and oppressive. This tyranny, however, in hands so weak as Richard's, could not be expected to last long. And he was soon hurled from his seat by a nobility which, though not quite so powerful as that which had deposed John, was still powerful enough for this purpose, when somewhat, though not much, aided by the commons.

The various devices to which Henry IV. had recourse on his seizure of the throne, to give his claim an air of legitimacy, have been already detailed.* "In this revolution of 1399," observes Mr. Hallam, "there was as remarkable an attention shown to the formalities of the constitution, allowance made for the men and the times, as in that of 1688. The parliament was not opened by commission; no one took the office of president; the commons did not adjourn to their own chamber; they chose no speaker; the name of parliament was not taken, but that only of estates of the realm. But as it would have been a violation of constitutional principles to assume a parliamentary character without the king's commission, though summoned by his writ, so it was still more essential to limit their exercise of power to the necessity of circumstances. Upon the cession of the king, as upon his death, the parliament was no more; its existence, as the council of the sovereign, being dependent upon his will. The actual convention, summoned by the writs of Richard, could not legally become the parliament of Henry; the validity of a statute declaring it to be such would probably have been questionable in that age, when the power of statutes to alter the original principles of the common law was by no means so thoroughly recognised as at the Restoration and Revolution. Yet Henry was too well pleased with his friends to part with them so readily; and he had much to effect before the fervour of their spirits should abate. Hence an expedient was devised of issuing writs for a new parliament, returnable in six days. These neither were nor could be complied with; but the same members as had deposed Richard sat in the new parliament, which was regularly opened by Henry's commissioner as if they had been duly elected. In this contrivance, more than in all the rest, we may trace the hand of lawyers.†

The following retrospect is then taken of the progress of the constitution under Richard II.: "If we look back from the accession of Henry IV. to that of his predecessor, the constitutional authority of the house of commons will be perceived to have made surprising progress during the course of twenty-two years. Of the three capital points in contest while Edward reigned,—that money could not be levied, or laws enacted, with-

* Upon this passage Mr. Hallam has the following note. "The church would perhaps have interfered in behalf of Haxey, if he had only received the tonsure. But it seems that he was actually in orders; for the record calls him Sir Thomas Haxey, a title at that time regularly given to the parson of the parish. If this be so, it is a remarkable authority for the clergy's capacity of sitting in parliament."

† Ibid. p. 111.

‡ Rot. Parl. 21 E. II. p. 369.

§ Rot. Parl. 1 Hen. IV. 434.

* See vol. I. p. 792—800, and ante, p. 4.

† Hallam, Mid. Ages, bk. 124.

out the commons' consent, and that the administration of parliament was subject to their inspection and control; the first was absolutely decided in their favour, the second was at least perfectly admitted in principle, and the last was confirmed by frequent exercise. The commons had acquired two additional engines of immense efficiency; one, the right of directing the application of subsidies, and calling accountants before them; the other, that of impeaching the king's ministers for misconduct. All these vigorous shoots of liberty threw more and more under the three kings of the house of Lancaster, and drew such strength and nourishment from the generous heart of England, that in after-times, and in a less prosperous season, though checked and obstructed in their growth, neither the blasts of arbitrary power could break them off, nor the mildew of servile opinion cause them to wither.*

The principle of appropriating the public money which had taken its rise in the minority of Richard II., was steadily maintained under the kings of the house of Lancaster. In the second year of Henry IV. the commons also made an attempt, which, however, was unsuccessful, to make supply depend upon redress of grievances. They requested that answers might be given to their petitions before they granted their subsidy. The king replied, that "it had never been known in the time of his ancestors, that they should have their petitions answered before they had done all their business in parliament, whether of granting money, or any other concern; wherefore the king will not alter the good customs and usages of ancient times."

The parliament of the time of Henry V. granted that king a subsidy on wool and leather during his life, on account of his brilliant successes in France. The expenses of the war, however, and the short life of that prince, prevented their grant from being so dangerous to liberty as it otherwise might have been. Both Henry IV. and Henry V. convoked parliaments in almost every year of their reign.

One feature of the English government under the Plantagenets, was what was called the dispensing power of the crown, that is the power of suspending statutes when the king wished them not to take effect. It is clear that this circumstance settles the question as to where the sovereignty resided during this period of our history—that is, whether it resided in the king, the nobility, or the commons or people. It is plain that it was effectually in the king, though the commons had some power, and the nobility a greater, in checking from time to time the exercise of the royal authority. Occasionally, indeed, the sovereign power might be said to be lodged in the nobility, as on the deposition of John, —occasionally, as on the deposition of Richard II., in the estates of the realm, where it remained till Henry IV. was invested with it. There is no question but the lords and commons, or the oligarchical and popular elements of the English community, might and did in ordinary times suggest

and propose laws, and even exercise some influence in getting them made, but it was the king who made them. Such expressions as this, "it is not the king's mind," 2 Rich. II. st. 1, c. 1, and the like, together with the whole form of Britton's work, which is quite as monarchical as that of Justinian, show that the kings of England were then as much the legislators of their dominions (in form at least) as the Roman emperors were of theirs. That a part, however, of the *substance* of the legislative power had passed from the king, is evident from his attempting to recover it by such indirect means as taking advantage of the practice of leaving statutes to be drawn up by the judges, from the petition and answer jointly, after a dissolution of parliament, to misrepresent and falsify the intentions of the parliament, and produce statutes to which it had not given its assent. The earliest instance of the House of Commons using the English language is in a petition on this subject, which for that reason we shall here present to our readers in its original form and orthography:—

Parliament Roll, 2nd Hen. 5th, vol. iv. p. 22.

Oure soʒvain Lord, youre humble and trewe lieges that ben come for the coë of youre lond by seehyn onto youre rizt riztwesnesse, That so as hit hath eʒe be thair libte & fredom, that thar sholde no statut no lawe be made oflasse than they yaf therto their assent: consideringe that the coë of youre lond, the whiche that is, and eʒe hath be, a membre of youre Parlement, ben as well assenters as petitioners, that fro this tyme foreward, by compleynte of the coë of any myschief askynge remedie by Petition writen, that ther neʒ be no lawe made theruppon, & engrosed as Statut and Lawe, nother by addicions, nother by diminucions, by no maner of terme ne termes, the whiche that sholde change the sentence, & the entente arked by the Speker mouthe, or the Petitions biforessaid yeven yu writyng by the manere forsaid, withoute assent of the forsaid coë, consideringe oure Sovain Lord, that it is not in no wyse the entente of youre coës, zif hit be so that they arke you by spekyng, or by writyng, two thynges or three, or as manye as theym lust: But that eʒe it stande in the fredom of your hie Regalie, to graunte whiche of thoo that you luste, & to werune the remanent.

Responsio.

þe Kyng of his grace special graunteþ þat fro hens forþ no þyng be enacted to þe Petitions of his comune, þat be contrarie of hir askyng, wharby þey shuld be bounde wi þoute their assent. Savyng alwey to our liege Lord his real Prōgatif, to graunte and denye what him lust of þeir Petitions and askynges aforessaide.

"Notwithstanding the fulness of this assent," observes Mr. Hallam, "to so important a petition, we find no vestige of either among the statutes; and the whole transaction is unnoticed by those historians who have not looked into our original records. If the compilers of the statute-roll were able to keep out of it the very provision that was

* Hallam. Mid. Ages, iii. 134.

intended to check their fraudulent machinations, it was in vain to hope for redress without altering the established practice in this respect; and indeed where there was no design to falsify the roll, it was impossible to draw up statutes which should be in truth the acts of the whole legislature, so long as the king continued to grant petitions in part, and to engraft new matter upon them.*

The practice above alluded to lasted till the introduction, in the reign of Henry VI., of complete statutes, under the name of bills, instead of the old petitions. As these were under the form of a law, and contained the royal assent, it soon became a principle that the king must admit or reject them without qualification. This alteration was calculated to produce, though quiet and slow, very important effects. Mr. Hallam thinks that the triple division of our legislature may perhaps be dated from this innovation. "For as it is impossible," he observes, "to deny that, while the king promulgated a statute founded upon a mere petition, he was himself the real legislator, so I think it is equally fair to assert, notwithstanding the formal preamble of our statutes, that laws brought into either house of parliament in a perfect shape, and receiving first the assent of lords and commons, and finally that of the king, who has no power to modify them, must be deemed to proceed, and derive their efficacy, from the joint concurrence of all the three."† Though it may be true, however, that the king had no power to modify the bills brought into parliament, it is to be remembered that he had a power to reject them, and a power which, down to the Revolution, he was not sparing or timid in the use of. It is to be borne in mind, also, that at least a large proportion of the most important laws have been introduced by the king's ministers, or persons in his confidence.

Private bills, it may be here mentioned, appear in the rolls of parliament to have originated

* Middle Ages, vol. iii. p. 136.

† Ibid. p. 137.

about the beginning of the reign of Henry V. The first private act, however, in the common lists is that known as the *Titulus Regius*, passed in the first year of Richard III., which declares that king to be the true and undoubted heir to the crown, and bastardizes the children of Edward IV. This act was first printed in the 'Abridgment of the Records,' published by Prynne in 1657, and usually attributed to Sir Robert Cotton.

The term "estates of the realm" having occurred in what has preceded, it may be proper to explain its import. As appears by the general tenor of our ancient records and law-books, the three estates of the realm were the nobility, the clergy, and the commons of England,—not the lower house of parliament, which is not properly itself an estate of the realm, but the image or representative of the third estate, or commons.*

The relative proportion of the numbers of citizens and burgesses who sat in the House of Commons to the knights of shires is a subject of considerable importance. At the earliest epoch of well ascertained representation, in the parliament held by Edward I. in his twenty-third year, two hundred citizens and burgesses were present. Under Edward III. and his three immediate successors, about ninety places, on an average, returned members, making this portion of the House of Commons to consist of one hundred and eighty. With them sat seventy-four knights; but these knights acted a very important part in the struggle against the crown.† With some of the ancient lineage, the territorial wealth, and the military character, they inherited also not a little of the high and proud spirit of the old Norman aristocracy, of which they infused a portion into their more plebeian and humble associates, and thereby rendered them more ready than they otherwise would have been

* See this point examined by Mr. Hallam, *Middle Ages*, iil. 157, 158.

† Hallam, *Mid. Ages*, iil. 175.



A PARLIAMENT OF THE PERIOD. Harleian MS. No. 9378.



KING WITH HIS PRIVY COUNCIL. Harleian MS. No. 4379.

to overcome their habitual awe for the crown and the higher aristocracy. This circumstance has been remarked by M. Guizot as an important feature in the history of the English constitution, and as distinguishing it from that of all other European nations.

The ancient rule was, that the freemen of each county, city, or borough should elect deputies out of their own body, and resident among themselves. "It would be very interesting," says Mr. Hallam, "to discover at what time and by what degrees the practice of election swerved from this strictness. But I have not been able to trace many steps of the transition. The number of practising lawyers who sat in parliament, of which there are several complaints, seems to afford an inference that it had begun in the reign of Edward III."^{*} An act, passed in the first year of Henry V., directs that none shall be chosen knights, citizens, or burgesses, who are not residents of the shire or town for which they are returned. It is remarkable that this statute, though it had long been disregarded, was not repealed till the year 1774. It had, however, been previously declared obsolete by the Court of King's Bench, "almost a solitary instance," as Mr. Hallam observes, "in the law of England, wherein the principle of desuetude has been avowedly set up against an unrepealed enactment."

We must now say something of the composition of the House of Lords,—a subject which, after all the research that has been bestowed upon it, is still sufficiently dim and obscure. We have seen that, in the reign of Henry III., the House of Lords was entirely composed of such barons by tenure as received particular summonses to attend. This would draw a distinct line between the greater barons, or those who received this summons, and the lesser barons, or those who did not receive it,

and thereby fell gradually into the station of commoners.

The introduction of the several new modes of creating barons by writ, by statute, and by patent, has been noticed in the preceding book.* "The ancient temporal peers," says Mr. Hallam, "are supposed to have been intermingled with persons who held nothing of the crown by barony, but attended in parliament solely by virtue of the king's prerogative exercised in the writ of summons. These have been called barons by writ; and it seems to be denied by no one, that, at least under the three first Edwards, there were some of this description in parliament. But, after all the labours of our ancient aristocracy, it is a problem of much difficulty to distinguish these from the territorial barons."† He afterwards observes;—"With respect to those who were indebted for their seats among the lords to the king's writ, there are two material questions:—whether they acquired an hereditary nobility by virtue of the writ; and if this be determined against them, whether they had a decisive, or merely a deliberative, voice in the house."‡ The first of these questions Mr. Hallam determines in the negative; the second in the affirmative.

The changes undergone by the body called the king's court or council also now demand our attention. It has been already shown that this was originally a council combining the legislative, judicial, and administrative functions, and that first a large portion of its judicial functions was separated from it, and constituted the three tribunals of the King's Bench, Common Pleas, and Exchequer. There seems little doubt that the king's ordinary, or privy council, which is the usual style from the reign of Edward I., was another portion

* See vol. i. p. 892.

† Middle Ages, vol. iii. p. 183

‡ Ibid. p. 186.

of the original king's council. This privy council consisted of the same persons whom we have seen composing the king's court,* with a few more added to them, and with the order of their precedence a little altered; in fact, the chief ministers of the king—viz., the chancellor, treasurer, lord steward, lord admiral, lord marshal, the keeper of the privy seal, the chamberlain, treasurer, and comptroller of the household, the chancellor of the exchequer, the master of the wardrobe, the judges, the attorney-general, and master of the rolls. When the business was special, those only to whose department it belonged were summoned; the chancellor and judges for matters of law; the officers of state for what concerned the revenue or household.†

The business of this council, out of parliament, was deliberative and judicial; that is, it acted partly as a council of advice respecting the general administration of the kingdom (in which capacity it partook of a legislative character in making ordinances), partly as a tribunal having power, founded upon particular acts of parliament, to hear and determine certain causes, and to which petitions were likewise referred from parliament. "But, independently of this delegated authority," says Mr. Hallam, "it is certain that the king's council did anciently exercise, as well out of parliament as in it, a very great jurisdiction, both in causes criminal and civil. Some, however, have contended that whatever they did in this respect was illegal, and an encroachment upon the common law and Magna Charta. And, be the common law what it may, it seems an indisputable violation of the charter, in its most admirable and essential article, to drag men, in questions of their freehold or liberty, before a tribunal which neither granted them a trial by their peers, nor always respected the law of the land."‡ These powers would, of course, and did, vary with the power of the reigning monarch. We shall find them very considerable under the Tudors.

But the council is also to be considered in its relation to the parliament. "The great officers of state," says Mr. Hallam, "whether peers or not, the judges, the king's serjeant and attorney-general, were, from the earliest times, as the latter still continue to be, summoned by special writs to the upper house. But while the writ of a peer runs *ad tractandum nobiscum et cum cæteris prælati, magnatibus, et proceribus* (that is, to consult with us and the rest of the prelates, great men, and peers), that directed to one of the judges is only *ad tractandum nobiscum et cum cæteris de consilio nostro* (to consult with us and the rest of our council); and the seats of the latter are upon the woolsacks at one extremity of the house."§

The great council, as distinguished from the ordinary council, consisted of the lords spiritual and temporal, in conjunction with the ordinary

council; in other words, it consisted of all who were severally summoned to parliament. This, therefore, contained more of the elements of the original council, or *curia regis*, of which last a tolerably good idea will be obtained by considering that it contained within itself the elements of the parliament, the several courts of judicature, and the privy council.

The period of which we are now treating was productive of great changes in the state of society in England. The civil wars had the effect of weakening or destroying the power of all the great feudal families. So that, after this period, we shall no longer find a De Montfort or a Hotspur braving in open war the whole power of the crown. But the consideration of the many and important consequences of this change belongs to the next period of our history. We have seen that through this period the popular power made upon the whole some palpable advance; and, although we do not attach so much importance as some do to various little technical advantages gained by the commons (for they were not large or important), yet even these are not without their value. But the great element which was to act powerfully in the work of European civilization was the decline in England of the feudal aristocracy.

One important legislative measure grew out of the civil contentions of this period,—we mean the method of barring entails by the fiction of *common recoveries*; "invented originally," says Blackstone, "by the clergy, to evade the statutes of mortmain, but introduced under Edward IV., for unfettering estates, and making them more liable to forfeiture; while, on the other hand, the owners endeavoured to protect them by the universal establishment of *uses*, another of the clerical inventions."* Blackstone has declared his fear of being unable to render his account of a common recovery perfectly intelligible even to a law-student who is unacquainted with the course of judicial proceedings; we may, therefore, well despair of succeeding in any attempt to render it intelligible to the general reader. We shall, therefore, content ourselves with stating generally that a common recovery is a conveyance or assurance, by means of an action brought by the intended grantee (or person to whom the land is to be made over or conveyed), either originally against the grantor, or against another person in such manner as to implicate the grantor in the proceedings, and so conducted that, for want of a sufficient defence, judgment is given against the grantor.† It is, therefore, a collusive proceeding between the two parties, the object being to bar all entails, remainders, and reversions to which the freehold may be subject, and to convey it in fee simple to the purchaser or recoverer. In this way most of the land in England has been emancipated from the restraints of the ancient feudal law; and the fictitious adjudications of right, called common

* See vol. i. p. 567.

† Hallam's Middle Ages, vol. iii. p. 206.

‡ Ibid. p. 212.

§ Ibid. p. 208.

* Com. iv. 439.

† Burton's Law of Real Property, p. 31.

recoveries, have become, as Blackstone calls them, "the great assurance of the kingdom."*

With regard to *uses*, which, though first introduced into England by the foreign ecclesiastics about the close of the reign of Edward III., only began to be reduced into a system by the courts of equity about the reign of Edward IV., they may be generally described, in the words of Blackstone, as "being a confidence reposed in another, who was tenant of the land, or *terre-tenant*, that he should dispose of the land according to the intentions of *cestuy que use*, or him to whose use it was granted, and suffer him to take the profits." The foreign ecclesiastics, about the close of the reign of Edward III., first introduced this practice to evade the statutes of mortmain, by obtaining grants of lands, not to their religious houses directly, but to *the use of the religious houses*. "Yet the idea," continues Blackstone, "being once introduced, however fraudulently, it afterwards continued to be often innocently, and sometimes very laudably, applied to a number of civil purposes; particularly as it removed the restraint of alienations by will, and permitted the owner of lands in his life-time to make various designations of their profits, as prudence, or justice, or family convenience, might from time to time require. Till at length, during our long wars in France, and the subsequent civil commotions between the Houses of York and Lancaster, *uses* grew almost universal, through the desire that men had (when their lives were continually in hazard) of providing for their children by will, and of securing their estates from forfeitures, when each of the contending parties, as they became uppermost, alternately attained the other."†

In the reigns of Henry IV. and V. some doubts began to arise whether a recovery suffered by tenants in tail was good against the issue. At length, in 12 Edw. IV., the famous case of *Taltarum* occurred, which is considered as having settled the question: "not," observes Mr. Reeves, "that the court then directly decided the point, but that, while they determined in that case *against* such a recovery *improperly* suffered, they seemed to admit that a like recovery *properly* suffered would bar the issue in tail." This decision formed an epoch in the history of landed property. "It had the effect," we again quote Mr. Reeves, "in a great measure, of repealing the statute *De Donis*. The statute had thenceforward no other force than to enable persons to make entails, with long substitutions of remainders, which could not have been created at common law, and which every tenant, as he came into possession, had the power of destroying by suffering a recovery,—a power which was most commonly exercised as soon as the party was of years to do a legal act."‡

As it was in the reign of Richard II. that the Court of Chancery first became a court of equity,

we shall take this opportunity of saying something on the subject of that court. The Chancery as well as the King's Bench followed the court till the 4th of Edward III., when it was fixed at Westminster. "It has been," says Mr. Reeves, "a received opinion that the chancellor began in this reign (Richard II.) to enlarge his judicial authority by entertaining suits not cognizable at common law; and that he thus gave rise to the *Court of Equity*, which has since become the principal object of the chancellor's attention, so as to eclipse the jurisdiction belonging to his ancient court of common law."*

Formerly, in cases of grievance where the common law did not provide a remedy, the resort had been to the king in council. The chancellor was one of the principal counsellors who deliberated on such matters as were brought before the council by petition. From an adviser he became in time almost sole judge. The statute 17 Rich. II. c. 6, recognises this new judicature in explicit terms. This statute enacts that, "forasmuch as people be compelled to come before the king's council, or in the chancery, by writs grounded upon untrue suggestions, the chancellor for the time being, presently after that such suggestions be duly found and proved untrue, shall have power to ordain and award damages according to his discretion to him which is so troubled unduly, as afore is said." However, for many ages, the jurisdiction of the Court of Chancery was limited, and the exercise of it feeble and imperfect. This might be partly owing to the chancellor's not being for the most part a regularly-bred lawyer. His authority was long looked upon with jealousy, and his judgments with disrespect, by the common law courts. "The chancellor seldom had a point of difficulty before him but he called in the advice of some of the judges, or adjourned it into the exchequer chamber, where it was discussed and resolved according to the opinions of the sages of the common law. This had the effect of settling on the solid foundation of the law of the land this new jurisdiction, which all the while grew up under the guidance and encouragement of the courts of common law."† Indeed, for a long time, as Barrington observes, the office of chancellor was rather that of a secretary of state than of the president of a court of justice. The first person holding this office, who was properly qualified by a legal education, was Sir Thomas More.‡

It was during this period, as mentioned above, that what are called *private acts* originated. They originally were somewhat of the same nature as the *privilegia* § of the Roman law,—i. e., laws made against individuals,—not, as the modern meaning of the word *privilege* implies, in *favour* of individuals. Richard III. made no judgment in the

* Hist. of Eng. Law, iii. 188.

† Reeves, Hist. of Eng. Law, iii. 365.

‡ Barrington on the Statutes, 308.

§ Privilegia quasi *præ leges*. "Olim quidem privilegii vocabulum fere semper in deteriorum partem acceptum videtur pro pena extraordinaria, quæ certis personis tantum indigebatur."—Heineccii Antiq. Roman. ad Instit. lib. i. tit. ii. § 60.

* Com. ii. 271. † Ibid. 309.
‡ Hist. of Eng. Law, iii. 331.

prosecution of offenders on private petitions by the assent of the lords alone without that of the commons. Several attainders and alterations of property were made in his reign by these private bills; and this example was followed in the succeeding reigns.*

Richard III.'s character as a legislator stands higher than would be expected by those who only know him as the bold bad man of Shakspeare's drama. Besides numerous minor authorities among the historians, we have no less an authority than that of Lord Bacon in his favour, who says that he was a good legislator for the ease and solace of the common people.† His laws consist of only one statute, passed in the first year of his reign, and containing fifteen chapters. "There is," says Barrington, "certainly a sort of fashion (if I may be allowed the expression) which prevails at different times, with regard to the characters of kings and great men. Richard hath generally been represented both as a monster in person and disposition: if we may believe Buck and the Countess of Desmond,‡ he was remarkably genteel, and the best of kings and men. It will be probably right to steer between these extremes; and, as far as relates to him as a legislator, the 2nd and 3rd chapters of this his only collection of laws will for ever show that he meant well (at least upon his accession) to the constitution and liberties of the subject."§

The 2nd chapter, as above alluded to, is a prohibition of Benevolences, and will be afterwards noticed. The 3rd chapter enacts that, "forasmuch as divers persons been daily arrested and imprisoned for suspicion of felony,—sometime of malice, and

sometime of light suspicion, and so kept in prison without bail or mainprize, to their great vexation and trouble, it be ordained and established by authority of this present parliament, that every justice of the peace in every shire, city, or town, have authority and power, by his or their discretion, to let such prisoners and persons so arrested in bail or mainprize, in like form as though the same prisoners or persons were indicted thereof of record afore the same justices in their session." The same chapter likewise orders that the goods of persons imprisoned for felony should not be seized before conviction.

The 1st chapter of the above statute was an attempt, though an unsuccessful one, to get rid of the inconveniences arising from secret conveyances of land to a use. The preamble complained that, after a feoffment or gift was made by the apparent owner of the estate, it would turn out that he was only *cestuy que use*, and therefore not enabled by law to do any act which could charge the freehold. It was now therefore enacted that every such feoffment, estate, &c., should be good against the sellers, feoffors, &c., their heirs, and persons having or claiming title to their use. Thus was the *cestuy que use* empowered to dispose of the estate in the same manner as the *feoffee to the use* might at common law. This expedient, however, was only found to produce the additional confusion arising from two persons having an equal right to dispose of the same land.

To the present period belong two legal writers of great eminence—Fortescue and Littleton. Sir John Fortescue, who had been some time chief justice of the King's Bench, is said to have written his work, *De Laudibus Legum Angliæ*, while in exile with Henry VI.'s son, Edward Prince of Wales, and others of the Lancastrian party, in France. He had been made chancellor by Henry VI., though he never exercised the functions of the office; and in that character he supposes himself

* Reeves, Hist. Eng. Law. iii. 379.

† Life of Henry VII., p. 2. "Macbeth, another usurper, is celebrated by Buchanan for his excellent laws."—Note by Barrington.

‡ "Lord Bacon mentions (in his History of Life and Death) that this Countess of Desmond lived to the age of one hundred and forty years, and that she had three different sets of teeth. She had danced with Richard III. at a ball, and said he was well made, and a good dancer."—Note by Barrington.

§ Obs. on the Stat. p. 330.



LAW HABITS OF THE PERIOD. Collected from various contemporary MSS. Engraved in Strutt's 'Angel-Cynnan.'

holding a conversation with the young prince, on the nature and excellence of the law of England, compared with the civil law and the laws of other countries. But a more remarkable work of Fortescue's is, his English Treatise entitled, 'Of the Difference between an Absolute and Limited Monarchy;' in which it was his object to show that the species of government which he calls *Dominium* or *Regimen Regale*, or absolute monarchy, was a bad sort of government; and to show, moreover, that the English government was not this, an absolute, but *Dominium* or *Regimen Politicum et Regale*, a limited monarchy. A curious instance of the opposite uses to which men with opposite ends in view sometimes apply the same things occurs in the application of the same passage of Scripture—the description of the manner of the king that should reign over them which God gave to the Israelites through Samuel*—by Fortescue in the above work in support of a limited monarchy, and by King James I. in his treatise called 'The True Law of Free Monarchies,' in support of an absolute monarchy. The great lawyer, however, seems to have understood the meaning of the passage of Holy Writ better than the pedant king.

Sir Thomas Littleton was a judge of the Common Pleas in the reign of Edward IV., and composed his book of *Tenures*, in Norman French, more immediately for the use of his son, to whom it is addressed, but probably with an ulterior view of its being generally useful. It consists of three books; the first upon estates; the second upon tenures and services; the third on several incidents and consequences of tenures and estates. Littleton very seldom quotes any authority for what he advances. In this he only follows the usage of his contemporaries, who, even in their arguments and opinions delivered in court, did not cite many authorities. In the above particular, Littleton forms a remarkable contrast with his commentator, Coke, as well, we should feel disposed to add, as in the clearness and logical coherence of his ideas. From Littleton, the reader may form a good conception of the acuteness and consistency with which the English lawyers followed out all the consequences that might be logically deduced from certain principles with which they started, although some of these principles or premises, being absurd and irrational, necessarily led to absurd and irrational conclusions. There is a plainness, simplicity, and terseness about Littleton's manner of writing, rendering him superior to most writers on English law, who seem apt to fall into a style somewhat too ornate for the subject-matter, or into one defaced by incoherence, obscurity, and barbarism. Although great part of Littleton's book is not now law, yet so closely connected was the whole system of feudal tenures, that what remains of them in Eng-

lish law cannot be understood without a knowledge of what is abolished. Consequently, the parts of Littleton which are now obsolete are still studied with profit.

It is very doubtful whether any English law-book was printed by Caxton. "The printers next in time to him were Lettou and Machlinia, who are supposed to have been Caxton's servants, and had begun to print for themselves, in partnership, in the years 1480 and 1481. There is an edition of Littleton's 'Tenures' printed by these printers, without a date; and this book is supposed to have been put to the press by the author himself, who died in 1481."*

Mr. Reeves gives, from Fortescue, the following curious and not unimportant information respecting the students of the inns of court about this time. "A student could not reside in the inns of court for less than twenty-eight pounds per annum; and proportionably more if he had a servant, as most of them had. For this reason, the students of the law were generally sons of persons of quality. Knights, barons, and the greatest nobility of the kingdom, often placed their children here, not so much to make the laws their study, as to form their manners, and to preserve them from the contagion of vicious habits; for, says the same author, 'all vice was there discountenanced and banished, and everything good and virtuous was taught there—music, dancing, singing, history, sacred and profane, and other accomplishments.†'" In connexion with the subject of the inns of court a curious fact may be here mentioned on the authority of Barrington:—Owen Glendower's real name was Vaughan, and he was originally a barrister of the Middle Temple.‡ He thus furnishes another example, in addition to those of Cromwell, Ireton, and others, of men turning from the study of English law to an occupation apparently very different, and attaining great distinction therein.

There was a law officer of the crown called the king's attorney, but no king's solicitor till the reign of Edward IV.; in which reign we also find the first mention of "Attorney-general in England" (*attornatus generalis in Angliā*).

Several important alterations were made in the constitution and laws of Scotland in the course of this period.§ The government of Scotland was considered a constitutional and not an absolute monarchy in the fifteenth century, as appears from the language of Fortescue, who, in the treatise that has just been quoted, tells us that "the King of Scots reigneth over his people by this law—to wit, *regimine politico et regali*." After the return of James I. from England, he appears to have applied himself to model the parliament of his kingdom, as far as possible, after the example of that with which he had been familiar in the country of his exile. We have positive evidence of the

* 1 Sam. viii. 10, &c.—See the passages in the works of Fortescue and King James in an article on Lord Nugent's 'Life of Hampden,' in the Westminster Review for April, 1832, and in an article on the 'Divine Right of Kings,' in the 'Book of Table Talk,' vol. ii. pp. 147—153.

* Reeves, Hist. Eng. Law, iv. 119.

† Ibid. p. 121.

‡ Observations on the Statutes, p. 279, note.

§ For the most learned, able, and complete discussion which this subject has received, the reader is referred to Pinkerton's History of Scotland, vol. i. pp. 348—408.

presence of burgesses, or representatives of the burghs, in the Scottish parliament, so early as the year 1326. The first mention, however, of representatives of counties, or, as they were called, commissaries of shires, occurs in an act passed in 1428, four years after the return of James. This act ordains that the small barons and free tenants need not come to the parliament or general council, provided that each sheriffdom send two or more wise men, chosen at the head court of the sheriffdom, according to its extent, except the sheriffdoms of Clackmannan and Kinross, which were only to send one member for each. A subsequent clause, enacting that the said commissaries shall choose their own common speaker, seems to show that it was intended they should, probably along with the representatives of burghs, constitute a separate house of parliament. It is believed, however, that this act was never carried into effect; the first actual representation of the Scottish counties does not appear to have been established till the year 1587, when the statute of 1428 was re-enacted, but with the important omission of the clause about the speaker, in consequence of which it happened that the representatives of shires and burghs in Scotland continued to sit in one house with the barons as long as the parliament of that kingdom subsisted. The first parliament of James I., which met at Perth on the 26th of May, 1424, is remarkable as the earliest in which mention is made of the singular institution of the "Lords of the Articles," under that name; but the institution itself appears to have sprung up more than half a century before. The Lords of the Articles were a committee of parliament, consisting of a certain number of members chosen by each of the three classes of the clergy, the barons, and the burgesses, and of as many more royal nominees as the king chose to add. With such a constitution, the committee was in fact and necessarily a mere instrument in the hands of the crown. And a very powerful instrument it was; for, eventually at least, if not from the first, the Lords of the Articles assumed the absolute right of determining what matters should, and what should not, be brought before the parliament; so that no bill could be introduced or question of debate proposed in that assembly without their permission. A parliament so overridden could be nothing else, it is plain, than a royal engine of taxation, and had no claim whatever to be regarded as either a representation of the people, or even as a council of the aristocracy. Such, however, continued to be the constitution of the Scottish parliament down to its dissolution at the Union in the beginning of the last century. To James I. also, it may be added, his country owes the institution of its first central and supreme tribunal of justice. The Court of Session was established by an act of his third parliament in 1425. The judges, in this original scheme of the court, were certain members of parliament nominated by the king, who served by rotation, and without salary, holding their sittings

three times in the year. Some reforms in its constitution were made by James II.; but it was not till after the commencement of the sixteenth century that it was placed upon the foundation which it has continued to retain in modern times.

In the same manner as the royal prerogative suffered considerable curtailment under the disputed title of the princes of the House of Lancaster, so the revenue of the crown was probably also throughout the present period reduced somewhat below its former amount. A modern writer, who calculates the average annual income of the Conqueror to have amounted to 400,000*l.*, that of William Rufus to 350,000*l.*, that of Henry I. to 300,000*l.*, that of Stephen to 250,000*l.*, that of Henry II. to 200,000*l.*, that of Richard I. to 150,000*l.*, that of John to 100,000*l.*, that of Henry III. to 80,000*l.*, that of Edward I. to 150,000*l.*, that of Edward II. to 154,139*l.*, and that of Richard II. to 130,000*l.*, allows only 100,000*l.* to Henry IV., 76,643*l.* to Henry V., 64,976*l.* to Henry VI., and 100,000*l.* to each of the three succeeding kings of the House of York.* Nothing, however, in the want of the requisite data, can be more uncertain or less to be relied upon than these computations. It is impossible now to recover a complete account of the national income or expenditure at this remote era; all the information we possess consists only of a few scattered and unconnected facts, in great part of doubtful authority or unsatisfactorily reported, and, taken altogether, very insufficient to present a full view of the subject.

The crown lands, which had originally been the chief support of the government, had greatly declined at the commencement of the fifteenth century from their extent and value in the days of the Conqueror. Besides serving as a source of annual revenue to the crown, these royal demesnes had formed the only fund out of which each successive king had been enabled to reward the services or satisfy the claims of his adherents; and in this way they had gradually been to a great extent disposed of, notwithstanding the occasional resumption of such grants, and even the attempts of the legislature from time to time to stop their further alienation. All that was acquired by escheats and forfeitures was insignificant as compared with what was abstracted by this large and constant drainage, at least until Edward IV. obtained the benefit of the unprecedented scale of confiscation consequent upon the exterminating wars of the Roses. The profits of purveyance, wardship, and the other old prerogatives of the crown, had also now much fallen off, under the restraints that had been imposed either by acts of the legislature or by the equivalent force of long-established usage. In these circumstances, when Henry IV. came to the crown, he found himself dependent upon parliament for the chief means of carrying on the government. The parliamentary grants were either ordinary, or extraordinary and occasional. The former now commonly

* Sinclair, *Hist. of Public Revenue*, 3rd edit. vol. 1, p. 1311.

consisted of the custom-duties called tonnage and poundage;* the rates of which, however, varied from time to time. In the preceding reign of Richard II. the poundage had been fixed at one shilling, and the tonnage at three; Henry at first demanded only a poundage of seven-pence and a tonnage of two shillings; but, in the fourth year of his reign, the rates were again raised to the amount at which they had stood in the time of his predecessor. Henry on this occasion gave the members of both houses a magnificent entertainment in acknowledgment of their liberality. These custom-duties, however, were never granted for more than a year at a time during this reign; and one year the usual grant was withheld, the more distinctly to show that they were exigible only under the authority of parliament. Many occasional grants were made to Henry both by the parliament and the clergy under the name of subsidies,† being commonly a tenth or fifteenth (called a disme or quinzime) of the income of each individual, as estimated by commissioners appointed for that purpose in every town and county. By an act passed in 1407 (the 10 Hen. IV. c. 7) it was enacted that all foreigners (that is, apparently, non-residents) having lands, tenements, goods, or chattels, within any town at the day of grant of any tenth or fifteenth, or other tax, although they might afterwards remove their beasts or goods, should contribute their proper share along with the rest of the inhabitants; and authority was given to the collectors "to distrain [for the said share] in every place within the county, as well before that our said lord the king be answered of the whole sums that attain to such towns, as after." These words would seem to throw the liability of payment upon the town or county whenever the individual could not be found. Among the taxes of a more peculiar kind that were collected in the reign of Henry IV. was one upon places, pensions, and all grants from the crown, which was imposed by the famous Lack-learning Parliament in 1404: it empowered the king to levy one year's profits of all annuities, fees, wages, and revenues whatsoever, granted to any person by the crown since the reign of Edward III. All patents of pensions for life which had been granted since the fortieth year of that king were also made liable to be revoked, if, on examination, they should be found to have been undeservedly bestowed.

Among other shifts by which the parliament sought to evade Henry's constant demands of money was the proposition, which has been already noticed as having been made on more than one occasion, of a seizure of the whole or part of the property of the church.‡ The power of the clergy, however, was yet too mighty to make it safe to venture upon such a measure as this. It was principally by persevering importunity that this king wrung from parliament any extraordinary supplies he did obtain; for that assembly evinced

a perfect understanding of the advantages of the position in which circumstances had placed it, and every disposition to turn them to the best account. Much that was arbitrary was still left in the general character of the government; but the limitations that were imposed upon the royal expenditure were such as would satisfy the most economical and constitutional spirit of modern times. Perhaps the part of Richard II.'s conduct that had excited the greatest popular odium and outcry was the expense and waste of his household. Henry politically began his reign with assurances of his determination to reform this abuse, and restricted the expenditure for the royal household to 10,000*l.* He afterwards, however, found it necessary to raise the sum to 16,000*l.* The royal household, it is to be remembered, included at this time, and down to a much later date, the judges of the courts of law and all the other functionaries considered to be the immediate servants of the crown: the sum mentioned was, in fact, the whole allowance for what would in modern times have been called the civil list. Nor did the parliament, when they granted a supply, leave the king to expend the money in any way he pleased. "In two different instances they allowed Henry only 6000*l.* for his own use; appropriated the remainder of their grant to public services; and appointed their own treasurers, who were answerable for the money they received, and were obliged to give in an account of their disbursements to parliament; and when Henry proposed, *anno* 1410, that a grant should be given him of a tenth from the clergy, and a fifteenth from the laity, *for his life*, under the pretence of saving them the trouble of meeting annually for that purpose, the artful and insidious proposal was indignantly rejected."[•]

A curious record of the royal revenue and of its expenditure in the reign of Henry V. has been preserved in the form of an account rendered to the king by the treasurer for the year ending at Michaelmas, 1421.† According to this statement the total income amounted only to 55,743*l.* 10*s.* 10½*d.*;—of which the customs on the export of wool produced 3976*l.* 1*s.* 2*d.*; the subsidy on wool, which appears to have been an annual duty, of the nature of what is now called an excise-duty, on all the wool grown within the kingdom, 26,035*l.* 18*s.* 8½*d.*; the small customs on the export and import of other goods, 2439*l.* 9*s.* 1¼*d.*; the duty of twelve pennies on the pound of the value of goods (apparently imports and exports rated *ad valorem*) 8237*l.* 10*s.* 9½*d.*; and casual payments into the exchequer, consisting of quit-rents, fee-farm rents, escheats, profits of wardship, marriage, &c., 15,066*l.* 11*s.* 1*d.*‡ This income was expended as follows:—For the defence of England, 5333*l.* 6*s.* 8*d.*; for that of Calais and its marches in time of war, 19,119*l.* 5*s.* 10*d.*; for that of the marches of

• Sinclair, i. 144.

† Printed in Rymer, x. 113.

‡ These several sums, added together, make a little more than the total given in the record.

* See vol. I. p. 823.

† See ante, chap. II.

‡ Ibid.

Scotland and Roxburgh in time of war, 9500*l.*;* for that of Ireland (which is said to have been at this time much neglected), 1666*l.* 13*s.* 4*d.*; for that of the Castle of Frounsake (Fronsac on the Dordogue, we suppose, near Bordeaux), 666*l.* 13*s.* 4*d.*; for the salaries of the treasurer, keeper of the privy seal, the judges of both benches, the barons of the exchequer, and the other officers of the court, 3002*l.* 17*s.* 6*d.*; for those of the collectors and comptrollers of the king's customs and subsidies in the several ports of England, 547*l.*; for pensions or annual allowances to sundry dukes, earls, knights, and esquires, the abess of Shene, and other persons, 7751*l.* 12*s.* 7½*d.*; for annuities to sundry persons out of the customs of sundry ports, 4374*l.* 4*s.* 3*d.*; for the salaries of the officers of the customs at the several ports, 274*l.* 3*s.* 4*d.* Thus, adds the statement, there remained only the sum of 3507*l.* 13*s.* 11½*d.* to defray the charges of the king's and queen's chamber, household, and wardrobe; the building of the new tower at Portsmouth; the clerk of the king's ships; the king's lions and the constable of the Tower; the artillery; the king's prisoners; the ambassadors; messengers, parchment, and other necessaries; and the maintenance of the Duchess of Holland, the famous Jacqueline of Hainault,† to whom it appears, from a document in the *Fœdera*, that Henry, upon her coming to England this year, had granted a pension of 100*l.* per month. And besides all these items, there still remained wholly unprovided for, the old debts on account of the towns of Harfleur and Calais, of the royal wardrobe and household, of the clerk of the king's ships, of the clerk of the king's works, the arrears on pensions and salaries, and, lastly, the debts of the late king, and those incurred by Henry V. himself when Prince of Wales. This account has all the appearance of being a complete statement of the royal income and expenditure for the year to which it belongs; all the charges to be defrayed are evidently set down, and also, apparently, all the means of every kind that were available for meeting them. It is probable, therefore, that the tonnage and poundage, which parliament in the third year of his reign granted to Henry V. for his life, are included under the head of some one or other of the various descriptions of custom-duties in the statement of revenue.‡ It is not very clear, however, to which item in the enumeration it ought to be assigned; and it is somewhat unaccountable that the amount of the tonnage or wine-duty should not be specified, as well as that of the duty on wool. The deficiency of income, it would be proposed, we may presume, to supply by an extraordinary parliamentary grant, or what was pro-

* The account as printed makes this item 19,500*l.*; but it appears from the total that there is an error of excess to the amount of 10,000*l.* in some part of the account, and it is most probably in this particular. The *Historian of Croyland* states that the keeping of Berwick about this time cost about 6600*l.*

† See ante, p. 57.

‡ Sir John Sinclair, in transcribing the account, converts the item of the duty of twelve pennies in the pound on goods rated *ad valorem* into "Subsidy of Tonnage and Poundage."—*Hist. of Pub. Rev. L.* 147.

perly called a subsidy. Hume computes that all the extraordinary supplies granted by parliament to Henry V. during his reign, so crowded with great and expensive operations, amounted only to seven tenths and fifteenths, producing about 203,000*l.*; another calculation raises the sum to about 270,000*l.** But with an army to maintain of 24,000 archers and 6000 horse, each archer receiving sixpence a-day and each horseman two shillings, which appears to have been the common rate of pay, the whole of the largest of these sums would be exhausted in less than six months. It is very difficult, therefore, to understand by what means a war of several years' duration was supported. There were probably various irregular sources of revenue not taken notice of in the treasurer's account. Henry, however, was often reduced to the greatest difficulties by want of money; he was several times obliged to pawn the crown jewels, and even the crown itself: he borrowed from every one who would lend him; and, after all, he ran in arrears to his army, whose pay was probably much higher nominally than in fact, and was sometimes perhaps derived in great part from sources as irregular as the income of the crown.

Few extraordinary grants were made by parliament during the minority of Henry VI., and it was not till the year 1454 (the thirty-first of his reign) that even the tonnage and poundage were granted to him, as they had been to his father, for life. In the meantime, by long mismanagement and profusion, the ordinary income of the crown had been brought down to a lower point than ever. In an account laid before parliament in 1433, and still extant on the rolls, its entire amount is stated at no more than 64,946*l.* 16*s.* 4*d.*, while the charges upon it amounted to about 100,000*l.* Some years after matters were become still worse; in 1450 it was declared in parliament that the entire available income of the crown had been reduced by pensions and other grants to the pittance of 5000*l.* In this deplorable state of things a resumption was ordered of all grants which had been made since the death of the preceding king; and Henry was also advised by his council to make over all the profits of wards, marriages, reliefs, escheats, and forfeitures, in trust to the Archbishop of Canterbury for defraying the expenses of the royal household. In the following year parliament limited the expenditure on that head to the sum of 12,000*l.*, of which 2000*l.* was to be obtained from the queen's jointure. At this time the king's debts amounted to the immense sum of 372,000*l.* Part of this money had been borrowed upon parliamentary security,—this reign, it is believed, affording the first instance in our history of the adoption of that practice.† The preceding kings, and Henry himself for the greater part, were wont to borrow only on their personal

* Sinclair, l. 146.

† See Hume, chap. xxi.—Sir John Sinclair (*Hist. of Rev. L.* 380, &c.) has attempted to trace the practice to an earlier date; but, although the plan had been thought of in the reign of Richard II., it does not appear that it was ever actually carried into effect till now.

security, although it was common to promise repayment out of the tenths or fifteenths granted by parliament, but not yet collected; the custom, it would appear, being to give each lender a claim upon the portion of the tax raised in the county in which he lived. The sums advanced by individuals in these ancient loans were in many cases extremely small, sometimes ranging to so low a point as a hundred or sixty shillings. Henry, however, did not content himself with raising money by loans; his repeated failure in redeeming his pledges, and the rapid accumulation of his incumbrances, rendered this method at last no longer available, and it became necessary to have recourse to other expedients. One of the chief of these was the demand of money under the name of voluntary contributions, the compulsory character of which, notwithstanding the name, was now avowed more openly than it had ever before been. In every age since the Conquest money had been occasionally raised by the crown under the pretext of an appeal to the liberality of the people, which, however, was enforced nearly in the same manner with the demand for any other tax, and just as little admitted of refusal or evasion; but Henry, under the pressure of his greater necessities, threw away even the outward forms which had hitherto given the show of a voluntary character to the contribution. In the instructions to the commissioners whom he appointed, in the twentieth year of his reign, to make a collection of this kind for the defence of Calais, he called upon every man in the kingdom to contribute the expense of two days' service in the field, on the express ground that, by law, he could, if he pleased, compel all his subjects to attend his wars; and he intimated that those who should refuse to tax themselves in conformity with this rule might depend upon having the amount exacted from them in another way that would be much less agreeable.

Every irregular mode of raising money which had been attempted under the rule of this weak king was put in practice to a still greater extent by his energetic and unscrupulous successor. The triumph of the House of York increased the royal revenue at the accession of Edward IV. by the forfeited estates of no fewer than one hundred and forty of the principal nobility and gentry of England, who had supported the rival family. The wasteful expenditure of Edward, however, profligate and thoroughly selfish as it was, and without the apology of any national or public object, soon reduced him to as great straits as the poorest of his predecessors. Nor was he long relieved by the occasional extraordinary grants of parliament, by yearly poll-taxes imposed upon foreigners (which had also been one of the resources of the last reign), or even by a general resumption of all recent alienations of the crown-lands, to which parliament assented on his suggestion in 1468. In 1475, when about to set out on his expedition against France, he procured a large sum of money by applications of the most direct and importunate

character to great numbers of the more wealthy individuals among his subjects, requesting each of them to make him a present according to their ability. The historian of Croyland speaks of this as a practice till then unheard of, and seems to intimate that the name of a Benevolence was now, for the first time, applied to money so extorted from the subject; but the thing, at least, if not the name, was certainly known from a much earlier date. Its revival in the present age appears also to have been the act, not of Edward, but of his immediate predecessor. Edward, however, seems to have come forward personally in the business in a more shameless manner than had been customary; and he is said to have been indebted, in great part, for his success on the occasion that has just been mentioned to his elegant figure and insinuating address. An anecdote is told of a rich widow to whom he made application, and who, although somewhat advanced in years, was so charmed with his appearance and the manner of his appeal, as to tell him that he should have no less than twenty pounds, for the sake of his handsome face: Edward testified his gratitude by gallantly giving the old lady a kiss; on which she exclaimed that she would double her intended donation. Another of the methods of raising a revenue resorted to by this king was the pursuit of trade. This, indeed, was a usual practice of the sovereigns of that age; but Edward carried it much farther than any of his contemporaries. The historian of Croyland informs us that he owned several vessels, and, "like a man whose living depended upon his merchandise, exported the finest wool, cloth, tin, and the other commodities of the kingdom, to Italy and Greece, and imported their produce in return, by the agency of factors or supercargoes." His subjects, we are told, considered the royal gains acquired in this way as going to relieve themselves, inasmuch as they were thereby saved from some taxes which would otherwise have been necessary for the support of the king's extravagance; but the general foreign commerce of the country must have been very much embarrassed and oppressed by such an interference of a party who traded without paying any customs, and with so many other advantages against which a private individual could not compete.

Richard III., in the course of his short reign, received no subsidy from parliament; but a grant of tonnage and poundage was made to him for life immediately after his seizure of the throne. These duties, indeed, had now come to be considered as a principal part of the ordinary and indispensable revenue of the crown. An act of parliament was also passed in the first year of this reign, prohibiting the imposition of a Benevolence in all time coming. It is described as one of several new and unlawful inventions, "whereby divers years the subjects and commons of this land, against their wills and freedom, have paid great sums of money to their almost utter destruction;" "for divers and many worshipful men of this realm," it is added, "by occasion thereof were compelled by necessity

to break up their households, and to live in great penury and wretchedness, their debts unpaid, and their children unpreferred; and such memorials as they had ordained to be done for the wealth of their souls were anentized and annulled, to the great displeasure of God, and to the destruction of

this realm.”* This statute, however, was far from effectually putting down benevolences, which, as we shall find in the sequel, were revived in the very next reign, and were only finally abolished by the petition of rights in the reign of Charles I.

* Stat. 1 Rich. III. c. 2.



CRIMINALS CONDUCTED TO PRISON. Harleian MS. No. 4374.



CRIMINALS CONDUCTED TO DEATH. Harleian MS. No. 4374.

CHAPTER IV.

HISTORY OF THE NATIONAL INDUSTRY.



LONDON IN THE FIFTEENTH CENTURY.

From an Illumination in Royal MS. 16 F 2, representing the Captivity of the Duke of Orleans in the Tower. This picture exhibits the Tower, Custom House, London Bridge, and a general view of the City, as it appeared in the middle of the fifteenth century.



HE rule of the House of Lancaster, with whatever ultimate benefits it may have been fraught in this as well as in other respects, could not, while it lasted, have proved favourable, on the whole, to the interests of the national industry, productive as it was of long and expensive foreign wars in the first instance,

and, as soon as they were ended, of the still more wasteful calamity of domestic discord, bloodshed, and confusion. The reign of the first of the three princes of that house, however, was, after the two or three first years, a time of general tranquillity both at home and abroad; and during that interval the trade and few manufactures of the country probably flourished as much as at any former period. Henry IV. appears to have felt the importance of protecting and promoting the commerce of his subjects; or, at all events, the public mind was now so much awake to these objects that he could not afford to disregard them. The history of his reign affords many instances of his interference being called for and exerted to open new facilities for the intercourse of the kingdom with other countries, or to obtain redress for injuries which his subjects had sustained in their commercial dealings with foreigners. Thus, in the very first year of his reign, we find him granting letters of marque and reprisal against the Earl of Holland, and issuing orders to his admirals to detain all vessels and property in England belonging to the people of Holland and Zealand, till the earl should take measures to compel the payment of certain debts due by his subjects to English creditors. The same year he summoned the governors of several of the Hanse Towns and their protector, the Grand Master of the Teutonic Order, to appear in person or by deputy before his council, to answer the complaints of the merchants of England, that they were not treated in those places so well as the merchants from them were treated in England, notwithstanding the express stipulations of the treaty which secured to the foreign merchants the privileges they enjoyed in this country. This dispute with the famous association of the Hanse Towns, already the most powerful commercial community in Europe, was protracted through a long course of subsequent transactions, which it is unnecessary to detail. The foreign merchants alleged that they had more reason for complaint against the English than the English had against them; that their privileges were infringed upon by the corporations of London and other places; that they were subjected to the grossest impositions by Henry's custom-house officers; and that their ships had been repeatedly

attacked and plundered at sea by his subjects. In the end, it seems to have been admitted that these representations were well founded; for it was finally agreed, in 1409, by commissioners appointed on both sides, that all differences should be settled by Henry paying above 30,000 English nobles to the Grand Master and the magistrates of Hamburg; while the Grand Master, on the other hand, was left off on the payment of only 766 nobles to the English sufferers. A new treaty was then concluded, on the basis of mutual freedom of trade, and oblivion of past injuries. In case of any future outrages, the respective sovereigns bound themselves to make satisfaction for the aggressions of their subjects; failing which, the sovereign of the party injured was to have the right of arresting any subject of the other power found in his dominions within six months after preferring the complaint.* Repeated treaties on the same basis of mutual freedom of intercourse were made in the course of the reign with Castile, Portugal, Flanders, Brittany, and other countries. The growing importance of the foreign trade of England at this period is further indicated by the frequent applications which are noticed as having been made to Henry by those of his subjects interested in particular branches of it for their separate incorporation, or, at least, the public recognition of them as associated for a specific object. Thus, in 1404, the English merchants trading to Prussia and the Hanse Towns were empowered to elect a governor, who should exercise a general authority over their body, and in the settlement of disputes between them and foreigners. Three years after, the same privilege was granted to the merchants trading to Holland, Zealand, Brabant, and Flanders; and in 1408, to those trading to Norway, Sweden, and Denmark. These governors of the English merchants, whose functions somewhat resembled those of consuls in modern times, appear usually to have resided in the foreign country to which the merchants resorted. It soon became customary to appoint such a governor for every country with which any commercial intercourse was carried on.

Some very curious notices of the productions and commerce of the principal countries of Europe at the commencement of the fifteenth century are found in the recital given by the Byzantine historian, Laonicus Chalcondyles, of the observations made by Manuel, the unfortunate Emperor of Constantinople, who, in the year 1400, visited Italy, France, England, and other parts of the West, to solicit the aid of the monarchs of Christendom against the Turkish barbarians, now all but masters of the imperial capital itself. The following abstract of so much of the Greek writer's account as belongs to the present subject is presented by the modern Historian of Commerce: "The natives of Germany excel in the mechanic arts, and they boast of the inventions of gunpowder and cannons. Above two hundred free cities in it are governed

* Macpherson's Annals of Commerce, 1. 622.

by their own laws. France contains many flourishing cities, of which Paris, the royal residence, is pre-eminent in wealth and luxury. Flanders is an opulent province, the ports of which are frequented by merchants of our own sea (the Mediterranean) and the ocean. Britain (or rather England) is full of towns and villages. It has no vines, and but little fruit, but it abounds in corn, honey, and wool, from which the natives make great quantities of cloth. London, the capital, may be preferred to every city of the West for population, opulence, and luxury. It is seated on the river Thames, which, by the advantage of the tide, daily receives and despatches trading vessels from and to various countries.*

The establishment of banks, which now began to take place in various parts of Europe, affords an unquestionable indication of the general extension of commercial transactions. Bills of exchange had been in use from the early part of the thirteenth century;† and, at least, by the beginning of the fifteenth, if not earlier, the form in which they were drawn out, and the usages observed respecting their negotiation and non-payment, had come to be nearly the same as at the present day.‡ Although, however, the origin of the bank of Venice is carried back to the institution of the *Camera degl' Imprestiti* (or Chamber of Loans), being an office for the payment of the annual interest on the debts of the republic, in 1171, the *Taula de Cambi* (or Table of Exchange) opened at Barcelona, by the magistrates of that city, in 1401, is generally considered to have been the earliest European establishment properly of the nature of what is now called a bank. The bank of Genoa originated in the establishment, in the year 1407, of the *Chamber of St. George*, which at first, however, was merely an office for the management of the debts of the republic, similar to the Venetian Chamber of Loans.

The false notions on the subject of money to which we had occasion to advert in the preceding Book,§ as having given rise in England to so much absurd and mischievous legislation, were not yet corrected by the enlarged commercial experience of the present period. In 1402, we find the parliament enacting, in the spirit of former statutes, that all merchants, whether strangers or denizens, importing commodities from abroad, and selling them in the country for English money, “shall bestow the same money upon other merchandises of England, for to carry the same out of the realm of England, without carrying any gold or silver in coin, plate, or mass, out of the said realm, upon pain of forfeiture of the same, saving always their reasonable costs.”|| There can be no

doubt that the main motive of this and other prohibitions of the same kind was far more to prevent the purely imaginary evil of the export of English money than even to promote the really desirable, however unwisely pursued object, of the export of English produce or manufactures. The law, however, entirely failed of its intended effect. The statute of 1402 was confirmed the following year,* with additional provisions for its more effective execution—a fact which is itself sufficient evidence that it had proved useless, or been generally evaded; but this new attempt to compass an impossibility was not more successful than the former; for, in a few months after their enactment, we find the principal part of the recent more stringent regulations abandoned, and declared “utterly void and annulled for ever,” as having been seen by the king and his parliament to be “hurtful and prejudicial as well for himself and his realm, as for the said merchants, aliens, and strangers.”† From other recorded facts, also, it appears that, notwithstanding all these prohibitions, English money constantly found its way to the continent, and was commonly current in every country of Europe. Thus, when Eric, King of Sweden, in 1408, bought the Isle of Gothland, with its great commercial emporium of Wisbuy, from the Grand Master of the Teutonic Order, he is stated to have paid for it in English nobles. So, on the settlement, as mentioned above, of the differences with Prussia and the Hanse Towns, in 1409, it was arranged that all the payments on both sides should be made in the same coin, as if it were a common European currency. On another occasion, indeed—the payment of 100,000 English nobles to the Duke of Burgundy, in 1431—it is expressly noted that the money was estimated at its current rate.‡

A few years before the commencement of the present period, all export or import of merchandise in any other than English ships had been prohibited, under pain of the forfeiture of vessel and cargo.§ Like many of the other mercantile laws of those times, however, this first navigation act passed by the English parliament seems to have been by no means strictly enforced. In the documents relating to the quarrel with the Hanse Towns and Prussia foreign ships are repeatedly mentioned as being laden with goods which were the property of English merchants, and, apparently, exports from England. Woollen cloth is the article that most frequently occurs; another is wine, which, however, could only be legally exported under the royal license.

A considerable trade was now carried on with Venice. In 1409 permission was granted by King Henry to the merchants of Venice to bring their carracks, galleys, and other vessels laden with merchandize, into the ports of England and

* Macpherson, i. 611. The whole of the information respecting these countries of the West, preserved by Chalcodonyes, has been collected and woven into a spirited sketch by Gibbon, *Decline and Fall of Rom. Emp.* ch. 66.

† See vol. i. 533.

‡ Copies are given by Capmany, in his *History of Barcelona*, of two bills of exchange, dated in the year 1404, which it is believed are the oldest that have been preserved.

§ See vol. i. 827, 828.

|| Stat. 4 Hen. IV. c. 15.

* Stat. 5 Hen. IV. c. 9.

† Stat. 6 Hen. IV. c. 4.

‡ See these instances quoted with the authorities in Macpherson, i. 619 and 623.

§ 5 Rich. II. st. i. c. 3.

his other dominions, to transact their business, to pass over to Flanders, to return to his dominions, to sell their goods without impediment or molestation from his officers, to load their vessels with wool, cloth, or other English merchandise, and to return to their own country. This license, which was often renewed, shows us what was the nature of the Venetian trade with England at this time. It was in part what is called a carrying trade, one of its objects being the interchange of the commodities of England and Flanders. The Byzantine historian Chalcondyles has recorded some particulars respecting the commerce of Venice, in relating the visit of the Emperor John Palæologus to that city in 1438. It is described as excelling all the other cities of Italy in the magnificence of its buildings and the opulence of the inhabitants. According to this account, twenty-two of their largest vessels, under the command of the sons of the nobles, were employed in trading to Alexandria, Syria, Tanais, the British Islands, and Africa. A few years before this time, it was asserted, in a speech addressed by the Doge Tommas Mocenigo to the senate, that the total value of the annual exports from Venice to all parts of the world was not less than ten millions of ducats. The shipping belonging to the citizens of the republic consisted of 3000 vessels, manned by 17,000 seamen; 300 ships, carrying 8000 seamen; and 45 galleys, of different sizes, but carrying, in the whole, 11,000 men, or, on an average, nearly 250 each. In the trade with England the balance was what is called against the republic; the money-payments made to England amounted annually to 100,000 ducats—which was one-fifth of the sum sent every year into Syria and Egypt, the latter being probably very nearly the whole cost price of the oriental productions imported by the republic.*

Henry V. also began his reign by giving evidence of his disposition to favour and encourage commerce. One of his first acts was to confirm the privileges that had been granted by his father and preceding kings to the Venetians, and to other foreign merchants. The splendid illusion of the conquest of France, however, soon drew off his attention from this as well as from all other subjects of domestic interest; and the history of his reign furnishes scarcely a fact worth referring to for our present purpose. It is to be feared, indeed, that the prosperity which had been springing up during several years of peace was now struck with a blight from which it did not recover for many a day, and that every branch of social industry in the kingdom paid dear for the glory with which Henry's victories crowned the English name. These victories drained the land both of men and of money, and then spread among all classes of the people a spirit of restless and impatient aversion to every peaceful pursuit. Still it appears, from the account of the Treasurer for the

year 1421, quoted in the preceding Chapter, that even in this anti-commercial reign the greater part of the public revenue was derived from the trade of the country. Among the new articles of English manufacture, and occasionally, as it would appear, of export, that now appear, may be mentioned both gunpowder and guns. The manufacture and export of guns are mentioned in a license granted in 1411, for sending two small guns for a ship, along with the king's great gun, to Spain.

The misgovernment and political misfortunes of the greater part of the reign of Henry VI. probably did not oppress and injure the commerce of the kingdom nearly so much as the successful wars of his great father, which, by the very intoxication they produced in the public mind, dried up the spirit of mercantile industry and enterprise, and carried off the whole current of the national feelings and energies in an opposite direction. The loss of France, which was accounted at the time the great calamity and disgrace of the reign, was no loss to the trade of England. Even the weakness of the government did not operate so unfavourably as might be supposed upon that interest, which was now strong enough, if let alone, in a great measure to protect itself, or was, at least, pretty sure of receiving what facilities it needed in the shape of privileges or conventional stipulations from the general feeling of its importance and the mutual wants which bound one country to another. It is remarkable, that in this age a free commerce was not unfrequently continued between two countries even while their governments were at war, and treaties were made between them in contemplation of this state of things. The trade between England and Flanders in particular was so indispensable to the people of both countries, that it was never long interrupted by any quarrel between the two governments.

A very curious general review of the commerce of Europe in the earlier part of the fifteenth century is contained in a poem published by Hakluyt, called 'The Libel of English Policy,' which appears to have been written in the year 1436 or 1437.* We will extract the most remarkable particulars that have any relation to England, introducing, as we go along, a few notices from other sources. In the first place, it appears, both from this poem and from other evidences, that the English wool of the finest quality was now superior to any produced even in Spain, which had already long been the greatest wool-growing country in Europe. It is stated that, although the Flemings obtained the greater part of their wool from Spain, they could not make good cloth of the Spanish wool by itself, but were obliged to mix it with the English. In Spain itself, in making the finest cloths, the mixture of any other wool with the English was strictly prohibited by a code of laws drawn up about this time by the magistrates of Barcelona, expressly "for the regulation of the manufacture of cloths made of fine English wool."†

* Macpherson, l. 634, on the authority of Sanuto, Vite 'de Ducho di Venezia, sp. Muratori.

• See Macpherson, l. 661. Digitized by Google † Ibid. l. 664.

The cloths of England, however, were still very inferior in fineness of texture to those both of Spain and the Netherlands; so that the fine English wool was sometimes carried to those countries, there to be manufactured into cloth, which was then sent back to the English market. In the coarser fabrics, on the other hand, the English appear to have already attained considerable excellence; for we find imitations of English cloth soon after this mentioned among the products of the looms of Barcelona.* According to the poem, whatever trade England had at this time with Spain was all carried on indirectly through the medium of the great Flemish emporium of Bruges, that being the place to which all the Spanish exports were sent in the first instance. These consisted of figs, raisins, bastard wine, dates, liquorice, Seville oil, grain, Castile soap, wax, iron, wool, wadmole, skins of goats and kids, saffron, and quicksilver. With Portugal there was a direct intercourse, which was already considerable—wine, wax, grain, figs, raisins, honey, cordovan, dates, salt, and hides, being among the commodities imported from that country. A direct trade was also carried on with the Genoese, who resorted to England in great carracks, to purchase wool and woollen cloths of all colours, bringing to the country cloth of gold, silks, black pepper, great quantities of woad, wool, oil, wood-ashes, cotton, alum, and gold for paying their balances. Europe was now principally supplied with alum by the Genoese, who had obtained from the Greek emperor, Michael Palæologus, the lease of a mountain on the coast of Asia Minor, containing a mine of that substance, and where a fort which they built became the origin of a town called New Phocæa, after a city which had anciently stood on the same site. Gibbon, however, appears to be mistaken in asserting that the different nations of Europe, and among others the English, resorted to New Phocæa.† The alum was carried by the ships of the Genoese themselves to the ports of England, France, Germany, Italy, Spain, Arabia, Egypt, and Syria.‡ In 1450, we find Henry VI. making a purchase of alum to the amount of 4000*l.* from some merchants of Genoa, and afterwards selling it for twice that sum.§ This transaction curiously illustrates the manner in which trade was at this period carried on by kings. The Genoese merchants were only paid in part by the money which they received, or rather which was promised them; for the bargain was, that their claim was to be discharged by the remission of that amount of custom-duties upon the goods brought and carried away by them: meanwhile, they were licensed by parliament to export from the south part of England any staple wares whatever, till the debt due them should be paid. Out of this permission they would, no doubt, contrive amply to reimburse themselves for any sacrifice they may have made in

the price at which they had disposed of the alum to the king. Then, on the other hand, to the merchants to whom his purchase was immediately resold by the king for ready money, and at so immense an advance of price, the parliament also gave what was, we may be certain, deemed sufficient compensation, in a grant of the monopoly of the whole trade in the article for the next two years—all persons being prohibited during that period from importing, buying, or selling, any other alum. So that the king's profit of 4000*l.* was really extracted out of the pockets of his own subjects, partly in the shape of an imposition upon all consumers of alum, partly by the still more oppressive method of an invasion of the equal rights of all the native importers and exporters of that and every other commodity in which the Genoese traders dealt. The Genoese soon lost their establishment of Phocæa; but in 1459 they found new alum mines in the Isle of Ischia, by means of which they were enabled to continue their former commerce.

The balance of the trade of England with Venice and Florence would seem, according to the author of the 'Libel of English Policy,' to have been what is called favourable to the Italian communities—that is, contrary, as we have seen, to what other authorities assert to have been the case, at least in so far as Venice was concerned, it left a certain amount of money to be paid every year by England. He complains that these foreigners "bear the gold out of this land, and suck the thrift out of our hand, as the wasp sucketh honey of the bee." Their imports, which were brought in large galleys, consisted in spiceries and groceries, sweet wines, apes and other foreign animals, and a variety of other articles of luxury. In return for these, besides money, they carried away wool, cloth, and tin, which they were accustomed to travel to Cotswold and other parts of England to buy up. They sometimes, it is asserted, would buy on credit, and then sell the goods at Bruges, for ready money, five per cent. under what they had cost, for the sake of having the money to lend out at usury during the interval before it should become due. It appears, from some expressions of the author, that at this time English merchants also traded to Venice.

The English, according to this writer, bought greater quantities of goods in the marts of Brabant, Flanders, and Zealand, than all other nations together; though these marts or fairs were also frequented by the French, the Germans, the Lombards, the Genoese, the Catalonians, the Spaniards, the Scots, and the Irish. The purchases of the English consisted chiefly of mercery, haberdashery, and groceries; and they were obliged to complete them in a fortnight—a previous space of the same length having been allowed them for the sale of their cloth and other imports. The merchandise of Hainault, France, Burgundy, Cologne, and Cambray, was also brought in carts over-land to the markets of Brabant.

A trade to Iceland for stock-fish had been long

* Capmany, *Hist. de Barcelona*.

† *Decline and Fall of Rom. Emp.* chap. lrv.

‡ See Macpherson, i. 637.

§ Cotton's *Abridgment of the Rolls of Parliament*, p. 647.

carried on from the port of Scarborough; but for about twelve years past a share had been taken in it by Bristol and other ports. The author of the poem, however, states that, at the time when he wrote, the vessels could not obtain full freights. The Danish government in this age repeatedly attempted to prevent the English from trading to the coasts of Iceland.*

A curious fact is mentioned in this poem respecting the people of Brittany. The inhabitants of St. Malo especially, it is affirmed, were still accustomed to roam the seas as pirates, very little regarding the authority of their duke, and often made descents upon the eastern coast of England, plundering the country, and exacting contributions or ransoms from the towns.

Among the documents in the 'Fœdera' occur various lists of articles ordered to be purchased in England for foreign potentates, or permitted to be exported for their use without paying custom. One of these lists, dated in 1428, enumerates the following articles as then shipped for the use of the King of Portugal and the Countess of Holland. For the king, 6 silver cups, gilded, each of the weight of 6 marks (or 4 pounds); 1 piece of scarlet cloth; 1 piece of sanguine, dyed in grain; 1 piece of blood colour; 2 pieces of mustrevilers; 2 pieces of marble colour; 2 pieces of russet mustrevilers; 2 pieces of black cloth of lyre; 1 piece of white woollen cloth; 300 pieces of Essex straits for liveries; 2000 platters, dishes, saucers, pots, and other vessels, of electrum (some unknown substance—perhaps a kind of crockery); a number of beds of various kinds and sizes, with curtains, &c.; 60 rolls of worsted; 12 dozen of lances; and 26 ambling horses. For the countess, quantities of various woollen cloths; 12 yards of red figured satin; 2 pieces of white kersey; 3 mantles of rabbits' fur; 1½ timber of martins' fur; and a quantity of rye, whole and ground, in casks. All these articles, therefore, were at least to be now purchased in England; but it is probable that almost all of them were the produce or manufacture of the country.

Another indication of the growing extension of the commerce of the kingdom is furnished by the instances now beginning to be of frequent occurrence of individuals rising to great wealth, and sometimes to rank and power, through the successful pursuit of trade. The most remarkable example of this kind of elevation is that of the De la Poles, successively earls, marquises, and dukes of Suffolk, and eventually ruined by a royal alliance and a prospect of the succession to the crown. The founder of the greatness of this family, which shot so rapidly to so proud a height, and filled for a century so large a space in the history of the country, was a merchant originally of Ravensere, and afterwards of the neighbouring town of Hull, named William de la Pole, who flourished in the time of Edward III. He was esteemed the greatest merchant in England, and

must have possessed immense wealth for that age, since on one occasion he lent King Edward no less a sum than 18,500*l.* Edward made the opulent merchant the chief baron of his Exchequer, and a knight banneret; and in the course of that and the following reign he was often employed in embassies and in other important affairs of state along with the most distinguished men in the kingdom. His political employments and honours, however, do not appear to have withdrawn him from commerce. His son Michael also began life as a merchant. This was he whom Richard II. created Earl of Suffolk, and made his lord chancellor,* but who was soon afterwards driven from office, and deprived of property, rank, and everything except his life, which he saved by taking flight to France, in the sweeping reform of the court by the king's uncle, the Duke of Gloucester, and his "wonderful parliament."† Michael's son of the same name, however, was recalled, and restored to his father's dignities a year or two before the deposition of Richard: it was his son, also named Michael, who fell in 1415 at the battle of Azincourt.‡ The uncle, again, and heir of this last, William de la Pole, was the celebrated Earl of Suffolk who commanded at the siege of Orleans in 1429, when that place was relieved by Joan of Arc,§ and who afterwards becomes more conspicuous in the annals of the disastrous reign of the sixth Henry, as the favourite of the Queen Margaret of Anjou, through whose influence he was first created Marquis and afterwards Duke of Suffolk, and made lord chancellor, lord high admiral, and prime minister, or rather dictator of the kingdom—honours, however, which only conducted him after a few years to a bloody death.|| But this catastrophe did not put an end to the still buoyant fortunes of the family. Soon after the accession of Edward IV., John de la Pole, the son of the late duke, was restored by the Yorkist king to the same place in the first rank of the peerage to which his father had been raised by the House of Lancaster; and this second Duke of Suffolk eventually married the Princess Elizabeth, the sister of King Edward. Their eldest son John, who had been in 1467 created Earl of Lincoln, was declared by Richard III. his presumptive heir, on the death of his son Edward Prince of Wales in 1484; and a marriage was also arranged at the same time between their daughter Ann and James Duke of Rothsay, afterwards James IV. of Scotland. But the family had now reached the summit of its greatness. In the change of circumstances that followed the overthrow of Richard, the Scottish marriage never took place; and the Earl of Lincoln died in 1487, a few years before his father, without having enjoyed either crown or dukedom. To the latter his younger brother Edmund succeeded, and was the last of the noble house of De la Pole. He was put to death, as will be related

* See vol. I. p. 791.

† See ante, p. 24.

‡ Ibid. p. 792.

§ See ante, pp. 61, &c.

|| See ante, pp. 81—87.

* See Macpherson, I. 629. 650. 666.

in the next Book, by Henry VII., in 1513—his claim to the crown through his relationship to the House of York being, as is generally believed, the true cause of his destruction. It may be added, that letters as well as commerce were brought near to the crown by the De la Polea, if we may entirely depend upon the common account; for the first Duke of Suffolk married Alice, daughter of Thomas Chaucer, Speaker of the House of Commons, who is said to have been the son of the poet; and she became the mother of John, the second duke, who married the sister of Edward IV.

One of the greatest of the English merchants in the reign of Henry VI. was William Cannyng, or Canyngs, of Bristol—a name made familiar to modern readers by the famous forgeries of Chatterton. Two letters of King Henry, addressed in 1449 to the Grand Master of Prussia and the magistrates of Dantzic, recommending to their good offices two factors resident within their jurisdictions of his “beloved and honourable merchant William Canyngs,” are printed in the ‘*Fœdera*.’ On Canyngs’s monument in the magnificent church of St. Mary Radcliff, in Bristol, of which he was the founder, it is stated, that on one occasion shipping belonging to him to the amount of 2470 tons was seized by Edward IV., in which were included some vessels of 400, of 500, and even of 900 tons. Canyngs was one of those merchants who took part in the Iceland trade after it was extended beyond its original seat at Scarborough; he was probably the first who brought it to Bristol. In 1450 we find permission granted to him by King Henry to employ two ships of whatever burden for two years in the trade to Iceland and Finmark, and to export in them any species of goods not restricted by law to the staple at Calais. This license became necessary in consequence of the existing law which prohibited all English subjects from trading to Iceland without permission both of their own sovereign and of the King of Denmark.* Canyngs had previously obtained letters from the Danish king, authorising him to load certain vessels with lawful English merchandise for Iceland and Finmark, to take in return fish and other merchandise, and to make as many voyages as he should think proper during a limited term, in order to recover debts due to him in those countries. King Henry’s license is stated to have been granted in consideration of the good services granted to him by Canyngs while mayor of Bristol—an office to which the great merchant was elected by his fellow-citizens no fewer than five times.

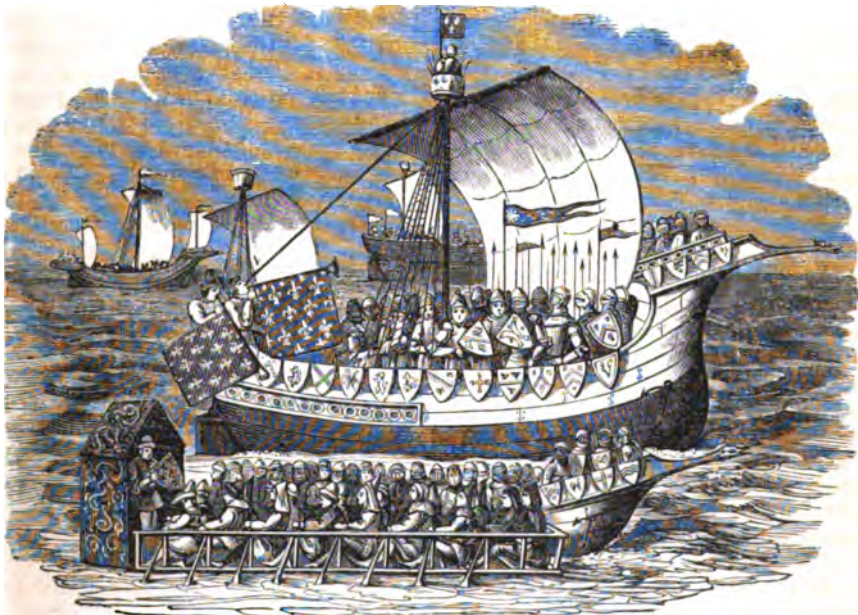
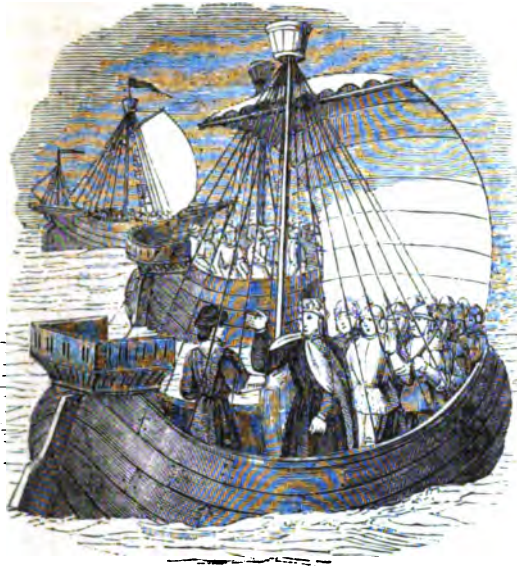
Another of the opulent commercial men of this age, who is especially famous in story, is Richard Whyntington, the history of whose cat, however, must be held to belong to the region of poetry and fable; for, instead of being originally a poor scullion-boy, he was the son of Sir William Whyntington, knight, as is stated in the ordinances of his college of St. Spirit and St. Mary, yet preserved in the custody of the Mercers’ Company of London. Whyntington was

elected lord mayor of London in 1397; again in 1406; and a third time in 1419. During his second mayoralty we find him lending Henry IV. the sum of 1000*l.* on the security of the subsidies on wool, hides, and woollens, while one of the greatest princes of the church, the Bishop of Durham, advanced only 100 marks, and the most opulent of the lay nobility that contributed, no more than 500*l.** The above-mentioned college was suppressed in the reign of Edward VI.; but another foundation of Whyntington’s, his almshouse near Highgate, still remains a monument of the wealth and munificence of this “worthy and notable merchant, the which while he lived had right liberal and large hands to the needy and poor people,” to make use of the terms in which he is described by his executors, in the body of rules established by them for the management of the latter charity. Among the subscribers along with Whyntington to the loan to Henry IV., are two other London merchants, John Norbury and John Hende, whose opulence appears to have at this time exceeded his; for they advanced the sum of 2000*l.* each. Hende was mayor in 1391 and 1404; and both he and Norbury were the founders of several churches, colleges, and other charitable institutions. Another eminent English merchant and mariner of those times was John Taverner of Hull, who, in a royal license granted in 1449, is said to have, “by the help of God and some of the king’s subjects,” built a ship as large as a great carrack (that is, one of the first class of the Venetian traders), or even longer, which the king directed should be called the Carrack Grace Dieu—authorising Taverner at the same time to take on board his carrack wool, tin, lamb-skins, woollens, passelarges, and other hides, raw or tanned, and any other merchandise, in the ports of London, Southampton, Hull, or Sandwich, and, on paying aliens’ duty, to carry them direct to Italy, from which he might bring back bow-staves, wax, and other foreign produce necessary for the country, to the great benefit of the revenue and of the nation.† “The exemption of an English subject,” observes Macpherson, “from the law of the staple, in consideration of the extraordinary size of his ship, is a clear proof that no such vessel had hitherto been built in England.” Henry V., thirty or forty years before this time, had built some dromons, or large ships of war, at Southampton, such, according to the author of the ‘*Libel of English Policy*,’ as were never seen in the world before, to match those which his enemies the French had obtained from the Genoese and Castilians. Three of these ships of Henry V. were called the Trinity, the Grace de Dieu, and the Holy Ghost. Another contemporary writer mentions two ships belonging to the fleet with which this king made his second invasion of France—one called the King’s Chamber, the other the King’s Hall,—both of which were fitted up with extraor-

* See the list of subscriptions in Rymer, viii. 488.

† Rymer, xl. 288.

• By the Stat. 8 Henry VI. c. 2.



ENGLISH SHIPS OF WAR OF THE FIFTEENTH CENTURY. From Harleian MSS. 4374 and 4379.

dinary sumptuousness. That called the King's Chamber, in which Henry himself embarked, is said to have carried a sail of purple silk, with the arms of England and France embroidered on it.

To these instances of commercial opulence in England in the fifteenth century may be added another of a merchant of France of the same era, which is still more remarkable, both in itself, and especially if we take into account the then calamitous circumstances of that country. Mr. Macpherson has drawn up from various sources the following account of Jacques Cœur, "who, at a time when trade was scarcely known in France, is

said to have employed 300 factors to manage his vast commerce, which extended to the Turks and Persians of the East, and the Saracens of Africa; the most remote nations then known to the merchants of Europe. His exports consisted chiefly of woollen cloths, linens, and paper—then the principal manufactures of France; and his returns were silks, spices, &c. But some say that his dealings were chiefly in gold, silver, and arms. This illustrious merchant was treasurer (*argen-tier*) to the King of France, and lent him 200,000 crowns; without which he could not have undertaken the reduction of Normandy. Being sent on

an embassy to Lausanne, his enemies took the opportunity of his absence to bring false charges against him; and the king, regardless of his multiplied services and zealous attachment, abandoned him to their malice. Though nothing could be proved against him, in a trial conducted by his enemies with acknowledged unfairness, he was condemned, the 19th of May, 1453, to the *amende honorable*, to confiscation of all his property, and imprisonment. Having escaped from confinement by the grateful assistance of one of his clerks, he recovered some part of his property which was in foreign countries; and being appointed by the pope to command a division of his fleet, he died in that service at Chio in the year 1456.*

In this age, both in our own and in other countries, commerce was not only carried on by kings and nobles as well as by the regular merchant, but among the most active traders were some of the higher clergy. In England, indeed, it had long been customary for the greatest dignitaries in the church to engage in mercantile pursuits. Matthew Paris tells us that William of Trumpington, abbot of St. Alban's, in the reign of Henry III., traded extensively in herrings, for the purchasing of which at the proper season he had agents at Yarmouth, where he had bought a large house for fifty marks, in which he stored the fish till they were sold, "to the inestimable advantage," says the historian, "as well as honour of his abbey." Frequent mention is made in those early times of trading-vessels which were the property of bishops and other ecclesiastics of rank. Nor did these eminent persons sometimes disdain to take advantage of very irregular and questionable ways of pursuing their extra-professional gains. One transaction in which two bishops of Iceland figure the Historian of Commerce does not hesitate to designate as a scheme of smuggling. They were in the habit, it seems, of requesting and obtaining licenses from Henry VI. for sending English vessels to Iceland on various pretences, which have all the look of being collusive arrangements between them and the owners of the vessels for carrying on an illicit trade.† Iceland, it may be observed, in passing, is stated, at this time, to have possessed neither cloth, wine, ale, corn, nor salt; almost its only produce seems to have been fish. Licenses were often obtained from the English kings by popes, cardinals, and other foreign ecclesiastics, to export wool and other goods without payment of the usual duties. The religious persons of all kinds resident in the country were not considered subject to the payment of custom-duties, any more than of almost any other public burdens; and, taking advantage of this privilege, the Cistercian monks had become the greatest wool-merchants in the kingdom, until, in 1344, the parliament interfered, and prohibited them for the future from practising any kind of commerce. The evil, however, of ecclesiastical communities and individuals engaging in trade

long continued in England and elsewhere to defy the edicts both of the temporal and the spiritual authorities.

Commercial legislation in England in the reign of Henry VI. was still as short-sighted and barbarous as ever, especially on the great subject of national jealousy—the treatment of foreigners. In 1429 a law was passed that no Englishman for the future should sell goods to any foreign merchant except for ready money, or for other goods delivered on the instant.* The penalty for the violation of this enactment was to be the forfeiture of the merchandise. The very next year, however, we find the parliament complaining, that because of this ordinance, "the English merchants have not sold, nor cannot sell nor utter, their cloths to merchants aliens, whereby the king hath lost his subsidies and customs, which he ought to have had if the said cloths had been sold as they were, and were wont heretofore, and English merchants, clothworkers, and other the king's liege people, in divers parts of his realm greatly annoyed and endamaged;" whereupon, at the solicitation of the commons, the late law is so far relaxed as to permit sales at six months' credit.† Some years after this, the wisdom of the legislature displayed itself in another attempt of a still stranger kind. In 1439 it was ordained that no foreign merchant should sell any goods to another foreigner in England, on pain of the forfeiture of the goods so sold; the reason assigned for this law being, that "great damages and losses daily come to the king and to his people by the buying and selling that the merchants, aliens and strangers, do make at their proper will and liberty, as by such buying and selling, which they use together, of all manner of merchandises, any of them with other, and also by covins and compassings that they do, to impair and abate the price and value of all manner of merchandises of this noble realm, and increase and enhance the price of all their own merchandises, whereby the said merchants aliens be greatly enriched, and the king's subjects, merchants denizens of the same realm, grievously impoverished, and great treasure by the same aliens brought out of this realm, the customs and subsidies by them due to the king greatly diminished, and the navy of the said realm greatly destroyed and hindered."‡ Happy, says the Roman poet, is the man who is able to tell the causes of things! It is very difficult, however, to understand this parliamentary logic, or to see how either the consequences alleged, or any others of a pernicious sort, could flow from London or any other town in England being made, what Bruges, and Calais, and other continental emporia were, a place to which foreigners of all nations brought the produce of their respective countries for exchange with one another, as well as for the supply of the resident inhabitants. The only effect of prohibiting the former of these two kinds of traffic would

* Macpherson, Annals of Commerce, l. 670.

† Ibid. l. 657 and 662.

* Stat. 8 Hen. VI. c. 24.

† Stat. 9 Hen. VI. c. 2.

‡ Stat. 18 Hen. VI. c. 4.

be to prevent the foreign merchants from bringing with them so large a quantity of goods as they would otherwise have done.

The calamitous circumstances of the last eight or ten years of the nominal reign of Henry VI.—during the greater part of which period the kingdom was almost without a government, and the land a great battle-field—could not fail to be keenly felt by the tender plant of our rising foreign commerce. Although its growth was checked, however, by the storms with which it had now to contend, it was already too strong to receive more than a temporary injury; and it began to recover its former activity and prosperity as soon as some degree of tranquillity was restored. The reign of Edward IV. is marked by many commercial treaties with foreign powers, which are to be considered as evidences, not so much of any peculiar attachment to the interests of trade in that prince—although, as we have seen, it was a pursuit which he did not disdain to follow on his own account—as of the importance which it had now acquired in the public estimation, and the manner in which it was consequently enabled to compel attention to its claims. Such treaties were made in 1465 with Denmark; in 1466 with Brittany; the same year with Castile; in 1467 with the Netherlands; in 1468 with Brittany again; in 1475 with the Hanse Towns; in 1478 with the Netherlands again; in 1482 with the Guipuscoans in Spain, &c. The only one of these conventions that requires particular notice is that with the Hanse Towns, which was concluded at Utrecht, after a great deal of negotiation, by commissioners appointed on both sides. At this time the great trading community of the Hanse comprised nearly seventy cities and towns of Germany, which were divided into the districts, or regions, as they were

called, of Lubeck, Cologne, Brunswick, and Dantzic—the city of Lubeck standing at the head of the whole confederacy. Of the factories of the Hanse merchants in foreign countries, four were accounted of chief dignity—namely, those of Novogorod, in Russia; London, in England; Bruges, in Flanders; and Bergen, in Norway. It is probable that, of these, London was the most ancient, as well as the most important.* The Hanse merchants resident in and trading to London had early received important privileges from the English kings, which, however, had commonly been granted only for short terms, and had of late especially been held upon a still more precarious tenure than usual, and even subjected occasionally to curtailment or total suspension. The object of the present treaty was to remedy this state of things, which was found to be fraught with inconvenience to all parties, and to establish the Hanse factories in England upon a foundation of permanent security. It was agreed that all past injuries or complaints on both sides should be buried in oblivion, and that a full settlement of conflicting claims should be effected by a payment to the Hanse merchants of 10,000*l.* sterling, which they consented to receive in the shape of customs remitted upon their subsequent imports and exports. It was also arranged that the king should appoint two or more judges, who, without any legal formalities, should do justice between the parties in all civil or criminal causes in which the Hanse merchants might be concerned in England, a similar provision being made for the settlement of disputes involving the English residents in the Hanse countries. It is in this treaty, we believe, that the first mention is made of the London Staelhof, or Steelyard, which is described as a court-yard extending

* Macpherson, Ann. of Com. I. 694.



WHARF OF THE GERMAN MERCHANTS OF THE STEELYARD IN THAMES STREET.
Engraved from Hollar's Print in 1641.

to the Teutonic Guildhall. It was not, therefore, as has been generally assumed, the same with the Teutonic Guildhall, although both buildings seem to have eventually come into the possession of the Hanse merchants, if the latter did not originally belong to that confederacy. The Steelyard, by the present treaty, was conveyed to the Hansards by the king in absolute property, as were also a courtyard called by the same name in the town of Boston, and another house in Lynne, they becoming bound to bear all the burdens for pious purposes to which these several buildings were liable by ancient foundation, or the bequests of the faithful, and having full power to pull down and rebuild, as they might find convenient. The London Steelyard, or Steel-house, as it was sometimes called, stood between Thames-street and the river, where there is a street still known by the name of Steelyard-street, a little to the east of Dowgate Wharf. The name seems to have no connexion with steel, but is said to mean the place where cloths, and perhaps also other goods, were sealed or stamped.*

Besides the gain which he made by his own commercial undertakings, Edward IV. obtained large pecuniary supplies at various times in the form of loans from the merchants and mercantile communities both of his own kingdom and of other countries. The amount of these advances evinces the opulence which was now not unfrequent among the followers of commerce. In the preceding reign, according to the statement in an act of parliament passed in 1449,† the annual revenue derived from the customs at the great staple of Calais, which in the reign of Edward III. had amounted to 68,000*l.*, had then fallen to 12,000*l.*; under which state of things the commons of the land, it is affirmed, were "not enriched by their wools and woolfells and other merchandise, as they were wont to be, the merchants greatly diminished as well in number as in goods, and not of power nor of comfort to buy the wools and woolfells and other merchandises, as they have done of old time, the soldiers of Calais and of the marches there not paid of their wages, and the town of Calais by default of reparation likely to be destroyed." Within a few years from this date, however, the merchants of Calais were wealthy enough to lend King Edward what was a large amount of money in those days. In 1464 he is stated in the Rolls of Parliament to have owed them 32,861*l.*, for payment of which they were assigned a yearly instalment out of the subsidies on wool. He continued, however, to borrow largely in subsequent years; so that in 1468 he was still owing them about 33,000*l.*, a debt which he increased the next year by 10,000*l.*, borrowed of them for payment of a part of his sister's portion to the Duke of Burgundy. On many other occasions he resorted for pecuniary assistance to the

same quarter. Another quarter to which he repeatedly had recourse was that of the famous Medici, the princely merchants of Florence. Cozzimo assures us that one of the agents of Cosmo de' Medici was chiefly instrumental in enabling him to mount the throne, by furnishing him at one time with a sum of not less than 120,000 crowns. Florence, we may remark, was now growing rich by the oriental trade, which had nearly left Genoa, torn as the latter republic was by internal dissensions, as well as deprived of all its possessions in the East by the conquests of the Turks.

Some documents printed by Rymer, relating to an application made to King Edward by some Spanish merchants in 1470, for compensation on account of the loss of several vessels and cargoes which they alleged had been piratically taken from them by the people of Sandwich, Dartmouth, Plymouth, and Jersey, furnish some information respecting the ordinary size of the trading-vessels of those times, and the value both of the ships and their cargoes. The ships in question were laden with iron, wine, wool, raisins, liquorice, spicery, incense, oranges, marfac, and a small quantity of cheese—all the produce of the north of Spain. They were seven in number, of which one, called a carvel,* of 110 tons, valued at 150*l.*, and having wool, iron, &c. on board, to the amount of 2350*l.* more, was bound for Flanders: the cargoes of the others, whose destination was England, were all of much less value. They were, a carvel of 120 tons, valued at 180*l.*, with a cargo valued at 270*l.*; a ship of 120 tons, valued at 110*l.*, with a cargo valued at 190*l.*; a carvel of 110 tons, valued at 140*l.*, with a cargo valued at 240*l.*; a ship of 100 tons, valued at 107*l.* 10*s.*, with a cargo valued at 457*l.* 10*s.*; a ship of 70 tons, valued at 100*l.*, with a cargo valued at 250*l.*; and a carvel of 40 tons, valued at 70*l.*, with a cargo valued at 180*l.*† These statements may be compared with those in the documents contained in a preceding volume of the same collection relating to the dispute with the Hanse Towns which was at length settled, as mentioned above, by the treaty of 1409. In the latter we find mention made of a Newcastle ship of 200 tons, valued at 400*l.*; of a cog belonging to Hull, which, with its cargo of cloth, was valued at 200*l.*; of another, laden with oil, wax, and werke, (?) valued at 300*l.*; of a barge belonging to Falmouth, laden with salt and canvass of Brittany, valued at 333*l.* 6*s.* 8*d.*; of another Yarmouth vessel, laden with salt, cloth, and salmon, valued at 40*l.*; of four vessels belonging to Lynne, carrying cloth to the value of 3623*l.* 5*s.* 11*d.*, besides wine and other goods; and of a crayer‡ belonging to Lynne, laden with osmunds

* Carvel, or Caravel, from the Spanish *Caravela*, is explained by Johnson to be a kind of ship, with a square poop, formerly used in Spain.

† *Fœdera*, xi. 671, 673.

‡ Crayer, Crare, or Cray, a small sea-vessel, from the Old French, *Craier*.

says Belarius in 'Cymbeline'.—

"Who ever yet could sound thy bottom? And
The ooze to show what coast thy sluggish crare
Might easiest harbour in?"

* Killan, in his 'Etymologium Teutonice Lingue,' explains a *Stael-hof* to be the place where dyed cloths are sealed with the *stael-loot* (seal of lead).—Nespherson, *Ann. of Com.* l. 691. But in what language does *stael* signify a seal?

† 27 Hen. VI. c. 2.

and other goods to the value of 643*l.* 14*s.* 2*d.* Towards the close of the reign of Edward IV., it appears from the orders issued for the manning of the fleet on the breaking out of the war with Scotland in 1481, the crown was possessed of no fewer than six ships of its own; which was probably the greatest royal navy that had existed in England since the reign of William the Conqueror.

The foreign trade of the country, as one of its most important interests, occupied much of the attention of the parliament called together by Richard III., in the first year of his reign. Of the fifteen acts passed by it, seven relate to commerce and manufactures. The first of these—the subject of which was chiefly the fabrication and dyeing of woollen cloths—will be noticed again in a subsequent page, when we come to give an account of the state of the useful arts in the present period. It is only necessary to refer here to one of the complaints in the preamble, which states that it had been customary for the foreign merchants in their purchases of wool, to procure it sorted and picked, and to leave the locks and other refuse—by reason of which, it is added, there had come to be no manufacture of fine drapery in England: to remedy this evil, it was provided that, for the future, no wool should be sold to strangers cleaned from the locks or refuse, or in any other state than as it was shorn*—an enactment conceived in the spirit of the very infancy and rudest barbarism of commercial legislation. The next chapter of the statute, entitled 'An Act touching the Merchants of Italy,' is very interesting for the information which it incidentally furnishes respecting the trade then carried on in this country by foreign merchants. The preamble represents, that merchant strangers of the nation of Italy—under which name are included not only the Venetians, Genoese, Florentines, Apulians, Sicilians, and Lucaners, or people of Lucca, but also the Catalonians "and other of the same nation," according to the fashion of speaking in that age, which was to consider all the countries bordering on the Mediterranean as belonging to Italy,—were resident in great numbers both in London and in other cities of England, and were in the habit of taking warehouses and cellars in which to store the wares and merchandises they imported, "and them in their said warehouses and cellars deceivably pack, meddle (mix), and keep unto the time the prices thereof been greatly enhanced, for their most lucre, and the same wares and merchandises then sell to all manner of people, as well within the ports whereunto they bring their said wares and merchandise, as in other divers and many places generally within this realm, as well by retail as otherwise." An extensive and active internal trade, therefore, was carried on by these foreign residents: it is probable, indeed, that besides their business as importers and exporters, the greater part of the domestic sale of commodities brought from beyond seas was in their hands. This is the second condition in the natural com-

mercial progress of a country; first, its poverty and barbarism invite only the occasional resort of foreigners, without offering any temptation to them to take up their residence within it; then, as its wealth increases, foreigners find even its home trade an object worth their attention, and one which they easily secure by the application of their superior skill and resources; lastly, in the height of its civilization, and when the energies of its inhabitants have been fully developed—in a great measure by the impulse received from these stranger residents,—its traffic of all kinds, as well as all the other businesses carried on in it, naturally falls into the almost exclusive possession of its own people. England, then, at the end of the fifteenth century, was only yet making its way through the intermediate or transition stage in this advance from having no commerce at all to having a commerce properly its own. The act goes on to recite, that the foreign merchants not only traded in the manner that has been described in the goods imported by themselves from abroad, but also bought, in the ports where they were established and elsewhere, at their free will, the various commodities which were the produce of this realm, and sold them again at their pleasure within the country, as generally and freely as any of the king's subjects. "And the same merchants of Italy and other merchants strangers," it is added, "be hosts, and take unto them people of other nations to sojourn with them, and daily buy and sell, and make many privy and secret contracts and bargains with the same people." They are farther specially charged with buying up in divers places within the realm great quantities of wool, woollen cloth, and other merchandises, part of which they sold again both to natives and aliens, as they found it most for their profit, delivering a great part of the wool to clothiers to make into cloth "after their pleasures." "Moreover, most dread sovereign lord," continues the recital, "artificers and other strangers not born within your obeisance daily resort and repair unto your said city of London, and other cities, boroughs, and towns of your said realm, in great number, and more than they have used to do in days past, and inhabit themselves within your said realm, with their wives, children, and household, and will not take upon them any laborious occupation, as carting and ploughing, and other like business, but use making of cloth and other handicrafts and easy occupations, and bring and convey from the parts of beyond the sea great substance of wares and merchandises unto fairs and markets, and all other places of your realm, at their pleasure, and there sell the same as well by retail as otherwise, as freely as any of your said subjects useth for to do, to the great hurt and impoverishing of your said subjects, and in nowise will suffer nor take any of your subjects to work with them, but only take into their service people born in their own countries, whereby your said subjects for lack of occupation fall to idleness, and been thieves, beggars, vagabonds, and people of vicious living, to the

* 1 Richard III. c. 8.

great trouble of your highness and of all your said realm." We need not transcribe the enacting part of the statute; its historical interest, and its value for our present purpose, lie in the above preamble, which furnishes so full and clear an account of the manner in which the commerce of the country was at this time conducted. The evils, or supposed evils, so strongly complained of were of course attempted to be remedied by all sorts of restrictions on the operations of the foreign dealers—restrictions which were one and all absurd and of mischievous tendency, as well as, fortunately, in their very nature of impracticable enforcement. Their almost avowed object was to check the importation of foreign commodities of all kinds. While shackles, however, are imposed upon the trade in all other commodities, it is interesting to find an exception made in favour of the new-born trade in books, the creation of the great art recently invented of growing them as it were in crops, even as the manifold produce of the corn-fields is raised from the scattered seed. "Provided always," the statute concludes, "that this act, or any part thereof, or any other act made or to be made in this present parliament, in no wise extend or be prejudicial, any let, hurt, or impediment to any artificer or merchant stranger, of what nation or country he be, or shall be of, for bringing into this realm, or selling by retail or otherwise, of any manner books written or imprinted, or for the inhabiting within the said realm for the same intent, or to any writer, limner, binder, or imprinter of such books as he hath, or shall have, to sell by way of merchandise, or for their abode in the same realm, for the exercising of the said occupations, this act or any part thereof notwithstanding."*

Two other acts of this parliament continue for ten years longer prohibitions passed in the preceding reign against the importation of a great number of foreign manufactured articles. They will be noticed more at length presently. Intervening between these non-importation acts is another of a directly opposite character, ordaining that, for the future, along with every butt of either Malvesy (Malmesey) or Tyre wine brought to the country by the Venetians or others should be imported ten good and able bowstaves. Formerly, it is alleged, bowstaves used to be sold at 40*s.* the hundred, or 46*s.* 8*d.* at most; but now, by the seditious confederacy of the Lombards trading to this country, they had risen to the "outrageous price" of 8*l.* the hundred.† This, it may be observed, was the second attempt that had been made to remedy the grievance in question. The way in which it was first attacked was more direct. In 1482 it was ordained that, whereas the bowyers in every part of the realm sold their bows "at such a great and excessive price, that the king's subjects properly disposed to shoot be not of power to buy to them bows;" therefore, from the feast of Easter next coming, no bowman should take from any of the king's liege people for a long bow of

yew more than 3*s.* 4*d.** This was certainly carrying faith in the virtue of an act of parliament as far as it could well go.

Here, then, were two legislative modes of keeping down prices. The last of the acts of Richard's parliament which it remains for us to notice, furnishes an example of a third. The evil against which this act is directed is the high price of Malmesey wine—a public calamity which is both pathetically and indignantly bewailed. Butts of wine called Malvesy, it is affirmed, were wont in great plenty to be brought into this realm to be sold "before the 27th and 28th years of the reign of Henry IV., late in deed and not of right king of England, and also in the same years;" at which time they held from 140 to 126 gallons a piece; "and then a man might buy and have of the merchant stranger, seller of the said Malveseys, by mean of the said plenty of them, for 50*s.*, or 53*s.* 4*d.* at the most, a butt of such wine, he taking for his payment thereof two parts in woollen cloth wrought in this realm, and the third part in ready money." But now, the act proceeds to complain, the dealers in these wines have, "by subtle and crafty means," so contrived it that the butts of Malmesey lately imported scarcely hold 108 gallons; "and besides," it is added, "they knowing, as it seemeth, what quantity of such wine may serve yearly to be sold within this realm, where they were wont to bring hither yearly great quantity and plenteously of such wine to be sold after the prices aforesaid, of their craftiness use to bring no more hither now in late days but only as will scantily serve this realm a year, wherethrough they have enhanced the price of the same wines to eight marks (5*l.* 6*s.* 8*d.*) a butt, ready money, and no cloth, to the great enriching of themselves, and great deceit, loss, hurt, and damage of all the commons of this realm." The plan adopted for reformation of this inconvenience was simply to ordain that the butt of Malmesey should be again of the old measure. It seems to have been thought that the old measure was the cause of the old price, and that the one being restored, the other would follow of course.

Little, it is plain, can be said in commendation of the enlightened wisdom of any part of this system of commercial policy. The various facts and statements that have been quoted, however, all go to attest the actual commercial advancement of the country in despite of vicious legislation. The subject of trade is seen filling a constantly enlarging space in the public eye; and even the misdirected efforts of the law show how strongly and generally men's minds were now set upon the cultivation of that great field of national industry.

In Scotland also, as well as in England, the manufactures and commerce of the country appear, on the whole, to have made considerable advances in the course of the fifteenth century. It is recorded that the English vice-admiral, Sir Robert Umfraville, in an expedition upon which he sailed

* Rich. III. c. 2.

† Ibid. c. 11.

* 22 Edw. IV. c. 4.

to the Frith of Forth in 1410, besides plundering the country on both coasts of that arm of the sea, carried off as prizes fourteen "good ships" laden with woollen and linen cloth, pitch, tar, woad, meal, wheat, and rye, in addition to many which he burned.* This shows that even in the earlier part of the present period Scotland was by no means destitute of trade and shipping. Some of the vessels taken by Umfraville, however, might belong to foreigners; the Lombards, in particular, according to Fordun, already carried on a considerable Scottish trade, and some of the ships in which they resorted to the country were of large burden. The usual staple of the Scottish continental commerce was at Bruges, in Flanders. James I., in 1425, removed it to Middleburgh, in Zealand; but, on an embassy arriving the same year from the Flemings, with concessions on some points as to which the Scottish merchants had felt aggrieved, he agreed to restore the former arrangement. In 'The Libel of English Policy,' however, written nearly twenty years after this, we are informed that the exports of Scotland then consisted only of wool, woolfells, and hides. The Scottish wool, it is added, used to be mixed with the English, and manufactured into cloth, at the towns of Popering and Bell, in Flanders. It seems to have been exported to Flanders in Scottish vessels, which returned home with cargoes of mercery, haberdashery, and other manufactured goods of various kinds, among which are specified cart-wheels and barrows. But the most ample information respecting the commerce and manufactures of Scotland during this period is supplied, as in England, by the statute-book. A long succession of enactments relating to this subject commences from the return of James I., in 1424; from which date, it is worthy of remark, the Scottish laws, which had been hitherto in Latin, are written, with only a few exceptions, in the language of the country—an improvement which was not adopted in England till more than sixty years afterwards. We can here, however, only notice, in their chronological order, a very few of the more remarkable particulars to be collected from this source. In 1425 it was, among other things, ordained that the merchants returning from foreign countries should always bring back, as part of their returns, harness (or defensive armour), spears, shafts, bows, and staves. The same parliament also passed a law for establishing a uniformity of weights and measures. From a law of 1428, permitting merchants, for a year ensuing, to ship their goods in foreign vessels, where Scottish ones were not to be found, it would appear that a Scottish navigation act existed before this time, although no record of it has been preserved. In 1430, a law was passed to which the epithet of anti-commercial may be applied, ordaining, that cloths made of silk or adorned with the finer furs, should not be worn by any person under the rank of a knight, or whose annual income was less than 200 marks. This

proves, however, that these expensive kinds of dress were then well known in the country, and were even in use among those who did not belong to the wealthiest classes. This same year King James imported from London for his own use the following articles—which it may therefore be presumed he could not procure at home so readily or of so good a quality:—20 tons of wine; 12 bows; 4 dozen yards of cloth of different colours; 12 yards of scarlet; 20 yards of red worsted; 8 dozen pewter vessels; 1200 wooden bowls, packed in four barrels; 3 dozen coverels, a basin, and font; 2 summer saddles, 1 hackney-saddle, a woman's saddle with furniture; 2 portmanteaus; 4 yards of motley; 5 yards of morrey; 5 yards of black cloth of lyre; 12 yards of kersey; and 12 skins of red leather. These goods were shipped for Scotland in a vessel belonging to London, accompanied by an order of King Henry, securing them from molestation by English cruizers.* In 1435, we find James purchasing 30 fadders of lead from the Bishop of Durham; for the export of which, either by land or water, on payment of the usual customs, an order was granted by the English council. A law of the Scottish parliament in 1424 had declared all mines to belong to the crown that yielded three halfpennies of silver in the pound of lead; and Mr. Macpherson thinks that the import of lead from England probably became necessary in consequence of the check which this enactment put upon the operations of mining. A scarcity of the precious metals also seems to have been about this time felt, if we may judge by a law of the year 1436, which enacted that the exporters of native produce should give security to bring home, and deliver to the master of the mint, a certain quantity of bullion for every sack of wool, last of hides, or measure of other goods which they carried abroad.

One of the most eminent of the Scottish merchants of this age was William Elphinstone, who is regarded as the founder of the commerce of Glasgow, as his son Bishop Elphinstone, towards the close of the century, was of the University of Aberdeen. Elphinstone's trade is supposed to have consisted in exporting pickled salmon. Two Scottish merchants, George Faulau and John Dalrymple, repeatedly appear soon after this as employed by James II., in embassies and other public business, along with noblemen and clergymen. A law was passed in 1458 prohibiting any person from going abroad as a merchant, unless, besides being a person of good credit, he either possessed or had consigned to him property to the amount of three serplaiths,—the serplaith being, according to the common account, eighty stones of wool. Merchants were at the same time forbidden to wear silk, scarlet, or fur of martens, unless they were aldermen, bailies, or in some other capacity members of a town council. The social estimation in which commercial men were at this time held in Scotland may in some degree be gathered from

another clause of the act, which commands that poor gentlemen living in the country, having estates of more than 40*l.* a-year of old extent, should dress as merchants. The dress of the wives of merchants, as well as their own, was regulated by this statute: they are directed to take especial care to make their wives and daughters be habited in a manner correspondent to their estate; that is to say, on their heads short curches, with little hoods, such as are used in Flanders, England, and other countries; and gowns without tails of unbefitting length, or trimmed with furs, except on holidays. Further, as if it had been intended to discriminate the several ranks of the community by so many different colours, like the enchanted fish in the Eastern tale, while merchants were prohibited from wearing scarlet, all hues except grey or white were interdicted to labourers on working days, and on holidays all except red, green, or light blue. So much may serve for sample sufficient of this fantastic piece of legislation. Meanwhile, the growth of the trade of the country is indicated by occasional notices of commercial treaties with various foreign governments,—with England, with Denmark, with Flanders, and other continental states. In 1467 various new restrictions were imposed, with what view it is not easy to imagine, upon the pursuit of foreign commerce. It was ordained that no persons should go abroad as merchants except free burghesses, resident within burgh, or their factors and servants; and that no burghess even should have that liberty unless he was “a famous and worshipful man,” having at the least half a last of goods in property or trust. Handicraftsmen or artisans, in particular, were debarred from engaging in trade unless they obtained special licenses, and renounced their crafts without colour or dissimulation. These prohibitions look very much as if they had been obtained by the influence of the mercantile body, wishing to preserve the monopoly of the foreign trade in their own hands. By another regulation all vessels were prohibited from sailing to any foreign country between the end of October and the beginning of February. Rochelle, Bordeaux, and the ports of France and Norway, are all mentioned in this act as places to which the Scottish merchants were then accustomed to resort. The regulation requiring every merchant to be a burghess made an exception in favour of the nobility and clergy, who were permitted to export their own goods, and import what they had occasion for, by the agency of their servants. In Scotland as well as in England many, both of the nobility and the bishops, had long been accustomed openly to pursue trade as a source of gain. In the beginning of this century, for instance, mention is made of a vessel carrying two supercargoes and a crew of twenty men, which was freighted by the Earl of Douglas to trade with Normandy and Rochelle, and of another navigated by a master and twenty-four sailors, and laden with six hundred quarters of malt,

of which the Duke of Albany was proprietor.* In 1404 a richly-laden vessel, belonging to Wardlaw, Bishop of St. Andrew's, was taken by the English. In 1473 another, called the *Salvator*, the property of his successor, Bishop Kennedy, being the finest vessel that had ever been built in Scotland, was wrecked at Bamborough, when the cargo was plundered, and the crew made prisoners by the people of the country,—an outrage for which redress was soon after demanded by the Scottish parliament, and which it was finally agreed should be compensated by the King of England paying the merchants to whom the goods belonged a composition of five hundred marks.

Very few notices respecting the trade of Ireland occur during this period. The exports from that country, according to the author of the ‘*Label of English Policy*,’ were hides, wool, salmon, hake (a kind of fish), herrings, linen, falding (a kind of coarse cloth), and the skins of martens, harts, otters, squirrels, hares, rabbits, sheep, lambs, foxes, and kids. Some gold ore had also lately been brought thence to London. The abundant fertility and excellent harbours of Ireland are celebrated by this writer.

In connexion with the subject of trade and commerce it may be mentioned that to the close of this period we owe the first establishment in England of public posts for the conveyance of intelligence. The plan was first carried into effect in France by Louis XI., about the year 1476, and was introduced in England by the Duke of Gloucester (afterwards Richard III.), while conducting the Scottish war in 1481. By means of post-horses changed at every twenty miles, letters, we are told, were forwarded at the rate of a hundred miles a day. Both in France and in England, however, the post in this, its earliest form, was exclusively for the use of the government.

The English coins of this period were, with one exception, to be presently noticed, gold and silver pieces of the same denominations that have been already described. Although, however, the names, and also the relative values of the coins continued unchanged, their positive values, or the actual quantities of metal of which they were formed, underwent a succession of diminutions. It has been stated that whereas, originally, 240 pennies were coined out of the Tower pound of silver, weighing 5400 grains troy, Edward III. coined out of the same quantity of silver 270 pennies; thus reducing the quantity of silver in each penny from 22½ to 20 grains. The effect of this would be to depreciate the penny by the amount of about one-third of a farthing, and the nominal pound (which was still held to contain 20 shillings, or 240 pence) by about 6*s.* 6*d.* in our present money; thus reducing it from about 56*s.* 3*d.* to somewhat less than 50*s.* The groats, or fourpenny pieces, afterwards issued by Edward III., carried the depreciation still farther than this; each of these coins weighing only 72 grains instead of 90, which they ought to have

* See Tytler, *Hist. of Scotland*, iii. 328.

done according to the original scale, or 80, which even the lately reduced rate would have demanded. A shilling paid in these groats was worth only about 2s. 3d. of our present money, instead of about 2s. 9½d., its original value; and a pound paid in the same coin was only about 46 of our present shillings.*

Such, then, were the values of the several silver coins at the accession of Henry IV. That king, in 1412, depreciated the currency still more by coining the Tower pound into thirty shillings by tale,—that is to say, into 360 pennies; the effect of which was to reduce the amount of silver in each penny to 15 grains, and the value of the penny to not quite 2d., of the shilling to about 1s. 10½d., and of the pound to 1l. 17s. 9d. of our present money. The strange reason assigned for this alteration was “the great scarcity of money in the realm,”—as if money, or anything else of intrinsic value, could be made more plentiful by the easy process of cutting each piece into two. The ordinance, which stands on the rolls of parliament, however, betrays a consciousness that the ingenious expedient was not likely to succeed. The new mode of coinage was directed to be tried only for two years; and if, at the end of that

* See vol. i. pp. 273, 294, and 297.

time, it should be found against the profit of the king and his realm, then to cease. It must, in fact, even then have been plain to all the world that the measure, the evil effects of which had already been repeatedly experienced, was nothing else than a robbery of the public for the benefit of the royal exchequer. Even to the crown, indeed, the benefit was only temporary; but this deeper truth may not have been so clearly perceived. In the first instance, of course, and for the moment, the base coinage was profitable to the utterer. The different pieces coined by Henry IV. were halfpennies, pennies, and groats of silver, and nobles, half nobles, and quarter nobles of gold. In the last year of his reign he reduced the quantity of gold in the noble from its original amount of 120 grains to 108 grains; in other words, he diminished its intrinsic value by one-tenth. Henry’s gold coins exactly resemble those of his predecessor, the only difference being the substitution of the name HENRICUS for RICHARDUS. His silver coins are also principally distinguished by the name.

The values of the several denominations of English money continued without further reduction during the two next reigns. The silver coins of Henry V. are supposed to be distinguished from



NOBLE OF HENRY V.



HALF NOBLE OF HENRY V.



QUARTER NOBLE OF HENRY V.

those of his father by two little circles on each side of the head, which are thought to have been intended for eylet-holes,—“from an odd stratagem,” says Leake, “when he was prince, whereby he recovered his father’s favour, being then dressed in a suit full of eylet-holes: from that time may likewise be dated his extraordinary change of manners, which proved so much to the honour of himself and the kingdom, and therefore not an improper distinction of the money of this prince from the others of the same name.”* The story

* Historical Account of English Money p. 139.

in question, which is told at great length by Holinshed, Speed, Stow, and other chroniclers of that age, is, briefly, that when the worst suspicions of the conduct of his son had been infused into the mind of Henry IV., the prince regained his father’s favour by appearing before him, and offering the king his dagger, that he might, if he pleased, take his life on the spot. On this occasion, it seems, “he was apparelled in a gown of blue satin, full of small eylet-holes, at every hole the needle hanging by a silk thread with which it was sewed: about his arm he wore a bound’s

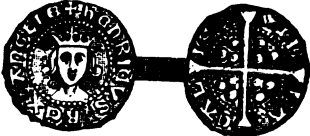
collar set full of SS of gold, and the tirets likewise being of the same metal."* But what particular part in the stratagem this fantastic dress was intended to play does not appear. The story looks at the best as if we had got only the half of it; but it is probably altogether an invention of a later age, and, instead of having been the origin of the eylet-holes on the coin, it is most likely itself



GROAT OF HENRY V.



HALF GROAT OF HENRY V.



PENNY OF HENRY V.

the offspring of that device. Henry V. also struck various French coins, among which were muttons (so called from bearing the impression of a lamb, or Agnus Dei) of gold, and groats, half groats, quarter groats, mançois, and petit deniers, of silver. After the treaty of Troyes he coined others called saluts, demi-saluts, blancs, &c., in the legend of which he took the title of Hæres Franciæ, or Heir of France.

The English coins of Henry VI. are supposed to be distinguished from his father's by the arched



GROAT OF HENRY VI.

crown called the imperial, surmounted with the orb and cross. He also issued, as King of France, saluts, angelots, franks, and nobles of gold, and groats, blanks, deniers, &c., of silver.

* Holmshed.



HALF GROAT OF HENRY VI.



PENNY OF HENRY VI.

The English money was again depreciated by Edward IV., who, in 1464, ordered the Tower pound of silver to be coined into 37s. 6d. by tale, that is, into 450 pennies. The penny now, therefore, contained only 12 grains of silver, and its value was little more than 1½d. of our present money; that of the shilling was about 1s. 6d.; and that of



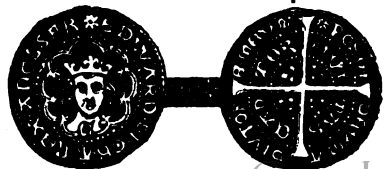
ANGEL OF EDWARD IV.



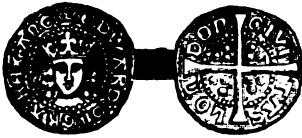
HALF ANGEL OF EDWARD IV.



GROAT OF EDWARD IV.



HALF GROAT OF EDWARD IV.



PENNY OF EDWARD IV.

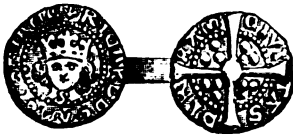
the nominal pound about 30s. Edward IV., in 1466, also struck two new gold coins, called angels and angelots, from the figure of an angel on the reverse. These were intended as substitutes for the noble and the half noble, and were, like them, ordered to pass respectively for 6s. 8d. and 3s. 4d.; but they were considerably inferior in intrinsic value even to the nobles that had been struck since the last year of the reign of Henry IV.; for instead of 108 grains, the angel contained only 80 grains. It was, therefore, really worth little more than three-fourths of the late noble, or exactly two-thirds of the original coin of that name. Henry VI., also, during his short restoration to power in 1470, coined angels of gold, and groats and half groats of silver, all after the depreciated standards that had been established by Edward IV. It is not probable that Edward V. coined any money. The gold coins of Richard III. were angels and half angels, of the same weight as his brother's, and bearing Richard's cognizance of a boar's head; his silver money is distinguished from that of Richard II. by being a third lighter.



GROAT OF RICHARD III.



HALF GROAT OF RICHARD III.



PENNY OF RICHARD III.

The depreciation of the coin in Scotland during the present period proceeded much more rapidly, and was carried to a much greater extent, than in England. When James I. returned home, in 1424, he found the real value of the Scottish money very considerably less than that of the English of the same denominations; on which he imme-

diately got an act of parliament passed for restoring the coin to the same weight and fineness with that of England; but it proved of no effect,—the depreciation was carried farther and farther, till at length, at the close of the present period, the Scottish coins were scarcely more than one-fourth of the weight of the English. The pound of silver, which had been originally coined, as in England, into 20 shillings, was coined in 1424 into 37s. 6d.; in 1451 into 64s.; in 1456 into 96s.; and in 1475 into 144s. The value of the Scottish shilling at this last-mentioned date, therefore, was little more than 4½d. of our present money. We shall find, however, that it afterwards declined to a much lower point than this.

In resuming our notice of the arts of life, it should not be forgotten that, although some of the causes which tended to depress them in the present period were doubtless peculiar to a state of internal warfare, others, perhaps nearly as injurious in their operation, were simply a recurrence of evils to which the industry of the country had been always subjected. It may easily be conceived that horticulture, an art ornamental rather than absolutely necessary to existence, declined. "Such herbs, fruits, and roots," says Harrison, in his 'Description of England,' "as grow yearly out of the ground, of seed, have been very plentiful in this land in the time of the first Edward, and after his days; but in process of time they grew to be neglected, so that from Henry IV. to the latter end of Henry VII. and beginning of Henry VIII. there was little or no use of them in England, but they remained either unknown or supposed as food more meet for hogs and savage beasts to feed upon than mankind." He afterwards enumerates the productions he alludes to as being melons, pompions, gourds, cucumbers, radishes, skirrets, parsnips, carrots, cabbages, *navewes*, turnips, and all kinds of salad herbs.* Many of the cultivators of the soil must also have suffered severely in their fortunes from the disorders and calamities of the times; but it may be doubted whether agriculture as an art actually retrograded. The frequent confiscations of landed property, at the sole will of the sovereign, were perhaps less pernicious in themselves, however hard upon individual interests, than as they occasioned a general feeling of insecurity. The warrants for these confiscations were expressed so loosely that those to whom their execution was committed were often tempted to profit by the spoliation of the property. But even notwithstanding these frequent confiscations, the bulk of the people were more exempt from oppression than in the reigns of the first Norman kings. The evils to which agriculture had been constantly liable, in peaceful as well as turbulent periods, were the same in their tendency with those under which it was now suffering, and, though somewhat less injurious in degree, operated more universally. Thus in a statute of Henry IV. it is stated that "daily the great persons of the

* Desc. of England, ch. 19. Digitized by Google

realm do make forcible entries into other men's lands, and put out the possessors of the same, and also take their goods and chattels in manner of robbery, so that they be utterly disinherited and undone." Half a century later the same or similar disorders prevailed. In a statute of the latter part of the reign of Henry VI.* it is recited that hostlers, brewers, and other victuallers, were wont to purchase the king's letters patent, "to take horses and carts for the carriage of the king and queen, more for their private and singular lucre and profit than for any faithful service of the king or of the queen:"—"by colour of which letters patent," it is added, "they daily take horses and carts where no need is, and bring them to their hostleries, and there keep them secretly sometime until they have spent twenty pence or forty pence, and sometime more, and then they make the owners of the said horses and carts to pay for the same before they can get delivery of their horses and carts." Treble damages were now, indeed, made recoverable for acts of this description; but the statute was not passed until 1449, and the injurious extent to which the agriculturist might previously have been harassed by such usurpations may easily be conceived.

To counteract the effect of authorised and also of forcible interference with men's interests and property, there were the growing importance of trade and manufactures; the increased value of wool, "the chief and principal commodity of the realm," as it is termed in the statutes, for which there was a demand frequently exceeding the supply; the gradual emancipation of the villains, who became free labourers; and the rise of a class of cultivators paying money-rents. Under these favouring circumstances the country was frequently enabled to export a portion of its agricultural produce. In a communication to Eric X. King of Denmark, Henry VI. says, that "although England usually produces plenty of corn, yet, by reason of a rainy season, corn, and more especially rye, had this year failed in most parts." In 1425 the exportation of corn was permitted by statute anywhere except to the

* 28 Henry VI. c. 2.

king's enemies, upon payment of the customary duties. In 1436 it was enacted that corn might be carried out of the realm without license, whenever wheat was at the low price of 6s. 8d. and barley at that of 3s. per quarter.* This act, after having been renewed for ten years in 1441, was made perpetual in 1444. In 1463 the same prices are again noticed in connexion with the importation of corn and grain,† the statute prohibiting the supply from abroad unless these prices were exceeded in the home market. The variation in prices, though not so great as in the preceding periods, was still extraordinary. The prices given in the statutes just quoted may be considered as the average. In 1416 wheat was 16s., and in 1463 the price was only 2s. per quarter.‡ The difficulty of circulating agricultural produce would have the effect of rendering prices variable, and diminished the motives for accumulating it in any large quantities for seasons of scarcity. Both these evils were felt, and their remedy was attempted. It appears from an act passed at the beginning of the reign of Henry VI., that a commission had been appointed a short time before for improving the navigation of the river Lea, for the purpose, no doubt, of facilitating the supply of London with the corn, grain, and flour, for which the county of Hertford was and still is famous. In the absence of laws for the repair of the roads, it was also common for persons of substance to leave by will certain sums to be applied to this useful purpose.§ In 1446 a large stone edifice was erected in London, on the site of the present Leadenhall-market, as a public granary. ||

Very early in the ensuing period we shall be enabled to refer to regular treatises on British husbandry, but for the present the information to be obtained on this subject must chiefly be derived from accidental notices or old money accounts. The produce of 157½ acres of arable land on the Hawsted Manor Farm was 148 quarters, being, on the average, less than 8 bushels per acre on

* 15 Henry VI. c. 2. In the extant copies of the act, however, no prices are mentioned; those quoted have been supplied on the margin from the recitals in subsequent acts.

† 3 Edward IV. c. 2.

‡ Sir J. Cullum's Hist. Hawsted.

§ Stow.

|| Stow.



TWO-WHEELED PLOW. From Harleian MS. No. 4374.

57 acres of wheat, 24 of barley, 22 of pease, and 54½ of oats. The produce of the different grains was—wheat less than 6 bushels; barley 12 bushels; pease 12 bushels; and oats 5 bushels. The produce of 61 acres of wheat for three years was under 210 quarters, and, being followed by no rise of price, the crops were probably average ones. When the produce of wheat, however, fell to 6 bushels an acre, prices rose from 4*s.* and 5*s.* to 13*s.* 4*d.* per quarter. After an abundant harvest, 24 quarters of oats had sometimes been sold from the manor farm; but when the produce was small, not more than 3 quarters were disposed of.*

The following facts relative to the occupancy of the land by tenants are taken from the same work that has just been quoted:—One rental, in 1420, mentions 8 acres of arable land let at 6*d.* an acre; another, in 1421, 38 acres at 9*d.* an acre; and a garden at the old rent of 10*s.* a-year. "Land," Sir John Cullum observes, speaking of the middle of the fifteenth century, "seems not now to have been of more value than it was above eighty years before." He shows that the produce of an acre in hay, in 1448, was worth 5*s.*, which appears also to have been its value in 1359. The clauses introduced in the following lease are curious:—"In 1491 the Abbot of Bury let two pieces of pasture, containing together 18 acres, to a man and his wife and their executors, &c., for 80 years, at 6*s.* 8*d.* a-year, which is about 4½*d.* an acre. The tenants were to extirpate all the thorns growing on the said pastures within the first twelve years. And if the rent were not paid on the two usual days, or if all the thorns were not extirpated within the time prescribed, the landlord might re-enter and distrain the tenants, and all their goods and chattels found on the farm or elsewhere in the village." There was not much reliance upon the industry and spirit of the tenant, or the stipulation relative to the grubbing up of thorns under a lease of 80 years would scarcely have found a place. But it was most probably the "forcible entries" which lessened the confidence between landlords and tenants.

Attempts have been made to calculate the value of land during the present period. From the reward offered by Edward IV. for the apprehension of the Duke of Clarence or the Earl of Warwick, in 1470,—“either 100*l.* per annum in land, or else 1000*l.* in ready money,” it has been inferred that land was worth only ten years' purchase; but the proclamation, as has been remarked, “is only a proof that Edward was rich in lands, from the very numerous forfeitures, and poor in money, as appears from his constant borrowing.”† It is asserted that land had been sold during the preceding century at twenty-five years' purchase;‡ but that was probably very far from being the average value of landed property. On the other hand, an attempt has been made to show that

land was worth much less than ten years' purchase from the fact of Sir John Fortescue having advised Edward IV. to reward his servants with money instead of land. “It is supposed,” he says, “that to some of them is given 100*l.* worth of land yearly that would have held him content with 200*l.* in money, if they might have had it in hand.”* But this offer might have been on the presumption that, from the circumstances of the parties, an immediate supply of cash would have better satisfied them than an interest of a more remote description, though of greater real value; and it would doubtless be very far from the truth to infer from such a circumstance that land had sunk so low in value as to be worth only two years' purchase. Circumstances, however, which in the present period gave a new direction to agriculture might possibly have the effect of occasioning some temporary reduction in the value of landed property. During the thirteenth century tillage had been the great object of attention, and was in the popular estimation essentially connected with the welfare of the realm; but in the present period the arable lands were to a great extent converted into pasture. The two great causes which contributed to bring about this change were:—first, the scarcity of labourers, partly arising from their new position; and, secondly, the increasing value of wool, which rendered flocks more profitable than corn and grain.

The emancipated villains, on acquiring their freedom, betook themselves to handicrafts and manufactures. The statute of labourers in 1351, and subsequent statutes in 1363 and 1376, noticed in the preceding Book, afford evidence of the progress of this change.† In 1405 the evils which these statutes were intended to remedy were still experienced; and in a new statute passed that year,‡ it was provided that no person of whatever estate should put his son or daughter, of whatever age, apprentice to any craft or other labour within any city or borough, except he had land or rent to the value of 20*s.* by the year at least, “but they should be put to other labours (that is to say, farming labours) as their estates doth require, upon pain of one year's imprisonment, and to make fine and ransom at the king's will.”

In 1444 another statute was passed,§ enacting that servants in husbandry proposing to leave their masters must engage with a new one, and give warning to the old. The same statute again endeavoured to fix the wages of labour; but “such,” it was declared, “as deserve less shall take less, and also in places where less is used to be given less shall be given from henceforth.” The wages thus fixed are for the year, and, with the exception of the “common servant in husbandry,” included “meat and drink.” A bailiff by the year was to receive 23*s.* 4*d.*, and for clothing, 5*s.*; a chief hind, carter, or shepherd, 20*s.*,

* Cullum, *Hist. Hawsted*.

† Macpherson, *Ann. of Com.* i. 685.

‡ *Gudwin de Presulibus Angl.* quoted by Henry, vol. x. p. 175. 8vo.

* Fortescue on *Absolute and Limited Monarchy*, p. 85.

† See vol. i. p. 687.

‡ 7 Henry IV. c. 17.

§ 23 Henry VI. c. 12.

and for clothing, 4s.; a woman servant 10s., with 4s. for clothing; a boy under fourteen, 6s., with 3s. for clothing. The wages of a common servant in husbandry were 15s., clothing 40d., and he seems to have been left to provide his own diet. In harvest the wages were higher; but those of a mower were not to exceed 4d. per day with meat and drink, and without diet, 6d.; of a reaper or carter, 3d. with, and 5d. without diet; of a woman labourer or other labourer, 2½d. with, and 4½d. without meat and drink. In spite of these attempts to regulate the price of labour, the deficiency of labourers, as might be expected, continued to be severely felt.

We have noticed in a preceding page the high esteem in which English wool was held during this period. The Genoese, the Lombards, the Venetians, and others who enjoyed almost the exclusive supply of the richest and most costly cloths, were indebted to the fleece of the English sheep for the quality of their goods. In 1425 the preamble of one of the statutes* states, "that divers persons do from time to time carry out of the realm great numbers of sheep with fleeces into Flanders, and other countries beyond the sea, and there they shear them, and sell as well the said sheep as the wool of the same;" for remedy of which it is provided that no sheep shall be exported without the king's license. In 1429 the penalty for exporting wool or woolfels to any other place than to Calais, excepting such wools which pass the straits of Morocco to the merchants of Venice, Genoa, Tuscany, Lombardy, Florence, and Catalonia, was made double the value of the wool, and two years' imprisonment.† Wool had often been shipped from places in obscure situations on the coast, by which the duty had been evaded; and this led to the above statute. In 1438 a license was granted by Henry VI. to a Portuguese agent in England for leave to export to Florence sixty sacks of Cotteswold wool, to be worked up in cloths of gold and silver for the King of Portugal.‡ Edward IV. is said to have presented King John of Arragon with several English ewes and rams.§ A temporary interruption of trade between England and the subjects of the Duke of Burgundy having occurred in 1464, during which the exportation of wool ceased, the merchants of the staple at Calais addressed the king, urging that "the soldiers of the garrison would lack their wages, and that the merchants would stand in adventure both of loss of stock and credit," unless the trade were again permitted.|| But in the quality of English wool there was great variety. In 1343, in the reign of Edward III., parliament, in order to keep up the price, attempted to fix it by statute. The price per sack for that of Shropshire was made fourteen marks; for that of Oxfordshire and Staffordshire thirteen marks; for that of Leicester, Gloucester,

and Hereford, twelve marks; and from eleven to four marks for that of other counties, the lowest value being put upon that of Cornwall.* The counties which produced the best wool probably continued to do so throughout the present period. The Cotteswold sheep, the wool of which was sent to Florence for the service of the King of Portugal, is still a celebrated breed; and in a statute of the year 1467,† although the wool of Cornwall is not mentioned, that of Devonshire is, and is there held to be so inferior that the cloth-manufacturers of Tavistock and the adjacent hundreds received special permission to mix flocks in the cloth which they made, without which they could not manufacture their cloth, "by reason of the grossness and stubbornness of the said wool, for the same wool is not put in clothing nor in cloth in any part of the realm." The demand for wool seems to have been one of the most active commercial wants of the time. A statute was passed in 1464‡ to prevent persons buying wool before it was shorn. The preamble sets forth that, "by subtle bargains made in buying of wools before that the sheep that bear the same be shorn, the cloth-makers of this realm can well-nigh find none to be sold, to the great grief of them which have been accustomed to have their living by mean of making of cloth:" and the statute not only puts an end to the practice, but provides that those only should be allowed to buy wool who should make it into cloth within the realm. The following are the counties enumerated in the statute, which it may be presumed were most celebrated at that period for the quality of their wool:—Berks, Oxford, Gloucester, Salop, Hereford, Worcester, Wilts, Somerset, Dorset, Essex, Cambridge, Norfolk, Suffolk, Kent, Surrey, and Sussex. The fair and honest making up of woolpacks had also before this been an object of legislation. By a statute of the year 1429§ it was provided that "no woolpacker shall make within the realm but good and due packing; and that no man make any inwinding within the fleece of wools at the rolling-up of his wools, nor put in the same locks, pelt-wool, tar, stones, sand, earth, grass, nor any dirt." The trade in wool was, during the whole of this period, by far the most important staple of the kingdom, yielding the king a large portion of his revenue, and enabling the landed proprietors to overcome what would have otherwise been a most inconvenient transition from one state of husbandry to another.

But besides the exportation of wool, and in years of abundance of corn and grain, other descriptions of agricultural produce occasionally found their way to a foreign market. In 1439|| a statute was passed, enacting that butter and cheese might be exported without a license, but subject to some other regulations, in consequence of the perishable nature of the commodity. In 1433 it

* 3 Henry VI. c. 2. † 8 Henry VI. c. 17. ‡ Fodera, x. 684.

§ Tussler and other authorities quoted by Anderson, *Hist. of Commerce*, i. 485.

|| Hall's Chronicle.

* Rymer's *Fodera*, v. 369.

† 7 Edward IV. c. 2.

‡ 4 Edward IV. c. 1.

§ 8 Henry VI. c. 22.

was ordered that every city, town, and borough should be provided with a common bushel, according to the standard of the Exchequer.* This, along with many other facts already mentioned, shows that the number of buyers of produce was increasing, and that the vivifying principle of exchange was more active.

The food abounding in our seas was an object of active pursuit during the period under notice. "Fish-days" were religiously observed; and the manorial residence was incomplete without its fish-ponds. Sir William Dugdale has preserved a curious instance of the high price of a fresh-water fish which is now regarded as very ordinary fare at the humblest table. In 1419 the cost of a



RIVER-FISHING. From Harleian MS. No. 4374.

bream is set down at twenty pence; and in 1453 a pie, containing four of these fish, was sent from Warwickshire to a distant part of Yorkshire, which cost sixteen shillings, including the wages of two men employed for three days in taking them, the flour and spices with which they were dressed, and the charges of their conveyance.† Under these circumstances the sea-fishery could not fail to prove a source of ample profit. Even before the commencement of the present period the fishery on the coast of Norfolk was considered of so much importance that Richard II., in assembling shipping upon one occasion to make head against the French, exempted the vessels and the men engaged in it. The annual herring-fair at Yarmouth also enjoyed great celebrity, and attracted shipping and strangers from all parts: several statutes were passed for its regulation. A statute was passed in 1482, from which it may be inferred that there was a considerable exportation of fish, as there are provisions for the well packing of salmon, eels, and other fish in casks. At the siege of Orleans in 1424 an escort of seventeen hundred men was sent with a supply of herrings for the English. The liberty to fish without molestation was a frequent article in conventions between this country and other states. In 1403 Henry IV. entered into a treaty with Charles VI. of France, giving to their subjects the mutual right of freely fishing for herrings and other fish in certain specified parts of the seas. In 1404 an agreement was entered into with the Duke of Burgundy for one year, during which period

the subjects of both parties were to be free from molestation while engaged in fishing. In 1440, probably with a view to improve the mode of curing fish, Henry VI. granted a license to sixty persons from the Netherlands to come to England in order to practise a new and improved method of making salt.

The use of coal as fuel became now much more general, and developed another source of natural wealth. In 1421 the coal-trade of Newcastle was so considerable that an attempt to evade the payment of certain dues taken by the king in that port on the traffic of coal occasioned a statute to be passed for securing the dues.* At the same time there are indications of the decay of some of the least common species of wood used in various arts. The price of bow-staves, as we have had occasion to notice in a preceding page, became excessive. In 1416 the patten-makers were restrained from making pattens or clogs of asp, in order that the fletchers might sell their arrows cheaper, the same wood being used for arrows.† In 1464, however, the patten-makers represented to the parliament the hardship of this prohibition, and showed that turners, carpenters, wood-mongers, and cole-makers used and wasted a large quantity of asp-wood in their several trades; and they succeeded in obtaining permission to make pattens of such asp-wood as was not fit for arrows.‡

In the department of industry which comprises handicrafts and manufactures, we have proofs of their growing activity and importance in the numerous statutes passed for their regulation. A keen rivalry seems to have been maintained between certain classes of native and foreign artisans, against which the former repeatedly sought protection by the prohibition of foreign goods. The king had now a strong interest in the prosperity of trade, which added to his revenues in proportion as it flourished. The lords became sensible of the advantages which they derived from the activity of the artisan and tradesman; and a statute of the year 1477,§ for repressing the abuses of the Courts of Pie Poudre, which had had the effect of preventing the attendance of traders at the fairs, is avowedly founded on the fact that "the lords of the same fairs do lose great profit by the not coming of divers merchants to their fairs, and also the commons be unserved of such stuff and merchandise which otherwise would come." Allowance must doubtless be made for the turbulent events which are crowded into this period; but it cannot be doubted, nevertheless, that, as more spirited efforts were made in every branch of industry, so also the fruits of industry were more highly prized than at any previous time. Industry was grievously fettered, but it had always been thus cramped in its movements; and the rights of property had long been violated under the sanction of law and custom in a manner nearly as injurious as if the

* 11 Henry VI. c. 8.
† Dugdale's Warwick. p. 668.

* 9 Henry V. c. 10.
‡ 4 Edward IV. c. 9.

evil had proceeded from a foreign enemy who had overrun the country. It had been the practice for the crown to seize ships, mariners, and soldiers, artificers, victuals, materials, conveyances, and goods, the property of the subject, whenever it thought proper to require them. The restrictions upon apprenticeship must also be considered as having greatly impeded the prosperity of individuals, who were thus cut off from participating in the advantages of an active demand for the wares which they manufactured. Such also must have been the effect of the repeated attempts that were made to establish a certain rate of wages in all the departments of manual industry. The wages of several descriptions of artificers as regulated by the statute of 1444,* already mentioned, were as follow:—Those of a mason or master-carpenter not to exceed 4*d.* a-day with his diet, or 5½*d.* without diet; of a master tiler, slater, rough mason, or other builder, with diet 3*d.*, without diet 4½*d.* a-day; of other non-agricultural labourers 2*d.* a-day with, and 3½*d.* without diet. From Michaelmas to Easter they received winter wages, which were 1*d.* per day lower than those paid in summer. Only the wages of the most common kinds of labour are fixed by the statute; from which it may be inferred that the blacksmith, the weaver, and the members of other trades in which a combination of numerous individuals is not required, worked on their own account chiefly; there is no reason indeed to suppose that either the great staple manufacture of the time or any other was usually as yet carried on otherwise than by each man in his own house. Twenty years afterwards (in 1464) we find complaints made of the master-clothiers paying wages in kind; a statute passed in consequence of which† enacted that the clothiers should pay ready money to their work-people, as well as that the wool given them to work up should be previously weighed. In the preamble it is stated that they had been accustomed to force the people they employed to take pins, girdles, and other unprofitable wares instead of money. Nearly every craft was now incorporated, and they were very properly submitted to a uniform principle of government. In 1436 a statute‡ was passed, the preamble of which states that the incorporated guilds and companies, “oftentimes by colour of rule and governance, and other terms in general words to them granted, make themselves many unlawful and unreasonable ordinances.” For remedy of this it was provided that the charters of each company should be duly enrolled, and their ordinances approved of by the justices of the peace, or by the local authorities in cities and towns.

The position of several classes of artificers in reference to foreign competition, and also the extent to which the division of employments had been carried may in some degree be judged of from one of the statutes relating to trade and manufactures passed

in the beginning of the reign of Richard III.* It enumerates the following artificers as joining in a complaint that the articles the fabrication of which used to furnish them with employment and bread were now brought from parts beyond sea:—Girdlers, point-makers, pinner, pursers, glovers, cutlers, blade-smiths, blacksmiths, spurriers, gold-beaters, painters, saddlers, lorimers, founders, card-makers, hurers,† wire-mongers, weavers, horners, bottle-makers, and coppersmiths. The statute in consequence prohibited the importation of the following articles:—Girdles, or any harness wrought for girdles, points, laces, leather purses, pouches, pins, gloves, knives, hangers, tailors’ shears, scissors, and irons, cobbards, tongs, fire-forks, gridirons, stock-locks, keys, hinges and garnets, spurs, painted glasses, painted papers, painted forcers, painted images and cloths, beaten gold or silver in paper for painters, saddles, saddle-trees, horse-harness, boots, bits, stirrups, chains, buckles, latten-nails with iron shanks, turrets standing candlesticks, holy-water stops, chafing-dishes, hanging lavers, curtain rings, cards for wool except Rouen cards, clasps for gowns, buckles for shoes, brooches, bells except hawk-bells, spoons of tin and lead, chains of wire, as well of latten as of iron, candlesticks of iron, grates, and lantern-horns. The importation of several other articles had been already prohibited by another statute of the same kind passed in 1463.‡

The division of employments was in some instances directly promoted by statutes which forbade certain trades to be carried on together by the same person. Thus, in 1423, a statute§ was passed prohibiting “cordwainers using the mystery of tanners.” The improvement of a craft was also in some cases attempted to be stimulated by legislative enactments. In the last-mentioned statute it is affirmed that “much of the leather tanned by the tanners is so deceitfully tanned, that boots, shoes, and other necessaries thereof made, be in a small season wasted and destroyed, to the great deceit and loss of the commonalty of the realm.” To remedy this a heavy penalty was inflicted upon tanners who made leather of inferior quality.

The following notices of the conditions under which various trades and manufactures were carried on are chiefly derived from the statutes.

When the woollen manufacture first began to assume importance as the great staple of the nation, it was chiefly carried on in London and the immediate neighbourhood, but it soon spread itself into the adjacent counties of Surrey, Kent, Essex, Berks, Oxford, and subsequently into Dorset, Wilts, Somerset, Gloucester, and Worcester. These were the counties which produced the best wool, and, in the imperfect state of the means of communication, the manufacture naturally became located within reach of the raw material. The

* 1 Richard III. c. 12.

† Macpherson (Ann. of Com. i. 303) conjectures *Awers* to be workers in hair.

‡ 3 Edward IV. c. 1.

§ 2 Henry VI. c. 7.

* 23 Henry VI. c. 12. † 4 Edward IV. c. 1.
‡ 15 Henry V. c. 6

woollen manufacture had not yet found its way into Yorkshire, though in Devonshire, the wool of which was of an inferior description, it had existed long before the present period. The various descriptions of cloth manufactured in the kingdom are specified in one of the statutes;* but the names do not indicate anything connected with the history or circumstances of the manufacture. The office of aulneger, from aulne or ell, is mentioned in a statute of 1328. This officer was the duly authorised cloth-measurer. Blackwall Hall, in London, had been purchased as a market-house for cloth in 1397. By a statute passed in 1405 country clothiers and others were allowed to sell their goods by wholesale in London.† In 1439 it was enacted‡ that there should be but one measure of cloth throughout England, by the yard and inch, and not by the yard and handful, according to the measure of London; so that it would seem the commercial customs of London were not always regarded as a standard. In 1464, in a statute § regulating the measure of pieces of cloth, it is asserted in the preamble, that the workmanship of cloths and other woollen goods was become to be of such fraud as to be had in small reputation in other countries, to the great shame of this land; and that by reason thereof great quantities of foreign cloth are imported and sold at excessive prices. It was in consequence provided that no cloth but that of Ireland and Wales should be imported. A later statute|| directs that no cloth shall be dyed with orchell, or cork called yare-cork; that no chalk shall be put upon white cloth; that tenters shall not be kept within doors; and that no cloths shall be set, drawn, or tentered after being wetted. By the middle of the fifteenth century the prohibition of English cloth was regarded by foreign nations as an effective means of annoying the English. A statute of 1464¶ notices an ordinance of the Duke of Burgundy, prohibiting English cloth in Brabant, and retaliates by interdicting the importation of any merchandise except provisions from the countries governed by the Duke of Burgundy, until English cloths be re-admitted into those countries.



SPINNING WITH THE DISTAFF. Harl. MS. 4374.

preventing its being wrought in the kingdom. In 1444 the export of thrums and woollen-yarns was prohibited for a term of three years.*

The worsted manufacture had fixed itself in the eastern counties. "Cloths called worsteds" had been an article of export in 1376. In the preamble of a statute† passed in 1441, for the regulation of the trade, it is observed that, "worsted was sometime a good merchandise, and greatly desired and loved in the parts beyond the sea, but now, because that it is of false work and of false stuff, no man thereof taketh regard." Persons purchased goods "trusting that it shall be within as it sheweth without, where of truth it is contrary." To provide a remedy for these malpractices, weavers were ordered to put their marks on their worsted, and those of Norwich, and also the weavers in the county of Norfolk, were each to choose wardens for securing the due observance of the statute. In 1444 the weavers of Suffolk were empowered to appoint wardens;‡ and in 1467 those of Cambridgeshire received the same privilege.§

The interests which were connected with silk as a raw material only come before our notice during this period as claimants for protection against foreigners. This branch of industry does not appear as yet to have stood upon a very broad foundation. In 1455 it was enacted that no wrought silk belonging to the mystery of silk-women shall be brought into England by way of merchandise for five years to come.|| The preamble of the statute assigns as the ground for this provision the grievous complaints of the silk-women and spinners of the mystery and occupation of silk-working, within the city of London, how that divers Lombards and other strangers, imagining to destroy the said mystery, and all such virtuous occupations of women, bring into the realm such silk so made, wrought, twined, ribands and chains falsely and deceitfully wrought, in no manner of wise bringing any good silk unwrought as they were wont. The Lord Mayor was empowered to appoint

The exportation of woollen-yarn was also vigilantly prevented, lest the foreign manufacturer should obtain facilities for rivalling us. In 1429 it was enacted that "no man buy yarn of wool, called woollen-yarn, unless he will make cloth thereof."** It appears also by another statute of the same year,†† that the weavers had been accustomed, "when they wrought a cloth near the end, to cut away for their private profit the thread which is left unwoven, and call the same thrums," and to sell the said thrums, to the loss of the owners, to persons carrying them into Flanders, "though the king have thereof no profit of customs nor subsidy;" but the principal grievance was, that under cover of thrums, woollen-yarn was exported, thereby

* 1 Richard III. c. 8.
 † 18 Henry VI. c. 16.
 ‡ 1 Richard III. c. 8.
 § 8 Henry VI. c. 8.

¶ 7 Henry IV. c. 7.
 † 4 Edward IV. c. 1.
 ‡ 4 Edward IV. c. 5.
 § 8 Henry VI. c. 33.

* 23 Henry VI. c. 2.
 † 23 Henry VI. c. 4.
 ‡ 20 Henry VI. c. 10.
 § 7 Edward IV. c. 1.
 || 23 Henry VI. c. 8.

searchers to prevent any infringement of the statute. These restrictions upon the importation of silk were afterwards repeatedly renewed.*

The crafts which were occupied in working in metals were numerous. The armorers were as much distinguished as the goldsmiths for their skill and taste. One of our old chroniclers gives a description of a solemn just at Oxford in the reign of Henry IV.,† from which it is evident that great variety of design and much skill were displayed by this superior order of artificers. The aid of the goldsmith was required to give the highest degree of beauty to a suit of armour. The jewels and plate pledged by Henry V. to raise the means for invading France evince a magnificence of display which proves that the class of men by whose skill it was produced could not occupy an unimportant station in the rank of traders and merchants. Henry VI. pledged a large quantity of silver plate to two goldsmiths to whom he owed above 3000l.‡ The trade of the goldsmiths had been regulated by statute more than once during the fourteenth century. In 1423 it appears that the work in gold and silver done by the goldsmiths of Newcastle, York, Lincoln, Norwich, Coventry, Salisbury and Bristol, in addition to those of London, was so extensive as to render an assay-office necessary in each of these places.§ Several prior statutes show that, from the temptation to fraud which it presented, it was a craft requiring a vigilant eye to be kept upon it. In 1403 an attempt was made by statute¶ to check the deceits which had crept into the trade. The act provides that, "whereas many fraudulent artificers, imagining to deceive the common people, do daily make locks (brooches), rings, beads, candlesticks, harness for girdles, hilts, chalices, and sword-pommels, powder-boxes, and covers for cups, of copper and of latten, like to gold or silver, and the same sell and put in gage to many men not having full knowledge thereof, for whole gold and whole silver, to the great deceit, loss and hindrance of the common people," in future such articles shall not be gilt or silvered over under a penalty of 100l.; but articles for the church, except chalices, are allowed to be silvered though made of copper or latten, "so that always in the foot, or some other part of every such ornament so to be made, the copper and the latten shall be plain, to the intent that a man may see whereof the thing is made, for to eschew the deceit aforesaid." In 1414 another interference by statute¶ was made with the goldsmiths, who, it is alleged, "would not sell the wares of their mystery but at the double price of the weight of the silver of the same, which seemeth to the king very outrageous and too excessive a price." The statute provided a summary remedy by fixing the price per lb. of silver gilt. In 1420 it was enacted** that "none from henceforth shall gild any sheaths nor metal but silver and the ornaments

of holy church, nor shall silver any metal but knight's spurs, and all the apparel that pertaineth to a baron." In 1423 a statute enacted* that no gold and silver should be sold "before that it be touched with the touch of the leopard's head." In 1477 the trade of the goldsmiths was again regulated. The great majority were now probably Englishmen, but it is observed in the preamble of the statute,† that there be divers goldsmiths and other workers of gold and silver, aliens and strangers within two miles of the city, who carry on their business secretly, and not under the superintendence of the goldsmiths of London. It is in consequence enacted that, for the better surveying of the said aliens and strangers in time to come, they be required to inhabit the open streets of the city, and "where better and more open showing is of their craft."

An interesting notice respecting the manufacture of hats and caps occurs in the preamble of a statute passed in 1482.‡ It is stated that "hats, bonnets, and caps, as well single as double, were wont to be faithfully made, wrought, fulled and thicked by men's strength, that is to say, with hands and feet, and thereby the makers of the same have honestly before this time gained their living, and kept many apprentices, servants, and good houses, till now of late that, by subtle imagination, to the destruction of the labours and sustenance of many men, such hats, bonnets, and caps have been fulled and thicked in fulling-mills, and in the said mills the said hats and caps be broken, and deceitfully wrought, and in no wise by the mean of any mill may be faithfully made, to the great damage of our sovereign lord the king and of all his subjects, and to the final undoing of such which be the makers of hats, caps and bonnets." The old mode of manufacture, "by hands and feet," is ordered to be continued, and a penalty of 40s. is imposed upon those who should set to sale any hats or caps produced by mechanical power.

Scarcely any class of traders escaped the vigilance of this spirit of legislative restriction. In a statute of 1433§ it is affirmed that the wax-chandlers sold candles, images, and figures, and other works of wax made for offerings, at the rate of a lb. of wax for 2s. when 1 lb. of wax is worth only 6d., whereby they gain 1s. 6d. in every lb., by which means people are defrauded of their good intent and devotion. The remedy which the statute provides is, that in future only 3d. per lb. should be charged for the manufactured article over the value of the raw material. By another statute passed in 1464,|| shoemakers in London, or within three miles of it, were prohibited from making "any shoes, galoches, or huseaus, with any pike or poleyn that shall pass the length of two inches, which shall be judged by the wardens or governors of the same mystery." The shoemakers were also prohibited by the same statute under a penalty of

* 1 Richard III. c. 10.

† Rymer, *Font.* xi. 196.

‡ 5 Henry IV. c. 12.

§ Hall's Chron. p. 17.

|| 9 Henry VI. c. 14.

¶ 9 Henry V. stat. II. c. 4.

** 8 Henry V. c. 3.

* 2 Henry VI. c. 17.

† 23 Edward IV. c. 5.

‡ 17 Edward IV. c. 1.

§ 11 Henry VI. c. 12.

20s. from following their craft on Sundays. In 1455, a statute was passed,* the reason for which is not alleged, by which it was enacted that no public brewer in Kent shall make above one hundred quarters of malt annually to his own use. But the restriction upon the number of attorneys in Norwich, Norfolk and Suffolk is the most remarkable of these examples of legislative interference. The statute was passed in 1455,† and was occasioned by the number of attorneys attending the king's courts in the city of Norwich and counties of Norfolk and Suffolk having increased from six or eight to ten times that number. Under the former state of things, it is remarked in the preamble, "great tranquillity reigned in the said city and counties,

* 38 Henry VI. c. 4.

† 33 Henry VII. c. 7.

and little trouble or vexation was made by untrue or foreign suits." Now, it is added, there are four score attorneys, the greater part of whom have nothing to live upon but the gains of their attorneyship, and also are not possessed of a proper knowledge of the law. Their practices are thus described:—"They come to every market, fair, and other places where there is any assembly of people, exhorting, procuring, moving, and inciting the people to attempt untrue and foreign suits, for small trespasses, little offences, and small sums of debt." The statute provided a summary remedy by enacting that there should be but six common attorneys in Norfolk, six in Suffolk, and two in Norwich, to be elected and admitted by two of the judges.



GROUP OF ARTISANS. Harl. MS. 4374.

CHAPTER V.

THE HISTORY OF LITERATURE, SCIENCE, AND THE FINE ARTS.

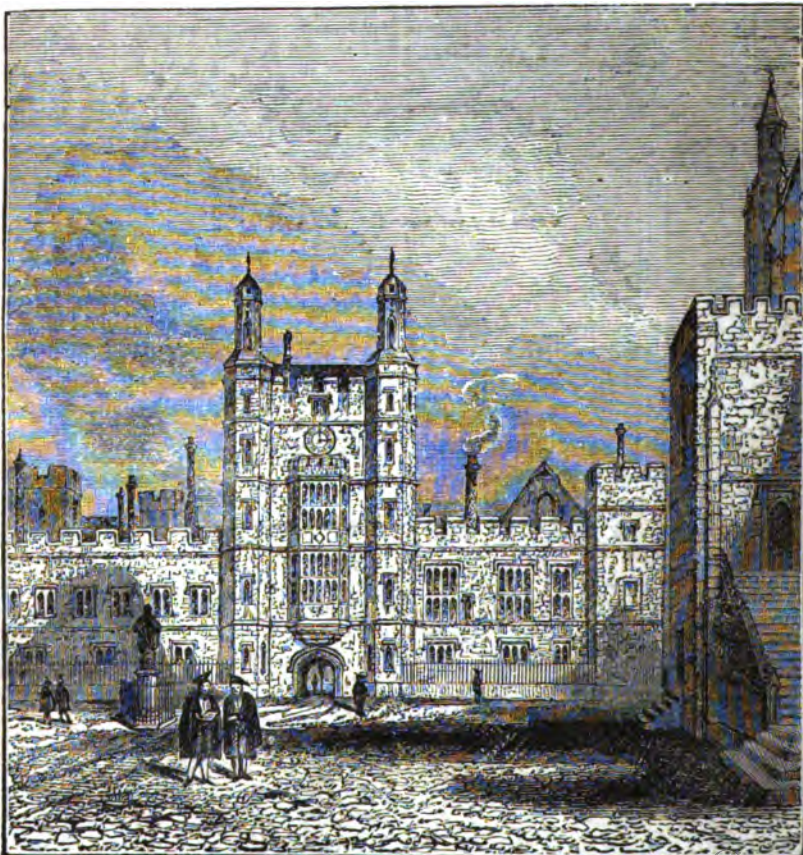


FEW facts, which may be very briefly related, constitute the history of literature and science in England during the present period. Some of these facts, indeed, form important eras in the chronology of our subject, and were followed by results of great moment, which will engage our attention in a subsequent

Book ; but the actual contributions of the fifteenth century to our national literature are smaller in amount and value than those of any preceding age since the Norman Conquest.

The ferment of studious enthusiasm which had been excited in men's minds in the beginning of the preceding century had, in a great measure, spent itself before the beginning of this. According to an oration delivered before the pope and cardinals by Richard Fitz-Ralph, Archbishop of Armagh, in 1357, the 30,000 students of the University of Oxford* had even by that time decreased to about 6000. The popular veneration for learning had also, from various causes, undergone a corresponding decline ; and instead of the honours formerly paid by all classes to talents and scholarship, and the crowding of eager multitudes around every eminent doctor wherever he appeared, we perceive now the aspect of a general indifference, and encounter occasional instances of the votaries of science and letters begging their bread, and

* See vol. i. p. 812.

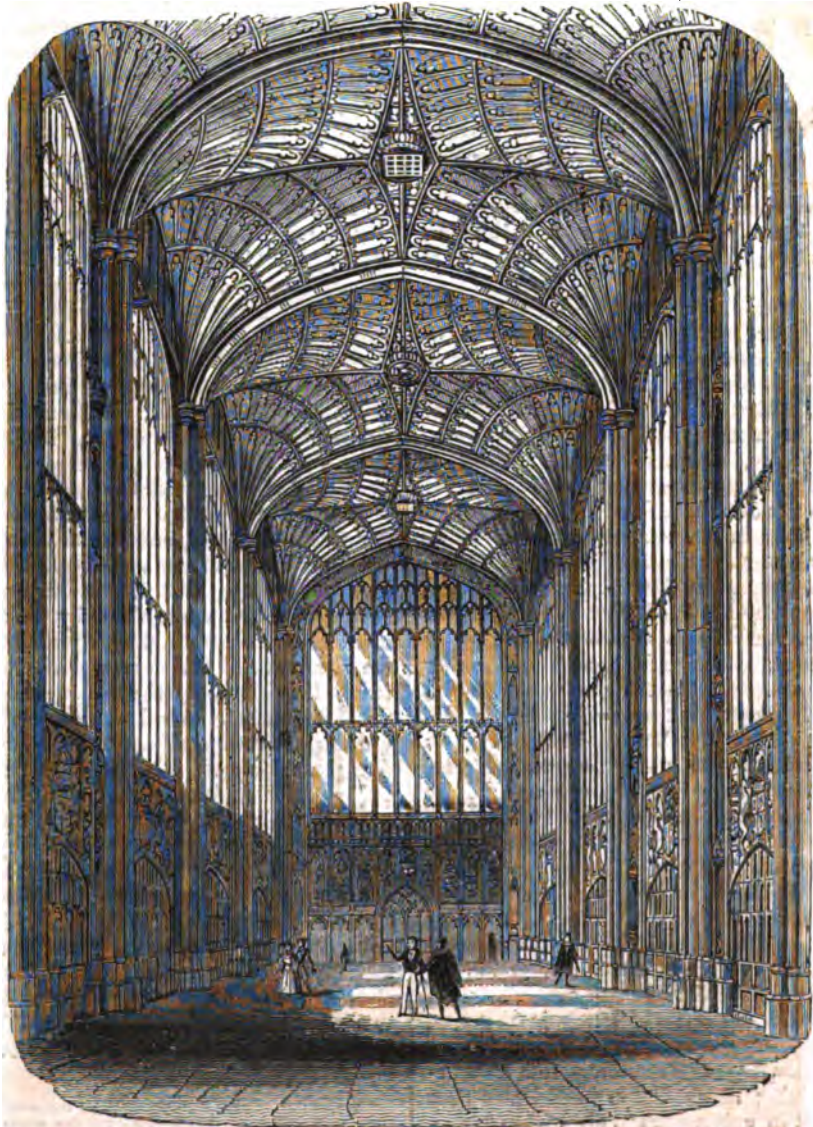


ETON COLLEGE.

their inappreciated acquirements turned into matter of ridicule and mockery by the insolence of rank and wealth. Anthony Wood, the quaint historian of the University of Oxford, relates a story of two itinerating students of this age, who, having one day presented themselves at a baronial castle, and sought an introduction by the exhibition of their academical credentials, in which they were each described as gifted, among other accomplishments, with a poetical vein, were ordered by the baron to be suspended in a pair of buckets over a draw-well, and dipped alternately into the water, until each should produce a couplet on his awkward situation: it was not till after a considerable number of duckings that the unfortunate captives finished the rhymes, while their involuntary

ascents and descents, during the process of concoction, were heartily enjoyed by the baron and his company. It would be unfair, indeed, to judge of the general state of things from one or two anecdotes of this kind, although such consequences are only what might be expected when scholars took to perambulating the country as mendicants, with recommendations to the charity of the benevolent by the chancellors of their universities, as we are assured was now become customary; but the circumstances of our own country at least, in this age, must have proved in no small degree depressing to all liberal pursuits.

Although much of the popular effervescence had evaporated, however, the love of knowledge was still alive and active in many of the more select



INTERIOR OF THE CHAPEL OF KING'S COLLEGE, CAMBRIDGE. Digitized by Google

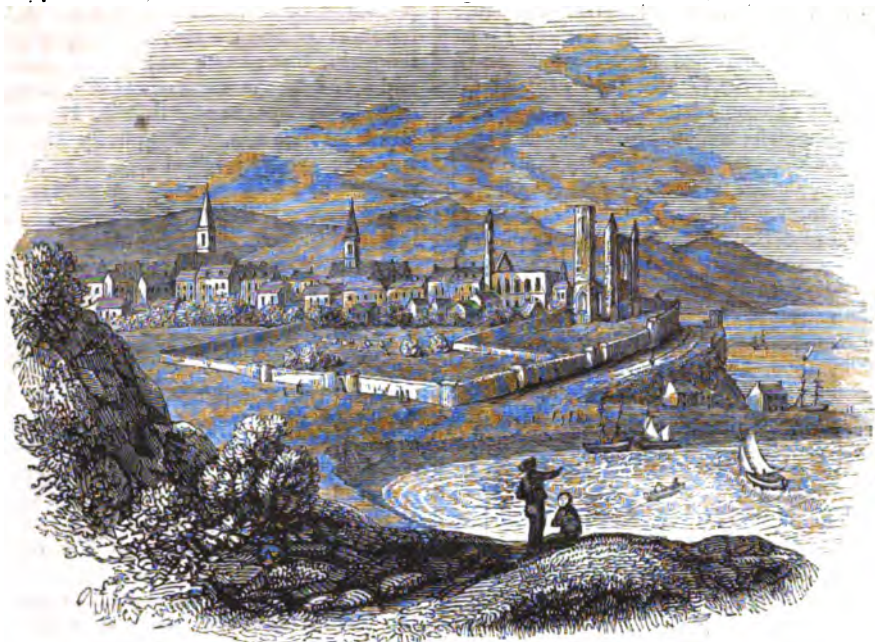
order of minds, prompting them to zealous exertions both in its acquisition and its diffusion. In the course of the fifteenth century, very nearly forty new universities were founded in the different countries of Europe. In our own several new colleges were added both to Oxford and Cambridge. In the former university, Lincoln College was founded in 1430, by Richard Fleming, Bishop of Lincoln, though only completed about 1475, by his successor, Thomas Rotherham. All Souls was founded in 1437 by Chicheley, Archbishop of Canterbury, with the design of providing a perpetual service of prayers and masses for the souls of all the faithful departed, and especially of those who had fallen or should fall in the French wars; and Magdalen, which soon became one of the wealthiest academical establishments in Europe, was founded by William Pattyn, or De Waynflete, Bishop of Winchester and Lord Chancellor of England, who began the erection of the fabric in 1458, and lived to witness its completion in 1479. Cambridge received the additions, of King's College, founded in 1441, on a scale of great liberality and magnificence, by Henry VI., who established, about the same time, the celebrated school of Eton, to be a nursery for his college; of Queen's College, founded in 1446, by Henry's consort, Margaret of Anjou; and of Catherine Hall, founded in 1475, by Robert Woodlark, the third provost of King's College. Extensive public buildings, which came to be known by the name of the New Schools, were also erected at Oxford, in 1439, by Thomas Hokenorton, Abbot of Osney, for the delivery of lectures in metaphysics, natural philosophy, moral philosophy, astronomy, geometry, music, arithmetic, logic, rhetoric, and grammar. The foundation of a divinity school and of a public library was laid in the same university about 1427; and although the building was often interrupted, it was, at length, through the liberal donations of Humphrey Duke of Gloucester, Cardinal John Kemp, Archbishop of York, his nephew Thomas Kemp, Bishop of London, and other benefactors, completed in 1480, when it formed the most magnificent structure of which the university yet had to boast. The building of public schools was also begun at Cambridge, in 1443, at the expense of the university, and finished, by the aid of various contributors, about 1475.

More interesting, however, than these extensions of former establishments, is the founding of a temple to Learning in a part of the island in which no permanent abode had ever before been built for her. The first of the Scottish universities, that of St. Andrew's, rose a few years after the commencement of the fifteenth century, out of the scheme of a few men of letters in that city, who, probably on the suggestion of the Bishop Henry Wardlaw, formed themselves into an association for giving instruction in the sciences then usually taught in universities to all who chose to attend their lectures, and are supposed to have be-

gun teaching about the year 1410. Their names, as recorded by the father of Scottish history, and eminently worthy to be preserved, were Laurence Lindores, who undertook to explain the Fourth Book of the Master of the Sentences; Richard Cornel, Archdeacon of Lothian; John Listter, canon of St. Andrew's; John Shevez, official of St. Andrew's, and William Stephen, who lectured on the civil and canon laws; and John Gyll, William Fowler, and William Crosier, who taught logic and philosophy.* The institution, with this apparatus of professors, was already, in everything but in form, a university—and such it is styled in the charter or grant of privileges which Wardlaw hastened to bestow upon it. In that instrument, which is dated the 27th of February, 1411, the bishop speaks of the university as having been already actually instituted and founded by himself, saving the authority of the apostolic see, and laudably begun by those to whom he addresses himself, the venerable doctors, masters, bachelors, and scholars dwelling in his city of St. Andrew's. He now proceeded more formally to endow the new seminary, in so far as his jurisdiction extended, with all the rights and liberties of a university. Two years afterwards, bulls of confirmation, &c., in the usual terms, were obtained from Benedict XIII., the one of the three then contending popes who was acknowledged by the kingdom of Scotland. Benedict's bulls are six in number, all dated the same day, the 25th of August, 1413, at Paniscola, in Arragon, where that pope kept his court. They profess to be granted at the request of the Scottish king (though James I. was then a prisoner in England), and of the bishop, prior, and chapter of St. Andrew's, whose project of establishing a university, or *studium generale*, in that city, is expressly stated to have been formed with the counsel, consent, and common participation of the three estates of the realm of Scotland.† The bishop and his associates, it is declared, had been stirred up to the undertaking by the consideration of the many dangers and inconveniences to which the clergy of that kingdom, who desired to be instructed in theology, the canon and civil laws, medicine, and the liberal arts, were exposed, from wars and other impediments in their journeys to foreign *studia generalia*, in consequence of there being no such institution to which they might resort in their own country. The several papal bulls were brought to St. Andrew's by Henry de Ogilby, M.A., on the 3rd of February, 1414, when they were received with processions and ringing of bells, and every demonstration of public joy. When King James returned ten years after this from England, he found the new seminary already firmly established, and still flourishing under the protection of its founder, Wardlaw, who had also been the instructor of his own boyhood.

* Fordun, Scotichronicon.

† Quod olim de consilio, consensu, et communi tractatu trium statuum personarum regni Scotie—are the words of the bull of foundation. See Evidence taken by the Commissioners for visiting the Universities of Scotland, vol. iii. p. 171.



ST. ANDREW'S AS IT APPEARED ABOUT A CENTURY AGO.

James granted it a charter confirming all its privileges and immunities, dated at Perth, the 31st of March, 1432; and if we may believe the historian, Hector Boethius, it flourished so greatly under his patronage, that it soon came to have among its teachers no fewer than thirteen doctors of divinity and eight doctors of laws, as well as a prodigious multitude of students. The good and enlightened Bishop Wardlaw presided over the see of St. Andrew's till the year 1444, when the university found in James Kennedy a worthy successor to his virtues and public spirit, as well as to his place. As yet the institution was little more than an incorporated association, without any permanent endowments, and with scarcely any buildings except a few public lecturing rooms; it was a university, therefore, but as yet without a college. Its first college—that of St. Salvator—was built and endowed by Kennedy, whose original foundation charter was confirmed in a bull no longer extant, by Pope Nicholas V., who died in 1455. A second charter was granted by Kennedy, at his castle of St. Andrew's, on the 4th of April, 1458, and confirmed by Pope Pius II., in a bull dated at Rome, the 13th of September, in the same year. In this the whole scheme of the establishment is minutely detailed, and a complete body of rules is laid down for its government. One of the bishop's ordinances is curiously illustrative of the lax morality of the times. Having given some solemn directions as to the hours at which masses were to be said in all time coming by the members of the college, who were all to be clergymen, he proceeds to enjoin that all the members of the said college shall live decently as becomes ecclesiastics, "so as not," it is added, "to keep concubines

publicly, nor to be common nightwalkers or robbers, or habitually guilty of other notorious crimes; and if any of them is so (which it is earnestly hoped may not be the case) let him be corrected by his superior; if he prove incorrigible, let him be deprived and another put in his place."* By another bull, dated the 25th of February, 1468, Pope Paul II. granted to the principal and masters of the college of St. Salvator the right of bestowing degrees in theology and the arts, "in consideration," as it is expressed, "of its high and well-known reputation among the other colleges of the realm of Scotland."† The other colleges here spoken of could be nothing more than grammar schools; but the passage proves, what, indeed, is well established by other evidence, that such schools already existed in many of the monasteries and principal towns. It was at these that the Scottish youth were prepared for their attendance upon foreign universities.

Another of the Scottish universities—that of Glasgow—was also founded within the present period. The bull of foundation was granted at the request of James II. in 1450, by Nicholas V., "a pope distinguished by his talents and erudition, and particularly by his munificent patronage of Grecian literature."‡ Other royal and episcopal charters were subsequently granted by King

* *Ordinamus insuper, quod omnes dicti collegii honestè vivant, ut deceat ecclesiasticos, ita quod non habeant publicas concubinas, nec sint communes noctivagi seu brigantes, aut aliis notoriis criminibus intenti: et si talis sit (quod absit) per superiorem suum, &c.*—See Evidence taken by the Commissioners for visiting the Universities of Scotland, vol. iii. 272.

† *Quod inter alia collegia regni Scotiæ, collegium ejusdem ecclesiæ egregium ac notabile reputatur.*—*Ibid.* 273.

‡ Report of the Scottish University Commissioners, p. 213. See a character of Pope Nicholas V. by Gibbon—who observes that his "fame has not been adequate to his merits"—in *Decline and Fall of Rom. Emp.* ch. 66.

James II. (20th April, 1453); by Bishop Turnbull (1st December, 1453); by Bishop Muirhead (1st July, 1461); and by King James III. (10th December, 1472).^{*} But "in none of the papal, royal, or episcopal letters of privilege, of a date prior to the Reformation," observes the writer of the able and elaborate account of the University of Glasgow appended to the General Report of the late Commission of Inquiry into the State of the Universities of Scotland, "is there any distinct trace of the constitution of the university; and it can scarcely be said that any of these documents refers to the existence of a *college*, or to the possession of any property. It does not appear that it was the intention of the founder of the university that the members should live *collegialiter*, maintained at a public table, and resident within the walls of a separate building Universities might be established (and some still exist on the continent) without having even class-rooms for the students. The University of Paris subsisted in great efficiency from the age of Charlemagne to the middle of the thirteenth century (a period of nearly five hundred years) without having any schools or places of auditory, except such as were hired in the houses of individuals. During the first twenty years after the foundation of the university of St. Andrew's, great inconvenience was suffered, not merely from the want of such rooms, but from the multiplicity of schools in the different religious houses, all of them claiming to be considered as constituent parts of the university; and even after a *Pædagogium* was founded in 1430, for the schools and halls of the Faculty of Arts, and for chambers to be used by the students in that Faculty, the studies of the Faculties of Theology and Law were conducted in other buildings; and the congregations of the university continued for at least 130 years to be held in the Augustinian Priory."[†] A piece of ground, however, with the buildings upon it, in the High-street of the city, was granted to the University of Glasgow by James, the first Lord Hamilton, in 1460, being the site on which the college stands at the present day.

Dark and unproductive as was the greater part of the fifteenth century in England and France, the revival of letters in the western world dates from this age. For some years before the final conquest of Constantinople in 1453, the course of political events in the eastern empire had led to a more frequent intercourse than heretofore between its subjects and their fellow Christians of the west, and had not only drawn some of the most distinguished ornaments of the Byzantine court, including three of the emperors themselves, to visit the Latin kingdoms, but had induced several learned Greeks to come over and settle in Italy. "In their lowest servitude and depression," as Gibbon has said in one of his well-poised sentences, "the subjects of the Byzantine throne were still

possessed of a golden key that could unlock the treasures of antiquity,—of a musical and prolific language, that gives a soul to the objects of sense, and a body to the abstractions of philosophy." It cannot, perhaps, be said that the knowledge of the Greek tongue was ever entirely lost in western Europe; there were probably in every age a few scholars who had more than a merely elementary acquaintance with it. It is certain, however, that it was not a common study even among the most learned. The most eminent universities—such as Bologna, Paris, and Oxford—were without any regular professor of Greek. Even the few who did read the language seem to have read only the writings in it on science and philosophy. Warton has shown that both the 'Iliad' and the 'Odyssey' were apparently wholly unknown, or at least not understood, in Europe from the fourth to the fourteenth century.^{*} The renewed intercourse that has been mentioned between the East and the West in the early part of the latter century rapidly effected a great revolution in this respect. Petrarch, about the year 1340, began the study of the language of Homer, under the instructions of the learned Barlaam, who had come to Italy as ambassador from Andronicus the younger; and although the separation of the two friends soon after stopped the Tuscan at the threshold of the new literature, his friend Boccaccio twenty years later was more fortunate in obtaining the assistance of Leontius Pilatus, a disciple of Barlaam, and, under his guidance, penetrated to its inner glories. Meanwhile, the destruction of their ancient empire had driven a crowd of illustrious Greek exiles to Italy—the Cardinal Bessarion, Theodore Gaza, George of Trebizond, John Argypulus, Demetrius Chalcondyles, Janus Lascaris, and others—some of whom taught their native language in the universities and chief towns of that country, while the rest, by their translations, by their writings, and their converse with the public mind in various ways, assisted in diffusing a taste for it and a knowledge of it even beyond the Alps. Nor, as Gibbon has remarked, was the ardour of the Latins in receiving and treasuring up this new knowledge inferior to that of their Greek guests in imparting it. The merits of Pope Nicholas V., in the patronage of Greek literature, have been already noticed. During the eight years that he wore the tiara (from 1447 to 1455) this active and liberal head of the Christian church added five thousand volumes to the library of the Vatican. Many of these were Greek books, or translations of them into Latin. "To his munificence," continues the great historian, "the Latin world was indebted for the versions of Xenophon, Diodorus, Polybius, Thucydides, Herodotus, and Appian; of Strabo's Geography, of the Iliad, of the most valuable works of Plato and Aristotle, of Ptolemy and Theophrastus, and of the fathers of the Greek church. The example of the Roman pontiff was

^{*} Evidence of Univ. Com. ii. 230—233.

[†] Report, p. 214.

^{*} Hist. of Eng. Poetry, i. 123, and ii. 392.

preceded or imitated by a Florentine merchant, who governed the republic without arms and without a title. Cosmo of Medicis was the father of a line of princes whose name and age are almost synonymous with the restoration of learning: his credit was ennobled into fame; his riches were dedicated to the service of mankind: he corresponded at once with Cairo and London; and a cargo of Indian spices and Greek books was often imported in the same vessel. In his palace distress was entitled to relief, and merit to reward; his leisure hours were delightfully spent in the Platonic academy; he encouraged the emulation of Demetrius Chalcondyles and Angelo Politian; and his active missionary, Janus Lascaris, returned from the East with a treasure of two hundred manuscripts, fourscore of which were as yet unknown in the libraries of Europe.*

Gibbon adds, that "after a short succession of foreign teachers, the tide of emigration subsided; but the language of Constantinople was spread beyond the Alps; and the natives of France, Germany, and England, imparted to their country the sacred fire which they had kindled in the schools of Florence and Rome." Although, however, it has been necessary, for the sake of chronological distinctness, to notice the revival of learning in Europe in this place, the light of that great day-spring scarcely reached our own country within the present period. The Greek language did not begin to be taught at Oxford till towards the very close of the fifteenth century. The case was different with regard to the other most memorable incident in the history of literature which illustrates the age of which we are now treating. The three towns of Haerlem in Holland, and of Mayence and Strasburg in Germany, contend for the honour of having given birth, shortly before the middle of this century, to the art of printing. The claim of Haerlem rests upon a tradition that one of its citizens, {Lawrence, or Laurent Janszoon Coster, had, without assistance or communication with any other individual, not only invented the art, but brought it to perfection, through the successive stages of wooden types, types of cut metal, and types cast in the modern fashion, before the year 1441; in which year one of his servants named John—whom some suppose to have been John Fust—made his escape to Mayence, carrying with him both the secret and a quantity of Coster's types and implements, with which he began to print in the last-mentioned city in the following year. Among those who reject this story there is little disagreement as to the persons to whom the several parts of the invention are to be attributed; the principal dispute is, whether the art was first practised at Mayence or at Strasburg. We have seen that the supporters of the pretensions of Coster of Haerlem assert his claims to the invention both of the art of printing and of the art of typefounding. These are properly to be considered as two perfectly distinct inventions; and, though

coming the one in aid of the other, the latter was really as great an improvement upon the former, as the notion of printing with moveable types—the true beginning of the new art—was upon the process long previously practised in China, and not unknown even in ancient as well as in modern Europe, of producing impressions from blocks of wood and other materials. The principle of the one consisted in making the same type available in the production of many different words and pages; the principle of the other consisted in making one cutting serve for the production of many copies of the same type. They proceeded, in fact, in opposite directions; the object of the former was attained by the contrivance of separate types, by the breaking down of the one block into many pieces: the latter was suggested by viewing the different types of each letter as essentially the same, that is to say, by bringing together, as it were, the many into one. The Germans agree in venerating three names as those of the fathers of the whole art of printing—John Gutenberg, or Gutenberger; Peter Schœffer, otherwise called Opilio; and John Fust. The share which Fust had in the matter is involved in some obscurity. According to one account, he merely interested himself warmly in the invention, and, being wealthy, assisted Gutenberg, who was poor, with the means of carrying on his operations. It is admitted that the grand fundamental conception of printing with separate or moveable types is due to Gutenberg alone. And to Schœffer is attributed, with equal unanimity, the invention of casting types of metal by means of a matrix. For this happy improvement—without which, indeed, printing with moveable types would have been checked in its natural development, like an animal or a plant left without adequate nourishment, Schœffer, who was at the time in the service of Gutenberg and Fust, is said to have received from the latter his only daughter in marriage. The first servants of this high mystery, however, were not of the class of ordinary workmen; the fabrication of books, which even in its most mechanical forms had hitherto always been an employment of an intellectual nature, was not now committed to persons without any literary education; Schœffer had studied in his youth at the University of Paris, and his scholarly acquirements had no doubt in the first instance recommended him to Gutenberg as a fit assistant in his scholarly craft.

The art of printing had been practised nearly thirty years in Germany before it was introduced either into England or France—with so tardy a pace did knowledge travel to and fro over the earth in those days, or so unfavourable was the state of these countries for the reception of even the greatest improvements in the arts. At length a citizen of London secured a conspicuous place to his name for ever in the annals of our national literature, by being, as far as is known, the first of his countrymen that learned the new art, and certainly

* Decline and Fall of Rom. Emp. ch. 66.

the first who either practised it in England, or in printing an English book. William Caxton was born, as he tells us himself, in the Weald of Kent, it is supposed about the year 1412. Thirty years after this date his name is found among the members of the Mercers' Company in London. Later in life he appears to have repeatedly visited the Low Countries, at first probably on business of his own, but afterwards in a sort of public capacity,—having in 1464 been commissioned, along with another person, apparently also a merchant, by Edward IV. to negotiate a commercial treaty with the Duke of Burgundy. He was afterwards taken into the household of Margaret Duchess of Burgundy. It was while resident in the Low Countries that he commenced practising the art of printing. He is known to have completed there, before the end of the year 1471, impressions of

Raoul le Feure's 'Recueil des Histoires de Troyes,' in folio; of the Latin oration of John Russell on Charles Duke of Burgundy being created a Knight of the Garter, in quarto; and of an English translation by himself, of Le Feure's above-mentioned history, in folio; "whyche sayd translacion and werke," says the title, "was begonne in Brugis in 1468, and ended in the holy cyte of Colen, 19 Sept. 1471." These productions of his foreign press, therefore, exhibit examples of his printing in three different languages—French, Latin, and English. The next work known to have been printed by Caxton, is another English translation by himself, from the French, of a moral treatise entitled 'The Game and Playe of the Chesse,' a folio volume, which is stated to have been "finished the last day of March, 1474." It is generally supposed that this work was printed in England; and the year

G O the right noble right excellent & vertuous prince
George duc of Clarence Erle of warwopk and of
Salisbury grete Chamberlajn of Englonde & lieutenant
of Irelande oldest broder of kynge Edward by the grace
of god Kynge of Englonde and of fraunce / your most
humble seruant william Caxton amonge other of your
seruantes sendea vnto your peas . helthe . joye and victo-
rye vpon your Enempes /

SPECIMEN OF CAXTON'S PRINTING.—Dedication of Book of Chess.

1474 accordingly is assumed to have been that of the introduction of the art into this country. It is certainly known that Caxton had come to England in 1477, and had set up his press in the Almonry, near Westminster Abbey, where he printed that year, in folio, 'The Dictes and Notable Wyse Sayenges of the Phylosophers,' translated from the French by Anthony Woodville, Earl Rivers. From this time Caxton continued both to print and translate with indefatigable industry till after the close of the present period, his last publication with a date having been produced in 1490, and his death having probably taken place in 1491, or 1492.* Before he died he saw the admirable art which he had introduced into his native country already firmly established there and the practice of it extensively diffused. Theodore Rood, John Lettow, William Machelina, and Wynkyn de Worde, foreigners, and Thomas Hunt, an Englishman, all printed in London both before and after Caxton's death. It is probable that the foreigners had been his assistants, and were brought into the country by him. A press was also set up at St. Alban's by a schoolmaster of that place, whose name has not been preserved; and books

began to be printed at Oxford so early as the year 1478. It would even appear that before the end of this period some exportation of the productions of the English press had commenced. At the end of a Latin translation of the Epistles of Phalaris, printed at Oxford in 1485, is a Latin couplet, boasting that the English, who had been wont to be indebted for books to the Venetians, now sold books themselves to other nations.*

An enumeration of the principal works printed by Caxton will present the best view that can be given of the popular literature of the times; for of course he employed his press in the multiplication, and his pen in the translation, of the kind of books most in request among the reading portion of his countrymen. The predominant spirit of the age was still a mixture of devotion and romance; the clergy and the nobility were also at once the best educated and the wealthiest classes; accordingly the religious books and the romances form the two largest divisions in the list. The former comprises the Pilgrimage of the Soul, from the French; Liber Festivalis, or, Directions for keeping Feasts

* Calatos, Veneti, nobis transmittere libros
Ceditte, nos aliis vendimus, O Veneti.

Middleton's Origin of Printing in England, p. 10.

* See article on Caxton in Penny Cyclopædia, vol. vi. p. 393.



THE ALMONY, WESTMINSTER, where Caxton's Printing Office was.

all the Year ; Quatuor Sermones (or Four Sermons), in English ; The Golden Legend (a collection of Lives of the Saints), three editions ; The Art and Craft to know well to Die, from the French ; *Infantia Salvatoris* (the Infancy of our Saviour) ; The Life of St. Catherine of Sens ; *Speculum Vitæ Christi*, or Mirror of the Blessed Life of Jesu Christ ; *Directorium Sacerdotum* (a Directory of Church Worship) ; A Book of Divers Ghostly Matters ; The Life of St. Wynefrid ; The Provincial Constitutions of Bishop Lyndwood of St. Asaph, in Latin ; the Profitable Book of Man's Soul, called the Chastising of God's Children, and one or two others. Several of these—such as the Lives of the Saints—might come equally under the title of books of romance. The works more properly relating to romance and chivalry, however, are the following : The History of Troy, already mentioned ; The Book of the whole Life of Jason ; Godfrey of Boloyne ; The Knight of the Tower, from the French ; The Book of the Order of Chivalry or Knighthood, from the French ; The Book Royal, or the Book for a King ; A Book of the Noble Histories of King Arthur and of Certain of his Knights ; The History of the Noble, Right Valiant, and Right Worthy Knight Paris and of the Fair Vienne ;

The Book of Feats of Arms and of Chivalry, from the French of Christine of Pisa ; and the History of King Blanchardine and Queen Eglantine his Wife. To these may be added, the History of Renard the Fox, translated by Caxton from the German ; and the Subtle Histories and Fables of *Æsop*, from the French. In English poetry there are the following works of Chaucer, Gower, and Lydgate : of the first, The Tales of Canterbury, two editions ; The Book of Fame ; *Troilus and Cresseide* ; and some minor poems :—of the second, *The Confessio Amantis*, that is to say, in English, the Confession of the Lover : of the third, *The Work (or Court) of Sapience* ; *The Life of our Lady* ; and some minor poems along with those of Chaucer. And here we may take note of the honourable conscientiousness of our first English printer, so worthy of his high vocation as the leader in the great enterprise of giving at once universal diffusion and an imperishable existence to the literature of his country. The manuscript from which he had printed his first edition of Chaucer happened unluckily, to quote the words of Mr. Tyrwhitt, “to be one of the very worst, in all respects, that he could possibly have met with.” This he himself, as he tells us in the preface to his second edition, discovered some time after—

wards, in consequence of which he did not rest till he had produced this second edition from another much more correct manuscript—"for to satisfy the auctor," as he expresses it, "whereas tofore by ignorance I erred in hurting and defaming his book in divers places, in setting in some things that he never said ne made, and leaving out many things that he made which been requisite to be set in it." None of the ancient Latin classics were printed in England during the present period; but the list of the productions of Caxton's press contains English translations of Cicero's Treatises on Old Age and on Friendship; of Boethius's Consolation of Philosophy, by Chaucer; of the Sayings of the Philosophers; of Virgil's *Æneid*, from the French; and of the works called *Cato Magnus* and *Cato Parvus*, also from the French. This was by no means a contemptible beginning of the work of transfusing the wisdom and poetry of antiquity into the mother tongue. Provision was also made for the readers of history, though not so plentifully as for those of romance. The list contains the following historical and topographical works: *The Chronicles of England*; *The Description of Britain*; *The Polychronicon*; *The Life of Charles the Great*, twice printed; and *the Siege of the Noble and invincible City of Rhodes*. Caxton also printed the statutes of the first year of Richard III., and those of the first,

second, and third parliaments of Henry VII. Among a few other publications of a miscellaneous description, the following may be mentioned as relating to morals and the conduct of life: *The Game of Chess*, already noticed; *The Moral Proverbs of Christine of Pisa*; *The Book of Good Manners*; *The Doctrinal of Sapience*, from the French; and *A Boke for Travellers*. On the whole, the first books that were printed in England were, for the most part, we see, books for the general reader; none of them were works of recondite learning or science, or adapted to the tasks and studies only of particular classes: if they were not all equally edifying, they were all as much as possible addressed to the great body of the reading public—the only audience that was then sufficiently numerous to call into profitable exercise the multiplying powers of the press.

It follows, that it was only books of a certain description the price of which was at first reduced by the new invention. For a considerable time after the art of printing came into use, we find the price of many books still as excessive as ever, and the same anxious precautions taken for their security that had been usual when the only mode of multiplying a volume was by its repeated transcription. In 1471, for example, when Louis XI. of France wished to borrow from the Faculty of Medicine at Paris a copy of the works of the Ara-



TALBOT, THE GREAT EARL OF SHREWSBURY, PRESENTING A BOOK OF ROMANCES TO HENRY VI.

From Royal MS. 15 E. 6.

bian physician Rhasis, that he might have a transcript made for his own library, the Faculty, in a formal letter, took credit for extraordinary loyalty in assenting to the application, and, after all, would not let the king have the book until he had not only deposited in pledge for it a considerable quantity of valuable plate, but procured a nobleman to join with him as surety in a deed by which he bound himself to return it uninjured under a considerable forfeiture.* On a manuscript of Matthew Paris, now in the British Museum, there is an inscription, in Latin, dated 1st June, 1488, in the hand-writing and with the signature of John Russell, then Bishop of Lincoln, in which whosoever shall obliterate or destroy the bishop's memorandum respecting the ownership of the volume is solemnly declared to be accursed.† At this time by far the greater number of books were still unprinted; and every considerable library consisted chiefly of manuscripts, just as it did before the



TRANSCRIBER AT WORK.

invention of the art of printing. Warton has collected the following facts respecting the libraries of the fifteenth century, and the inconveniences and impediments to study which must have been produced by the scarcity of books. "The famous library established in the University of Oxford by that munificent patron of literature, Humphrey Duke of Gloucester, contained only six hundred volumes. (It was opened in the year 1480.) About the commencement of the fourteenth century, there were only four classics in the Royal Library at Paris: these were, one copy of Cicero, Ovid, Lucan, and Boëthius; the rest were chiefly books of devotion, which included but few of the Fathers; many treatises of astrology, geomancy, chiromancy, and medicine, originally written in Arabic, and translated into Latin or French; pandects, chronicles, and romances. The whole consisted of nine hundred volumes. They were deposited in three chambers (in the Louvre), which, on this occasion, were wainscotted with Irish oak, and ceiled with cyprus, curiously carved. The windows were of painted glass, fenced with

iron bars and copper wire. The English became masters of Paris in the year 1425; on which event the Duke of Bedford, Regent of France, sent this whole library—then consisting of only 853 volumes, and valued at 2223 livres—into England; where, perhaps, they became the ground-work of Duke Humphrey's library, just mentioned."* In another place the same writer furnishes the following additional information respecting Duke Humphrey, and his munificence as a book collector:—"About the year 1440 he gave to the University of Oxford a library, containing 600 volumes, only 120 of which were valued at 1000*l*. They were the most splendid and costly copies that could be procured, finely written on vellum, and elegantly embellished with miniatures and illuminations; among the rest was a translation into French of Ovid's *Metamorphoses*. Only a single specimen of these valuable volumes was suffered to remain: it is a beautiful manuscript, in folio, of Valerius Maximus, enriched with the most elegant decorations, and written in Duke Humphrey's age, evidently with a design of being placed in this sumptuous collection. All the rest of the books—which, like this, being highly ornamented, looked like missals, and conveyed ideas of popish superstition—were destroyed or removed by the pious visitors of the University in the reign of Edward VI., whose zeal was equalled only by their ignorance, or perhaps by their avarice."† Several of the volumes of Duke Humphrey's library, however, still remain in various collections. In the library of Oriol College, Oxford is a copy of John Capgrave's "*Commentary on Genesis*," in the author's hand-writing, preceded by a Dedication to the Duke, the beautifully illuminated initial letter of which represents Capgrave humbly presenting his book to his patron. The volume contains also an entry, in French, in the hand-writing of the Duke, recording it to have been presented to him in the year 1438. Warton goes on to state that the patronage of Duke Humphrey was not confined to English scholars. Many of the most celebrated writers of France and Italy solicited his favour and shared his bounty. He also employed several learned foreigners in transcribing and in making translations of Greek works into Latin. The only literary production which has been ascribed to this distinguished patron of letters is a small tract on Astronomy; but it appears to have been only compiled at his instance, and after tables which he had constructed. In the library of Gresham College, however, there is a scheme of astronomical calculations which bears his name. "Astronomy," says Warton, "was then a favourite science; nor is it to be doubted that he was intimately acquainted with the polite branches of knowledge, which now began to acquire estimation, and which his liberal and judicious attention greatly contributed to restore."‡

* Crevier, *Hist. de l'Univ. de Paris*, iv. 337.

† Warton, *Dissert. on Introd. of Learning into Eng.* p. cxi. The volume is one of the Royal MSS., marked 14 C 41. It appears, from an inscription in the author's own hand, to have been a presentation copy from himself, probably to some church or monastery.

‡ *Diss. on Introd. of Learning*, p. cxiii.
† *Hist. of Eng. Poetry*, ii. 335.

The most distinguished among the English nobility of this rude age for learning and intellectual tastes, was John Tiptoft, originally Lord Tiptoft, and created Earl of Worcester by Henry VI. He afterwards, however, attached himself to the Yorkist family, for which he was put to death, as may be remembered, by Warwick, during the short restoration of Henry VI., in 1470—his execution being the only vindictive act of bloodshed by which that revolution was stained.* The Monk of Croyland, or rather his continuator, asserts that the earl had, by his cruelty in the office of Constable of the Tower, acquired the hatred of the people, who called him "the butcher;" but general and passionate imputations of this kind cannot be allowed to go for much in the inflammation and ferocity of such a contest as then agitated men's minds. The more specific statement of other writers is, that Worcester was sent to the block under the pretence of punishing him for cruelty of which he had been guilty many years before, while exercising the government of Ireland, particularly towards two infant sons of the Earl of Desmond. As Walpole has well said, "it was an unwonted strain of tenderness in a man so little scrupulous of blood as Warwick, to put to death so great a peer for some inhumanity to the children of an Irish Lord; nor does one conceive why he sought for so remote a crime: he was not often so delicate. Tiptoft seems to have been punished by Warwick for leaving Henry for Edward, when Warwick had thought fit to quit Edward for Henry."† Others of the old chroniclers ascribe the charges brought against him to the malice of his enemies. He was probably singled out for destruction as being the ablest and most dangerous man of his party; for Worcester was distinguished for his political and military talents, as well as for his scholarship. It would be strange, at any rate, if his intellectual acquirements—which raised him so high above the herd of his fellow-nobles, and the great body of his countrymen—should, instead of softening and humanising him, according to the ancient poet's celebration of the effect of "having faithfully learned the ingenuous arts,"‡ have had an influence of the very opposite kind upon his nature and conduct. The Earl of Worcester was an ardent lover of books, and was, as well as Duke Humphrey, a liberal contributor to the shelves of the rising public library of the University of Oxford. On his return from a pilgrimage to Jerusalem, after residing for some years at Padua and Venice, and making great purchases of manuscripts in both those places, he repaired to Rome to satisfy his longing curiosity with a sight of the library of the Vatican, and drew tears of delight from Pope Pius II. (the learned Æneas Sylvius), by a Latin oration which he pronounced before him. Of his literary performances the principal one that remains is the translation of Cicero's Treatise on Friendship, which was published by Caxton. He was one of

the chief patrons of this earliest English printer, who says of him that he was one, "to whom he knew none like among the lords of the temporality for science and moral virtue"—a far better testimony to his worth than the party-spirit of the Croyland historian, or even the temporary clamour of the populace, if such did make itself heard against him in the triumph of the opposite faction, is of the reverse. He was only in his forty-second year when he was put to death; "at which death," says Caxton, every man that was there might learn to die, and take his death patiently."

Fuller has said that "the axe then did at one blow cut off more learning than was left in the heads of all the surviving nobility." Yet there still survived a noble contemporary of Tiptoft, "by no means," to use the words of Walpole, "inferior to him in learning and politeness, in birth his equal, by alliance his superior, greater in feats of arms, and in pilgrimages more abundant." This was Anthony Widville, or Woodville, Lord Scales, and Earl Rivers, the brother of the fair queen of Edward IV. By a fate closely resembling that of the Earl of Worcester, the brave and accomplished Lord Rivers was beheaded at Pomfret Castle, by order of the Protector Gloucester, afterwards Richard III., along with the Queen's son, the Lord Gray, and other victims, on the 23rd of June, 1483.* The earl, when he thus perished, had not completed his forty-first year. His famous combat with the Bastard of Burgundy has been already mentioned,† and will be more particularly described in the next chapter. On this occasion, it may be here noticed the Earl of Worcester presided as Lord High Constable; so that two of the chief figures at this one of the latest real passages of arms held in England, were the two Englishmen the most distinguished of their time for those intellectual tastes and accomplishments, in the diffused light of which the empire of chivalry and the sword was ere long to fade away, as the stars disappear before the sun. Walpole has drawn the character of Earl Rivers in his most graphic style:—"The credit of his sister, the countenance and example of his prince, the boisterousness of the times, nothing softened, nothing roughened the mind of this amiable lord, who was as gallant as his luxurious brother-in-law, without his weaknesses—as brave as the heroes of either Rose, without their savageness—studious in the intervals of business—and devout after the manner of those whimsical times, when men challenged others whom they never saw, and went barefoot to visit shrines in countries of which they had scarce a map." He was also one of Caxton's great patrons, and was the author of several of those translations from the French which the latter printed. In a manuscript copy in the archbishop's library at Lambeth, of one of these translations—that of the "Dicts and Sayings of the Philosophers" (which Rivers executed for the instruction of his nephew, the young Prince of Wales, to

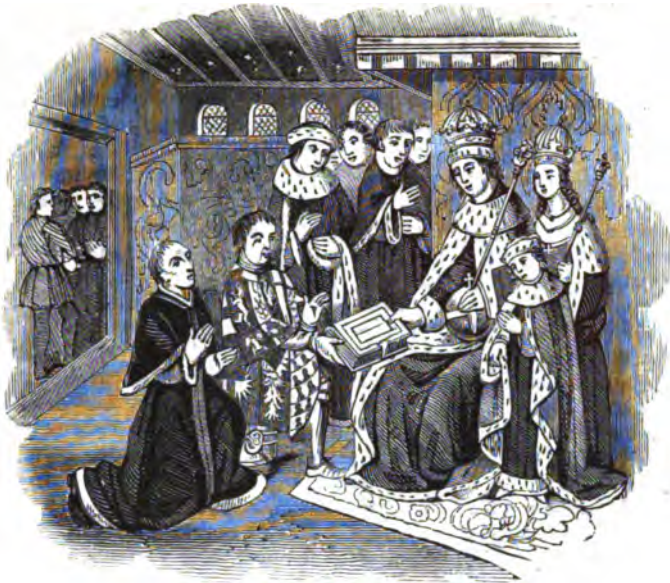
* See ante, p. 167.

† Royal and Noble Authors.

‡ Ovid, *De Fortis*, Lib. II. Ep. 9, p. 67.

* See ante, p. 191.

† Ibid, p. 103.



EARL RIVERS PRESENTING CAXTON TO EDWARD IV.

MS. Lambeth Palace Lib.

whom he was appointed governor)—there is an interesting illumination, in which the earl is represented introducing Caxton to Edward IV., his queen, and the Prince. In this instance, Earl Rivers condescended to translate a translation, for the original of the "Dicts and Sayings" is in Latin. He was also the author of the metrical version of the "Proverbs of Christine of Pisa," and of that of another of Caxton's publications, named "Cordial, or Memorare Novissima," both from the French. But these and the other translations in which the art of printing, on its first establishment among us, exercised its powers of multiplying the fountains of knowledge and of mental gratification, were, as Walpole observes, as much new and real presents to the age as original works would have been. To lords Worcester and Rivers this writer conceives their country to have been in a great measure indebted for the restoration of learning. "The countenance," he remarks, "the example of men in their situation, must have operated more strongly than the attempts of an hundred professors, Benedictines, and commentators."*

Although Chaucer had already set the example of writing on scientific subjects in the mother tongue, by his treatise on the Astrolabe, the oldest work in English now known to exist on any branch of science; † this department of study was but very little cultivated in England during the present period. The short list of English scientific works during the fifteenth century does not contain a single name remembered, or deserving of being

remembered, in the history of science.* The dreams of astrology and alchemy still captivated and bewildered almost all who turned their attention either to mathematical or natural philosophy. The only difference of opinion with regard to these mysterious pursuits was whether they were or were not forbidden by the law of God. Nobody doubted their most marvellous pretensions; but many thought a skill in them was rather an inspiration from the prince of darkness, than light from heaven. Probably, however, it was not any feeling of this kind that occasioned an act of parliament passed in the beginning of the reign of Henry IV., making it felony to practise the transmutation of metals, there designated the multiplying of gold or silver, or the craft of multiplication: † the prohibition has more the look of having been dictated by political or economical considerations, as if there had been some apprehension that the operations of the multipliers might possibly affect the value of the king's coin. Henry VI., at any rate, with all his piety, was as great a patron of the alchemists as Edward III. had been before him. ‡ These impostors practised with abundant success upon his weakness and credulity, repeatedly inducing him to advance them money wherewith to prosecute their idle operations, as well as procuring from him protections, which he sometimes prevailed upon the parliament to confirm, from the penalties of the statute that has just been mentioned. In one of these pro-

* See all those whose names have been recovered enumerated, with notices of their insignificant performances, in a paper on the "English Mathematical and Astronomical Writers, between the Norman Conquest and the year 1600," in the Companion to the Almanac for 1827, pp. 23 and 36.

† See Henry IV., c. iv.

‡ See vol. I, p. 346.

* Royal and Noble Authors, vol. I.
† See Book of Table Talk, I. 199.

tections granted to the three "famous men," John Fauceby, John Kirkeby, and John Rayny, which was confirmed by parliament, 31st of May, 1456, the object of the researches of the said philosophers is described to be "a certain most precious medicine, called by some the mother and queen of medicines; by some the inestimable glory; by others the quintessence; by others the philosopher's stone; by others the elixir of life; which cures all curable diseases with ease, prolongs human life in perfect health and vigour of faculty to its utmost term, heals all healable wounds, is a most sovereign antidote against all poisons, and is capable," the enumeration of virtues concludes, "of preserving to us, and our kingdom, other great advantages, such as the transmutation of other metals into real and fine gold and silver."* The philosopher's stone, and the elixir of life, it will be observed, are here spoken of as one and the same medicine, contrary, we believe, to the common notion. The power attributed to the medicine, also, in the prolongation of life, scarcely goes the length of the accounts usually given. Fauceby, here mentioned, is elsewhere designated the king's physician. Another of Henry's physicians was Gilbert Kymer, who was a clergyman, and, among other ecclesiastic promotions, held the offices of dean of Salisbury and chancellor of the University of Oxford. From this example we may perceive that the practice of medicine was still, to some extent, in the hands of the clergy. The art itself appears to have made little or no progress within the present period; indeed it may be doubted if the knowledge that had formerly been derived from the Arabic authors and schools was not now diminished rather than increased. Almost the only medical work that appeared in England in the fifteenth century, even the title of which is now remembered, is the "Dietarium de Sanitatis Custodia," (or Dietary for the Preservation of Health,) of this Dr. Gilbert Kymer. It is a tract consisting of twenty-six chapters, and is dedicated, like so many others of the productions of the learned of this age, both in England and other countries, to the great patron of literature, Humphrey Duke of Gloucester. Surgery also was in as rude a state as ever. It appears, from a record in the *Fœdera*, that in Henry V.'s army which won the battle of Agincourt, there was only one surgeon, a certain John Morstede, fifteen assistants, whom he had pressed under a royal warrant, not having yet landed. Of these assistants three were also to act as archers, the whole number having the pay of common archers, and Morstede himself only that of a man at arms. The art indeed was hardly yet considered as anything more than a species of mechanical handicraft. It deserves to be noted, however, that the operation of lithotomy was successfully performed at Paris for the first time, at least by any modern surgeon, in the year 1474, on a condemned criminal, whose life was granted by the king to the petition of the physicians and surgeons of the city, that he might serve,

* *Fœdera*, xi. 878.

according to the philosophic maxim, as the *corpus vile*, or worthless subject, of the experiment.

Of the literary productions of this age the literary merits are in general of the humblest description. Among the Latin historians, or chroniclers, Thomas Walsingham may be accounted one of the best, if not the chief. He was a Benedictine of the Abbey of St. Alban's, and is the author of two works; one a History of England, entitled 'Historia Brevis,' which begins at 1273, where Matthew Paris ends, and extends to the beginning of the reign of Henry VI.; the other a History of Normandy, under the title of 'Ypodigma Neustriæ,' from the first acquisition of the duchy by Rollo the Dane. The style of these chronicles is sufficiently rude and unpolished; but they are very full and circumstantial, and the English history, even in the earlier part of it, contains many things not mentioned by any contemporary writer.* The compilation of English History by Thomas Otterbourne, a Franciscan friar, from the landing of Brutus to the year 1420, is very little esteemed.† A much more valuable performance is the 'Chronicon' of John de Whethamstede, Abbot of St. Alban's, although it only extends from the year 1441 to 1461.‡ Whethamstede was a person of judgment as well as of considerable learning, and is entitled to remembrance as the first of our English historians who ventured to dispute the popular legend of Brutus and his Trojans. He was an especial favourite with Duke Humphrey, who was accustomed to visit him in his monastery, where the monks, however, accused their abbot of spending too much of his time in study and in writing books, though he was a most liberal benefactor to their establishment. But neither the libraries he built and furnished both at St. Alban's and at Oxford, the organs and pictures with which he adorned the church and chapels of his monastery, nor the extensive additions which he made to its buildings, probably compensated in their estimation for tastes and habits so different from their own. Another of the Latin historians of this period whose name is connected with Duke Humphrey is the Italian Titus Livius Forojuliensis, as he calls himself, the author of a Life of Henry V.§ He was invited to England by the duke, who appointed him to be his poet and orator. His Life of Henry V., however, is very little else than an abridgment of the work on the same subject by Thomas de Elmham,|| Prior of Linton, whose barbarous style does not prevent his performance from being one of great historical value. The Italian affects to imitate the style of the illustrious ancient whose name he assumes; but he is, it must be confessed, a very modern Livy. Another of these annalists is William Botoner, or William of Worcester, the author of a chronicle extending

* Published together by Archbishop Parker, fol. Lon. 1574. Also in Camden's *Anglia*, &c. fol. Francof. 1603.

† Published by Hearne, in 2 vols. 8vo. Oxon. 1732.

‡ Published by Hearne, along with Otterbourne.

§ Published by Hearne, 8vo. Oxon. 1716.

|| Published by Hearne, 8vo. Oxon. 1727.

from 1324 to 1491, which is nearly all a compilation, and of very little value.* Botoner is also the author of the translation of Cicero's Treatise on Old Age, already mentioned as one of Caxton's publications. The last of this class of writers we shall mention is John Rossus, or Rouse, of Warwick, the author of what he calls a History of the Kings of England,† which, nevertheless, commences with the creation of the world. Although it does not contain much that is interesting till the author comes down to his own age, the latter part of the fifteenth century, it furnishes some curious details both of the events and the manners of that time.

Two French writers, Monstrelet and Comines, may be considered as in some sort belonging to this period of English history. Monstrelet, whose narrative extends from 1400 to 1452 (with a supplement coming down to 1467 by another hand), is a very faithful but not a very lively chronicler of the contentions of the Houses of Orleans and Burgundy, and of the wars of the English in France, in his own day. Comines, an actor to a considerable extent in the affairs which he relates, is a writer of a superior stamp. His Memoirs extend from 1464 to 1498, a period comprehending nearly the whole reign of Louis XI. of France, whom Comines may be said to make his hero, and whose singular character gives much of a dramatic life to the narrative of the historian. Comines has none of the chivalrous enthusiasm of Froissart, and no other excitement of a very warm or imaginative character to make up for the want of it, but observation, sagacity, and an unaffected, straight-forward way of writing give him a great power of carrying his reader along with him. He is the best authority for the French transactions of the reign of our Edward IV.

This period also affords us two or three English chroniclers. The series of our modern English chronicles may perhaps be most properly considered as commencing with John de Trevisa's translation of Higden, with various additions, which appears to have been finished in the reign of Richard II.‡ It was printed, as mentioned in a preceding page, under the title of 'Polychronicon' by Caxton, in 1482. After Trevisa, comes John Harding, who belongs to the present period; his metrical 'Chronicle of England' coming down to the reign of Edward IV.§ The metre is melancholy enough; but the part of the work relating to the author's own times is not without value. Harding is chiefly notorious as the author, or at least the collector and producer, of a great number of charters and other documents attesting acts of fealty done by the Scottish to the English kings, which are now universally admitted to be forgeries. Caxton himself must be reckoned our next English chronicler, as the author both of the

concluding part of the volume entitled 'The Chronicles of England,' published by him in 1480,—the body of which is translated from a Latin chronicle by Douglas, the monk of Glastonbury, who lived in the preceding century; and also of a continuation of Trevisa down to the year 1482. Neither of these performances, however, is calculated to add to the fame of the celebrated printer. To this period we may also in part assign the better-known 'Concordance of Histories' of Robert Fabyan, citizen and draper of London; though the author only died in 1512, nor was his work printed till a few years later. Fabyan's history, which begins with Brutus and comes down to his own time, is in the greater part merely a translation from preceding chroniclers; its chief value consists in a number of notices it has preserved relating to the city of London.*

The most numerous class of writers in the mother tongue, however, are the poets, by courtesy so called. We must refer to the learned and curious pages of Warton, or to the still more elaborate researches of Ritson,† for the names of a crowd of worthless and forgotten versifiers that fill up the annals of our national minstrelsy from Chaucer to Lord Surrey. The last-mentioned antiquary has furnished a list of about seventy English poets who flourished in this interval. We can here notice only two or three of the number. The first known writer of any considerable quantity of verse after Chaucer, is Thomas Occleve. Warton places him about the year 1420. He is the author of many minor pieces, which mostly remain in manuscript—although "six of peculiar stupidity" says Ritson, "were selected and published" by Dr. Askew in 1796;—and also of a longer poem, entitled "De Regimine Principum," (On the Government of Princes) chiefly founded on a Latin work, with the same name, written in the 13th century by an Italian ecclesiastic Egidius, styled the Doctor Fundatissimus, and on the Latin treatise on the game of chess of Jacobus de Casulis, another Italian writer of the same age—the latter being the original of the 'Game of the Chess,' translated by Caxton from the French, and published by him in 1474. Occleve's poem has never been published—and is chiefly remembered for a drawing of Chaucer by the hand of Occleve, which is found in one of the manuscripts of it now in the British Museum.‡ Occleve repeatedly speaks of Chaucer as his master and poetic father, and was no doubt personally acquainted with the great poet. The same drawing occurs in other manuscripts of that age, and it bears a strong resemblance to other portraits of Chaucer which are probably of the same antiquity.§ All that Occleve appears to have gained, however, from his admirable model, is some initiation into that smoothness and regularity of style of which Chaucer's writings set the first great example;

* Published by Hearne, in the Appendix to the Liber Niger Saccarii, 2 vols. 8vo. Oxon. 1728.

† Published by Hearne, 8vo. Oxon. 1716.

‡ See vol. i. p. 247.

§ First printed by Grafton in 1543. The most recent edition is that by Sir H. Ellis, 4to. Lond. 1812.

* First published in 1516. The last edition is that of Sir H. Ellis, Lon. 4to. 1811.

† Bibliographia Poetica.

‡ Royal MS. 17 D vi.

§ See Warton, Hist. Eng. Poetry, ii. 354.

his own endowment of poetical power and feeling appears to have been very small—the very titles of his pieces, as Warton remarks, indicating the poverty and frugidity of his genius.

By far the most famous of these versifiers of the fifteenth century is John Lydgate, the monk of Bury, whom the Historian of our Poetry considers to have arrived at his highest point of eminence about the year 1430. Ritson has given a list of above 250 poems attributed to Lydgate. Indeed he seems to have followed the manufacture of rhymes as a sort of trade, furnishing any quantity to order whenever he was called upon. On one occasion, for instance, we find him employed by the historian Whethamstede, who was abbot of St. Alban's, to make a translation into English, for the use of that convent, of the Latin legend of its patron saint. "The chronicler," observes Warton, "who records a part of this anecdote seems to consider

Lydgate's translation as a matter of mere manual mechanism; for he adds, that Whethamstede paid for the translation, the writing, and illuminations, one hundred shillings."* Lydgate, however, though excessively diffuse, and possessed of very little strength or originality of imagination, is a much livelier writer than Occleve. His memory was also abundantly stored with the learning of his age; he had travelled in France and Italy, and was intimately acquainted with the literature of both these countries; and his English makes decidedly a nearer approach to the modern form of the language than that of any preceding writer. His best known poem consists of nine books of "Tragedies," as he entitles them, respecting the falls of princes, translated from a Latin work of Boccaccio's: it was printed at London in the reign of Henry VIII.

* See Warton, *Hist. Eng. Poetry*, p. 363.



LYDGATE PRESENTING HIS POEM OF 'THE PILGRIM' TO THE EARL OF WARWICK AND SALISBURY, THE CELEBRATED "KING MAKER."
From Harleian MS. No. 4836.

The prince of our poets, however, of the early part of the fifteenth century, is King James I. of Scotland, the author of the "King's Quair," which we have already had occasion to mention,* and also, it is believed, of many minor pieces, which however have nearly all perished. There is nothing in English poetry so elegant and tender as the "King's Quair," from the time of Chaucer to that of Spenser. If James was the author of the two other poems usually attributed to him, entitled "Christ's Kirk on the Green,"

* See ante, p. 183.

and "Peebles to the Play," he had likewise inherited no small portion of the rich comic humour of his great predecessor; but the best critics are disposed from the internal evidence to attribute both these pieces, not to this prince, but to his equally gifted and equally unfortunate descendant King James V., the undoubted author of the famous ballads, in much the same style, of the "Gaberlunzie Man," and the "Jolly Beggar."*

We shall now add a series of specimens of the

* See Percy's *Reliques*, Series II., Book 1st; and Note to the last edition of Warton's *Hist. of Eng. Poetry*, ii. 433.

language, which will bring down the history of its progress from the point at which our last selection terminated, and which may be considered as having been that of the boundary between the Saxon and what is properly called English.* The present specimens will exhibit the latter in the different stages of what may be called the process of formation; for it was not till after the close of the present period that it had entirely assumed even that general system of grammatical forms upon which it is now moulded.

Robert of Gloucester, in the Chronicle which bears his name, affords us the earliest specimen of what can strictly be called English. We select his account of the Battle of Evesham; of the darkness which prevailed at which he was an eyewitness. The battle was fought in 1265: the account was written about or before the year 1280.†

— Sir Simon the old com, the Monendai iwis,
To a toun beside Wirectre, that Kemeseie ihote is.
The Tiwesday to Evesham he wende the morweninge,
And there he let him & is folc prestes massen singe,
And thothe to wende northward, is sone vor to mete.
Ac the king nolde a vot, bote he dined other etc.

And Sir Simon the zonge and his ost at Alcestre
were,
And nolde thanne wende a vot, ar hii dinede there.
Thulke to divers deluol were, alas!

Vor mani was the gode bodi, that ther thoru islawe
was.

Sir Edward and is poer sone come tho ride
To the north half of the town, bataile vor to abide.
Tho Sir Simon it iwuste, and hii that with him were,
Some hii lete hom armi, and hor baners arere.
The bissop Water of Wurcetre assoiled hom alle
there.

And prechede hom, that hii adde of deth the lass fere.
Then wei euene to hor fon a Gode's half hii nome,
And wende, that Sir Simon the zonge azen hom
come.

Sir Edward's ost, and othere al so nei,
He avisede the ost suithe wel, and thoru Gode's
grace,

He hopede winne a day the maistrie of the place.
Tho sei he ther beside, as he bihulde aboute,
The erle's baner of Gloucetre, and him mid al is
route,

As him vor to close, in the other half ywis.
"Onz," he sede, "redi folk and wel iwar this is,
"And more conne of bataile, than hii couthe biuore."
"Vr soules," he sede, "abbe God, vor vr bodies beth
hore.

"Sir Henri," he sede to is sone, "this hath imad thi
prute.

"Were thi brother icome, hope we mizte zute."
Hii bitoke lif and soule to God's grace ech on,
And into bataile smite vast among hor fon.

And, as gode kniztes, to grounde slow anon,
That hor fon flowe sone, thicke mani on.

Sir Warin of Blasingbourne, tho he this isei,
Biuore he gan prike, and to grede an hei,

"Azen, traitors, azen, and habbeth in ower thozt,
"How villiche at Lewes ze were to grounde ibroz.

"Turneth azen, and thencheth, that that power al
oure is,

"And we sölle, as vor nozt, ouer com vr fon iwis."

Tho was the bataile strong in eith side, alas!
Ac atten ende was hinethe thulke, that feblore was.
And Sir Simond was aslawe, and is folk al to
grounde.

More murthre are nas in so lute stounde.
Vor there was werst Simond de Mountfort aslawe,
alas!

And Sir Henri is sone, that so gentil knizt was,
And Sir Hue the Despencer, the noble justise,
And Sir Peris de Mountfort, that stronge were and
wise.

Sir Willam de Verous, and Sir Rauf Basset al so.
Sir John de Sein Jon, Sir Jon Diue ther to.
Sir William Trossel, Sir Gileberd of Eisnesfelde,
And mani god bodi were aslawe there in thulke
felde.

And among alle other mest reuthe it was ido,
That Sir Simon the olde man demembered was so.
Vor Sir William Mautravrs (thonk nabbe he non)
Carf him of fet and honde, and is limes mani on.

And is heued hii smiten of, and to Wigemor it sende
To dam Maud the Mortimer, that wel foule it ssende.
And of al that me him bilimede, hii ne bledde nozt,
me sede,

And the harde here was is lich the next wede.
Suich was the morthre of Eiuesham (uor bataile non
it nas),

And ther with Jesu Crist wel vuele ipaied was,
As he ssewede bitokninge grisliche and gode,
As it vel of him sulue, tho he deide on the rode,
That thoru al the middelerd derk hede ther was inou.
Also the wule the gode men at Euesham me slou,
As in the north west a derk weder ther aros,
Sodeinliche suart inou, that mani man agros,
And ouer caste it thohte al thut lond, that me mizte
vnnethe ise.

Grisloker weder than it was ne mizte an erth be.
An vewe dropes of reine ther velle grete inou.
This tokninge vel in this lond, tho me this men slou,
Vor thretti mile thanne. *This isei Roberd,*
That verst this boc made, and was wel sore aferd.

Louerdinges ther were inome at Euesham mani on.
As Sir Vnfrei de Boun, Sir Jon le fiz Jon,
And Simonde's sone de Mountfort Sir Gwy.
Sir Baudewine de Wake, Sir John de Vesey.
Sir Henry de Hastings, and Sir Nicole iwis
De Segrave was there inome, and al so Sir Peris,
And Sir Roberd, that Sir Peris de Mountfort soens
were.

Thus, and wel mo, were inome in thulke morthre
there.

Ac the Welse fot men, that ther were mani on,
Ac the biginninge of the bataile bigonne to fle ecli
one.

And com thoru Teukesburi, and there men of the
toun

Slowe hom al to grounde, that there hii leis ther
doune

So thicke histrete, that reuthe it was to se,
And grace nadde non of hom, to fizte ne to fle.

Tho the bataile was ido, and the gode men aslawe
were,

Sir Simond the zonge com to mete his fader there.
He mizte tho at his diner abbe bileued al so wel,
As me seith, "wan ich-am ded, make me a caudel."

And tho me tolde him bi the wei, wuche the ende
was ther,

He turnde azen to Keningwurthe, wel longe him
thouzte er.

* See vol. I. p. 613.

† See vol. I. p. 850.

He mizte segge, wan he com, "lute iche abbe iwonne,
'Ich mai honge up min ax, feblische ic abbe agonne,'
The King of Alemaine, that was is moder brother,
And Sir Reynaud le fiz Peris, and ek mani an other,
That in is prison were at Keningwurthe tho,
Tho he ne sei other red, he let hom quit go.
The sixte day of Septembre, that tho was Soneday,
He let hom go a Gode's half, tho he other ne say."

About the same time, or soon after, we have what Warton describes as "the most ancient English song that appears in our manuscripts with the musical notes annexed." The music, however, is believed to be considerably less ancient than the words, which are probably of the early part of the thirteenth century. The verses have been often printed, but are here correctly transcribed from the Harleian MS. in the British Museum, No. 978.

Sumer is icumen in,
Lhude sing cuccu :
Groweth sed,
And bloweth med,
And springh the wde nu.
Sing cuccu.

Awe bleteth after lomb
Lhouth after calve cu :
Bulluc sterteth,
Bucke uerteth,
Murie sing cuccu.
Cuccu, cuccu.

Well sings thu cuccu
Ne swik nauer nu.
Sing cuccu nu ; sing cuccu.
Sing cuccu ; sing cuccu nu.

The earliest English love-song which Warton had discovered, and which he places before or about the year 1200, is contained, with other verses apparently of the same antiquity, in the Harleian MS. 2253. It begins—

Blow northern wynd,
Sent thou me my swetyng ;
Blow northern wynd,
Blow, blow, blow ;—

is full of alliteration, and has a burthen, or chorus.

In Edward III.'s reign we have a greater choice both in prose and poetry. Our first specimen shall be from a translation of the Psalter, written, apparently, very soon after Edward's accession.

Ps. I.

Seli biern that noght is gan
In the rede of wicked man,
And in strete of sinfull noght he stode,
Ne sat in setel of storme ungodc,
Bot in lagh of lau'd his will be in,
And his lagh think he night and dai,
And als his liue swa sal it be,
Als it fares bi a tre,
That stremes of watres set es nere,
That gives his fruit in time of yhere ;
And lef of him todreue ne sal
What swa he does sal sounde full al.
Noght swa wicked men noght swa
Bot also duste that wind yerthe tas fra :

And tharfore wik in dome noght rise
Ne sinfull in rede of right wise.
For lauerd of right wise wate ye wai
And gate of wicked forworth sal ai.
Blisse to the fadre and to the sone
And to the haligaste wil with ani wone,
Als first was, es, and ai sal be,
In werlde of werlides to the thre.

A few books belonging to this period that still exist in our manuscript libraries expressly state themselves to be written in the dialects of particular counties. The Arundel Manuscript, No. 57, entitled 'Ayenbyte of Inwytt,' is a very curious specimen of the English language in 1340, being written in the dialect of Kent, as we learn from a passage which will be presently quoted. At the beginning it is said,—“This boc is dan Michelis of Northgate, ywritte an Englis of his ozene hand ; and is of the bochouse of Saynt Austines of Canterberi under the lettres CC.”

In folio 48 we read—

The yonge grihound that is yet al novis that yernth efter eche beste that yernth bevore him, and ne maketh bote him weri and his time lyese. Ther of zet Ysopes the fable of the little hounde and of the lesse. The hond at eche time that he yberth his lhold cometh hom, he yernth to yens hym, and lharth about his zwere, and the lhold him maketh uayre chiere and him froteth, and maker him greate feste. The asse him be thothe thous ssolde ich do, and zuo wolde mi lhold me louie, betere he ssolde me make joye thet ich serui eche daye thanne thise hounde thet him serueth of nazt. Hit nes naz longe efterward thet the asse ne yzez his lhold come hom, he beginth to lheap and yernth to yens him, and him prauth the uet aboute his zuere and beginth zinge grauntliche. The sergons thet hit y zeze nome steues and byete than asse rizt to the uolle, and ther of thet he wende hadde worthssipe and guod he hedde ssame and harm.*

Another passage,† which gives the date of the manuscript, comprises the Kentish version of the Lord's Prayer, Ave Maria, and Creed :—

Nou ich wille that ye ywryte hou hit is y went : thet this boc is ywritte mid Englis of Kent. This boc is ymad uor lewede men, vor uader and uor moder and uor other ken ham uor to berze uram alle manyere zen that ine hare in wytte ne bleue ne uoul wen. Huo ase God is his name yred thet this boc made God him yeue thet bread of angles of heuene and ther to his red and onderuonge his zaule huanne thet he is dyad. Amen.

Ymende thet this boc is uolueld ine the eue of the holy apostles Symon and Judas of ane brother of the cloystre of Sauynt Austin of Canterberi ine the yere of oure lholdes beringe, 1340.

Pater Noster.—Vader oure thet art ine heuenes y halzed by thi name, cominde thi riche, y worthe thi wil ase in heuene and ine erthe, bread oure eche dayes yef ous to day, and uor let ous oure yeldinges asc and we norleteth oure yelderes, and ne ous led nazt in to uondinge, ac vri ous uram queade. zo by hit.

Ave Maria.—Hayl Marie of thonke uol. H. . dby mid the, yblissed thou ine wymmen, and yblissed thet ouet of thine wombe. zuo by hit.

* MS. Brit. Mus. Arundel; 57, fol. 48.

† Ibid. fol. 82.

Credo.—Ich leue ine God uader almizti, makers of heuene and of erthe, and ine Jesu Crist his zone onlepi our lhard, thet ykend is of the holy gost, ybore of Marie mayde, y pyned under Pontis Pilate, ynaled a rode dyade and be bered, yede down to helle, thane thridde day a ros uram the dyade, steaz to heuenes, zit athe rizt half of God the uader almizti thannes to comene he is to deme the quike and the dyade. Ich yleue ine the holy gost, holy cherche generalliche, menesse of halzen, lesnesse of zennes of ulesse arizinge, and lyf eurelestinde. Zuo by hit.

The Harleian Manuscript, No. 1022, contains several tracts in Northern English of a nearly corresponding age; one, a Poem on the Decalogue, translated from the Latin in 1357, at the request of Archbishop Thoresby, by John de Taystoke, a monk of St. Mary's, York.

The reader who is inquisitive as to dialects will find, among the Harleian Manuscripts, one, No. 221, which contains a dictionary in English and Latin, the former language in the dialect of the East Country, compiled ninety years later by a friar preacher, a recluse at Lynne in Norfolk.

From Sir John Mandeville's Travels, written in 1356, we shall select the first of his two chapters upon Jerusalem, and his Account of Mahomet, both copied from the Cottonian Manuscript, Titus C. xvi., the best exemplar of his work known; a manuscript too of his own age. The first of these extracts presents an entertaining picture of the condition of Jerusalem in the early part of the fourteenth century, with a recital of the stories and traditions then current upon the spot:—

OF THE PILGRIMAGES IN JERUSALEM, AND OF THE HOLY PLACES THERE ABOUTE.

After for to speke of Jerusalem the holy cytee, zee schull undirstonde that it stont full faire betwene hilles, and there be no rivers ne welles, but water cometh by condyte from Ebron. And zee schull understonde that Jerusalem of olde tyme, unto the tyme of Melchisedech, was cleped Jebus: and after it was clept Salem, unto the tyme of Kyng David, that put these two names to gider, and cleped it Jebusalem. And after that Kyng Salomon cleped it Jerosolomye. And after that men cleped it Jerusalem, and so it is cleped zit. And aboute Jerusalem is the kyngdom of Surrye. And there besyde, is the lond of Palestyne. And besyde it is Ascolon. And besyde that is the lond of Maritanie. But Jerusalem is in the lond of Judee, and it is clept Jude, for that Judas Machabeus was kyng of that contree. And it marcheth estward to the kyngdom of Arabye; on the south syde to the lond of Egypt; and on the west syde to the grete see. On the north syde toward the kyngdom of Surrye, and to the see of Cypre.

In Jerusalem was wont to be a Patriark and Erchebysshopes, and Bissoppes abouten in the contree. Aboute Jerusalem be theise cytees; Ebron at seven myle, Jerico at six myle, Bersabee at eyght myle, Ascalon at xvii myle, Jaff at xvi myle, Ramatha at iij myle, and Bethleem at ij myle. And a ij myle from Bethleem toward the southe is the chirche of Seynt Karitot that was abbot there, for whom thei maden meche doel amongs the monks whan he scholde dye, and zit be in moornynge in the wise that thei maden her lamentacon for him the first tyme, and it is full gre: pytee to beholde. This contree and

lond of Jerusalem hath ben in many dyverse nacones bondes. And often therefore hath the contree suffred meche tribulacion for the synne of the people that duelle ther: for that contree hath be in the honds of all nacyonns: that is to seyne of Jewes, of Channances, Assiryenes, Perses, Medoynes, Macedoynes, of Grekes, Romyanes, of Tartaryenes, of Sarrazines, Barbaryenes, Turkes, Cristaryenes, and of manye othere dyverse nacyonns. For God wole not that it be longe in the honds of traytours ne of synneres, be thei cristene or other. And now have the hethene men holden that lond in her honds xl. zer and more. But thei schull not holde it longe zif God wold. And zee schull undirstonde that whan men comen to Jerusalem her first pilgrymage is to the chirche of the Holy Sepulcr wher oure Lord was buried, that is with oute the cytee on the north syde. But it is now enclosed in with the ton wall. And there is a full fair chirche all rownd, and open above, and covered with leed. And on the west syde is a fair tour and an high for belles strongly made. And in the myddes of the chirche is a tabernacle as it wer a lytyll hows, made with a low lityll dore: and that tabernacle is made in maner of a half a compas right curiously and richely made of gold and azure and othere riche coloures, full nobelyche made. And in the ryght side of that tabernacle is the sepulcre of oure Lord. And the tabernacle is viij. fote long and v. fote wyde, and xj. fote in heghte. And it is not longe sithe the sepulcre was all open, that men myghte kisse it and touche it. But for pilgrymes that comen thider peyned hem to breke the ston in peces, or in poudr; therefore the Soudan hath do make a wall aboute the sepulcr that noman may touche it. But in the left syde of the wall of the tabernacle is well the heichte of a man, is a gret ston, to the quantytee of a mannes hed, that was of the holy sepulcr, and that ston kissen the pilgrymes that comen thider. In that tabernacle ben no wyndowes, but it is all made light with lampes that hangen befor the sepulcr. And there is a lampe that hongeth befor the sepulcr that brenneth light, and on the Gode ffryday it goth out be him self, at that hour that our Lord roos fro deth to lyve. Also within the chirche at the right syde besyde the queer of the churche is the Mount of Calvarye, wher our Lord was don on the cros. And it is a roche of white colour, and a lytill medled with red. And the cros was set in a morteys in the same roche, and on that roche dropped the woundes of our Lord, whan he was pyned on the cros, and that is cleped Golgatha. And men gon up to that Golgatha be degrees. And in the place of that morteys was Adames hed found after Noes flode, in tokene that the synnes of Adam scholde ben bought in that same place. And upon that roche made Abraham sacrific to our Lord. And there is an Awter, and befor that Awtier lyzn Godefray de Boleyne, and Bawdewyn, and othere cristene Kyngs of Jerusalem. And ther nygh wher our Lord was crucyfyed is this writen in Greew, *Otheos basilion ysmou pstonas ergasa. solthias emesotis gye*; that is to seyne in Latyn, 'Hic Deus noster Rex, ante secula, operatus est salutem in medio terre;' that is to seye 'This God oure Kyng, befor the worldes, hath wrought hele in myddes of the Erthe.' And also on that roche where the cros was sett, is writen with in the roche these wordes, *Cyos myst ys basis toupisteos they thesmofsy*; that is to sayne in Latyn, 'Quod vides est fundamentum totius fidei Mundi hujus;' that is to seye, 'That thou seest is ground of all the world and of this

foyth. And see schull vnderstande that whan oure Lord was don upon the cros, ho was xxxij. zer and ij. monethes of elde. And the prophecie of David sayth that, 'Quadragesima annis proximus fui generacioni huic:' that is to seye, 'Forty zeer was I neighbore to this kynrede.' And thus scholde it seme that the prophecies ne wer not trewe. but thei ben bothe the trewe: for in old tyme men maden o zeer of x. monethes of the whiche March was the firste and Decembr was the last. But Gayus that was Emperour of Rome putten theise ij. moneths there to Januuer and Feverer, and ordeyned the zeer of xij. monethes, that is to seye ccc.lxv. dayes, without leep zeer, after the propre cours of the Sonne. And therefore after cowntynge of x. monethes of the zeer, he dyede in the xl. zeer as the prophete seyde: and after the zeer of xij. monethes he was of age xxxij. zeer and ij. monethes. Also within the Mount of Calvarie, on the right side, is an Awter, wher the piler lyzth that oure lord Jhesu was bounden to whan he was scourged; and there besyde iiij. fote, ben iiij. pilers of ston that allweys droppen water. And summe seyn that thei wepen for our Lordes deth. And nygh that awtier is a place under erthe xlij. degrees of deppesse, wher the holy croys was founden be the wytt of Seynte Elyne, under a roche wher the Jewes had hidde it. And that was the verray croys assayed. For thei founden ij. crosses, on of our Lord, and ij. of the ij. thefes. And Seynte Elyne preved hem on a ded body that aros from deth to lyve, whan that it was leyd on it that our Lord dyed on. And there by in the wall is the place wher the iiij. nayles of our Lord were hidd, for he had ij. in his honds, and ij. in his feet: and of on of theise the Emperour of Constantynople made a brydill to his hors, to ber him in bataylle, and thorgh vertue there of he overcam his enemyes, and wan all the lond of Asye the lesse that is to seye Turkye, Ermonyse the lasse and the more, and from Surrye to Jerusalem, from Arabye to Persie, from Mesopotayme to the kingdom of Halappee, from Egypte the highe and the lowe, and all the othere kyngdomes unto the depe of Ethiopie, and in to Ynde the lesse that thanne was cristerne. And there was in that tyme many gode holy men and holy Heremytes of whom the book of Fadres lyfes speke and thei ben now in paynemes and Sarazines honds. And in mydds of that chirche is a compas in the whiche Joseph of Aramathe leyde the body of our Lord whan he had taken him down of the croys and wer he wassched the wounds of our Lord. And that compas sey men is the mydds of the world. And in the chirche of the Sepulchre on the north syde is the place wher oure Lord was put in preson. For he was in preson in many places. And ther is a partye of the cheyne that he was bounden with. And ther he appered first to Marie Magdaleyne, whan he was rysen, and sche wende that he had ben a gardener. In the chirche of Seynt Sepulcr was wont to be chanoys of the ordr of Seynt Augustyn, and hadden a Priour, but the Patriark was her sovereyn. And with oute the dores of the chirche, on the right syde as men gon upward xvij. greces seyde our Lord to his moder 'Mulier ecce filius tuus,' that is to seye, 'Woman lo this one.' And after that he seyde to John his disciple 'Ecce Mater tua,' that is to seyne 'Lo behold thi moder.' And theise words he seyde on the cros. And on theise greces went our Lord whan he bar the cros on his schulder. And under this grece is a chapell and in that chapell syngen prestes yndyenes, that is to seye prests of Ynde, nocht after

oure law, but after her. and all wey thei maken her sacrement of the awtier, seyenge 'Pater noster' and othere prayeres there with. With the whiche prayeres thei seye the words that the sacrement is made of. For thei ne knowe not the addicions that many Popes han made, but thei syng with gode devocion. And there ner is the place where that oure Lord rested him whan he was very for berynge of the cros. And see schull understande that before the chirche of the Sepulcr is the cytee more feble than in any other partie, for the grete playn that is betwene the chirche and the citee. And toward the est syde, with oute the wallis of the cytee, is the Vale of Josaphath, that toucheth to the wallis as though it wer a large dych. And above that Vale of Josaphath out of the cytee is the chirche of Seynt Steven wher he was stoned to deth. And there beside is the gildene zate that may not be opened, be the which zate our Lord entred on Palmesonday upon an asse, and the zate opened azenst him whan he wolde go unto the Temple. And sit apperen the steppes of the asses feet in ij. places of the degrees that ben of full harde ston. And before the chirche of Seynt Sepulcr toward the south, a cc. paas is the gret Hospitall of Seynt John, of the whiche the Hospitleres hadd here foundacon. And with inne the Palays of the sekemen of that Hospitall be sixe score and iiij. pileres of ston. And in the wallis of the hows with oute the nombre aboveseyd there be liij. pileres that beren up the hows. And fro that Hospitall to go toward the est is a full fayr chirche that is clept Notre Dame la graund. And than is there another chirche right nygh that is clept Notre Dame de Latyne. And there were Marie Cleophes and Marie Magdaleyne and teren here heer, whan our Lord was peyned in the cros.

The account of Mahomet will not be read with less interest:—

And see schull vnderstande that Machamote was born in Arabye, that was first a pore knaue that kept Cameles that wenten with Marchantes for marchandise, and so befell that he wente with the marchandes in to Egypt, and thei were thanne cristene in the partyes. And at the desartes of Arabye he wente in to a chapell wher a Eremyte duelte. And whan he entred in to the chapell, that was but a lytill and a low thing, and had but a lityl dor' and a low; than the entree began to wexe so gret and so large, and so high, as though it had be of a gret mynstr, or the zate of a paleys. And this was the first myracle the Sarazins seyn that Machomete dide in his zouth. After began he for to wexe wyse and riche, and he was a gret Astronomer, and, after, he was gouernour and prince of the lond of Corrodane, and he gouerned it full wisely in such manere, that whan the Prince was ded, he toke the lady to wyfe that highte Gadriga. And Machomete fell often in the grete sikeness that men calle the fallynge eyyll. Wherefore the lady was full sory that euere sche toke him to husbonde. But Machomete made hire to beleue that all tymes when he fell so, Gabriel the angel cam for to speke with him, and for the grete light and brightnesse of the angell, he myghte not susteyne him fro fallynge. And therefore the Sarazines seyn that Gabriel cam often to speke with him. This Machomete regned in Arabye, the zeer of our lord Jhesu Crist sixe hundred and ten, and was of the generacion of Ysmael, that was Abrahames sone that he gat upon Agar his chamberer, and therefore ther be Sarazines that be clept Ismaelytens

and sune Agarzenes of Agar, and the othere properly be clept Sarrazines of Sarra, and summe be clept Moabytes, and summe Amonytes, for the two sones of Loth, Moab and Amon that he begatt on his daughtres that were aftirward grete erthely princes. And also Machomete loued wel a gode heremyte that duelled in the desertes, a myle from Mount Synay in the weye that men gon fro Arabye toward Caldee, and toward Ynde, o day jorney fro the See wher the Marchaunts of Venyse comen often for marchandize. And so often wente Machomete to this heremyte that all his men were wrothe, for he wolde gladly here this heremyte preche, and make his men wake all nyght, and therefore his men thoughten to putte the heremyte to deth, and so befell vpon a nyght that Machomete was dronken of god wyn and he fell on slepe, and his men toke Machomete's sword out of his schethe, whils he slepte, and there with thei slowgh this heremyte and putte his swerd al bloody in his schethe azen. And at morwe whan he fond the heremyte ded, he was fully sory and wroth, and wolde haue don his men to deth, but thei all with on accord [said] that he him self had slayn him whan he was dronken and schewed him his swerd all bloody, and he trowed that thei hadden seyde soth. And than he cursed the wyn, and all tho that drynken it. And therefore Sarrazines that be deuout drynken neuer no wyn, but sum drynken it priuily, for zif thei dronken it openly thei scholde ben reprobud. But thei drynken gode beuerage and swete and norfyshynge that is made of Galamel, and that is that men maken sugr' of that is of right gode sauor, and it is gode for the breest. Also it befalleth sumtyme that cristene men become Sarazines outhur for pouertee or for symple-nesse, or elles for her owne wykkedness. And therefore the Archiflamyn or the Flamyn os our Echebi-shopp or Bisshop, whan he reseceyuth hem seyth thus: *La ellec olla syla Machomet rores alla*, that is to seye, "There is no God but on and Machomete his messenger."

Owen and Blakeway, in their History of Shrewsbury, vol. i. p. 167, observe justly, that the pestilence of 1349 forms a remarkable era in the history of our language. Before that time; from the Norman Conquest, the nobility and gentry of this country affected to converse in French: children even construed their lessons at school into that language. So Higden tells us in his Polychronicon. But from the time of "the first moreyn," as Trevisa, his translator, terms it, this "maner" was "somdel ychaungide." A schoolmaster named Cornwall was the first that introduced English into the instruction of his pupils; and this example was so eagerly followed that, by the year 1385, when Trevisa wrote, it was become nearly general. The clergy, in all christian countries, are the chief persons by whom the education of youth is conducted; and it is probable that the dreadful scourge of which we have been treating, by carrying off many of those ancient instructors, enabled Cornwall to work a change in the mode of teaching which, but for that event, he would never have been able to effect. The great pestilence of 1349 will be found to be alluded to in our next specimen, which is one of alliterative metre, from the opening of the well-known satire entitled 'The Vision (or Visions) of Pierce Plowman,' written, as Mr.

Tyrwhitt has shown, soon after 1362. We quote from Crowley's "real second edition" of 1550, in which year, so great was its popularity, he printed three editions of the work: *—

In a somer season, when set was the sunne,
I shope me into shroubs, as I a shepe were;
In habyte as an hermet, unholy of werkes
Went wyde in thys world wonders to here;
And on a May morning, on Malverne hilles
Me befell a ferly, of a fayry me thought.
I was wery of wandering, and went me to rest
Under a brode banke, by a bourne side,
And as I lay and lened, and loked on the water
I slombred into a sleping, it swyzed so mery.

Than gan I to meten, a marvelous sweuen
That I was in wildernes, I yst neuer where,
As I beheld into the aste, on high to the sunne
I sawe a tower on a loft, rychlych ymakid
A depe dale beneth, a dungeon therin
With depe diches and darcke, and dreadful of syght.
A fayre felde ful of folke found I there betwene,
Of all maner men, the meane and the ryche
Werking and wandring, as the world asketh.

Some put hem to the ploughe, pleiden full selde
In setting and sowing, swonken full harde
And wonnen that wasters, with glotony destroyed;
And some put hem to pryde, appareled thereafter
In continuance of clothyng, commen disguised
In prayers and penaunce putten hem many
In hope to haue after heuenriche blysse,
And for the loue of our Lorde liuyden full harde
As Ankers and Hermets that hold hem in her selles
And coueten nought in contrey to carien aboute
For no liquerous liuelode her likam to please.

And some chosen chaffer, they cheueden the better
As it semeth to our sight that such do thriuen
And some mirthes to maken, as minstrels cunneth
And gotten gold with her glee, sinles I leus
As Japers and Janglers, Judas chyldren,
Fayneth hem fantacies, and foles hem maketh,
And han her wyt at wyl, to werke if they should
That Paule preacheth of hem I nil not preus it here
Qui loquitur turpiloquium, &c. Is Lucifer's knaue.
Bydders and beggers, fast aboute yede,
With hyr bealies and hyr bagges of bread ful
crammed,

Fraitenden for her fode, foughten at the ale
In glotony Godwote gone they to bedde
And rise with rebaudry, as Robertes knaues,
Slepe and sory slouth, sheweth hem euer.
Pylgrames and Palmers plight hem togythers
For to seke S. James and Saintes at Rome.
They went forth their waye with many wyse tales,
And had leue to lye all her life after.
I see some that sayd they had sought sayntes,
To eche a tale that they told, her tong was tempered
to lye

More then to say soth, it semed by her speche.
Hermets on a heape, wyth hoked staues,
Wenten to Walsingham and her wenches after:
Great loubies and long, that loth were to swink,
Clothed him in copes, to be knownen from other
And shopen hem hermits, her ease to haue.

* The different manuscripts and printed editions of the 'Visions' vary so considerably as to have given rise to a supposition that the poem, after its first production, had been remodelled by the author, and that it has come down to us in both versions. The reasons for preferring Crowley's text, which appears to be founded upon an excellent manuscript, to that of the modern editor, Dr. Whitaker, are stated in the late Mr. Prier's edition of Warton's History of English Poetry (4 vols. 8vo. 1824), pp. 103 and 488.

I found there fryres, all the four Orders
Preached to the people for profite of them selues,
Glosed the gospel as hem good lyked
For couetouse of copes, construe it as they wold
Mani of these master friers might cloth hem at
liking

For her money and her marchaundise marchen to
gither.

For sith cheritie was chapman and chefe to shriue
lords

Many ferleis haue fallen in few yeres :
But holy church and they hold better to gither
The most mischiefe on mould is mounting well fast.

There preached a pardoner, as he a priest were,
Brought forth a bull with many bishops seales,
And sayd that him selfe might absoyle hem all
Of falsehode and of fasting, and of vowes broken ;
Lewde men loued him well, and liked his wordes
Commen up kneling to kisse his bulles.
He bouched hem with his brenet, and blered her
eyes,

And raught with his ragman both ringes and
broches,

Thus they giue their gold glotons to kepe,
And leueth it to such losels as lichery hunteth.
Were the bishop blessed, and worth both his ears,
His seale shold not be sent, to deceaue the people ;
And it is nought by the bishop that the boy preacheth,
For the parish and the pardoner part the siluer,
That the pouertie of the parish should haue if thyne
were.

Persons and her priestes pleyned hem to the bishop
That her parishes were pore, sithen the pestilence
time,

To haue a licence and leue at London to dwell,
To sing there for Simony, for siluer is swete.
Bishops and bachelers, both masters and doctors,
That haue cure under Christ, and crowning in token,
And signe that they should shriue her parishinges
Preach and pray for hem, and the poore fede,
Lye at London in lenten ; and elles
Some seruen the kyng and his siluer tellen
In cheker and in chauncery, chalenge his dettes
Of wardes and warmottes, of wayues and strayues,
And some seruen as seruautes to lords and to
ladies,

And in stede of Stewerdes sit and demen
Her masses and her mattens, and many of her hours
Are done undeuoutly, drede is at the laste
Lest Christ in consistory, accurse ful many.

The most important work, however, of the reign of Edward III. was the translation of the Bible by Wicklif, which does not seem to have been finished before 1382. Wicklif died in 1384. The Old Testament of this translation still remains unpublished, though numerous manuscripts of it are preserved in our public and collegiate libraries. From one of the best of these (MS. Reg. Brit. Mus. 1 C viii.), we have selected as a specimen the Song of Moses :*—

Thanne Moises song, and the sones of Israel, this song to the Lord ; and thei seiden, Synge we to the Lord for he is magnafied gloriously ; he castide down the hors and the stiere into the see. My strengthe and my preisyng is the Lord, and he is maad to me into heehte, this is my God : y schal glorifie hym the God of my fadir : and y schal enhance hym : the Lord is as a man fixten : his name is almizti. He

* Exodus, chap. xv.

castide down into the see the charis of Farao and his oost, his chosun princes weren drenchid in the reed see, the deepe watris hiliden them ; thei zeden down into the depthe as a stoon, Lord thy rizt hond is magnyfyed in strengthe : Lord thi rizt hond smoot the enemye : and in the mychilnesse of thi glorie thou hast put down all myn adversaryes ; thou sentist thine ire that devouride hem as stobil : and watris weren gaderid in the spirit of thi woddnesse, flowinge watir stood : depe watris weren gaderid in the middis of the see : the enemy seide, y schal pursue and y schal take, y schal departe spuylis : my soule schal be fillid : I schal drawe out my swerde : myn hond schal sle hem. Thi spirit blew ; and the see hilide hem, thei weren drenchid as leed, in grete watris. Lord who is lyk thee in stronge men : who is lyk thee, thou art greet doere in hoolynesse ; ferful and p'isable, and doying miracles, thou heldist forth thin hond, and the erthe devouride hem : Thou were ledere, in thi merci, to thi puple, which thou azen bouztest, and thou hast bore hym in thi strengthe, to thin holi dwellyng place : puplis stieden and weren wroothe : sorewis helden the dwellers of filistiy ; thane the princis of Edom weren disturblid : trembling helde the stronge men of Moab : all the dwellers of Canaan weren starke. Inward drede falle on hem : and outward drede in the greetnesse of thin arm. Be thei maad unmoovable as a stoon, til thi puple passe lord, til this thi puple passe. Whom thou weldidist, thou schalt bryng hem in and thou schalt plaunte in the hil of thin eritage : in the moost stidefast dwellyng place which thou hast wroust Lord, Lord thi seyntuarie which thin hondis made stidefast. The Lord schal regne in to the world and ferth'e. Forsothe Farao a ridere entride with his charis and knyztis in to the see : and the Lord brouzte the watris of the see on him ; sotheli the sones of Israel zeden bi the drie place, in the myddis of the see.

Therefore Marie profetesse, the sister of Aaron, tooke a tympan in hir hond, and all the wyymen zeden out aftir hyr with tympan cumpanyes : to which sche song before and seide, Synge we to the Lord : for he is magnyfyed gloriously, he castide down into the see the hors and the stiere of hym.

From Wicklif's New Testament we shall select the last chapter of St. Luke :—

But in o day of the woke ful eerli thei camen to the grave, and broughten swete smelling spices that thei hadden arayed. And thei founden the stoon turnyd away fro the graue. And thei geden in and foundun not the bodi of the Lord Jhesus. And it was don the while thei weren astonyed in thought of this thing lo twéy men stodun bisidis hem in schynyng cloth. And whanne thei dredden and bowiden her semblaunt into erthe, thei seiden to hem, what seeken ye him that lyueth with deede men ? He is not here : but he is risun : haue ye minde how he spak to you whanne he was yit in Golilee, and seide for it behoueth mannes sono to be bitakun into the hondis of synful men : and to be crucifyed : and the thuridde day to rise agen ? And thei bithoughten on hise wordis, and thei geden agen fro the graue : and teelden alle these thingis to the ellevene and to alle othere. And there was Marye Maudeleyn and Jone and Marye of James, and othere wyymen that weren with hem, that seiden to Apostlis these thingis. And these wordis were seyn bifore hem as madnesse and thei bileueden not to hem ; but Petre roos up and ran to the graue, and he bowide down,

and sigh the lynch clothis lynch aloon, and he wente by himself, wondryng on that that was don.

And lo tweyne of hem wenten in that day into a castel, that was fro Jerusalem the space of sixty furlongis, by name Emaws. And thei spoken togidre of alle these thingis that hadden bifalle. And it was don the while thei talkiden, and soughten by hemself: Jesus himself neighe and wente with hem. But her yghen weren holdun, that thei knewen him not. And he seide to hem, what ben these wordis that ye speken togidre wondryng: and ye ben soreful? And on, whos name was Cleofas, answerde and seyde, thou thi silf art a pilgrim in Jerusalem, and hast thou not knowun what thingis ben don in it these dayes? To whom he seyde, what thingis? and thei seiden to him, of Jhesus of Nazareth, that was a man profete myghti in werk and word before God and al the puple. And how the higheste prestis of oure Princis bitokun him into dampnacioun of death: and crucifeden him. But we hopiden that he schulde haue agen boughte Israel: and now on alle these thingis, the thriddre day is to day that these thingis weren don. But also summe wymmen of ouris maden us asferd wichis before day weren at the graue. And whan his bodi was not foundun, thei camen and seiden that they sighen also a sight of aungels, which seiden that he lyueth. And summe of ouren wenten to the graue, and thei foundun so as the wymmen seiden; but they foundun not him. And he seide to hem, a foolis and slowe of herte to bileue in alle thingis that the profetis han spoken; Wher it bihofte not Crist to suffre these thingis, and so to entre into his glorye? And he bigan at Moyses and at alle the profetis and declaride to hem in alle scripturis that weren of him. And thei camen nygh the castel whidir thei wenten: and he made countenance that he wolde go ferthir. And thei constreyneden him and seiden, dwelle with us, for it drawith to nyght, and the day is now bowid doun, and he entride with them. And it was don the while he sat at the mete with hem, he took breed and blisside and brak, and took to hem. And the yghen of hem weren opened, and thei knewen him; and he vanyschide fro her yghen. And thei seiden togidre, wher oure herte was not biernynge in us, while he spak to us in the weye, and opened to us Scripturis? And thei risen up in the same our and wenten agen into Jerusalem, and foundun the ellevene gaderid togidre, and hem that weren with hem, seynge, that the Lord is risun verily: and apperide to Symount. And thei tolden what thingis weren don in the weye, and how thei knewen him in the brakinge of bred. And the while thei spoken these thingis Jhesus stood in the myddil of hem and seide to hem, pees to you, I am, ny! ye drede: but thei weren affrayed and agast and gessiden hem to be a spirit. And he seide to hem, what ben ye troubled: and thoughtis camen up into youre hertis? Se ye my hondis and my feet: for I my silf am, feele ye and se ye, for a spirit hath not flesch and boones as ye seen that I haue. And whanne he hadde seid this thing: he schewide hondis and feet to hem. And yit while thei bileueden not and wondriden for joye: he seide, han ye here any thing that schal be etun? and thei profriden to him a part of a fish roostyd, and a honycumb. And whanne he hadde etun bifore hem, he toke that that leste and gaf to hem, and seyde to hem, these ben the wordis that I spak to you, whanne I was yit with you, for it is nede that alle thingis ben fulfilled that ben writun in the Lawe of Moyses and in the profetis, and in Salmes of me; Thanne he openide to

hem with that thei schulden undirstonde Scripturis. And he seide to hem, for thus it is writun, and thus it bihofte Crist to suffre: and rise agen fro death in the thriddre day: and penaunce and remission of synnes to be prechid in his name into all folkis bigynnynge at Jerusalem. And ye ben witnessis of these thingis. And I schal send the bileuest of my fadir into you, but sitte ye in the citee till that ye ben clothed with vertu fro an high. And he ledde hem forth into Bethanye; and whan hise hondes weren lift up, he blesside hem. And it was don the while he blessid hem he departede fro hem, and was borun into hevene. And thei worschpiden and wenten agen into Jerusalem, with gret ioye: and weren euer more in the temple heriynge and blessinge God.

Gower and Chaucer were contemporary, but Gower was born before Chaucer. We give precedence, therefore, to a short extract from Gower's 'Confessio Amantis,' being his "example" of an incorrupt judge: the text is taken from a very early MS. of his poem in the Harleian Collection, No. 3490:—

In a Croniq I fynde thus,
How that Caius Fabricius
Wich wilome was consul of Rome,
By whome the lawes yede and come,
Whan the Sampnitees to him brouht
A somme of golde, and hym by souht
To done hem faoure in the lawe,
Towarde the golde he gan hym drawe:
Wherof, in alle menes loke,
A part in to his honde he tooke,
Wich to his mouthe in alle haste
He put hit for to smelle and taste,
And to his ihe and to his ere,
Bot he ne fonde no comfort there:
And thanne he be gan it to despise,
And tolde vnto hem in this wise:
"I not what is with golde to thryve
Whan none of alle my wittes fyve
Fynt savour ne delite ther inne.
So is it bot a nyce synne
Of golde to ben to covetous,
Bot he is riche an glorious
Wich hath in his subieccion
The men wich in possession
Ben riche of golde and by this skile,
For he may alday whan he wille
Or be him leef or be him loth
Justice don vpon hem bothe."
Lo thus he seide and with that worde
He threwe to fore hem on the borde
The golde oute of his honde anon
And seide hem that he wolde none,
So that he kepte his liberte
To do justice and equite,
Without lucre of suche richesse.
There be nowwe fewe of such I gesse,
For it was thilke tymes used
That every jure was refused,
Wich was not frende to commoun riht;
Bot thei that wolden stonde vpriht
For trouth only to do justice
Preferred were in thilke office,
To deme and jure comoun lawe
Wich nowwe men seyn is alle withdrawe.
To set a lawe and kepe it nouht
Ther is no comoun profit souht.

Bot above alle natheles
The lawe wich is made for pees
Is good to kepe for the beste
For that set alle men in reste.

As a specimen of Chaucer's poetry we shall give the description of the Clerk, from the Prologue to the Canterbury Tales. The Canterbury Tales, as we have mentioned above, were twice printed by Caxton, but in both instances with no critical accuracy. In this and the next extract we follow the very carefully-prepared modern edition of Tyrwhitt, which undoubtedly gives much more faithfully than any preceding one the actual language of Chaucer:—

A Clerk ther was of Oxenforde also,
That unto logike hadde long ygo.
As lene was his hors as is a rake,
And he was not right fat I undertake,
But loked holwe, and therto soberly.
Ful thredbare was his overest courtsey,
For he hadde geten hin yet no benefice
Ne was nought worldly to have an office;
For him was lever han at his beddes hed
Twenty bokes clothed in blake or red
Of Aristotle and his philosopie
Then robes riche, or fidel or sautrie:
But all be that he was a philosopre
Yet hadde he but litel gold in cofre,
But all that he might of his frendes hente
On bokes and on lerning he it spente,
And besily gan for the soules praie
Of hem that yave him wherwith to scolaie.
Of studie toke he most cure and hede;
Not a word spake he more than was nede,
And that was said in forme and reverence,
And short and quike, and full of high sentence:
Souning in moral vertue was his speche,
And gladly wolde he lerne and gladly teche.

Chaucer's prose may be judged of by the following passage from the Parson's Tale, in the same work:—

Now ben there two maner of prides: that on of hem is within the herte of a man, and that other is without; of whiche sothely these foresayd thinges, and mo than I haue sayd, apperteynen to pride that is within the herte of man, and ther be other spices of pride that ben withouten; but natheles that on of these spices of pride is signe of that other, right as the gay Levesell at the tauerne is signe of the win that is in the oeller. And this is in many thinges, as in speche and contenance, and outrageous array of clothing: for certes, if there had ben no sinne in clothing, Crist wold not so sone have noted and spoken of the clothing of thilk rich man in the Gospel; and, as Seint Gregory sayth, that precious clothing is culpable for the derthe of it, and for his softnesse, and for his strangenesse and disguising, and for the superfluitee or for the inordinate scantnesse of it. Alas! may not a man see as in our daies, the sinneful costlewe array of clothing, and namely in to moche superfluitee, or elles in to disordinate scantnesse.

As to the first sinne, in superfluitee of clothing, whiche that maketh it so dere, to the harme of the peple, not only the coste of the enbrouding, the disguising, endenting or barring, ounding, paling, winding, or bending, and semblable waast of cloth in vanitee, but ther is also the costlewe furring, in her

gounes, so moch pounsoning of chesel to maken holes, so moch dagging of sheres, with the superfluitee in length of the foresaide gounes, trailing in the dong and in the myre, on hors and eke on foot, as wel of man as of woman, that all thilke trailing is veraily (as in effect) wasted, consumed, thredbare, and rotten with dong, rather that it is yeven to the poure, to gret damage of the foresayd poure folk, and that in sondry wise; this is to sayn, the more that cloth is wasted, the more must it cost to the pour peple for the scarcenesse: and furthermore, if so be that they wolden yeve swiche pounsoned and dagged clothing to the poure peple it is not conuenient to were for hir estate, ne suffisant to bote hir necessitee, to kepe hem fro the distemperance of the firmament. Now as to the outrageous array of women, God wote that though the visages of som of hem semen ful chaste and debonaire, yet notifen they in hir array of attire likerousnesse and pride. I say not that honestee in clothing of man or woman is uncovenable, but certes the superfluitee or disordinat scarcitee of clothing is reprevable. Also the sinne of ornement or of appaiaile is in thinges that appertaine to riding, as in to many delicat hors that ben holden for delit, that ben so faire, fatte, and costlewe; and also in many a vicious knave that is susteined because of hem; in curious harnais, as in sadler, cropers, peitrels, and bridles, covered with precious cloth and rich, barred and plated of gold and of silver; for which God sayth by Zacharie the prophet, I wol confounde the riders of swiche hors. These folke taken litel regard of the riding of Goddes sone of heuen, and of his harnais, when he rode upon the asse, and had non other harnais but the poure clothes of his disciples, ne we rede not that euer he rode on any other best. I speke this for the sinne of superfluitee, and not for honestee, when reson it requireth.

Two poems of no ordinary beauty of style, of the early part of Richard II.'s reign, occur in a volume called the Vernon Manuscript, in the Bodleian Library at Oxford. One is an Elegy on the death of Edward III.; the other, a poem on the disturbances whilst Richard was a child. A few of the smoothest stanzas of each are here presented to the reader. These poems were first introduced to notice in the *Archæologia*, by the late Rev. J. J. Conybeare. The Elegy begins,—

Ah! dere God! what mai this be
That alle thing weres and wasteth awai,
Frendschip is but a vanyte
Unnethe hit dures al a day:
Thei beo so sliper at assai
So leef to han and loth to lete,
And so fikel in heore fai,
That selden I seige is sone forgete.

* * *
Sum tyme an English ship we had,
Noble hit was and heih of tour,
Thorw al Cristendam hit was drad,
And stif wolde stande in uch a stour.
And best dorst byde a scharp schour
And other stormes smale and grete.
Now is that schip that bar the flour
Selden sege and sone forgete.
Into that schip ther longed a roothur,
That steered the schip, and governed hit:
In all this world-nis such a nothar
As me thinketh in my wit.

Whyl schip and rothur togeder was knit,
Thei dredde nouter tempest drygge nor wete.
Nou be thei both in synder flit,
That selde seyge is sone forgete.

* * *

This goode schip, I may remene
To the chivalrye of this londe,
Some time thei counted nougt a bene
Beo al France ich understonde
Thei tok and sloug hem with heore honde
The power of France both smal and grete,
And brougt ther kyng hider to bide her bonde.
And nou riht sone hit is forgete.

That schip had a ful siker mast,
And a sayle strong and large,
That made the gode schip never agast
To undertake a thyng of charge.
And to that schip ther longed a barge,
Of al France gaf nougt a clete.
To us hit was a siker targe.
And now riht clene hit is forgete.

The rothur was nouter ok ne elm,
Hit was Edward the Thridde the noble kniht:
The Prince his sone bare up his helm,
That never 'sconfited was in fihit.
The Kyng him rod and rouwed ariht,
The Prince drad nouter stok nor strete,
Nou of hym we lete ful liht,
That selde is sege is sone forgete.

The swift barge was Duk Henri
That noble kniht and wel assayed,
And in his leggance worthili
He abod mony a bitter braid.
Gif that his enemys ougt outrayed
To chastis hem wold he not lete.
Nou is that Lord ful lowe ilyd.
That selde is sege is sone forgete.

This gode communes, by the rode,
I likne hem to the schipes mast,
That with heore catel and heore gode
Meynteyned the werre both furst and last.
The wynd that bleug the schip with blast
Hit was gode preyers, I sei hit a trete,
Now is devoutnes out-i-cast,
And mony gode dedes be clen forgete.

* * *

And therefore, gode siris, taketh reward
Of gor douhti kyng that dyzede in age,
And to his son Prince Edward
That welle was of al corage.
Such two lords of high parage
In not in eorthe whon we shal gete.
And nou heore los biginneth to swage
That selde i-sege is sone forgete.

The Poem on the disturbances of Richard's
reign begins:—

Yet is God a curteis Lord,
And mekeliche con schewe his miht
Fayne he wold bring til acord
Monkynde to live in treunthe ariht.
Allas! whi set we that Lord so liht,
And al to foule with him we fare?
In world is no so wys no wiht,
That thei ne have warning to beware.

* * *

Whon the comuynes bigan to ryse,
Was non so gret Lord as I gesse
That thei in herte bigon to gryse,
And leide her jolyte in pryse.
Wher was thene heore wwrthinesse?
Whon thei made lordes droup and dare.
Of all wyse men I take wytnesse
This a warnyng to beware.

* * *

And also whon this eorthe quok,
Was non so proud he n'as agast,
And al his jolite forsok
And thought on God whyl that hit last
And alsone as hit was overpast
Men wor as wel as thei dude are.
Uche mon in his herte mai cast
This was a warnyng to beware.

Forsoth this was a Lord to drede
So sodeynly mad mon aghast.
Of gold and selver thei tok non hede
But out of the houses ful sone thei past.
Chambres, chimeneys, al to barst,
Chirches and castels foul gon fare,
Pinacles, steples, to ground hit cast,
And al was warnyng to beware.

The rying of the comuynes in Londe,
The pestilens, and the eorthequake,
Theose thres thynges, I understonde,
Beo tokenes the great vengeance and wrake
That schulde fall for synnes sake,
As this clerkes con declare.
Now mai we chese to leve or take,
For warnyng have we to ben ware.

Ever I drede, be my trouthe
Ther mai no warnyng stande in stede,
We ben so ful of synne and slouthe
The schame is passed the sched of hed.
And we ligger riht hevvy as led
Cumbred in the Fendes snare,
I leave this beo ur beste red,
To thanke on this warnyng to beware.

Bewar, for I con sey no more,
Bewar of vengeance of trespas,
Bewar and thank upon this lore,
Bewar of this sodeyn cas.
And git bewar while we have spas,
And thonke that child that Marie bare,
Of his gret goodnesse and his gras
Send us such warnyng to beware.

The mention of the earthquake after the rising
of the commons, seems to fix the date of the poem
about 1382 or 1383.

The earliest specimē of a royal letter in Eng-
lish with which we are acquainted is a short note
from King Henry V. to the Bishop of Durham,
dated before Falaise, 10th February, 1418. It is
preserved in the Cottonian MS. Vespasian, C. xii.

Worshipful fader in God, right trusty and wel-
beloved, for as moche as oure welbeloved squier John
Hull haath long tyme be in oure ambassiat and
service in the parties of Spaigne, for the whiche as
he haath complained to us he is endaungerd gretly
and certain goodys of his leyd to wedde: wherfor we
wol that ye see that theer be taken dewe accomptes
of the said John how many dayes he haath stande
in our said ambassiat and service and therupon that
he be contented and agreed in the best wyse as

longeth un to hym in this cas. Yeven under oure signet in our howst beside oure toun of Faloise the x. day of Fevever.*

From Osbern Bokenham's Lives of some of the Saints, written in 1443 and 1445, translated from the *Legenda Aurea*, with occasional prologues, we have transcribed the prologue of 'Marie Maudelyn's Life.' It was translated at the express desire of Isabel, Countess of Eu. Bokenham was a friar Austin, of the convent of Stoke Clare, in Suffolk. His manuscript is preserved in the Arundel Collection in the British Museum, No. 397.

THE PROLOGE OF MARYE MAUDELYN'S LIFE.

Of a Mary to wrytyn I wyl begynne,
The lyf as God me yeuyn wyl grace,
I mene not Mary wyth owtyne synne,
Wych of al man kynd bare ye solace,
But hyr I mene wych of hyr trespase
In Symondys hous, whan she cam yn,
Padone thorgh penaunce dede purchase
And clepyd is Marye Mawdelyn.

And wurthyly yis name Marye
To hyr pertenyth as it semyth me,
For as *Legenda Aurea* doth specyfy
Maria hath yese interpretacyons thre,
Fyrst it betoknyth a byttr se,
An illumynere, or ellys maad lyht,
And yese thre thyngys in excellent degre,
Thys blyssyd Mary Maudelyn had ful ryht.

And by yese thre yingys we vnderstonde moun,
Ye thre best yingys wych yis Mary ches,
As outward penaunce and inward contemplyoun,
And vpward blis, wych neuer shal ses;
Of wych God seyde wyth owtyne lees
That ye beeste part to hir ches Mary,
Wych euere shal endure and neuere dyscrees,
But wyth hyr abydyn eternally.

The fyrte part wych yat hycht penytence
Be cause of ye ayne wych is getyng of blis
Shal hyr be byrefth by no vyolence,
Ner ye secunde of contemplyacon for yat is
Contunyd wyth heuenele wyche neuere shal mys,
Wherfore it may not fayl in no degre,
Ner ye thrydde of heuene may sece I wys
For the mesure yer' of is eternyte.

For as mych yan as yis Mary
The best part chees of penaunce doynge,
A byttr se be clepyd ryht conueniently
She may me semyth for in yat thyng
Greth byttrnesse she felt whan repentyng
Be hynde Cryst she stood shamefastly,
And wyth ye terys shed in hyr wepyng
Hys feet she wessh ful deuouthly.

In yat also yat of inwarde contemplyacon
The best part she ches in yis lyf here
To hyr longyth ye secunde interpretacyoun
Wych is to seyn an illumynere,
Or a yeuer of lyht in wurdys more clere,
For in hyr contemplyacon she took swych lyht
Wyth wych many oon, as ye aftyr shul here,
In goostly goodnesse she maad shyn bryht.

In yat, ye best part of heuenele bys,
Thys Mary ches in hir affeacyoun,
Wurthyly alumynyd she clepyd is,
For now abouyn in ye celestyal regyoun

Illumynd she is wyth clere cognicyoun
In hir soule, and aftyr shal fynally,
When complet is ye general resurreccyoun,
Illumynyd bene in hyr glorious body.

Thys Mary is also clepyd Mawdelyn,
Conueniently after Januency's decre,
For yis wurd Magdalena wych is latyn,
By ye interpretacyoun betoknyth yings thre
As gylty, streynghthyd, & wurthy of degre;
Wych thre yings by dew applycacyoun
Mown clerly shewyn what was she
Before & yn & aftyr hyr conuercyoun.

Beforn hyr conuercyoun she was gylty
Be of synful luyng ye abhomynacoun
Dysseuyrd from God & heuenele compuny
Dyffamyd also in ye werdys oppynyoun
In Jerusalem & in al yat regyoun
And bysydyn alle yese myscheuys here
She bounde was by an oblygacyoun
Wyth ye deuyl to dwellyn in endles fer.

But aftyr yis in hyr conuercyoun
Whan she forsuke al hyr fyrst foly
And hyr repentyd of hyr transgressyoun
And wyth penaunce purchacyd hyr mercy,
Than was she strenghtyd & made myhty
For as many delytes as in sundry wysys
Of synnys he hade in hyr body
So many of hyr self she maad sacryfysys.

Aftyr hyr conuersyoun eek in goostly grace
How strong she wer & how myhty
Who lyst know lie not hens pace
Tyl completly rede he yis story
Wych both of ye gospel yat kan not ly
And of hyr legende to gydr is bounde
And he shal fynde yat wher wrechydly
Synne regnyd grace doth superhabounde.

Now gracyous lady Mary Mawdelyn
Wyth grace aftyr synne copiously founde
Let not Sathanas wyth hys sotyl gyn
Of yem yat ye seruyn ye soulys confounde
And specyally lady lat yi grace redounde
To dame Isabel ye countesse of Hu
Counfort hyr & kepe hyr both heyl & sounde
And alle temptacyouns help hyr to escheu.

Also lady to ye humble intent
Of hym uouchesaf for to intende
Wych at ye seyde ladyis comaundement
To translate hym bysyde yi legende
Purchase hym grace hys lyf to amende
Er yan he passe from yis outlawry
And help hem both up to ascende
Aftyr hyr fatal cours to blysse heuenele. Amen.

We shall now give a specimen of a sermon, such as the parochial clergy were accustomed to preach in the time of Edward IV. and Henry VII., from a MS. in the Harleian Collection, No. 2247. It is upon the three days preceding Easter, called 'Tenebræ.'

Worshipfull frenedis, ye shall cum to holi chirch on Wednesday, Thursday, and Friday at even, for to here dyvnye service, as commendable costom of holi chirch hath ordeynd. And holi chirch usith the iij dayes Wednesday, Thursday, and Friday the seruice to be saide in the even tyde in derkenes. And it is called, with divers men, Tenables, but holi chirch callith it Tenebras, as *Rationale Divinorum* saith, that is to say thirnes or derkenes, for then

* See the Proceedings and Ordinances of the Privy Council of England, vol. ii. pp. 239, 240.

is the seruice seid in derknes for thre causes, oon is for Criste that nyght, befor he was take, he went thries to the Mount of Olyvet, praying his fadir in blisse for to take away his hard, paynfull passion that he felt in his spiryte; he swete water and blode for angwisch of his dethe. The second cause is this, for after mydnyght gadred fifty knyghts with grete company of armyd men, with swerdis, clubbis, batts, wepons, and lanterns befor them for to take Criste, but it was that thei cowde not knowe Crist from Seynt James the minor, for thei were like in persone and stature: that fals traytour Judas gawe the Jewis and men of armes a token, saying *Quæcunque osculatus fuero &c.* Take hym that I shall kysse, for he it is, holde hym and lede hym slyghly and warely. And so thei toke Criste and putte hym on the crosse. The thrid cause whi the seruice chese thre nyghts besayde in derknes. For when our sovereyn Saviour Criste Jhesu was nayled vnto the crosse, fote and hand hanging thre owris of the day, fro under unto none. The son with drowgh his lyght, and it was derk thorow oute al the worlde, tokenyng and shewyng that the matter of light, of Son and Mone, was that tyme payned unto the dethe. For these thre causes the seruice of these thre nyghts is done in derkenes. But unto the seruice of Thursday at eve and Fridayys no bell rong, but a clapper the sound of a tree, tokenyng that euery man and woman shuld cum devoutly to the Church without noise making. And all that thei shuld speke in goyng and commyng shuld sown of the tree of Criste, that is to say of the Holy Crosse that Cryste dyed upon for mans redempcion and of his precious passion, and remembr how mercyable Criste was when he graunted the these Paradise that heng on his right syde, whun he axed mercy. So every man and woman and child shuld dispose them vertuouly commyng and goyng to this holy place and leue talkyng of vanytees, and speke Godds worship of his holy passion and of his mercy. Also in this seruic called Tenebras before the awter is sett an Herse with xxiiii. candels brennyng, for xij Apostells and xij prophettis, which candels be quenched one after an othir in tokenyng that Cristis disciples went from hym eueve one after an othir. But when all be quenched, yett oon is kept light, which light is secretly, whiles the clerkis syng the kyries and the verses, and that signifyeth the holy woman that made lamentacion at Cristis sepulture. Than aftirwarde that candyll is brought ageyn, which betokenyth Criste in his manhode dede and leyde in sepultur. But sone aftir he rose from dethe to life, and gave light of mercy and grace to all that wer quenched by dispayr. The strokes that the preste yeveth up on the Boke be tokyng the thunder clappes whan Criste brak hell gates and destroyed the power of the Devell in his resurreccion. Now ye have herd what this seruice be tokenyth, be not unkynde to that mercifull Lorde that suffrid his peynfull passion for you: for unkyndnes is a syn that stinketh in the sight of God. Wherefore seith seynt Ambrose ther may no man fynde a peyn sufficient to ponynysh an unkynde man. Example I fynde of Alisaundr Nexam, as he wryteth, how there was sumtyme a knyght cam from ferr' countries wolde seke Aventurs. So it fortunode to a Forrest wher he herd a grete noyce of a beaste crying. So this knyght drowgh nygh, and there he sawe how an Edder had acomberd and all to clypped a lyon and venemyd hym and bounde the lyon to a tree while he lay and slept. Whan the lyon waked of

his slepe, and perceyvid himselfe bounde, and myght not helpe hym self, he made an horrible cry. Than the knyght had compassion on the lyon and sawe that the kyng of bestes was in distresse, he drough oute his swerde and slough the edder, and lowesyd the lyon. And whan the lyon founde hym self unbounde he fell down to the knyghts fete, and eueve after he sarved the knyght and every nyght lay at his beddis fete; in tournaments and bataylls eueve helpid the knyght; in so moch that all men spake of the knyght and the lyon. By this knyght is undirstonde Criste Jhesu, second person in Trynyte, that cam from ferr cuntrey, that is to say from heven into the vale of this wreechid worlde, to unbynde mankynde that was bounde with the olde adder the devell that had bounde mankynde to the tree of inobedeynce. And so Criste lowesyd mankynde oute of the bonde of the devill with the swerd of his precious passion, and made hym fre. Wherefore must every man and woman shewe kyndenes to that gode lorde, as the lyon dyd unto the knyght, to be obesaunte to hym and thanke hym of his godenes and of hys unbyndinge from the bondes of the devell, and pursue and folow the tru teching of God. That so whan we shall passe the payne of bodily dethe, that we may have the perpetuall joye of bliasse bought by Crist's blessid blode. Amen.

This is a sample of the strange stories which were written at that period for general amusement.

Our last specimen is from the seventy-second chapter of Caxton's 'Booke of th'enseynements and techyng that the Knyght of the Tower made to his daughters,' translated from the French by Caxton himself, in 1483.

HOW A WOMAN OUGHT TO OBEYE HER HUSBOND IN ALLE THYNGE HONEST.

I wold ye knewe wel the tale and example of the lady, which daynged not to come to her dyner for oon commaundement that her lord coud make to her, and so many tyme he sent for her that at the last whanne he sawe she wold not come at his commaundement, he made to com be fore hym his swyneherd, he that kept his swynes, whiche was foule and ouermoche hydous, and bad hym fetche the clowte of the kechyn wherwith men wyppo dysshes and platers. And thenne he made a table or bord to be dressyd before lys wyf, and made it to be couerd with the sayde cloute, and commaunded to his swyneherd to sytte besyde her, and thenne he sayd thus to her, Lady yf ye ne wylle ete with me, ne come at me, ne come at my commaundement, ye shalle have the kepar of my swyne to hold yow company and good felauship, and this cloute to wype your handes with al. And whenne she that thenne was sore ashamed and more wrothe than she was tofore sawe and knewe that her lord mocked her, refreynded her proude herte and knewe her soly. Therfor a woman ought not in no wyse to refuse to come at the commaundement of her lord yf she wylle haue and kepe his loue and pees. And also by good reason humylyte ought to come fyrste to the woman, for euer she ought to shewe herselfe meke and humble toward her lord.

From the specimens here given of the best writers of nearly three centuries, both in prose and verse, the reader must have observed, with some

surprise, their variety of strange and irregular modes of spelling, which still contributes not a little to the obscurity of their writings. At that, and even to a much later period, orthography was unsettled. From the time of the Anglo-Saxons to that of Queen Elizabeth, the same word was often spelt two or three different ways in the same page; and every writer contented himself with putting together that combination of letters which he imagined would best express the sound of the word he was using, without at all considering what letters others used, or what he himself had used on former occasions for the same purpose.

For the changes of terms, and the gradual introduction of new words, especially from the French and Latin, numerous reasons will suggest themselves. We had French dominions, and the Latin service in our churches. In the middle period, although the Norman settlers had become amalgamated with the people, genteel education was still considered incomplete without French. "Also gentilmens children," says Trevisa, "ben lerned and taught from their yongth to speke Frenssh, and up londishsh men will counterfete and likene hem selfe to gentilmen, and arn besy to speke Frenssh for to be more sette by. Wherefore it is said by a common proverb, Jack would be a gentilman if he coude speke Frenssh."

Beside the ordinary change of terms to which living tongues in all ages are liable, the fourteenth century produced in England numerous men of learning, who, beside composing voluminous works, made many translations, not only from French and Latin, but from Italian, and even Greek—a circumstance which accounts not only for the introduction of new words, but for the borrowing of new idioms.

Gower, Chaucer, Wyclif, and Lydgate, are names which learning venerates; and nothing can be more surprising than that Wyclif's translation of the Old Testament—one of the most curious and beautiful monuments of our ancient language—should still remain in manuscript.

It must not be forgotten by the reader who follows the progress of English architecture through the middle ages, that, however clearly the styles of Gothic, which successively prevailed, may be distinguished from each other, yet it is not always easy to mark the boundary lines which separate them. A farther difficulty on this point is incidental to the present work, from the want of coincidence between the historical and architectural eras. It will therefore be necessary, in treating of the period now under consideration, to look back to the end of Edward III.'s reign in 1377 (which is the date conventionally assigned to the close of the second style, or decorated English, and the introduction of the third, known as the *perpendicular*), and to anticipate, in some particulars, as far as the middle of the sixteenth century.

The perpendicular Gothic is essentially and exclusively English; and "heartily," says Professor

Willis, "may we congratulate ourselves upon it when we compare it with the sister styles of France and Germany." It sprung up in our own country as a new and vigorous shoot, and flourished during a period when the continental Gothic, exhausted by excessive luxuriance, was declining irretrievably. The principal characteristic of this style, and that to which it owes its name, is the perpendicular direction of the mullions of the windows, which are carried up in straight lines till they reach the curve of the arch, the sub-divisions in the head of the window being also for the most part formed of lines having a similar tendency. These perpendicular lines being crossed at right angles by transoms, now first introduced in large windows, the whole becomes a combination of open panels.

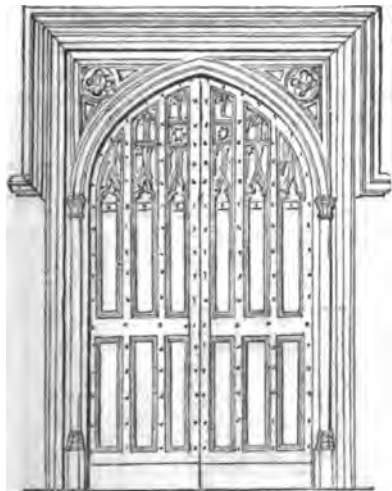
"Panelling," says Mr. Rickman, "is the grand source of ornament in this style,—indeed, the interior of most rich buildings is only a series of it: for example, King's College Chapel, Cambridge, is all panel except the floor; for the doors and windows are nothing but panels included in the general design, and the very roof is a series of them in different shapes."



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NAVE OF WINCHESTER CATHEDRAL.

This principle is nowhere developed in a more simple or striking manner than in the nave of Winchester Cathedral, built by William of Wykeham, who held that see from 1367 to 1404. This magnificent work, which appears to have occupied the last ten years of his life, is therefore an early example of the style, having been executed at a period when the decorated English was by no means entirely superseded.

Most of the peculiarities in which the perpendicular Gothic differs strikingly from the two former styles may be observed in this specimen. The suppression of the distinctive character of the triforium, which merges in a series of panels entering into composition with the clerestory window above,—the depressed four-centered arch, which, at a more advanced stage of the perpendicular style, almost superseded every other form,—and the square plane of decoration, by which the arches are enclosed as in a frame, a form of composition so especially appropriated to doorways, that comparatively few are executed in any other. The

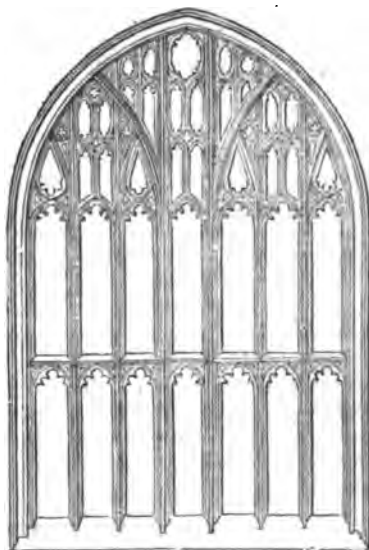


PERPENDICULAR DOOR.—FROM the Bishop's Palace, Lincoln.

triangular panel, or spandril, thus generated, is usually filled with tracery or other ornament, and occasionally, when not very large, with a mass of foliage; this being one of the few cases in which that mode of decoration is retained. Running foliage is also occasionally met with in the hollow mouldings of cornices, but it is principally applied in detached flowers, and in the form of crockets and finials. In capitals it is seldom seen. In whatever shape it occurs it is poor and conventional in design, and stiff and mechanical in its execution, compared with that of either of the former periods.

Among the minor characteristics of the perpendicular style is to be observed the disuse of shafts. They are still used in the main arches and doorways, but never in windows or any subordinate combinations. The transition from the last style in this particular may be observed in Westminster

Hall, where the astragals of the windows are worked with a base, but no capital. A profusion of little battlements crowded upon the string-courses and other horizontal lines, even to the transoms of the windows, is another marked feature of this style. In the display of tracery in the windows, the principle of composition operates with a somewhat unfavourable effect; and on this point the perpendicular style must yield to the decorated English. It is nevertheless susceptible of many pleasing combinations, of which St. Mary's, Oxford, may afford an example, often followed—with slight variations—in windows of seven openings.



PERPENDICULAR WINDOW.—FROM St. Mary's Church, Oxford.

It was upon the multiplicity of parts that the architects of this period chiefly depended for richness of effect. Among the decorations, however, of the fifteenth and sixteenth centuries, heraldry occupies a conspicuous place. Heraldic bearings, as we have had occasion to notice, were sculptured upon tombs very soon after their introduction; but one of the earliest instances in which they are called to the aid of architecture appears in Westminster Abbey, where, in that portion of the church lying immediately west of the transept, and carried on during the reign of Edward I., the spandrils of the dado arches are filled by large shields of arms, instead of the sculpture with which they are decorated in the structure of Henry III. Throughout the decorated English period shields are used in a similar manner, but sparingly, and without any of the appendages of crests, supporters, &c., which afterwards accompanied them. They are at this time usually represented as simply hung against the wall, as in the nave of York Cathedral, both inside and out. But in the decorations of the perpendicular style heraldry is introduced in profusion. Shields of arms occupy every point in which they can be placed with ad-

vantage ; and, besides such as fill the panels and spandrils, they are made to serve as corbels, as terminations to the labels of doors and windows, and as bosses at the intersections of groined roofs. In the beautiful vaulting of the cloisters of Canterbury Cathedral, built early in the fifteenth century, above eight hundred shields are thus assembled, commemorative of the royal family and the dignitaries and benefactors of the church. The whole have been emblazoned in their proper colours, and, when in a perfect state, must have afforded a display of surpassing splendour and brilliancy.

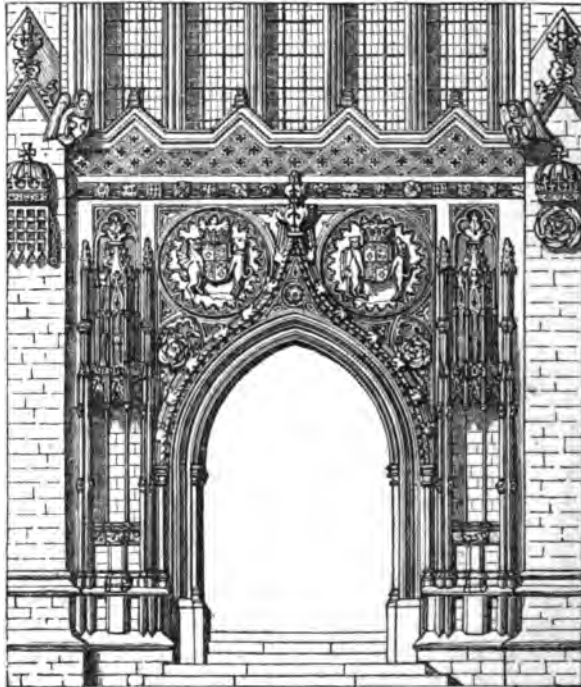
But it was not only in this direct manner that heraldry was turned to account in architecture. Its bearings, supporters, crests, cognizances, devices, and mottoes, were a fund from which an infinite variety of objects were drawn and ingeniously woven into the decorations of this period, rendering them significant as well as ornamental, and investing them with a power of speaking the language of history and chronology to after ages. Thus, a great portion of the carvings about Westminster Hall represent the bearings of its princely restorer, those attributed to his chosen patron Edward the Confessor, the crests and devices of the Plantagenets, and the white hart, the peculiar cognizance of Richard II. himself. The devices of Henry V., the swan and antelope, are profusely introduced among the decorations of his chapel at Westminster ; and in that of Henry VII. the whole history of his royal descent, and connexion with both branches of the House of Plantagenet, is indicated by the heraldic insignia lavished upon every part. The lion of England, the dragon of

Cadwallader (from whom Henry VII. was fond of tracing the descent of the House of Tudor), and the greyhound of York,* cling to the external buttresses and turrets, and to the canopies and piers within. The portcullis of Henry's maternal ancestry of Beaufort, the rose and the fleur-de-lis, alternate in studding the cornices, filling the panels, and surmounting the internal dado, royally crowned and supported by angels. To these are added the well-known Yorkist cognizance of the falcon and fetterlock, and the Lancastrian device of the *Marguerite*, or daisy, adopted by his mother the Countess of Richmond. King's College Chapel is equally rich in heraldic decorations, of which, and of the niche work and open battlements of the perpendicular style, the annexed doorway affords a specimen.†

The groined roofs of this style are exuberantly ornamented. Numerous ribs enclosing rich tracery spread over the vaulting in a great variety of beautiful combinations, intricate but not confused, the mouldings of the subordinate parts being judiciously reduced to the simplest form, and the leading lines being marked by additional members. But the stone roof only reached its utmost point of magnificence with the invention of *fan tracery*, consisting of clusters of rays diverging from the supporting shafts on a circular plan, and forming

* Sandford.

† The chapel of King's College at Cambridge, begun by Henry VI., made little progress until the conclusion of the civil wars. It is consequently impressed with the insignia of the new dynasty under whom it was completed ; but it seems extraordinary that the Tudor mark should have been set upon the extensive buildings executed at this college within a few years past, to the exclusion of any tribute of respect to its munificent and pious founder or to the reigning royal family.



DOORWAY OF KING'S COLLEGE CHAPEL, CAMBRIDGE. Digitized by Google

minute panels subdivided and multiplied as they spread; the centre of the vault broken into corresponding panels and tracery, or returning downwards in a form similar to that with which it sprung, and pendent like an artificial stalactite. The cloister of Gloucester Cathedral, completed by Abbot Froucester between 1381 and 1412, is among the earliest and best examples of fan tracery.* It was freely introduced throughout the fifteenth century in chapels and other small erections, in which carved stone seems to imitate the elegant designs and delicate execution of lace and embroidery.

The effect of these vaultings, which dazzle the eye by the number and complication of their parts, is rivalled by the open timber roofs of the same period. The origin of these beautiful frames may be traced to an early date. The naked or flat-ceiled roofs of the Norman era were constructed upon the common principle derived from antiquity, of a horizontal tie-beam connecting the lateral walls. But in the high-pitched coverings of the early Gothic the attention of the builders was principally directed to obviate the effect of the wind upon their vast surfaces, and they could afford to neglect the outward thrust upon walls calculated to resist that of a stone vault. When roofs of this construction were used to cover buildings without vaulting, the inside, being boarded on the cross timbers, became a polygonal arched ceiling (as in the old church at Yarmouth);* and many roofs of this form are undoubtedly very old. But the picturesque effect produced by the complication of timbers of which these roofs consist, was soon observed and taken advantage of. Their decoration was assimilated to their construction; and the *arch of timber*, in a simple form, appears frequently in the roofs of the thirteenth and fourteenth centuries. The roof of Westminster Hall, completed in 1399, is one of the first examples of a new style of constructing and decorating the open roof, which accompanied the last modification of Gothic architecture, and is the parent of many others of the fifteenth and following century still more elaborately decorated. Such are the roofs of the halls of Eltham Palace, Crosby Place, the College of Christ Church at Oxford, and Hampton Court. This style of composition also extends beyond the Gothic period. It is blended with the capricious ornaments of the age of James I., and attempts were even made to adapt it to the more regular details of the Italian schools. Its success at its first appearance seems to have been so great as to produce a sort of re-action upon the construction of the Gothic arch; and the clustered pendants and pierced spandrels of the divinity school at Oxford show an evident intention to imitate its effect in stone.†

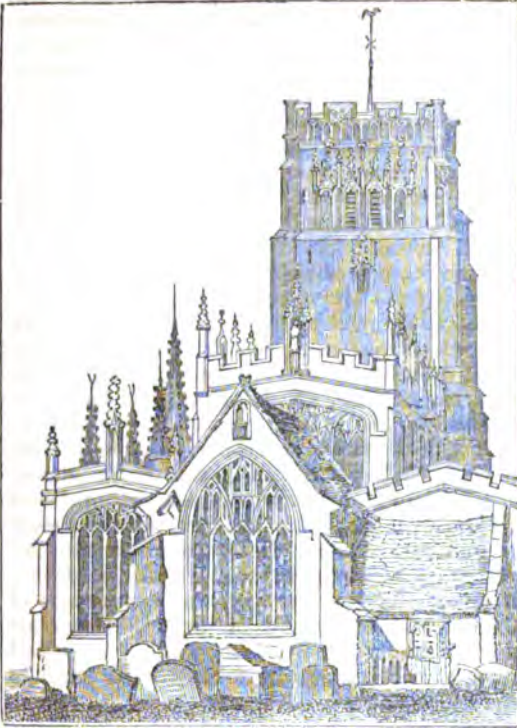
* See Britton's Hist. of Gloucester Cathedral.

• See Neale's Churches.

† See Ackerman's Hist. of Oxford.



THE GREAT HALL OF ELTHAM PALACE.



NORTHLEACH CHURCH, GLOUCESTERSHIRE.

This form of roof is more peculiarly characteristic of domestic architecture. In churches, where the proportions confine the roof to a less important place in the composition, the horizontal tie is generally retained; and the spandrils of a flat arch beneath, and the triangular space formed by the slope of the rafters above, afford sufficient scope for a variety of open tracery and other ornament. Sometimes the roof is brought down close to the tie-beam, and is nearly flat. It is decorated either by moulding the rafters or covering them with a panelled ceiling.

The introduction of flat timber roofs, by diminishing the weight and annulling all outward pressure upon the walls, tended greatly to favour the taste for lightness of construction, which was carried to an extreme in the perpendicular style. In the magnificent churches of the second class, in which this period is rich beyond every other, the supporting piers are reduced by every artifice to an appearance scarcely consistent with stability; and the clerestory is opened from end to end like a lantern, two windows being generally grouped over each compartment below. As specimens of this style may be cited, the Collegiate church at Manchester, the University churches of Cambridge and Oxford, those of Melford and Lavenham in Suffolk, remarkable for their florid decoration, and the conventual church of Great Malvern in Worcestershire,* the four former erected in the fifteenth

* For all these buildings, except the first, see Neale's Churches.

and the two latter at the beginning of the sixteenth century. Gloucestershire abounds in churches no less worthy of remark as specimens of style, though less regular in design, among which may be noticed those of Northleach, Winchcombe, and Cirencester.* St. Mary's Church, at Bury, in which an arched timber roof without a tie is raised upon a structure of magical lightness, is perhaps surpassed by none as a monument of bold design and skilful execution.

Of the greater churches there is not much to be recorded during the fifteenth century. The most important work of the age is the nave of Canterbury Cathedral, which, with the great transept and cloister, was begun by Prior Chillenden in 1400. The centre tower of the same church, matchless for its proportion and chaste style of decoration, was begun by Prior Sellynge in 1472; and the more gorgeous, but less graceful tower of Gloucester, by Abbot Sebroke in 1454. This latter cathedral, though of ancient fabric, exhibits more of the perpendicular character than any other, owing to the restorations which were in progress throughout the greater part of the fifteenth century. The west front and south porch were the work of Abbot Morwent, between 1420 and 1437; and the Lady Chapel was not completed till 1498. The west tower of York Cathedral also belongs to this style, having been erected in 1402.†



WEST GATE, CANTERBURY.

* See Neale's Churches.

† See Britton's Hist. of these three Cathedrals.

The minor additions and alterations received by our ecclesiastical edifices during the perpendicular period are so extensive, that Mr. Rickman supposes full one-half of all the windows in our churches to be in that style. To the same period is also to be referred nearly the whole of the stall and screen work in the kingdom.

In the fifteenth century the distinction between castellated and domestic architecture begins to be lost. The castles of an earlier date were indeed maintained at this time in all their strength and majesty, and additions made to them in perfect accordance with their original style. Many machicolated gateways erected throughout this period, with their massive circular towers, unrelieved by any openings save the loophole and œillet, are truly warlike in their appearance. Such, among numerous examples, is the well-known gateway of Carisbrooke Castle,* erected in the reign of Edward IV., and closely resembling the west gate of Canterbury, built by Archbishop Sudbury toward the close of the fourteenth century.

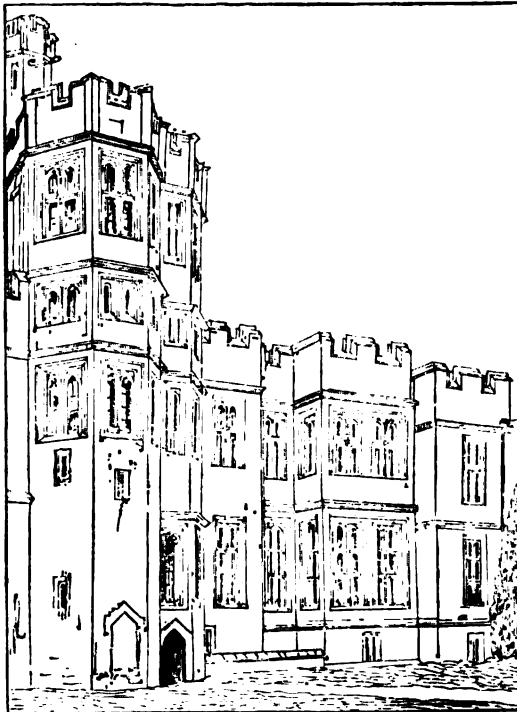
But in the castles, or castellated mansions as it is more proper to designate them, which date from the middle of the fifteenth century, the form and details of domestic architecture blend with the tower and turret, and their military character suffers in proportion. It is the external outline which is principally affected by the difference of the two styles; and whichever may predominate

in the mansions of this period, they possess a general resemblance in their plan and domestic arrangements; and even in their means of defence, which was still a consideration, they differ less in reality than appearance, the moat being common to both classes, and the principal apartments generally facing inwards towards the court. In the greater mansions the castellated style prevailed; but under a considerable variety of modifications incident to the transition which was in progress toward the domestic architecture of the sixteenth century, known as the *Tudor* style. Hertsmonceaux Castle, erected in 1448, was a regular parallelogram of about one hundred and eighty feet square, flanked by seventeen octagon towers and a machicolated gateway of a most picturesque and somewhat fanciful design.* At Tattershall Castle, in Lincolnshire, we have an imitation of an ancient keep, a huge square tower with turrets at the four angles, and a machicoulis of formidable projection. Yet there is little appearance of strength in this vast mass, whatever it might possess of a military character being neutralised by the number and proportion of the windows.† Oxburgh Hall, in Norfolk, is an embattled and moated *house*, with little of the castellated style about it except its massive though ornamented gateway, towering over the rest of the structure to

* See Woolnoth's *Ancient Castles*, vol. i.—A general elevation of this building is given in Pugin's *Examples of Gothic Architecture*, second series.

† See Britton's *Antiquities*, vol. ii.

* See Woolnoth's *Ancient Castles*, vol. i.



PART OF THE GREAT COURT OF WARWICK CASTLE.

the height of eighty feet.* Raglan Castle, begun in the reign of Edward IV., exhibits more of the genuine castellated style outside,† but is purely domestic within in all its arrangements and details.‡ In the later additions to Warwick Castle the two styles begin to blend very intimately, the bold

turretted outline entering into composition with the expanse of window which was carried to such excess at a later period. The additions made by Edward IV. to the castle at Nottingham were probably very similar to this, judging by Leland's account of it, as "a gallant building for lodging," with "a goodly tower of three heights and marvellous fair compassed windows;" a description which will be found equally applicable to the

* See Britton's Antiquities, vol. ii.

† See Woolnoth's Castles, vol. ii.

‡ Pugin's Examples of Gothic Architecture, second series.



GREAT CHATFIELD MANOR HOUSE, WILTS.

style of Thornbury Castle in Gloucestershire, built late in the reign of Henry VIII. by Edward Duke of Buckingham.*

In houses of a smaller class the domestic character was more distinctly preserved, and many were erected in the fifteenth century displaying a highly ornamental style of architecture, in which the oriel window forms a principal feature. Of this description is the manor-house of Great Chattfield, in Wiltshire. The view above represents the main body of the edifice, forming the upper side of a court, of which the other three sides were composed of inferior buildings containing the offices. This building appears to be designed according to an architectural canon of the period, the outline and disposition of the gables being extremely common. The old manor-house of Harlaxton in Lincolnshire, and that of Ockwells in Berkshire, exactly resemble it in these particulars. The latter is remarkable as a timber edifice of most elaborate workmanship.†

The use of animals as finials in domestic architecture, in the manner shown in the foregoing example, was very common. They were of course allusive to the heraldic devices of the house. They were generally introduced as supporters for vanes,

* See Britton's Antiquities, vol. iv., and Woolnoth's Ancient Castles, vol. ii.

† See Lyson's Berkshire; in which, however, the engraving gives very little idea of the exquisite detail of the gables.

decorated with armorial bearings in imitation of banners, and sometimes blazoned in their proper



CARVED TIMBER GABLE AT OCKWELLS, BERKS.

colours. This mode of decoration is as old as the time of Edward III. Chaucer speaks of the "golden fanes," and there "grete melody," and "swete armony." They undoubtedly suggested to the mind of the poet, as they creaked in the wind, the noble and exalted associations inseparably connected with the privilege of bearing arms. A very curious heraldic vane is still left on the gateway of Oxburgh Hall.

Whether the English noble was surrounded by the military retainers of the feudal age, or the more courtly train of the Tudor period, his resi-



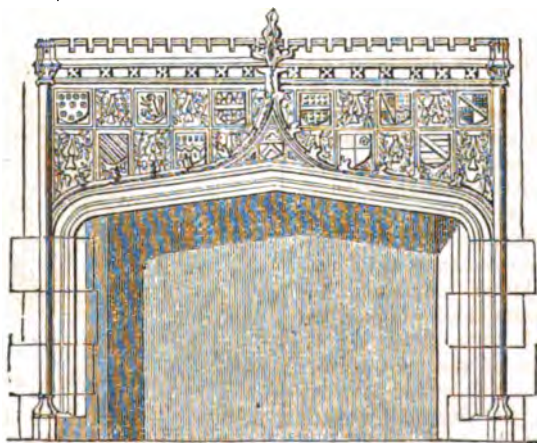
HERALDIC VANE OF OXBURGH HALL.

dence was filled with a crowd of dependants of various grades, and calculated for accommodation to them, for a life of parade to himself, and for the exercise of the extensive hospitality by which his influence and dignity were to be maintained. Within the quadrangle, and generally opposite the gate, a porch led into a passage cut off by a screen from the lower end of the great hall, and communicating with the butteries and kitchen. At the upper end of the great hall was the raised space called the dais, on which the high table was placed, flanked by an oriel window (sometimes by one on each side), in which was placed the "cupboard" for displaying the plate. This arrangement of the great hall is so universal after the beginning of the fifteenth century, that it would be perhaps difficult to point out an example on any considerable scale which obviously differs from it. When a mansion is of sufficient extent to inclose two courts, the hall is placed between them. The principal apartments adjoined the upper end of the hall. There

was usually at least one of large dimensions calculated for state purposes, and frequently used as a dining-room, apart from the more public meal in the great hall. But the great houses of this age were scantily provided with living rooms as compared with the number of the lodging rooms and offices. Little was done for comfort or convenience. The facility of communication, so indispensable to the habits of modern life, was totally disregarded, and the open court was the only passage from one part of the building to another. Down to the farm-houses of the fifteenth century, of which several still remain in good preservation in Kent, the same system is to be traced. Two wings, joined by a central hall, with the entrance and passage at the lower end, is the universal plan.

Internal fittings and decorations were still in a rude state in the fifteenth century. Neither wood linings nor plaster ceilings were yet introduced; and the tapestry or hangings which decorated the walls were calculated for use no less than ornament, by covering all the deficiencies of ill-closed doors and windows. The chimneys, though few of the rooms were provided with them, were now rendered available for decoration with much taste, and the chimney-piece of the great chamber generally exhibits an elaborate display of armorial shields and devices. The annexed specimen from Tattershall Castle displays the family bearings of the Lord Treasurer Cromwell (in the reign of Henry VI.), and the purse, the badge of his dignity. In the preceding century the ancient projecting funnel was still used.*

* See vol. i. p. 628.



CHIMNEY-PIECE AT TATTERSHALL CASTLE.

One of the most interesting and important events in the architectural history of the fifteenth century is the revival of building with brick, which is used in the construction of three considerable edifices already referred to,—namely, the castles of Hertsmoutheaux and Tattershall, and Oxburgh Hall. The changes which this material first produced in the style of domestic architecture, and the total

revolution it afterwards effected in the art of building in general, will be the subject of a future page. Its past history is obscure. There is no reason to believe that the art of making the Roman brick was ever lost from the time it was introduced into our island till the adoption of the Flemish brick, which is the form in use at the present day. The former may be traced during the Norman period,

under circumstances not easily reconciled with the common opinion, that it is the spoil of Roman edifices; and the latter is found in remains satisfactorily assigned to the time of Edward II. The fabrication of tiles was certainly never laid aside. Still brick constructions of an earlier date than the reign of Richard II. are of extreme rarity, though it seems unaccountable why so useful a building material should have been neglected during so many centuries.

If little has hitherto been said upon town buildings and the habitations of the commoners of England, it is because the materials have been too scanty to afford information likely to interest the general reader. The earliest detailed description extant of any English town is Fitz-Stephen's account of London, written in the latter part of the twelfth century;* but we can gather few hints from it on the subject of domestic architecture. He tells us that almost all the bishops, abbots, and great men had goodly houses (*ædificia præclara*) in London, to which they resorted, and where their disbursements and expenses were not sparing, whenever they were summoned from the country to attend councils, &c. He tells us, also, that the two great evils of London were drunkenness and the frequency of fires. To the latter fact all our early histories bear sufficient evidence; and, in order to obviate the evil, it was enacted in the first year of Richard I. that the lower story of all houses in the city of London should be built with stone, and the roofs covered with tiles or slates. This had probably been until that time the mode of constructing the superior class of houses only, the ordinary dwellings of the citizens being wood and thatch. Houses built entirely of stone were at all times scarce in London. All those of which Stow has preserved memorials appear to have been of early date, and for the most part buildings of importance. One which he notices was traditionally known as "a Jew's house,"—"as though," says the antiquary, "none but Jews had dwelt in stone houses." But this is not a singular instance of such a tradition; and we may infer from it that the possession of a house beyond the common class, by any one in the rank of a citizen, was so uncommon as to be popularly associated with the idea of the exaggerated riches attributed to the Jews in the middle ages.

In the fifteenth century the town houses, or *inns* as they were called, of the nobility, were of great extent; a fact which might be inferred from the modern acceptance of the word. At a meeting of the great estates of the realm, in the year 1457,† Richard Duke of York came with four hundred men, who were lodged in Baynard's Castle. The Earl of Salisbury, with five hundred men on horseback, lodged in "the Herber," a house at Dowgate belonging to the Earl of Warwick, who lodged himself, with six hundred men, at his inn in Warwick-lane,—“where,” says Stow, “there were oftentimes six oxen eaten at a breakfast.” Eight

hundred men were brought by the dukes of Exeter and Somerset, and fifteen hundred by the Earl of Northumberland, the Lord Egremont, and the Lord Clifford. The names of their noble owners are still attached to the sites of several of their inns, of which even now the plans are in some degree preserved, in their modern adaptation, as inns of law; but we shall in vain seek for any vestiges of the original structures. They were already dilapidated or perverted from their original purposes when Stow wrote his "Survey" in 1598. A portion of one building only of this class has been preserved,—the magnificent house erected by Sir John Crosby, an alderman of London, in 1466, not more interesting as an architectural monument than as an evidence of the increasing wealth and importance of the commons, and also on account of its historical associations—for it was here, it may be remembered, that Richard III. took up his residence, and held his daily consultations with his adherents on the eve of his usurpation of the crown*. Stow describes this mansion as "very large and beautiful, and the highest at that time in London." He also tells us of this and many other houses of the same class of the fourteenth and fifteenth centuries, that they were "buildd with stone and timber,"—from which description, concise as it is, coupled with the existing remains, we may conclude that the hall and principal apartments of these inns were of stone, and the remaining and larger portions of the structure of timber,—upon which it was the fashion at this time to bestow as much care and decoration as upon the more durable material. In the provincial

* See ante, p. 119.



HOUSE OF THE FIFTEENTH CENTURY, AT LEICESTER.
In which it is said Richard III. slept the night before the Battle of Bosworth.

* See vol. I. pp. 569, 668, &c.

† Stow.

towns of England time has spared enough of street architecture to show that a refined taste in that art was universally diffused; and the beautiful carving with which many of the timber fronts of this period are loaded exhibit a luxury of execution apparently inconsistent with the mean scale of some of the houses to which it is applied.* But in the important requisites of space and convenience, the ordinary dwellings of our citizens and burgesses had as yet undergone little improvement. A narrow façade, with the gable end overhanging the street, was the general form of that class of buildings from the thirteenth century down to the seventeenth; and though in the nineteenth all classes of the commons are incomparably better lodged in proportion to their means than in the fifteenth century, yet there is a greater similarity between the buildings of the two periods than may be obvious at first sight. The compact plan, the narrow front, the moderate elevation, and the contracted apartment, are the peculiar characteristics of the English town-house, established in accordance with our domestic habits, pertinaciously adhered to during the lapse of ages, and even adopted in later times in edifices to which they are little applicable.

The annexed example, showing the style of the few street buildings of this period in stone, was standing until lately in the town of Grantham.



HOUSE AT GRANTHAM, LINCOLNSHIRE.

The disturbed state of the Scottish borders was an effectual check to the arts of refinement in that quarter. The inhabitants of Northumberland and Cumberland were still obliged to fortify themselves in their dwellings. Hepburn Tower, in Northumberland, is an example among many of a house of this period, differing from that of the twelfth century in nothing but some increase of accommodation, and the convenience of several chimneys instead of one.† The peel-houses of Scotland, and even the palatial fortress of Linlithgow, are

* Coventry is rich in carved buildings of the fifteenth and sixteenth centuries, of which the reader will find numerous details in Pugin's Gothic Ornaments, † See vol. 1. p. 696.

as far behind the general progress of the age. The alliance of Scotland with the continent becomes very visible in the architecture of this period. Gowrie House, at Perth (well known in history by the extraordinary conspiracy acted there), was entirely in the French style,—a gabled house, with an oriel window proportioned like a turret, and crowned with a high peaked roof, overhanging the angle. These *tourelles* became very common in Scotland in the sixteenth century. The high timber superstructures raised on many of the peel-towers are in the same taste, which never obtained in England at any period.

There is little to notice in the ecclesiastical architecture of Scotland in the fifteenth century. The later parts of Melrose Abbey are in a fine perpendicular style. The celebrated chapel of Rosslyn, founded in 1446, was the work of foreign artists. It is not more remarkable for its lavish decoration than for its singular architecture, which resembles no definite style of Gothic, either English or continental.*

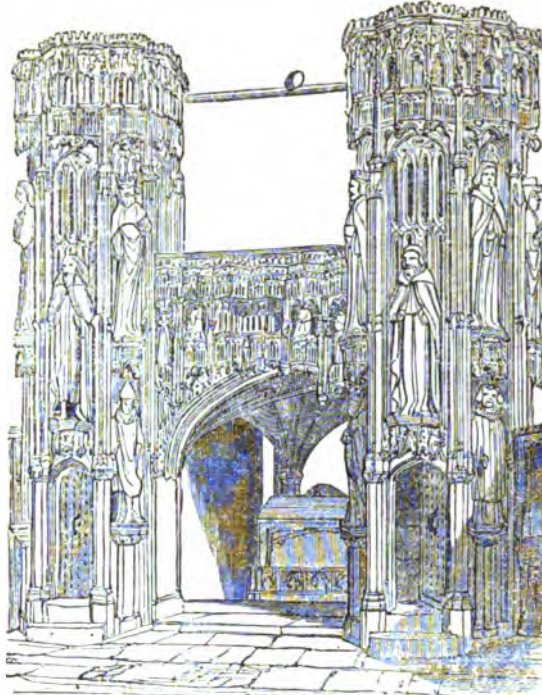
The tomb-architecture of this period is still more sumptuous than that of the last. The canopies described in a former chapter not only acquired the more gorgeous character consistent with the change of style, but were increased in size beyond the limits of the altar-tomb they were intended to cover, until they expanded into inclosures sufficiently capacious to serve as chapels for celebrating masses for the deceased. The most elaborate specimens of Gothic art are displayed in some of these *chantries*, which add greatly to the effect of many of our large churches. That of Wykeham, which occupies an arch of his own nave at Winchester, is one of the earliest erections of the kind, but is less remarkable for design than the twin chantries of Beaufort and Waynflete in the presbytery of the same cathedral, upon which the art of clustering pinnacles and niche work seems to be exhausted.† Henry V. is the only English monarch distinguished by a monument in this style. His chantry is raised above the ambulatory at the eastern extremity of Westminster Abbey, and is surpassed by no work of the age either in design or execution.

The greater part of the engraved and inlaid monumental brasses which abound in our churches are of this and the next century. Though introduced at an early period they were certainly uncommon before the middle of the fourteenth century. About the year 1380 they came into general use, and were thenceforward multiplied exceedingly among all ranks. The architectural embellishments of many of these memorials are extremely elegant, and they afford valuable information upon the costume of the period. They were sometimes enamelled, as in the heraldic portions of the monument from which the annexed engraving has been taken, though the colours have long been lost.

In painting the fifteenth century is perhaps

* See Britton's Antiquities, vol. iii.

† See Britton's Hist. of Winchester Cathedral.



FRONT OF HENRY V.'S CHANTRY, WESTMINSTER.



INLAID BRASS MONUMENT OF ELEANOR BOHUN, WIFE TO THOMAS OF WOODSTOCK, DUKE OF GLOUCESTER.—DIED, 1399.

the most barren period of English history. The art was certainly not likely to be raised by the patronage of the great in an age when the Earl of Warwick contracted with his tailor for the painter's work to be displayed in the pageantry of his embassy to France.* Among the items in this artist's bill is one "for a grete streamer for the ship of xi. yerdes length, and viii yerdes of brede, with a grete bere and gryfon holding a ragged staffe, poudred full of ragged staves, and for a grete crosse of St. George,—for the lymning and portraying, 1*l.* 6*s.* 8*d.*" "If it is objected to me," says Walpole, "that this was mere herald's painting, I answer that was almost the only painting we had." And it is certainly true that, except a few portraits, and those even of very doubtful authenticity, the age produced little beyond the pale of decorative painting. We must not, however, omit to notice the 'Dance of Death,' painted in the cloister of St. Paul's at the expense of a citizen of London, in imitation of that in the Innocents at Paris. This subject had the good fortune to be repeated in better times, and is popularly known by the admirable version of Holbein.

The illuminators of manuscripts were still, therefore, the only artists who deserved the name; and their works, though less rich in purple and gold than those of the fourteenth century, present us with a variety of natural objects, flowers, fruits, birds, insects, &c., accurately and tastefully executed, in place of the grotesque and capricious forms of the preceding style. The manuscripts of

* Walpole, *Anecdotes of Painting*

this date are also valuable for the portraits they frequently contain of their royal and noble owners.

When we reflect upon the total absence, at this period, of that general capability to appreciate, and disposition to cherish, the higher branches of painting and sculpture, without which genius puts forth its buds in vain, we shall not be surprised that the latter art "unbeseeemed the promise of its spring." If, amidst the numerous productions of this art, we find some superior mind occasionally raising itself above the level mechanism of the age, it is still depressed by the want of knowledge, which there were neither means nor encouragement to obtain. The statues of Henry VI. and Archbishop Chichele, over the gate of All Souls College at Oxford, and the sculptures on the chantry of Henry V., are works coming under this description. "The latter," says Flaxman, "are bold and characteristic,—the equestrian group is furious and warlike,—the standing figures have a natural sentiment in their actions, and a simple grandeur in their draperies, such as we admire in the paintings of Raffaele or Masaccio." The small bronze statues which surround the altar-tomb of Richard Beauchamp, Earl of Warwick, in his chapel at that place, are estimated by the same great authority as "not to be excelled by anything of the kind done in Italy at the same time, although Donatelli and Ghiberti were living when this tomb was executed in 1439."* But the good seed fell in an ungrateful soil. In Italy the sculptor, William Austen, would have been the founder of a school, and his fame co-extensive with the study of the arts. In England his name is preserved from oblivion only by the existence of the contract which secures the performance of his work and the payment of 13s. 4d. each for these beautiful statues.†

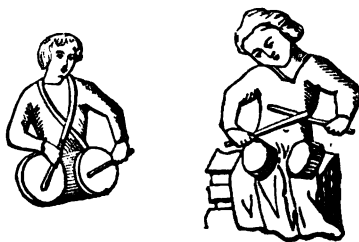
Early in the fifteenth century, and more particularly towards its close, English Music began to take a form in which, though in the rudest state, something like modern melody and harmony is distinguishable; but so little remains whereon any decided opinion can be safely founded,—the quantity is so small, the transcribers appear to have been so liable to error, and our knowledge of the ancient notation, as well as of the marks formerly in use, is so incomplete,—that, possibly, what seem to us proofs of a most barbarous state of the art, are, occasionally, errors of copyists, or the misinterpretations of a comparatively recent date. This is the only way in which we can account for the gross offences to the ear that are found in the few very old musical compositions now extant, and of which instances of a striking kind will appear in the specimen presently to be given.

But, though rude the music, and rough the instruments, the art, in its infant state, was prac-

* This is the year of the earl's death, but the tomb was not executed till 1452.

† Several of these figures are accurately given on a large scale in Pugin's Gothic Ornaments.

tised by every person of rank, and all who had received an education then called liberal. The hero of Azincourt was a devoted admirer of church music, and a performer on the organ.* His accomplished contemporary, James I. of Scotland, was remarkable for his skill on the same instrument.† Ecclesiastical music was studied by the youths at the Universities, with a view to the attainment of degrees as bachelors and doctors in that faculty or science, which generally secured preferment. In 1463 Thomas Saintvix (or Saintwix), Mus. Doc., was made Provost of King's College, Cambridge, by Henry VI., its founder.‡ At the coronation of Henry V. a prodigious number of harps were employed, we are told by Thomas de Elmham, who mentions no other instruments; but many of various kinds were used, and among them drums, the first introduction of which is assigned by Stow to this period. On this point, however, he was misinformed, for, in the *Liber Regalis*, written immediately after the coronation of Richard II., the following figure of a drummer, with a pair of drums, appears.



DRUMMERS.

Engraved by Strutt, from the *Liber Regalis*, Westminster Abbey.

Henry had so little vainglory in his nature, that he prohibited all songs, and such modes of rejoicing, on the occasion of the victory of Azincourt.§ Nevertheless, it was this splendid event which gave birth to the first English musical production entitled to be considered as a regular composition, of which we have any remains or any account. It is preserved in the Pepysian Collection, Magdalen College, Cambridge; || and, as a curious relic, is worthy of a place in a work intended to illustrate the history, in all its branches, of our country. It is written on vellum, in the Gregorian, or square and lozenge, notes; but we here present it in modern characters.

* Thomas de Elmham, *Vita et Gesta Hen. V.*

† Forduni *Scoticronicon*, lib. xvi. c. 23.

‡ Rymer's *Fœd.*, xl. 510.

§ Thomas de Elmham.—See also Holinshed.

|| Vol. i. folio. It appears to be a transcript from one ex Biblioth. Bodleiana, Arch. B. field. 10. A copy of this Pepsian MS. is given, with all the words, in the 2nd vol. of *Ferry's Reliques*. Stafford Smith seems to have been the first that deciphered the composition, and he printed it in his *Collection of Ancient English Songs*. Dr. Burney afterwards went through the same labour. See his *History*, ii. 383. We have adopted Smith's interpretation, but have changed the time, or measure, from three-minim to three-crochet. Of that portion in two staves, the upper staff is, we suppose, to be considered as an accompaniment; but it may be sung by either a soprano or an alto voice.

SONG ON THE VICTORY AT AZINCOURT, 1415.

De - o gra - ti - - as An - gli - - a, Red - de pro vic - - to - ri - a!

Owre Kyng went forth to Nor-man - dy, With grace and myst of

chy - val - ry; The God for hy n wroust marv' - lus - ly, Where-

fore Eng-lande may calle and cry, De - o - - - gra - - ti - as!

Chorus.

ALTO.

De - o gra - ti - as An - - gli-

TENOR, Svo lower.

De . o gra - ti - - as An - gli-

BASS.

De o gra - ti - as An - - gli-

a - - - , Red - de - - pro vic - - to - ri - a!

a - - - , Red - de pro - - vic - to - - - ri - - a!

a - - - Red - de pro vic - to - - - ri - a!

Coeval with the foregoing, or perhaps of rather later date, judging from the music,—though the words are certainly much older,—is a canon in the unison, in four parts, with a free tenor and base added, as a kind of burden, set to the lines so well known to all who are acquainted with our early poetry,—

Sumer is i-cumen in,
Lihude sing cuccu: &c.*

This, though containing a few harsh notes, is not only far superior to the Azincourt song, but a better example of air and harmony than some compositions of a more advanced period can furnish.† The name of the composer is unknown.

Towards the middle of the fifteenth century lived John of Dunstable, author of a treatise *De Mensurabili Musica*, to whom both Tinctor and Franchinus erroneously ascribe the invention of the new art of counterpoint. On the continent, as

well as in England, he was considered highly eminent in his art, but not one of his compositions in a perfect state is preserved. Warton‡ observes that, at the period just named, minstrels were paid much higher for their services than priests, and cites many instances in proof. But priests were many, minstrels—at least able ones—few; and the value of any service will always bear a proportion to the number of those who are ready to serve. That some minstrels were sufficiently wealthy and liberal to contribute to the erection and decoration of public buildings, may be inferred from what is to be seen in St. Mary's Church, Beverley, an edifice which, from its style, seems to have been raised about the time of Henry VI. Against a column in the nave of the church are five figures, of which the subjoined is a representation, together with the following inscription:—

Thys Pillor made the Minystris. §



The first figure is playing on a tabor and pipe; the second on a crwth, or violin; the third on a base flute; the fourth on a gittern, cittern, or lute; and the fifth on a treble flute *à bec*, i.e., an old English flute,—or, perhaps, that kind of oboe anciently called a wayght, or wait. The minstrel profession was, in the year 1469, chartered by Edward IV., and the guild, or fraternity, was governed by a Marshal and two Wardens, chosen annually.¶ This at once gave respectability to a profession which was beginning to take somewhat of the vagrant character. The Chapel Establishment of the same monarch includes a curious but not powerful band of musicians, vocal and instrumental,—“Thirteen minstrels, whereof some be trumpets, some with the shalms and small pipes.” Their pay was fourpence a day, besides other rewards, and clothing for winter and summer. Amongst them they had, “nightly,” four gallons of ale, three wax candles, six of pitch, and four

talesheids, i.e., billets of wood. Two servants were allowed them, and also lodging for themselves and their horses. Dinner was, it is to be inferred, provided for them in the “hall.” To these were added a *wayte*, whose duty it was to “pipe watch.” He lived with the minstrels, and had nearly the same allowances. Besides the above, were eight children of the chapel,¶ placed under the direction of the dean, or of the “master of song assigned to teach them.” Their allowances were on a liberal scale; and at eighteen years of age they were sent to one of the royal colleges at Oxford or Cambridge, there to study till the king could “otherwise advance them.” In this establishment we trace the foundation of a school from which afterwards sprung musicians not excelled as composers in any part of Europe; but more than half a century elapsed before it produced any whose names now hold a distinguished place in the roll of fame.

* See ante, page 212.
 † This canon, or *roze*, as it is called in the MS., is No. 978 of the Harleian Collection. Sir John Hawkins, the exact and indefatigable historian of music, gives a copy of the original in the ancient character, and also a good score of it in modern notes.—Hist. ii. 93.
 ‡ Hist. Eng. Poetry, sec. xlv. § See Carter's Ancient Sculpture and Painting, vol. ii.
 ¶ These, with two added to their number, still continue as part of the royal household, and under the same title. | Rymer's Ford. xi.

CHAPTER VI.

THE HISTORY OF MANNERS AND CUSTOMS.



AS the country advanced in wealth and its intercourse with other parts of the world became more extended and active—as was the case upon the whole throughout the present period, notwithstanding the public distractions and calamities by which a great part of it is darkened—

improvements of various kinds would gradually be introduced in all the accommodations of life. A few sentences, however, will comprise all that is of much interest in the information that has come down to us respecting any novelties that now made their appearance in the furniture and decorations of English dwelling-houses. In the last Book we

noticed the fashion prevailing during the fourteenth century of painting the walls of rooms with historical and scriptural subjects, in lieu of hanging them with needlework as in the preceding age. In the fifteenth century a return was made to the warmer and more comfortable style of decoration by drapery; and the walls of the noble and the wealthy were hung with *tapestry*, which, being fabricated more especially at Arras, generally went by the name of that town. The learned writer of the introduction to Shaw's splendid work on 'Ancient Furniture' informs us that the earliest specimen of arras he has seen is preserved in the church of St. Sebald, at Nuremberg, being of the time of our Henry IV., and representing the life of the saint to whom the edifice is dedicated. In about forty years afterwards, John Holland, Duke of Exeter, by will, dated July 10, 1447, gives to his son Sir Henry all the stuff of his wardrobe and of his arras. A very ancient specimen may still be seen at Berkeley Castle.

In the thirteenth Part of Mr. Shaw's Specimens



FURNITURE OF A BED-ROOM OF THE TIME OF HENRY VI. Harleian MS. 2278.

of Ancient Furniture will be found some elegant and classically-shaped chairs and stools of this period copied from the 'Roman de Renaud de Montauban;' and in Part ninth, an engraving of the finely-carved chair preserved in St. Mary's Hall, Coventry.

In the same work are given a table belonging to the beginning of the fifteenth century, from a drawing in a MS. marked No. 264, in the Bodleian Library; some very handsome buffets of the same time from MSS. in the Bibliothèque du Roi at Paris; a reading-desk in Ramsay Church, Hants, of about the year 1450, or rather later; and a chest, or coffer, in Heconby Church, Lincolnshire. All these articles are elaborately carved. Of beds the same work furnishes us with a beautiful specimen from a French MS., 'Les Miracles de St. Louis;' and Strutt, in his 'Dresses and Habits,' gives us a most interesting picture of a lady's bedchamber, complete, of the time of Henry VI., from a MS. in the Royal Collection in the British Museum. The newly-introduced tapestry-work soon formed part of the bed-furniture of the time. In 1415, Edward Duke of York names in his will his "bed of feathers and leopards, with the furniture appertaining to the same;" also his "white and red tapestry of garters, fetterlocks and falcons" (the falcon and fetterlock being

the badge of the House of York), and his "green bed embroidered with a compass," &c. In 1434, we have a still more detailed account of bed-furniture in the will of Joan Lady Bergavenny: "A bed of gold swans, with tapetter of green tapestry, with branches and flowers of divers colours; and two pairs of sheets of Raynes (Rennes), a pair of fustians, six pairs of other sheets, six pairs of blankets, six mattresses, six pillows, and with cushions and bancours that longen to the bed aforesaid; a bed of cloth of gold with lebarbes, with those cushions and tapettes of my best red worsted that belong to the same bed and bancours, and formez that belong to the same bed; also four pairs of sheets, four pairs of blankets, three pillows, and three mattresses; a bed of velvet, white and black, paled with cushions, tapettes, and formez, that belong to the same bed. . . . My bed of silk, black and red, embroidered with woodbined flowers of silver, and all the costers and apparel that belongeth thereto; twelve pairs of sheets of the best cloth I have, save Reynes, six pairs of blankets, and a pane of minever." This *pane* of fur was succeeded by the counterpane, *i. e.*, one that was contrepoincé, or having knotted threads stitched through. Sir S. Meyrick derives the word *pane* from the Latin *pannus*; but we read of paned shoes and paned hose; and



A BED-ROOM IN THE TIME OF EDWARD IV. From Rouse's Hist. of Rich. Beauchamp, Earl of Warwick. Cotton MS. Julius B 4.

the former are described by Chaucer as appearing to have Paul's windows carved on them, by which we must understand lattice-work; and we would, therefore, rather derive the word from the French *panneau*, a square of glass, wainscot, &c.—whence a window-pane. The well-known diamond pattern of the modern quilt or counterpane is in favour of the latter etymology.

Clocks, with strings and weights, hung against the wall, something like Dutch clocks, are represented in MSS. of this period. Willemin gives one from the 'Roman de Renaud de Montauban;' and a similar one was in the tapestry of the time of Edward IV., which hung in the Painted Chamber of the palace of Westminster. In a work lately published is the following entry, dated

April 4, 1480: "To John of Paris, clockmaker, the sum of 16*l.* 10*d.*, ordered for him by the said Lord in the month of March, for a clock, which has a dial plate, and which sounds the hours, garnished with all that pertains to it, and which the said Lord caused to be taken and bought, that he might carry it with him to every place whither he might go."*

In the Temple Church at Bristol is a magnificent brass chandelier of the fifteenth century; and the cradle of Henry V. is now in the possession of G. W. Brakenridge, Esq., of Brislington, near the same city.

During the short reigns of Henry IV. and

* Interesting papers relating to the History of France from the time of Louis XI. to Louis XVIII.



HENRY IV. AND HIS COURT. From a MS. in the Bodleian Lib. marked Digby, 233.

Henry V. the extravagant fashions of dress introduced by Richard II. appear to have retained their ground, or, at least, to have undergone very little alteration. The chaperon or hood attained its last and best-known form, namely, a sort of turban called the roundlet, surrounding a skull-cap for the head, and having a long "tippet," as it was designated, which hung from one side of it, and was either tucked into the girdle or wrapped round the neck as circumstances required, and by which the hood, when thrown off the head, depended behind the shoulder.* The same long and jagged sleeves—the same trailing robes or indecently short jackets—continued in vogue, notwithstanding various legislative enactments against such enormities, and the satirical writings of Occleve and other poets. The toes of the shoes seem to have lost their long pikes for a short time during the reign of Henry V., to recover them again in the following reigns of Henry VI. and Edward IV., when we shall find them still more preposterous. The principal

* It is called "a new jett" by Occleve, and "a foul waste of cloth" as no less than a yard of broad cloth was consumed by the tippet alone.—Poem on "Frisie and Waste Clothing of Lords' Men, which is against their Estates."

change, however, appears in the fashion of the hair, which, instead of being worn long or in natural curls, as it was from the time of the Conquest, was cropped at the commencement of the fifteenth century so close as to have satisfied Bishop Serlo himself, had he been alive to witness the reformation. The face was again shaven close, except by aged or official personages, and military men, who occasionally wore moustaches. The decoration of the collar of SS. is first observable on monuments of this period. The most reasonable conjecture respecting its origin (for there exists no positive authority) is that of Sir S. Meyrick, who considers it to be the initial letter of Henry IV.'s word or motto, "Souveraine," which, with the "Falcon volant," his device, and the usual appendage to the collar, is seen upon the canopy of his tomb in Canterbury Cathedral.*

The female costume of the time of Henry IV. presents as little change from that of the preceding reign as the habits of the men. The only variation of consequence is in the head-dress, which becomes

* The throne of Henry V., in the following wood-cut, will be found powdered with the letter S.

more elaborate and fantastic than any we have yet had occasion to notice. The simple caul of gold net,—the elegant chaplet of natural flowers, or of imitative goldsmiths' work,—are superseded by sumptuous monstrosities, of which engravings alone can give a tolerable idea. They have been called by modern antiquaries the reticulated and heart-shaped head-dresses; and, in the reign of Henry V., the horned head-dress makes its appearance, beside which all similar absurdities sink into insignificance.* The ordinary robe or gown of a lady of the reign of Henry V. (if we except the preposterously long sleeves, which, like those of the men, literally trailed on the ground) was not inelegant. It was made high in the neck, and its

* Vide Effigy of Beatrice Countess of Arundel, in Arundel church, and Royal MS., xv. D 3. in Brit. Mus.

folds were confined at the waist by a simple band and buckle as at the present day. The *cote hardi* and the singular sleeveless robe of the past century, with the facings and borders of fur or jewellery, were still worn, with or without a mantle, on state occasions.

The armour of the time of Henry IV. offers no particular variation, but his son's reign introduces some of the most important changes we are called upon to remark during the history of this subject. The monumental effigies now begin to present us with complete suits of plate, occasionally uncovered by either jupon or surcoat, although both were as yet generally worn; the camail is superseded by the *haussecol*, or steel gorget, and the petticoat or apron of chain by a succession of long horizontal plates of steel, called *taces* or *tassets*, forming a sort



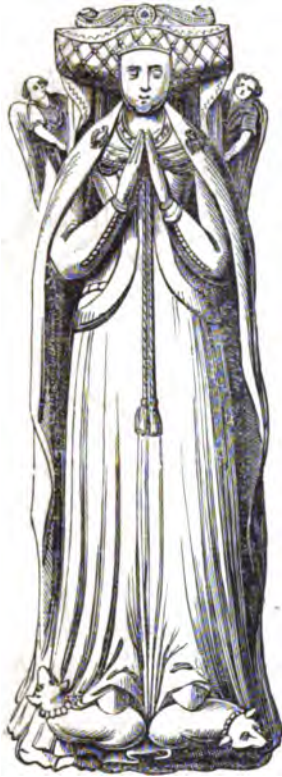
MALE COSTUME IN THE TIME OF HENRY IV.
Harl. MS. No. 2332.



MALE COSTUME IN THE TIME OF HENRY V.
Royal MS. 15 D 3.



HENRY V. AND HIS COURT. From a MS. formerly his own, in Bennet College Library, Cambridge, being a Translation of Cardinal Foucaventur's Life of Christ, by John Galopes, Dean of the Collegiate Church of St. Louis of Salency, in Normandy.



EFFIGY OF LADY DE THORPE. In Ashwelfthorpe Church, Norfolk.



EFFIGY OF BEATRICE COUNTESS OF ARUNDEL. In Arundel Church.

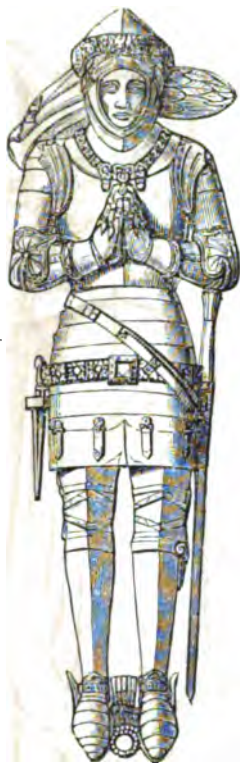
FEMALE COSTUME IN THE TIME OF HENRY V.
Royal MS. 15 D 3.

of skirt to the breast and back-plates, and extending from the waist to about the middle of the thigh: the arm-pits were protected by circular plates of steel called palettes, which were attached by straps or points, as they were termed, with tags or aiguillettes at the end. The visored bascinet was alone worn for war, the helmet being appropriated solely to the tournament. Upon the latter only

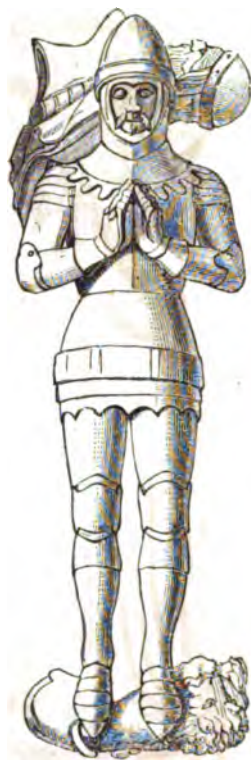
was placed the crest of the knight; but the apex of the bascinet was now furnished with a small pipe, into which was inserted, for the first time, that most elegant of chivalric ornaments, the pennache or plume of feathers. Knights are said to have worn three, the king's esquires were limited to two, and all other esquires to a single feather.* Another marking peculiarity of the armour of the reign of Henry V. is the curious fashion of wearing long sleeves of cloth, silk, or rich stuffs, with escalloped edges, with or without the surcoat or jupon over the pauldrons or shoulder-plates. Sometimes a cloak with such sleeves was worn over the armour.† The tournament helmet of Henry V. is suspended over his tomb in Westminster Abbey, with his shield and

* This common assertion is not borne out, however, by the authorities, the number of feathers varying, apparently, according to the wearer's fancy. See for armour of the commencement of the reign of Henry V. our wood-cut at p. 456 of vol. i. representing the murder of Becket, from a painting on board, of this period, suspended at the head of the tomb of Henry IV. at Canterbury. One of the knights wears a plume of *five* feathers. It may be that regulations existed on this point, but were as little regarded as the sumptuary laws respecting clothing.

† See for this and other peculiarities of the military costume of this reign the illumination given at p. 210, from the Harleian MS. 4826, of Lydgate presenting his poem of the Pilgrim to the Earl of Salisbury (*i. e.* Thomas de Montacute, who held the earldom from 1409 till his death in 1428, not the famous king-maker, as stated by mistake under the cut); the figure of Robert Chamberlayne, esquire to Henry V., in Cotton MS. Nero, D 7; the monumental effigies of Michael de la Pole, Earl of Suffolk, in Wingfield Church, and of Sir Robert Granthill, Hovingham Church, North, &c.



EFFIGY OF SIR ROBERT GRUSILL.
Haversham Church, Notts.



EFFIGY OF MICHAEL DE LA POLE, EARL OF SUFFOLK.
Haversham Church, Notts.

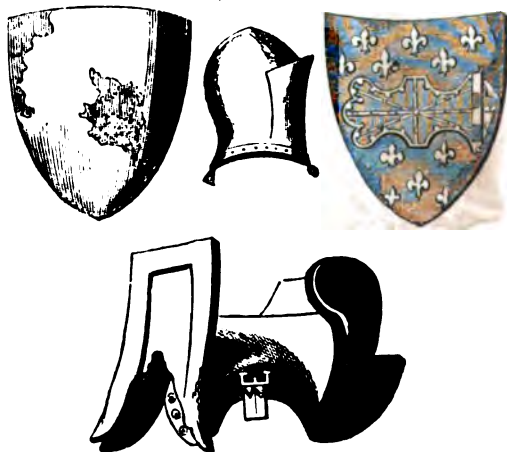


ROBERT CHAMBERLAIN,
Esquire to Henry V. Cotton MS. Nero, D 7.

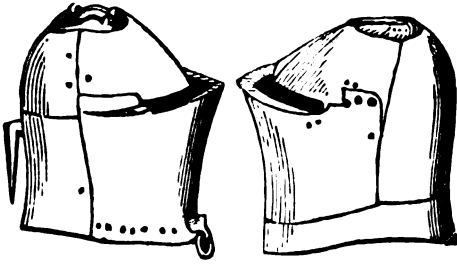
war-saddle: the two latter are believed to have been really *in* the battle of Azincourt. In Cobham Church, Kent, hang two tournament helmets of the
VOL. II.

same period; upon one of them remain the staples for fastening on the crest and other ornaments.

The general costume of the fifteenth century, from the accession of Henry VI. to the close of the reign of Richard III., appears to have been a mixture of all the fashions of the preceding century, with some few additions to, rather than alterations of, their absurdities and extravagancies.



HELMET, SHIELD, AND SADDLE OF HENRY V. Westminster Abbey.
(Both sides of the shield are shown.)



TOURNAMENT OR TILTING HELMETS IN THE TIME OF HENRY V.
Cobham Church, Kent.



MALE COSTUME IN THE TIME OF HENRY VI.
Harleian MS. 2278.

Lydgate's Life of St. Edmund, Harleian MS. 2278, and the illuminated Froissart, marked 4880 in the same collection, from the multiplicity and variety of their miniatures, almost bewilder us with authorities. We have the long toes longer than ever,—the hoods with tippetts or liripipes reaching to the ground,—the pocketing sleeves, called *pokys* (pokes) by the Monk of Evesham, "shaped like a bagpipe,"—and all the other absurdities of the times of Richard II., Henry IV., and Henry V., with the introduction of high caps with single feathers behind, enormously high-padded shoulders to the short jackets and long gowns, loose robes with arm-holes, guiltless of sleeves; and, again, both jackets and gowns with long hanging sleeves trimmed with fur, which could be worn on the arm or flung behind at pleasure. Henry VI. himself must not be considered guilty of having encouraged these enormities. Blackman, a Carthusian monk, who had much intercourse with him, testifies to the plainness of his attire and to the fact that he would not wear the up-pointed horn-like toes then in fashion.*

The practice of slitting the doublets at the elbows so as to show the shirt through appears during the reign of Edward IV., and gradually leads to the slashing and puffing of the whole suit in the following century. The toes of the shoes and boots suddenly took a fancy to expand instead of to elongate, and a sumptuary law was passed limiting the breadth at the toe to six inches. The

* Collect. printed by Hearne at the end of his Otterbourne, pp. 288, 302.



HENRY VI. AND COURT. John Talbot, Earl of Shrewsbury, receiving a sword. Strutt's Dresses and Habits.



MALE COSTUME IN THE TIME OF EDWARD IV.
Cotton MS. Nero, D 9, and Royal MS. 15 E 2.

long toes were not, however, totally abandoned till after the accession of Henry VII., although "cursing by the clergy" was added to the other pains and penalties to which the makers of such articles were subjected by the law.* The hair, which was worn so closely cropped from the commencement of the century, was now again suffered to hang over the ears in large thick masses, called

* At Shirbecksluice, near Boston, Lincolnshire, a smith's forge was discovered some few years back, buried about sixteen feet deep, with the remains, also, of several ancient tan-vats, besides a great quantity of horns and some shoe-soles of a very unusual form, being sharp pointed in the fashion of those worn from the reign of Richard II. to that of Richard III.

"side locks" or "side hair," and, in the most unbecoming manner, to cover the forehead till it came into the eyes. The following quotations from the Coventry Pageants and other manuscript authorities of the fifteenth century will show that the satirists of the day did not suffer these and other similar follies to pass with impunity:—

"They bear a new fashion,—*Humeris in peccatore tergo.*

God's placcination,—*non illis complacent in ergo.*

Wide collars and high,—*gladio sunt colla parata.*

'Ware the prophecy,—*contra tales recitata.*

Long spurs on their heels,—*et rostra fovent occrearum.*

They think it doth well,—*non sit regula Sarum.*

A strait band hath the hose,—*languent a corpore crura.*

They may not, I suppose,—*curvare genu sine cura.*

When others kneel,—*pro Christo vota ferentes.*

They stand on their heels,—*sed non curvare volentes.*

For hurting of their hose,—*non inclinare laborant.*

I trow for their long toes,—*dum stant ferialiter orant.*"*

In the twenty-sixth Coventry Pageant occurs the

* Harleian MS. 536. We have modernised the spelling of the English. The Latin words at the end of each line seem to be quotations from, or burlesques upon, the church service.



EDWARD IV. AND HIS COURT. Royal MS. 15 E 4.

following description of Satan's dress when disguised as a gallant:—

"Of fine cordevan, a goodly pair of peaked shoon (shoes).

Hosen enclosed of the most costious (costly) cloth of crimson . . . with two dozen points of cheverelle, the aglets of silver fine.

A shirt of fine Holland.

A stomacher of clear Reynes,* the best that may be bought.

Cadice wool† or flock, to stuff withal the doublet.

A gown of three yards.

A dagger for devotion.

With side-locks to the collar hanging down."

And

"A high small bonnet."

The monk of Croyland tells us that the new fashion Edward IV. chose for his last state dresses was to have them with "very full hanging sleeves, like a monk's, lined with most sumptuous furs, and so rolled over his shoulders as to give his tall person an air of peculiar grandeur." By the sumptuary law enacted in the last year of his reign, cloth of gold or silk, of a purple colour, was permitted to none but the royal family. Cloth of gold of tissue was confined to the use of dukes, and plain cloth of gold to that of lords; velvet and damask satin were appropriated to the gowns and doublets of knights,—damask or satin doublets and camlet gowns to esquires and gentlemen. None but noblemen were allowed to wear woollen cloth made out of England, or furs of sables; and no labourer, servant, or artificer might wear any cloth which cost more than two shillings a-yard.

Richard III. and his "cousin of Buckingham" were notorious for their love of dress and finery; but there is little if anything to distinguish any fashion peculiar to this short reign. A splendid manuscript, marked No. xv. E 4, in the Royal Collection in the British Museum, being the 'Chronicles of England,' written by command of Edward IV. and dedicated to the noble King "Edouard V^e de ce nom;" and another manuscript in the same collection, marked No. xv. E 2, and dated 1482, afford us the latest authorities previous to the accession of Richard. In the former, the clog or patten spoken of by writers of the fifteenth century is visible, with the rolling furs, collars, and hanging sleeves described by the Monk of Croyland.

The female costume of the reign of Henry VI. is marked by the prevalence of the horned and the heart-shaped head-dresses, with the short waists and the long trains to the gowns; the surcoat and other outer garments having, except upon state occasions, disappeared almost entirely. In April, 1429, we are told, a cordelier came to Paris, and

* That is, of cloth of Rennes, in Brittany. The stomacher was a common article of male apparel at the close of the fifteenth century, and laced across like the better-known stomachers of our great-grandmothers.

† The sumptuary law of the 3rd of Edward IV. expressly forbids the stuffing of the doublet with wool, cotton, or Cadiz (Qy. Cadix or Spanish wool?) to any yeoman or person under that degree.



FEMALE COSTUME IN THE TIME OF HENRY VI.
Halicar M.S. 2273.

preached in the church of St. Genevieve, nine days successively, from five in the morning to ten or eleven o'clock, from a high scaffold, to five or six thousand auditors. In the middle of his sermon above one hundred fires were seen lighted, into which the men threw their gaming-tables, cards, and whatever else he blamed, and the women their head-dresses, horns, tails, and ornaments of pomp. Whether the London fashions changed with the Parisian, we cannot exactly affirm; but nearly forty years later we find, from Monstrelet, that the ladies of France were still rejoicing in the length of their trains, which they only shortened at the command of fashion in 1467, substituting broad borders of fur or velvet, corresponding with the turn-over collars and cuffs of their gowns, which were about the same period open in front to the girdle, and laced over a stomacher, the waist being still worn very short, and confined by a broad band of velvet and a sumptuous buckle. Nearly at



FEMALE COSTUME IN THE TIME OF EDWARD IV.
Cotton MS. Nero, D 9, and Royal MSS. 15 E 2 and 15 E 4.

the same time in France and England arose the steeple head-dress, which, like its predecessors, was preached, written, and painted* against in vain. A variety of it still exists in Normandy, under the title of the *cauchoise*, or head-dress of the 'Pays de Caux,' and is well known to modern tourists. Some time previous to the close of the reign of Edward IV., however, this high cap disappeared, and the heads of the ladies were covered either with a sort of velvet cowl turned back upon the forehead and hanging in plaits behind upon the neck, or with a caul of gold net, as in Henry IV.'s time, with this exception, that it was now ornamented with two wings of gauze or some other most transparent material, projecting like those of a butterfly, and represented in the illuminations or on monumental brasses in so imperfect a manner as to deprive us of all guess at the way in which they were attached to the caul aforesaid. Some-

generally with oreillets or ear-pieces), to the list of defences for the head. The breast-plate is frequently composed of two pieces, the lower one, called the *placard*, rising to a point in the centre and fastened over the other with a screw or ornamental buckle. Sometimes these two plates were covered with silk of different colours; sometimes only the upper plate, the *placard* being left uncovered, giving the appearance of the wearer being only half armed. The *jazerant* or *jazerine jacket* is also of this date, composed of small overlapping plates of iron covered with velvet, the gilt heads of the rivets or studs which secured the plates forming the exterior ornament. The *placard* was sometimes worn with this also. Plates called *tuilles*, depending from the taces or skirts of the armour over an apron of chain-mail, first appear in the reign of Henry VI. The *jupon*, with its



EFFIGY OF LADY PEYTON. Isleham Church, Cambridgeshire.

times a veil of the same light stuff appears twisted about it in an equally mysterious manner, and we have not as yet been able to meet with any illumination or description that can enlighten us on the subject.

The armour of the reigns of Henry VI. and Edward IV. is distinguished by the addition of the *salade* or *sallet*, and the *casquette* (a steel cap,

* In a MS. copy of Froissart, in the Harleian Collection, a pig is painted in the margin, attired in one of these monstrous head-dresses, walking upon stilts, and playing on a harp.

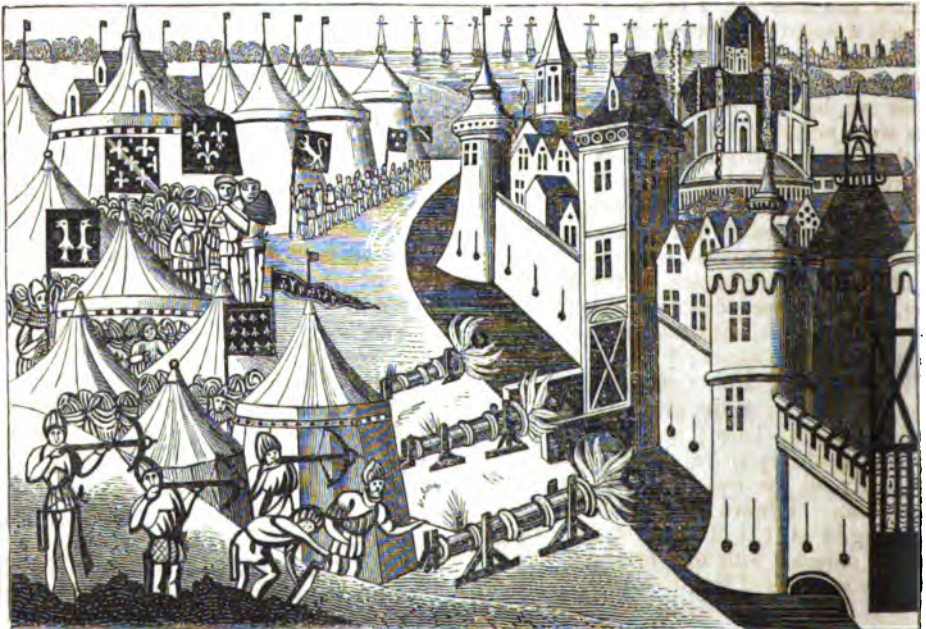


EFFIGY OF RICHARD BEAUCHAMP, EARL OF WARWICK. From his Monument in the Lady's Chapel, St. Mary's Church, Warwick.

military belt, is still occasionally met with, but suits of complete steel, elaborately ornamented, are generally represented upon the monumental effigies of this period, and the loose tabard of arms completely superseded the *jupon* toward the close of the reign of Edward IV. The spurs were screwed into the heels of the *sollerets* instead of being fastened by straps; the necks were exceedingly long, and the spikes of the *rowels* of proportionate magnitude. The reign of Richard III. presents



BREACHING TOWER. Archers behind their Pavisors; Cannon, Crossbow-men, &c.—Grose's Military Antiquities.



SIZES OF A TOWN. Harleian MS. 4879.

us with some magnificent specimens of armour.



EFFIGY OF SIR THOMAS PEYTON. Isleham Church, Cambridgeshire.

The pauldrons or shoulder-plates are very large, the elbow and knee-pieces of fan-like form, and elaborately wrought; the breast-plate globular, and the *salade* surrounded by a wreath of the wearer's colours, with a single feather at the side. To the weapons we have enumerated in our previous notices were added, during the latter half of the fifteenth century,—1, the *langue-de-bœuf*, a species of glaive, so called from its shape. The earliest mention we have met with of this weapon is in the petition of the widow of Tresham, an ex-speaker of the House of Commons, who was slain by a party of the Lord Grey's men, on the 21st of September, 1450, who are described therein as being armed with "jakkes, sallettes, long swords, *long-de-beafs*, and bore-spears;"* 2, the *voulge*, another variety of the glaive or *guisarme*; 3, the halbert as still known; 4, the *genetaire*, or *janetaire*, a kind of Spanish lance; and, 5, a rude engine, which was gradually to be improved till it superseded nearly all the rest,—viz., the hand-gun or hand-cannon. Edward IV., on his landing at Ravensburg in 1471, had amongst his troops 300 Flemings provided with this fire-arm, which, in the manuscript quoted by Grose, is spelt "*hange-gun*." If this be not a mistake for hand-gun, the weapon may have been so called from a hasp of

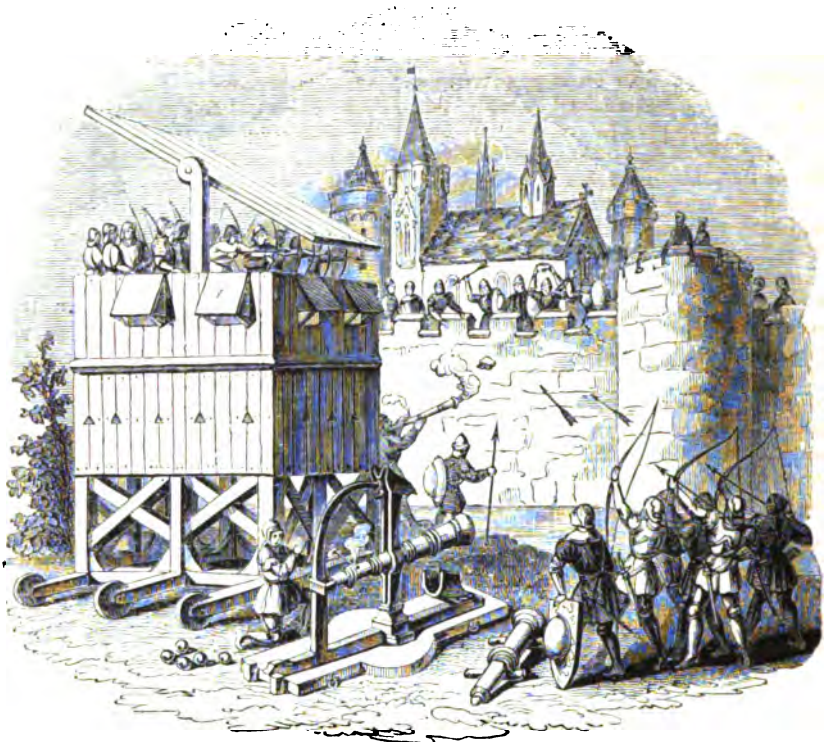
* *Parl. Rolls.*

iron generally affixed to it by which it was hung at the girdle. The *hacquebut*, *hagbut*, or *hagbusshe*, for it is spelt in all manner of ways, is first mentioned in the reign of Richard III.* It was an improvement on the hand-gun, and probably received its name from the shape of its wooden stock. The capricious spelling, however, throws additional difficulty in the way of our researches, and until further light be thrown upon the subject we cannot decide whether the term alludes to the *but* of the stock or the *bouche* of the tube.

One important department in the art of war which appears to have been cultivated in this age with great success, especially by the English, and in which, therefore, we may presume that considerable improvements were made upon the methods formerly in use, although we are not enabled to give any detailed specification of what they consisted in, was the attack of fortified places. Henry V. succeeded in taking every one of the French towns which he attacked. With regard to his mode of proceeding, we learn from the accounts of the contemporary chroniclers that it embraced the drawing of lines of contravallation and circumvallation,—the erection of tents for the encampment of the army when the siege was protracted,—the making of approaches by entrenchments,—and even the operation of mining,—as well as the direct assault of the walls by battering-rams, artillery, and machines for the projection of darts and stones. Some drawings of the period, copies of which we subjoin, furnish nearly all the information on the subject we possess in addition to these general statements of the historians. Gunpowder, musketry, and cannons, it will be perceived from these representations, had by no means as yet superseded the more ancient engines. The battering-ram, machines for throwing stones, towers moving on wheels and filled with archers, and in other cases, archers on foot, and armed either with the common bow or the cross-bow, were still the forces usually employed. Instruments and contrivances of a corresponding description were of course used in the defence. In some of the drawings, however, the "red artillery" is shown in association with the archers and the moving towers.

From various causes the spirit of chivalry, which had reached the height of its influence in the reign of Edward III., continued rapidly to decline throughout the present period. The few combats that now occurred were most commonly judicial encounters, intended to decide the truth of charges of treason, or other criminal accusations;

* Vide *An Order to the Constable of the Tower*, in Harleian MS. 423. Phillipe de Comines mentions the *Arguebus* as used at the battle of Morat, fought June 22, 1476; and Fauchet, who wrote in the following century, says that the term was derived from the Italian *Arco-bouza*,—corrupted from *bocca*, and signifying a bow with a mouth. Grimston, however, in his '*Historie of the Netherlands*,' speaks of "*Harquebuses*, an engyn which footmen used in warre, devised at first by the *Almains*," and, if so, the German for *Harquebus* is *Hakenbüchse*, compounded of two words, signifying a hook and a gun, or any other cylindrical vessel, and thus we get back to the *Hagbush* or *hacquebut*, which was probably the same weapon.



MOVEABLE TOWER OF ARCHERS, CANNON, &c. Royal MS. 14 E 4.



STORMING A TOWN. Harleian MS 4379.

the tournaments, which were still occasionally held, generally commenced with the idle splintering of a few headless lances, and ended in a regular number of strokes dealt with blunted swords or axes; and as for the minstrels and heralds, formerly such important persons in the warlike solemnities of the brave and noble, we now find them, so far as the chivalrous part of their function was concerned, abandoned to the same fate with the neglected furniture of the tilt-yard. All this was the inevitable result of the growing changes of society. Gunpowder had now checked the fearless career of bold knights, and made them feel the insecurity of their heavy panoply. Other improvements were also introduced into the art of war which had the effect of preventing battles from being so frequently decided by the headlong charge of a few chosen lances; and a knight, although he might be as stout as Sir Bevis himself, now stood a good chance of having his utmost exertions of strength and valour rendered useless by a skilful manœuvre. The civil wars, again, between the Houses of York and Lancaster, were of too gloomy a character to admit of the intermixture of a game of swords and spear-staves; while, in the indiscriminate massacres of the high-born that generally accompanied every victory, those who might have upheld and perpetuated the spirit of ancient knight-hood were ruthlessly swept away. Something, also, is no doubt to be attributed to the growth of new tastes and intellectual habits in the popular mind. We can hardly say that the close of the fifteenth century, notwithstanding its distinction as that of the introduction of the art of printing, was in England a more literary or refined age than the close of the fourteenth, which was adorned by Froissart and Chaucer; but it is probable, nevertheless, that the great body of the people had become more reflecting in the time of the fourth than they were in that of the third Edward. The spirit of religious inquiry that had been awakened must have tended to produce this result; and the greater diffusion of books by the invention of printing, which soon followed, would of course act in the same direction, and powerfully assist in thus, as it were, advancing the national mind from childhood to adolescence. Like the other temporary forms which society has successively assumed, chivalry had fulfilled its purposes in the grand process of civilization, and was now to pass away with the occasion that had called for it, and the peculiar condition of things by which it was maintained.

Although Henry IV. and his gallant sons were as brave knights as ever rode a career, yet they had too many serious affairs on hand to bestow much of their attention upon chivalrous pageants. Edward IV. was equally busy in the beginning of his reign; and although he endeavoured, when the wars through which he fought his way to the throne were ended, to recal the tilts and tourneys of former times, yet his influence and example appear to have had little effect. The particulars

of one distinguished combat that has been already mentioned as having taken place in this reign—that in which the Bastard of Burgundy encountered Anthony Woodville, Lord Scales (better known as Earl Rivers), at Smithfield, in 1467,*—show how much the disinterested love of blows had abated. When the combatants at last met, after a twelve-month spent in settling forms and preliminaries, they ran at each other with sharpened spears; but the first day ended without any advantage being gained by either. On the second day, as they engaged hand to hand, the steel spike on the chafron of Lord Scales's horse entered the nostrils of the opposite steed, which, being maddened with the pain, reared and plunged, until it fell with its rider. The Bastard protested against this accidental fall being reckoned for a defeat, and craved a third day's trial. The next day, accordingly, the combatants entered the lists on foot, armed with pole-axes; when, after long skirmishing, the Lord Scales at last managed to thrust the point of his weapon into the sight-hole of his adversary's helmet, and, following his advantage, drew his weapon so powerfully that the Bastard was pulled down upon his knees. At this moment of danger the encounter was stopped by the command of the king, and the combatants separated. The Burgundian was still desirous to renew the battle, and made suit to that effect; but he did not persist when he found that in that case he must, by the law of arms, be replaced in his former position, with the point of his adversary's pole-axe thrust once more into the crevice of his vizor.† Thus a combat that had excited such high expectation, and which assembled a throng of the noblest of England, Scotland, and the continent, seems, as far as we can learn, to have terminated without wound or bloodshed, unless we except the laceration of the nostrils of the foreigner's war-horse.

In the reign of Edward IV. a code of laws or regulations was drawn up, probably from former usages, for the regulation of the tournament, by the famous John Tiptoft, Earl of Worcester and Constable of England, some of which are curious and worth noticing. He who broke the greatest number of spears in a proper manner was to have the prize; he who struck three times in the sight of the helmet was to have the prize; he who twice met his adversary, coronal to coronal, was to have the prize; he who bore down an antagonist with the stroke of a spear was to have the prize. These several advantages, however, were not of equal distinction. Thus, to bear a knight from the saddle, or to throw horse and man to the ground, was preferred to the feat of meeting twice coronal to coronal; this kind of meeting was of higher honour than striking thrice in the sight of the helmet; and to strike thrice in this fashion was rated before the shivering of the greatest number of spears. The prize was forfeited by striking a horse in combat,—by striking the back of a man when turned or disarmed of his spear,—or

* See ante, p. 103.

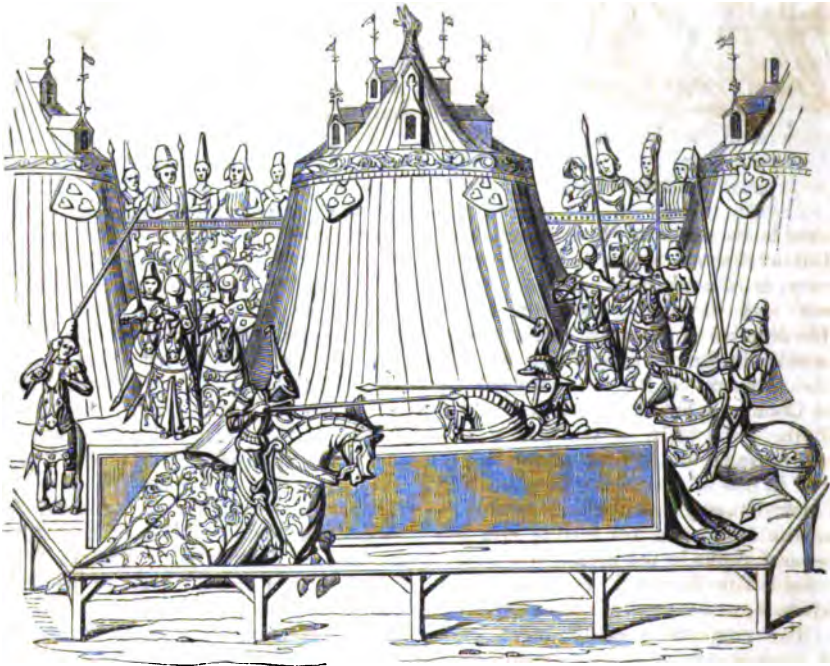
† Stow.

by hitting the toyle or tilt three times. These last were blundering or unfair strokes, that were to be avoided by every true follower of chivalry. A knight, also, who unhelmed himself twice in battle, unless his horse failed him, was adjudged to lose the prize.* In the greater regard that was now paid to personal safety, we find that a practice was introduced in the joust of separating the encountering knights by double barriers consisting of palisades, or rather boarded partitions, about four or five feet in height, open at both ends, and extending nearly the whole length of the lists; in this way the terrible shock of the war-steeds was avoided, and a combatant could only be unhorsed by the fair stroke of a lance. One of the last passages of arms of which we read in this period was that which it was proposed should take place at the marriage, in January, 1478, of the boy

* Harl. MS. 41776.

Richard Duke of York, son of Edward IV., with the daughter and heiress of the Duke of Norfolk: on this occasion, in a cartel more like the announcement of a dance than a deed of arms, six knights challenged all comers to the "joust royal, with helm and shield in manner accustomed," and undertook "to run in oting harness along a tilt," and "to strike certain strokes with swords and guise of tourney."** The following cuts, copied from manuscripts of the period, and representing the combatants careering against each other, in the manner that has just been described, on opposite sides of a barrier,—and the sort of conflict which took place when, as sometimes happened, considerable numbers of persons were engaged on each side,—will convey a better idea of the tournaments of the fifteenth century than could be done by any verbal description.

** Harl. MS. quoted by Strutt.



TOURNAMENT. Harleian MS. 4379.

While chivalry was thus sinking into idle parade, and a mere display of horsemanship, it cannot be thought that its degeneracy would be beheld without many an expression of regret. There was something so glorious in its theory, and its displays so greatly transcended whatever the same warlike spirit had produced in the ancient world, in grandeur, in excitement, and even in moral elevation, that many read in its decay the departure of all national virtue. Printing itself, therefore,—the very power destined to aid, perhaps more effectually than any other, in the extinction of romantic heroism,—endeavoured at first to revive the spirit of ancient knighthood; and the earliest

and fondest efforts of the press were dedicated to the publication of many goodly romances that had accumulated in manuscript from the darkest ages. But in spite of the example of all the worthies, Jewish, Christian, and Pagan, whose deeds were thus trumpeted so much more loudly than they had ever before been, the onward current of human affairs could not be arrested or thrown back. Even those who perused the weighty black-letter tomes found it enough to spell out the long and devious career of a knight-errant without donning their harness to follow his footsteps; and it was soon discovered to be more pleasant to read, in luxurious ease, of desperate adventures and death-doing blows



TOURNAMENT. The Meleé. Thirty on each side.—Harleian MS. 4379.

than to traverse lands and seas in quest of them. Our honest Caxton bewails with amusing pathos this foul degeneracy, as he is pleased to consider it, and vexes himself with devising expedients for its removal. He declares that, among the knights of that age, scarcely one knew his horse, or his horse him; and he wishes that the King of England would again cry a tournament twice or thrice a year, and allure, as of yore, all brave knights to the lists, by bestowing splendid rewards upon the conquerors.*

We may here notice the manner in which the duel, or wager of battle, was conducted, when the parties were not knights or noblemen, and as such entitled to fight with lances or swords, but plebeians, to whom these weapons of chivalry were interdictioned. The combatants in this case were armed with quarter-staves, to the extremities of which sand-bags were fastened. The readers of Shakspeare will remember the combat of Horner the armourer and his man Peter, in the second Part of Henry VI.† This was a real event, which is thus recorded by Grafton. "This year (1524) an armourer's servant of London appealed his master of treason, which offered to be tried by battle. At the day assigned, the friends of the master brought him malmesey and aquavitate to comfort him withal, but it was the cause of his and their discomfort; for he poured in so much, that when he came into the place in Smithfield, where he should fight, both his wit and strength failed him; and so he, being a tall and hardy per-

sonage, overladed with hot drinks, was vanquished of his servant, being but a coward and wretch, whose body was drawn to Tyburn, and there hanged and beheaded." The old historians are generally agreed in holding this unfortunate man to have been innocent. In a combat of this nature, the accused, if he survived his defeat, was subjected to the usual execution of a traitor; and even if he died in the lists, the full sentence was executed upon his corpse. Notwithstanding the humble rank of the armourer and his apprentice, their duel took place under the appointment of the privy seal, and was superintended by the Duke of Norfolk, marshal of England. The expense of the preparations made at Smithfield for the occasion amounted to 10*l.* 18*s.* 9*d.*—a considerable sum at that time.*

The arrays of followers by which the nobles were accompanied still continued to be as numerous and unwieldy as before. Unfortunately the civil wars made it the interest of each noble to strengthen the side he espoused, as well as to endeavour to secure his own personal safety, by the maintenance of as great a crowd of retainers as he could afford. Every man, therefore, for whom subsistence could be found, was mustered around a broad banner, or even a paltry penoncelle, while the chief whose bounty was such as to satisfy his adherents was sure to be followed by them without question, let him stand by his party or change it as he pleased. It was this hold on armies of retainers, as we have seen, in which lay much of the power of the cele-

* Ames's Typographical Antiquities.
† Act II. scene 6.

* Nichols's Illustrations of the Manners and Expenses of Ancient Times.

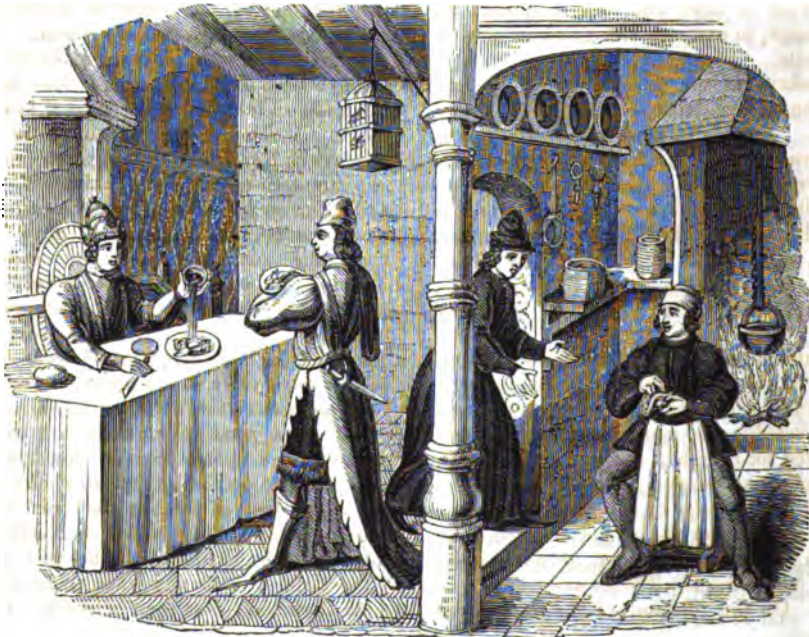
brated Warwick, "the king-maker." It was calculated that thirty thousand men were daily maintained at his different manors and castles; and we are told that, while he staid in London, six oxen were usually consumed by his attendants at breakfast, while every tavern was full of his meat.* When we pass from these public trains of the nobility to their domestic establishments, we find that the castles were palaces upon no diminutive scale. The noblemen, especially those of the highest class, had their privy-counsellors, treasurers, marshals, constables, stewards, secretaries, heralds, pursuivants, pages, guards, trumpeters,—in short, all the various officers that were to be found in the court of the sovereign. To these were added whole bands of minstrels, mimics, jugglers, tumblers, rope-dancers, and buffoons. And last of all, to throw the grandeur and solemnity of religion over the princely establishment, a chapel was erected within each castle, in which large companies of priests and choristers were maintained, to perform divine service in all the magnificence of cathedral worship.

The two meals a-day, introduced into England at the Norman Couquest, and, ostensibly at least, maintained for so long a period among the aristocracy, had now in general been increased to four. These were breakfast, which was taken at seven o'clock in the morning,—dinner at ten,—supper at four in the afternoon,—and liveries, which consisted of a collation taken in bed, between eight and nine in the evening. The breakfast, although taken so early in the morning, was a meal of the most substantial description; but we must remem-

* Stow.

ber that those who partook of it had generally been actively employed for three hours previous. Thus, from the 'Northumberland Family Book,' which, although a document not strictly belonging to the present period, may be safely held in this instance to describe a custom of some standing, we find that the breakfast for an earl and his countess, during four days of a week in Lent, was, "first a loaf of bread in trenchers, two manchetts (that is, small loaves of the finest flour, weighing six ounces apiece), a quart of beer, a quart of wine, two pieces of salt fish, six baconed herrings, four white herrings or a dish of sproits,"—forming, certainly, a liberal commencement of a day of mortification in Lent. On flesh-days the fish at breakfast was commuted for half a chine of mutton or a chine of beef boiled. The liveries, although taken in bed, were of the same abundant and substantial character. The Earl Percy and his countess, at this meal, had two manchetts, a loaf of household bread, a gallon of beer, and a quart of wine,—the latter beverage being warmed and spiced.

While the breakfasts, suppers, and liveries of the higher ranks were probably secluded meals, the dinner was a public and important event, and was held with due solemnity. But, here, we find the plenty and magnificence of the period mixed with its characteristic rudeness and discomfort. The huge oaken table still filled the central length of the castle hall; and at the hour of ten in the forenoon it groaned beneath shapeless masses of fresh and salted beef, followed by a succession of courses of fowl and fish, and curiously compounded dishes. The lord of the feast assumed his place on the *dais*



DINING ROOM AND KITCHEN. Harleian MS. 4375.

(or raised part of the floor), at the head of the board ; the friends and retainers, or holders in fee, were ranged above or below the salt, according to their respective ranks ; and, as the luxury of a fork was still unknown in England, the morsels were conveyed to the mouth with the fingers, while wine, beer, and ale, in goblets of wood or pewter, were handed round by numerous attendants. We may fill up this scanty outline by imagining the hawks of the master and guests standing on perches above their heads, and their hounds lying about on the pavement below. As the dinner generally lasted three hours, occasional pauses must have occurred, and to fill up these the minstrels harped and piped, the jesters joked, the tumblers capered, and the jugglers juggled ; or, if a better taste prevailed, some lay of the wars of Palestine, or poetical romance of knight-errantry, resounded over the mingled din, and feasted the mind with something of an intellectual gratification. When we ascend from these every-day exhibitions in the mode of living among the aristocracy to the banquets of the palace, and especially those which were commemorative of important events, we shall find that they were of a similar description, with a greater degree of splendour and bustle. Coarse abundance, whimsical variety, and stately parade still endeavoured to compensate for real discomfort. In these state-banquets, however, we perceive some indications of a commencing taste for intermixing and relieving the mere sensuality of the feast with some amusement for the fancy. At the end of each course was sometimes introduced a dish called a *subtlety*, consisting of curious figures made of jellies and confectionary, to represent men, animals, or allegorical characters, illustrative of the event commemorated, with a label couched in quaint or riddling language, to exercise the thinking faculties of the guests.

Of the cookery of the period we can gather little from the contemporary writers beyond its general detail. From the descriptions, however, given by Fabyan of two coronation-feasts, as well as from incidental notices in other writers, we may conclude that it was still sufficiently coarse, although complex and costly. Almonds, almond-milk, sugar, honey, and spices were plentifully used ; and gold-leaf, powder of gold, and bright colours, were in great request for the adornment of dainty dishes.*

While luxurious living, or at least what was considered as such, was thus highly appreciated among princes and nobles, the priesthood were by no means wanting in devotedness to good cheer ; the monasteries were noted for excellent dinners, and the cook was a most important personage in the conventual establishment. The secular clergy also pressed even religion itself into the service of gormandising, by the institution of what were called glutton-masses in honour of the Virgin. These were held five times a-year. On the morning of the festival the

villagers repaired to the church laden with provisions and liquor. When mass had been hurried over the viands were produced, and priests and laymen addressed themselves to the feast, so that the church was suddenly converted into a tavern, and the scene too frequently terminated in intemperance and riot. Village contended with village in the superabundance contributed to a glutton-mass, and congregation vied with congregation in their capacity of eating and drinking in honour of the Mother of our Lord.*

But of all the festive exhibitions of this voracious period, the installation-feast of George Neville, the brother of the "king-maker," when he was inducted into the archbishopric of York, is especially deserving of commemoration. A hundred and four oxen and six wild bulls, a thousand sheep, three hundred and four calves, as many swine, two thousand pigs, five hundred stags, bucks, and roes, and two hundred and four kids, formed the solid basis of the entertainment. Of fowls, large and small, rare and common, wild and tame, there were twenty-two thousand five hundred and twelve. These were aided by mountains of fish, pasties, tarts, custards, and jellies ; and three hundred quarters of wheat formed the vegetable portion of the banquet. The quantity of liquids corresponded to that of the solids, consisting of three hundred tuns of ale, a hundred tuns of wine, and a pipe of hippocras. Although many of the articles were sufficiently rich and luxurious, and must have been procured from far and near with immense labour and cost, yet even at this more than regal banquet there seems to have been not a little grossness and foul feeding, seeing that among the dishes were twelve porpoises and seals.

In the diet of the common people we as yet discover little or no improvement. They still found the staple of subsistence in joints of meat,—brown, coarse bread, in proportions considerably inadequate to the quantity of animal food,—and ale or beer. Towards the conclusion of this period the legal writer Fortescue, in describing the flourishing abundance in which the commons of England lived, mentions, among other circumstances of plenty, that they never vouchsafed to drink water except for penance.† But this statement, we fear, must be taken as in the main little better than a rhetorical or patriotic exaggeration. We know that, during the civil wars, tillage was neglected in England, and famines were common ; so that while the price of grain was beyond the means of the poorer classes, many endeavoured to subsist on the dried roots of herbs, which they tried to convert into a coarse kind of bread, while multitudes died from famine or unwholesome food.‡ Æneas Sylvius, so late as the year 1437, while stopping at a populous village in Northumberland, astonished the inhabitants, as he tells us himself, by the sight of wine and wheaten bread,—articles which they had never seen before. § The laws of

* Coryat's Crudities.—Northumberland Family Book.—Strutt's Horda Angel-cynnan.—Fabyan, &c.

• Hist. Croyland.—Wilkins, Concilia.

† De laudibus Reg. Angl.

‡ Hist. Croyland.

§ Opera Pli Secund.



INVITING TO THE REPAST. Royal MS. 14 E 3.



SAYING GRACE. Royal MS. 14 E 3.



SERVANT, TO PREVENT TREASON, TASTING THE WINE BEFORE SERVING IT AT TABLE. Royal S. 14 E 3.

modern fashion, in regard to the hours of meals, appear in those days to have been completely reversed; for while the nobility, as has been already mentioned, breakfasted at seven, dined at ten, and supped at four, the common people breakfasted at eight, dined at twelve, and supped at six in the evening.

The sports of the nobility and gentry exhibited little alteration during the present period. Besides the military exercises formerly described, young men of rank amused themselves with running, wrestling, pitching the bar, and throwing spears; but a feeling seems to have been beginning to gain ground that these latter practices were better fitted for people of inferior grade. Hawking was still a favourite out-of-door pastime, and was pursued both on horseback and on foot. Hunting, also, was still eagerly followed, not only by nobles and priests, but also by those of the other sex, several of whom, in the drawings of the period, are represented in a hunting costume, and handling bows which, in size and weight, might apparently have rivalled those of the stoutest foresters. From a book of instructions on hunting, composed during the reign of Henry IV. for the use of his son, we find that a change was introduced in the sport, called hunting in enclosures, by which the chief labour of the chase was avoided, at the expense, perhaps, of the greater part of the enjoyment. Temporary sheds were erected, comfortably covered with green boughs, for the accommodation of the noble hunters; and, when they had taken their stand, the beasts of game were driven from the parks or forests in which they were enclosed, so as to be obliged to pass these booths, and thus they

were marked out and slaughtered by the arrows of the company at pleasure. This kind of hunting, we find, was often practised by the king, the nobles, and dignified clergy; and lands were sometimes held by the tenure of driving the deer from their enclosures to the stands of the hunters.

The ridiculous amusement of mumming, which has been described in a former chapter, still continued to be relished at court, and the gravest and highest personages did not disdain to take a part in its puerile fooleries. Thus we find that, in the second year of the reign of Henry IV., while he kept Christmas at Eltham, twelve aldermen of London and their sons rode in a mumming for the amusement of the king, for which "they had great thanks."* Under the classical name of *Ludi* these masqueradings were frequently performed at court; and in the inventories of the time we find entries for suits of buckram and vizors, to represent men, women, birds, beasts, and angels, according to the capricious fancies of the wearers. These practices formed a usual portion of the national festivities at Christmas.

With these mummings the splendid pageantries with which the English kings were occasionally received into London may perhaps be fitly classed, as they were nothing but great national mummeries, on a correspondent scale of grandeur and extravagance. When Henry V., on his return from France after the victory of Azincourt, was about to enter the metropolis, he was met by twenty thousand London citizens, who had rode out to Blackheath to welcome him. When he arrived at London Bridge, and had ad-

* Strutt's Horda.



COURT MUMMERS. Harleian MS. 4379.

vanced to the drawbridge, he found two turrets that had been erected for the occasion, in front of which was posted that great essential of an English pageant—a huge giant—who welcomed the monarch to London in good set verse. On one of the turrets stood a lion and an antelope, and on the other a troop of angels, who sang, “Blessed is he that cometh in the name of the Lord.” Henry then rode forward to the city amidst the acclamations of the multitudes, while the streets were canopied with rich cloths, and the windows of the houses draped with silk or tapestry; and when he arrived at Cornhill, a tower stood there filled with patriarchs, who chanted, “Sing unto the Lord a new song; praise his name in the holy church;” and after this, they threw down live birds, that flew thick about the king. When he came to Cheapside, the conduits ran wine; and on the great conduit stood the twelve apostles, who sang, “Have mercy on my soul, O, Lord!” and as many kings, who upon their knees presented oblations to the hero and welcomed him home. The cross in Cheapside was also furnished like a castle with towers full of banners, and a host of angels, singing “Noble! noble!” and presenting basons (perhaps bezants*) of gold to the monarch. He proceeded to St. Paul’s, where he was met by fourteen bishops in full canonicals, with mitres on their heads and censers in their hands; and when he had reached the high altar, amidst the thunder of bells and welcomes, a joyful *Te Deum* was performed; after which the king retired to his palace at Westminster.

Similar to this pageant in richness and variety, but still more absurd and profane, was the welcome of the boy-king, Henry VI., into London, when he returned from his French coronation at Paris. When the young monarch reached London Bridge, a tremendous giant who kept ward at this entrance, in thundering stanzas, denounced death and perdition to all the enemies of the king. The drawbridge at which Henry arrived when he had passed the first gate was adorned with a tower hung with silk and cloth of arras; and three ladies richly clad in gold and silk, and with coronets on their heads, stepped from the tower. The first of these, who personated Dame Grace, endowed the royal boy with science and cunning; the second, Dame Nature, gave him strength and beauty; and Dame Fortune, the third, presented him with prosperity and wealth. Immediately after this solemn foolery, fourteen ladies richly and fancifully appareled issued from the tower, the first seven of whom gave him seven gifts of the Holy Ghost, and the other seven as many gifts of grace. All these important donations could not be tendered without abundance of rhyming and singing. Henry now got as far as Cornhill, where stood Dame Sapience surrounded by the seven Sciences, all of whom gave him abundance of excellent advice;

* The word used in the old narrative of Fabyan is *bezants*, which Strutt supposes to mean basons. But a present of current coin, whether English or foreign, was more in accordance with established custom.

and at the conduit of Cornhill he was confronted by the pageant of Lady Mercy, Lady Truth, and Dame Cleanness, who had all their poetical admonitions to rehearse on the occasion. The poor youth now rode forward at a brisker pace; but at the conduit of Cheapside he was obliged to draw bridle, the artists having exhausted the highest resources of their art upon this favoured spot. Here were the well of Mercy, the well of Grace, and the well of Pity, where ladies ministered from the flowing fountains to all who wished to drink; and probably the applicants for their services were not few, as the water was turned into excellent wine. Not only great labour, but considerable ingenuity, must have been expended here; all round and behind the wells was a representation of the garden of Paradise, filled with every kind of fruit-trees, which were so naturally represented, that, according to the narrator of these wonders, “to many they appeared natural trees growing.” Here the king was greeted and addressed by Enoch and Elias. The succeeding part of the exhibition was of too profane and revolting a character to be contemplated in the present day with any degree of toleration; and yet it would appear, from the usually theological character of these civic welcomes, that the clergy were their principal contrivers.*

These curious melodramas may serve, in some measure, to indicate the state of taste in England at this period for theatrical exhibitions. The country which had produced Chaucer and James I. could offer, as yet, nothing better in the form of dramatic writing than the wretched miracles and mysteries which had hitherto amused all classes. The secular plays were still little better than the extemporaneous sallies of itinerant buffoons, who acted or rehearsed their stories wherever they could find listeners and pence—in the court-yards of inns, at the corners of streets, or in the kitchens of hostleries, and sometimes in places still more obscure, when, as often happened, they were under the ban of the law, and obliged to pursue their vocation by stealth. The mystery seems to have been the species of drama most in use at the present period, being recommended and generally composed by the clergy, and embodying some portion of sacred writ; and from these plays it frequently happened, in the absence of better instruction, that the laity derived their chief knowledge of religious doctrine and duty. Some of these mysteries, in fact, might be called entire systems of divinity, or biblical history, beginning at the creation of man, and ending with the general judgment. One of this character, which was acted at Skinner’s Well, in London, in the year 1409, and which was attended by most of the nobility and gentry, occupied eight days in its exhibition.†

The manner in which these plays were acted, as well as the materials of which they were composed, gave offence to many even in this unscrupulous

* Fabyan.

† Strutt’s *orda*.

age; and the mystery was sometimes boldly condemned as a source of popular licentiousness and infidelity. The effect could scarcely be otherwise when we consider the nature of the exhibition. The stage consisted of three several platforms, on the highest of which was placed a profane representation of the Creator, surrounded by the holy angels; the second was occupied by saints and glorified men; and the lowest by those who acted the parts of mortals in the present state of existence. On one side of this lowest platform was a huge, dark cavern, that represented the mouth of hell, resounding with yells and shrieks, and sending forth fire and smoke. Here, however, lay the favourite and comic part of the entertainment, as troops of merry devils continually issued from this grim opening, who kept the audience in a roar of laughter by their jests and buffoonery, or even by the severity with which they treated those unfortunate sinners who fell into their hands. In St. Paul's church, where mysteries were frequently acted, the third person of the Trinity was represented by a white pigeon let down through a hole made for the purpose in the roof; after which a censer descended, smoking with rich perfume, and which was swung to and fro over the spacious choir. Happily a better taste, in process of time, removed these profanities; the upper scaffolding and the representations of the Deity disappeared; and at length the mystery was superseded by the more sober and instructive exhibition of moralities, which, in turn, gave way to the regular English Drama.*

While such were the theatrical exhibitions that regaled the nobles and citizens of the metropolis, the inhabitants of the towns and villages were furnished with similar amusements upon a smaller scale, sanctioned by the clergy and the magistrates. These exhibitions formed a sort of annual festival;

* Strutt's Horda.

and a specimen of their character is furnished by a play that used to be acted every year at Witney, in Oxfordshire. The event represented was the resurrection of our Lord; and to illustrate the whole action in a more lively manner, the priests arrayed certain puppets, so as to represent the persons of Christ, the watchmen, the Virgin, and other characters mentioned in the Sacred Narrative. Among these, one was called the "waking watchman," who, on beholding Christ arise, began to make a clacking noise, like the sound caused by the striking of two sticks, on which account the puppet was generally nick-named Jack Snacker of Witney. Secular pageants were also very common in different towns, and in none more than the ancient city of Chester, where there was held one called "setting the watch," which was done on the eve of the festival of St. John the Baptist. This was a gay exhibition, composed of four giants, one unicorn, one dromedary, one luce,* one camel, one ass, one dragon, six hobby-horses, and sixteen naked boys. In an ordinance preserved among the Harleian MSS., dated 1564, in which this pageant is particularised as an ancient custom, we find that religious zeal had for a time suspended it; and the mayor, aldermen, and common council of Chester are commanded to provide yearly for setting the watch, on the eve of the Baptist's festival, according to former usage. It was necessary, therefore, to construct new figures for the pageant; and it appears that such quantities of pasteboard, cloth, and other materials were required for building up the giants to a proper size, that these alone cost five pounds a-head. Another of the items is still more curious: two shillings' worth of arsenic had to be mixed with the paste, to save the giants from being devoured by the rats.

* Or flower-de-luce. It is not known what animal was meant by this name.



DANCE OF FOOLS. MS. in the Bodleian Collection.

The subject of these ancient English spectacles is interesting, not only as illustrative of the manners and customs of the times, but in reference to its connexion with the improvements of a succeeding era. In the profusion of such glittering dross upon the surface we find the indications of that rich vein that lurked beneath, and the treasures of

which were finally to be wrought into the glorious and imperishable productions of the legitimate English drama.

This love of sight-seeing and fondness for the wonderful, which formed a distinguishing part of the national character, had only a trifling step to take in order to plunge into the regions of the

supernatural; and, accordingly, we find that in addictedness to superstitions of all kinds England was at this time not a whit behind the darkest nations of Europe. The fantastic ceremonial devotion of the times has been noticed in a former Chapter;* and the same spirit that thus perverted religion was equally active in other directions. The marvels of alchymy, sorcery, astrology, and necromancy, were firmly believed in by high and low. Prophecies, attributed to Merlin, or some other distinguished seer, floated on every wind, and were adapted to every event; and such was the importance attached to them that, in the interview between Edward IV. and Louis XI., at the bridge of Picquigny, the Bishop of Ely, in a set harangue, gravely quoted one of these predictions, as foreshowing this august meeting.†

A very humorous sketch of the appearance of London, and the manners of its inhabitants, during the latter portion of this period, is dashed off in a few strong lines in a ballad called the 'London Lickpenny,' by John Lydgate, setting forth the adventures of a poor countryman who came to the metropolis to seek legal redress for certain grievances. The street thieves in those days were much more daring than at present; for, as soon as he entered Westminster, his hood was snatched from his head in the midst of the crowd, and in broad daylight. In the streets of this suburban town he was encountered by Flemish merchants, strolling to and fro like modern pedlars, vending hats and spectacles, and shouting "What will you buy?" At Westminster-gate, at the hungry hour of mid-day, there were bread, ale, wine, ribs of beef, and tables fairly set for such as had wherewith to pay. Our pilgrim proceeded on his way by the Strand (at that time not so much a street as a public road connecting the two cities, though studded on each side with the palaces of the nobles), and, having entered London, he found it resounding with the cries of peascods, strawberries, cherries, and the more costly articles of pepper, saffron, and spices, all hawked indiscriminately about the streets. Having cleared his way through the press, and arrived at Cheapside, he found a crowd much larger than he had yet encountered congregated at this chief part of the city, and shopkeepers plying before their respective shops or booths (like those of Rag-fair or Monmouth-street at present), offering their rich commodities of velvet, silk, lawn, and Paris thread, and seizing him by the hand, that he might turn in and buy. At London-stone were the linen-drappers, equally clamorous and urgent; while the medley was heightened by itinerant venders crying hot sheep's feet, mackerel, and other such articles of food. Our Lickpenny now passed through Eastcheap (that street so rich to the lovers of Shakspeare in associations of sack and fat capons), and there he found indications of the fame that afterwards crowned it, in the shape of ribs of beef, pies, and pewter pots, aptly inter-

mingled with harping, piping, taboring, and the old street carols of Julian and Jenkin. At Cornhill, which at this time seems to have been a noted place for receivers of stolen goods, he saw his own hood exposed for sale. After refreshing himself with a pint of wine, for which he paid the taverner a penny, our pilgrim repaired to Billingsgate; there the watermen were in attendance assailing him with their cry of "Hoo! go we hence!" Their fare for pulling across the river amounted to the then considerable sum of twopence. Our bewildered wight, however, undaunted by this heavy charge, hastened over into Kent, delighted to make his escape from the din and confusion of the great metropolis, and resolving to have nothing further to do with London litigation.

To the sedentary sports which have been described in the preceding Book, and which still continued to prevail, we may now add that of card-playing; for, although there is abundant proof that this amusement was practised in Italy, Spain, and Germany, at least from the early part of the fourteenth century, we have no satisfactory evidence of its having been known in England till the present period. The cards used at first in this country were painted or illuminated by the hand, like missals; and as they were rich in gay colours and gilding, while the figures upon them were delineated with all the pictorial skill of the best artists, a pack must have cost a considerable sum,—a circumstance which would restrict the amusement to the noble and wealthy. The process of printing, however, had been applied to the production of cards even before it was thought of for the multiplication of books,—a curious fact, which connects the history of this trivial amusement with that of the most important of social improvements and the highest exertions of the human intellect. After it was discovered that cards could be economically manufactured by stamping the outlines of the figures with wooden blocks, and then filling them up with the usual colours by the hand, card-making became so important a craft that, in the reign of Edward IV., we find those who followed it had interest to obtain a law prohibiting the importation of cards from abroad. The figures upon the cards of this period differed considerably from those of the present day, and were certainly much more graceful. The oldest and most favourite games seem to have been Trump and Primero, the latter of which is supposed to have had considerable resemblance to our modern game of Whist. Perhaps there might even already be detected some indications of the natural effects of the augmented impulse thus given to the gambling spirit which had always been one of the national propensities, in instances of the dispersion of long-hoarded wealth, and the transference of broad hereditary acres, which appear to have now become of more frequent occurrence than formerly, even when not occasioned by the casualties of war and the alternating retaliations of contending factions.

When we turn our attention to the active sports

* See ante, chap. ii.

† Philip de Comines.

of the commonalty, we find that, in addition to those of running, leaping, and throwing heavy weights, bull-baiting, and cock-fighting, which are to be found among all semi-barbarous countries, wrestling, bowling, and games at ball may be particularly mentioned among the popular amusements of the English at this period. Skill in wrestling seems to have been one of the national distinctions; and the men of Cornwall and Devonshire

were especially famed as matchless wrestlers. The public competitions in this exercise were often attended by the persons of highest rank in the neighbourhood, and a ram (or sometimes a cock, as appears from an old drawing) was the reward of the conqueror. Bowling, also, has been reckoned a sport peculiarly English. In some of the early drawings the attitudes of the bowlers are given with remarkable spirit and effect. In these



BOWLING-BALL. From a MS. in the Douce Collection.

delineations, however, it may be observed that each player, instead of using three bowls, as in the modern game, is provided with one only. Among the ancient varieties of bowling may be mentioned the game called Closh, which was similar to that of Kayles, being played with pins that were thrown at, and struck down with a bowl, instead of a stick; and the game of Half-bowl, which was played with a hemisphere of wood. When this favourite sport had been completely naturalised in England, covered bowling-alleys were frequently attached to the houses of the wealthy, or to places of public resort in which people could enjoy the amusement independently of the changes of the weather. We find frequent complaints, however, that the habit of resorting to these places of social meeting was found to promote other kinds of

dissipation as well as the love of gambling and idleness. But the common order of moralists have been generally too much inclined to throw imputations of this sort upon the amusements of the people.

The games at ball were of various kinds. What has been called the balloon-ball, resembled the Roman Follis, or Italian Pallone. A large ball, made of leather, was filled with air; the player, having his hand and wrist loaded and braced with bandages, struck this elastic balloon with all his might, and the person who played against him returned it in like manner. In some of the illuminations representing this game, the ball is struck with the naked hand. Club-ball was similar to the bat-and-ball now commonly in use. The ball was of large size (probably filled with air),



CLUB-BALL. From a MS. in the Bodleian Collection, and Royal MS. 14 B. 4.

and struck with a straight, heavy stick, or club. Trap-ball, as appears from the illuminations, was also in use so early as the fourteenth century: the trap, however, was of a greater height than that

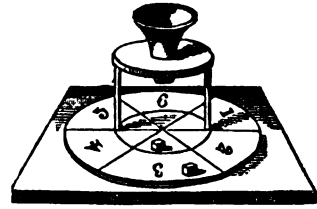


TRAP-BALL.

From a MS. in the Douce Collection.

of the modern game. In those days, a game at ball was a weighty occasion, in which party was engaged against party, and village matched with village; and frequently the mayor and aldermen vouchsafed to attend to do honour to the competition.

We had occasion, in the last Book, to notice the attempts of the legislature to promote the practice of archery among the people, both by making exercise with the bow imperative on a certain number of days in the year in every village, and by proscribing those other games and sports that were supposed to have most tendency to allure the yeomanry from the shooting-green. But although pains were taken to give to the legal sport as much as possible of the excitement of those that were prohibited, the plan does not appear to have proved very successful. The law for the encouragement of archery had been so little regarded that, in the reign of Edward IV., it was found necessary to renew it with additional circumstantiality. The games of quoits, kayles, clesh, half-bowl,



ANCIENT DICE-BOX.

In this dice-box, the dice, which were without numbers, were dropped into the box or funnel while the machine was turned round, and were counted according to the space below upon which they fell.

hand-in and hand-out, and quick board, were now condemned as unlawful; and the magistrates were commanded to seize the tables, dice, cards, bowls, clothes, tennis-balls, and other instruments with which these games were played, and destroy them. It was also enacted that every Englishman, and every Irishman dwelling in England, should have a long bow of his own height; and that butts should be erected in every township, at which the inhabitants were to shoot up and down on all feast-days, upon penalty of one halfpenny for every time the exercise was omitted. That no excuse, also, might be made for the lack of proper weapons on the score of poverty, the bowyers of London, as has been mentioned in a preceding Chapter, were commanded to sell the best bow-staves at three shillings and fourpence each. Still, however, in spite both of encouragements and penalties, the science of archery, towards the end of this period, was visibly on the decline. A preference had for some time come to be entertained for the cross-bow, or hand-gun, as it was sometimes called, even for the purposes of amusement and hunting, as a weapon more easily managed, and affording a more steady aim than the common long-bow. But the chief cause of this growing unpopularity of the old English weapon is to be found in the introduction



ARCHERS. From various MSS. of the fourteenth century.

of gunpowder, and the multiplication of different kinds of fire-arms. The superiority of the hagbut for war, and the birding-piece for amusement, was soon felt; and they gradually superseded the use of the bow, as they have superseded every kind of missile weapon in all the countries into which they have been introduced.

We shall still, however, have occasion to advert to the subject of archery in the next period; but before taking leave of it for the present, we may briefly observe that there were three kinds of marks used to be shot at for pastime and exercise, by which archers were carefully trained either for a near or a distant aim,—namely, butts, pricks, and rovers. The butt was a level mark in the form of a target or bull's-eye, which, as we have seen, was shot at up and down on either side; and this kind of mark required a strong arrow with a very broad feather. The prick, again, was called "a mark of compass," as it was of a settled distance, for which strong light arrows were necessary, with moderately-sized feathers. The rover was a mark of varying distance, and therefore required arrows differing in weight and feather according to the emergency.* Other marks of a more difficult nature appear to have been sometimes used, when the contention was keen or the shooters of distinguished skill; such as hazel wands, rose garlands, and the popinjay; which last was either a cock or an artificial parrot.

A manly and favourite sport among our ancestors for many centuries, and which even till lately was practised at our country fairs and holiday meetings, was that of quarter-staff,—a weapon which does not seem to have been naturalised in any other country. This truly formidable instrument was a heavy staff about five or six feet in length, which was firmly grasped in the middle by one hand, while the other traversed to either end of the weapon, according to the end that was to be suddenly brought down upon the head or shoulders of the antagonist. The advantage of such an instrument was, that it had a very large compass both in defence and annoyance: with a turn of the wrist it described a wide circle, and guarded the player on every side; and it required a very quick eye, as well as nimble foot, to watch the direction in which it was about to strike, and to escape the blow. These advantages of the quarter-staff were learnedly set forth in the seventeenth century by an English gentleman, who, with that weapon only, encountered and foiled, at Xeres, three Spanish cavaliers, armed with rapiers and daggers, in the presence of a large and noble assembly. This doughty hero, after such a wonderful display of his skill in fence, very naturally took up the pen to record his exploit, which he has done in a small pamphlet entitled 'Three to One.†' It is probable that this favourite exercise of the English gave them additional dexterity in the use of the brown bill, another weapon with which they were wont to do deadly execution.

* Ascham's *Toxophilus*.

† Strutt.

There is every likelihood that the game of tennis was introduced into England during this period, as we do not find any previous allusion to it in English authors, although it had been in high favour for a considerable period on the continent. The taunting present of tennis-balls, which the Dauphin of France sent to Henry V., and the answer it provoked, is the first English historical notice of this amusement.* At first the game in England was played in the open air; but as it soon became a favourite, especially with the nobility, covered tennis-courts were built as well as covered bowling-greens.

We have already quoted the passage from Fitz-Stephen's account of London, in which he describes the peculiar mode of skating practised in his day by the youth of the metropolis. They tied the shank-bones of sheep to their feet, and with the help of a long pole, shod with iron, glided upon the ice with great velocity, sometimes encountering each other, like knights in full career. While the sport was as yet so rude in England, and confined to mere boys, it was a more serious exercise in northern countries, where it was a matter of necessity to traverse frozen rivers and mountains covered with snow; and, accordingly, in one of the Runic songs, a chief enumerates among his qualifications, that he can run upon the snow on wooden skates. In the present period, in England, the sheep-bones had given place to regular skates, shod with iron, which were probably introduced from the Netherlands; and adults now enjoyed in full perfection this spirit-stirring exercise. Skating upon the Thames in winter was succeeded by the recreations of sailing and rowing in spring and summer. Boating, indeed, appears to have been always a favourite pastime with the citizens of London; and many of their military games, as we have already seen, were performed upon the water. During the fifteenth century, however, recreations upon the water received a fresh popularity from the lord-mayor's procession to Westminster being conducted on the river. This innovation was commenced by John Norman, the lord-mayor in 1453, to the great satisfaction of the watermen who plied above London-bridge; and from this period, also, pleasure-boats became very numerous upon the Thames.

Another class of the popular amusements of this age may be considered as a species of the mummings which have been described in a preceding page. In the merriment of the Christmas holidays it was common for people to go from house to house with their faces blackened with soot and bedaubed with paint, so that they could not be recognised; and, thus disfigured, we may be sure they did not always confine themselves to frolics of a perfectly harmless or innocent kind. In the north of England a favourite frolic at this season was for men and women to exchange dresses, when they sallied forth to make mirth among their friends and neighbours, and to partake of their

* See Shakespeare's *Henry V.*, Act II. scene 2.

Christmas cheer. Another Christmas pastime was the Fool's Dance, performed by a number of persons habited like the court-fool, who capered to the sound of bagpipes and other instruments, the musicians being dressed in the same fantastic garb. From this Dance of Fools it is probable that the Morris Dance originated, which was performed with a number of small bells attached to the dresses of the dancers.

Licensed or professional fools were important personages during the middle ages. Unknown to the ancient world, they had probably their origin among the northern tribes, whose duller intellects required a more pungent stimulus than would have been tolerated by the people of Greece and Rome. Professional fools appear to have been common among the Anglo-Saxons; and after the Norman Conquest, by which so much was subverted, their occupation was far from being gone. A royal fool was an established officer of the successive Norman and English sovereigns till so late a period as the reign of Charles II. Of the duties attached to this chief of the jesters, Fuller has quaintly observed, that only he who had wit could perform them well, while only he who wanted it would perform them. His duty was to amuse his master by broad jokes at the expense of the courtiers, or even the royal administration itself; and, under this wide charter, he was frequently enabled to deliver shrewd hints upon the prevailing abuses, which perhaps even the king's regular advisers would not have hazarded. The estimation in which the jesters of the palace were held may be gathered from the considerable largesses frequently given to them, and which were probably often bestowed in those open-hearted moments when a hearty laugh had lightened the royal bosom of a load of political anxieties.



COURT FOOL AND BUFFOON. Harl. MS. 4379.

Among the nobility, also, those who could main-

tain such a luxury had in their retinue, sometimes, a wretched idiot, whose real folly and infirmity were made the butt of the master and household; or, what was more commonly the case, some shrewd madcap, who could use the appearance of folly as a shelter from behind which to discharge his satirical observations. This person was dressed like the court-fool, and possessed similar privileges of speech. He is described by a writer of the sixteenth century as "in person comely, in apparel courtly, but in behaviour a very ape, and no man: his employment, it is asserted, was to coin bitter jests, and to sing profligate songs and ballads; give him a little wine in his head, he is continually fleeing and making of mouths: he laughs intemperately at every little occasion, and dances about the house, leaps over tables, outskips men's heads, trips up his companion's heels, burns sack with a candle, and hath all the feats of a Lord of Misrule in the country."* The quaint author adds darker shades to the picture, by which it would appear that this mercurial office had no tendency to improve the moral character of him who held it. As the office of a jester possessed so many immunities, it was not without its penalties also, and an unseasonable quip very often subjected him to a severe whipping.

The fool's wit, however, was not always confined to his head, and his jokes were often not only of a verbal, but also of a practical and mischievous character. The coarse taste of the times required that even the habiliments of the fool should be pregnant with matter of laughter. In the time of Henry VIII., and probably much earlier, one form of his official costume consisted of a party-coloured coat, sometimes hung with bells at the skirts and elbows; together with breeches and close hose, of which the legs were sometimes of different colours. Another dress was a jacket and petticoat, also of motley, and fringed with yellow. A hood covered the head, in shape like a monk's cowl, decorated with asses' ears, or terminating in the neck and head of a cock, sometimes ridiculously garnished with a single feather. But, above all, the bauble must be particularised, without which the jester was nothing. It was at once his sceptre and his sword. By this, he swore in confirmation of his preposterous stories; with a flourish of this caduceus he gave double force to a joke; and sometimes a blown bladder was attached to its extremity, with which, brandishing it about in mock combat, he would buffet the contemners of his airy dignity. This bauble was a short staff, generally ornamented with the carved head of a zany, or some other fantastic ornament. In earlier times, when the Church, reposing in the consciousness of her power, allowed things sacred to be ridiculed without alarm, the fool's head was occasionally shaven in the fashion of a clerical tonsure; but after the apprehensions excited by the spread of Lollardism such liberties could not be safely taken.

Among the games not yet mentioned, which

* Lodge's Wit's Miserie, 4to. 1599.

were in use at this time, the following may be dismissed with a very brief notice. Bays, base, or bars, or prisoner's-bars—for by all these terms the game seems to have been known—was a sport in

which agility was chiefly requisite, and where each party of players endeavoured to overtake and catch as many of their antagonists as they could. Hoodman-blind was the same as our modern blindman's-



HOODMAN BLIND. Bodleian MS.

buff. If we may judge, however, from the illuminations, this game was not a mere juvenile amusement, as women and bearded men are frequently represented joining in the sport. As it was practised by our ancestors, the eyes of the person to be blinded were covered by his hood being reversed over his head; and the others, while they eluded his attempt to catch them, took off their hoods and thumped him on every side. Battledore and shuttlecock was also an amusement of the fourteenth and fifteenth centuries, and probably for a long time previous. This sport

was in all likelihood confined to children; as was also that of leaping through a hoop. In this last-mentioned game, two boys held a hoop, while a third leaped, or rather dived through it, and alighted on his cloak, which was spread on the ground beyond. The other sports of children were similar to those of the present day; and in ancient illuminated missals, and other MSS., we find boys diverting themselves with windmills, swimming on bladders, playing with whirligigs, and trundling hoops. Sometimes also they are shooting with bows and arrows—a part, no doubt, of their regular education, as well as an incidental amusement. A very beautiful toy, but which was perhaps confined to the children of the wealthy, consisted of two small bronze figures of men in complete tilting armour, and mounted on barbed horses that moved on small wheels. These puppets were run at each other in regular career; and at a successful stroke of the lance the knight, who was secured to the animal by a hinge, fell backward on the crupper. This may have been the plaything of a child born to the inheritance of knighthood, and who thus received his first lessons in the exercises of chivalry.

One feature of English manners of a moral description, and which particularly attracted the notice of foreigners at this time, must not be omitted. This was the practice of profane swearing, which had risen to such a height, that an



SHUTTLE-COCK.
From a MS. in the Douce Collection.



LEAPING THROUGH A HOOP. Ancient MS. engraved in Strutt's Sports.

Englishman was called on the continent a "God-damme," from the expression he was most accustomed to use. But although this name was applied by the French to our countrymen at large, it is to be hoped that the culpable practice in which it originated was confined to soldiers and those who wished to be reckoned "tall fellows" and good martialists, and to win to themselves among the ignorant a character of daring bravery, as in the case of ancient Pistol, when he uttered brave words at the bridge. The same practice we find prevailed in Scotland, where it was so especially the characteristic of military persons, that Sir James Douglas, one day hearing the exclamation, "the devil!" pronounced with great emphasis in a cottage, immediately concluded that some gallant knights or good men-at-arms were lurking within.*

The manners and customs of Scotland now become of sufficient interest to claim a share of our attention. The long wars and other public misfortunes of the preceding century must have materially retarded and thrown back the northern kingdom in the career of civilization. The social habits of the people inevitably during these events acquired a rudeness and ferocity corresponding to the circumstances in which they were placed. Hence, during the present period, the manners of the Scots were probably less refined, their pastimes less joyous, and their whole mode of living more barbarous and squalid, than they had been two centuries before.

According to Froissart, who had himself visited Scotland when a young man, soon after the middle of the fourteenth century, some French auxiliaries, who came over in the year 1384, were struck with horror at the penury and barbarism of the country. At this time, he tells us, the city of Edinburgh was not so large as Valenciennes or Tournay. Though it contained about four thousand houses, these were merely wretched wooden hovels, covered with straw, which were with little reluctance set fire to by their owners whenever an enemy appeared—just as used to be done by the old savage Caledonians in the time of Agricola. Even so late as the time of James I., the houses in the towns of Scotland, as we are informed by Æneas Sylvius, when built of stone at all, were without lime; and in the villages they were roofed with turf, while a cow's hide supplied the place of a door. The dwellings of the borderers, and those who inhabited the parts of the country most liable to invasion, were of a still more wretched description, consisting, for the most part, of three or four poles for props, and whatever loose materials were at hand; so that a man could erect a dwelling of this kind in three days. On the approach of the English, the Scots destroyed these extemporaneous fabrics without scruple, and conveyed their cattle and provisions to places of safety; and having thus left their enemy no alternative but retreat or starvation, they gathered in full force, burst through some unguarded part of the English frontier, and returned with booty

* Barbour's Bruce.

that repaid them tenfold for the ruin of their towns and villages. Of course, the in-door life and accommodations of such a people must have been wretched in the extreme. Æneas Sylvius, while he tells us that the Scots had flesh and fish in plenty, adds, that bread was regarded as an absolute dainty among them. The French knights who came over, as has just been mentioned, in the reign of Robert II., could obtain no wine in Scotland but at a great price, while the ale was weak and thin, and the bread made of barley or oats.* The state of the Highlanders was still more wretched than that of their neighbours of the lowlands; for we are told that sometimes they were reduced to eat even the bark of trees.† James I., among other improvements, endeavoured to introduce among his subjects a more comfortable mode of living, and partially succeeded; but for this he got little thanks, as the people heavily complained of what they called his English epicurism.‡

The castles of the Scottish nobles were exposed to the destructive visitations of fire and sword, equally with the huts of their vassals; and therefore the same economical principle prevailed in their construction; they were consequently of far inferior character and dimensions to the baronial residences of the English. Indeed, during the earliest and hottest portions of the warfare with England several of the Scottish nobles patriotically destroyed the castles of their ancestors, that they might not be occupied by the enemy as fortresses; and then betook themselves like outlaws to the fields and green-woods, where they carried on a sort of guerilla warfare, amidst all the barbarising circumstances of such a condition. Such a personage, among others, was that heroic adherent of Bruce, Sir James Douglas, who thrice dismantled his own castle after it had been as often repaired by the enemy,§ and acquired such a love of a houseless life, that he "liked better," he said, "to hear the lark sing than the mouse cheep." When an interval of peace succeeded, the border chieftain entertained his retainers in his clumsy castle or *peel*, in the best style his resources permitted; and the cattle that had been driven from the English pastures smoked in shapeless masses upon the board, and were hacked in pieces by the knives and daggers of the feasters. As we have already seen, wine must have been only an occasional visitor at these rude banquets, the supply coming generally from the cellars of Carlisle and Newcastle. When these uncertain resources began to fail, the cry of "Snaffle, spur and spear!" was joyfully shouted; an inroad into the land of plenty was proclaimed, and the larder was either speedily replenished, or its services were no longer required. The highest of the northern nobility, however, endeavoured to add something like magnificence to their rude cheer, and several of the Douglasses, who rivalled their sovereigns in splen-

* Froissart.
‡ Pinkerton.

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† Opera Pit. ii.
‡ See Vol. I. p. 730.

dour, dined amidst the sounding of timbrels and trumpets.

The Burgundian historian De Coucy, who is supposed to have accompanied Mary of Gueldres to Scotland, in 1449, describes the banquet that was held on her marriage to James II. ; and from his account, we perceive that even the royal living, at this period, was woefully deficient, not only in refinement, but in common comfort. The first dish was a boar's head painted, and stuck full of coarse bits of flax. This was served up in a huge platter, which was surrounded with thirty-two banners, that bore the arms of the king and the principal nobility ; and the flax was set on fire, amidst the loud acclamations of the assembly. After this goodly device, a ship of silver was produced, which was probably a vessel of that form filled with salt and spices, for the accommodation of the guests. Five Scottish dignitaries of the church exhibited the steadiness of their nerves to the admiring strangers, by draining a huge wooden bowl of wine without spilling a drop. The wine and other liquors were handed round in great profusion, and the dinner lasted five hours, there being neither dancing nor supper. All this appeared gross and savage to the knights of Gueldres, and probably to the new queen also—for she wept bitterly on their taking leave to depart to their own home.

In other particulars the domestic life of the Scottish nobility considerably resembled that of the English. Minstrels were common in Scotland as in England ; some of them confining themselves to the singing of sacred music ; others, who were chiefly Highlanders or Irishmen, reciting tales and ballads. The fool, with his cap, bells, and bauble, was also a usual appendage to the domestic establishment of a Scottish nobleman ; and tumblers and jugglers paid their occasional visits, and performed feats of agility and sleight-of-hand similar to those exhibited in England. To these sources



TUMBLING. From Sloane MS. 264.

of amusement we may add the game of tables (draughts or chess) and *parwe*, or tennis. This last game was a favourite in the court of James I. ; and that monarch might perhaps have escaped from

his assassins, had he not caused a small private outlet from the vault below his bedchamber to be closed up a few days before his death, because his tennis-balls used to escape through it at play.

The active sports and amusements of the Scottish nobles do not seem to have been pursued with the same keenness as those of the English, in part, perhaps, owing to the continual warfare in which the Scots were engaged with each other, as well as with the common enemy. Men who seldom enjoyed the luxury of doffing their heavy harness had little need, either of the gratuitous excitement or labour of violent exercises ; and, therefore, although hunting and hawking were practised among them, we do not read either of such frequent or such splendid meetings for these joyous purposes, as were common in the south. A different kind of amusement in a great measure occupied the wardens of the Scottish marches, viz., the hunting of border thieves—an exercise which the Douglasses seemed to regard as their especial vocation ; Archibald, the ninth Earl of Angus, declared that he enjoyed more delight in hunting a border thief, than others had in hunting hares.* These doughty Nimrods, however, were often thrown out in the chase ; for their game were as fleet as hares, and more cunning than foxes. Among the old laws of Scotland, we find one enacted in 1458, denouncing penalties against those who destroyed the nests and eggs of birds of game, or killed rabbits during the time of snow.

The bands of retainers by whom the Scottish nobles were attended were in the present period still more numerous than it was customary to maintain in England. These trains of the northern nobility also, being more for strength and safety than vain-glorious parade, were of a more exclusively martial character than those of England. The most potent of the Douglasses seldom rode with fewer than twelve hundred well-armed horsemen, and the other nobles had followers in proportion. The royal authority, which was commonly kept in abeyance, and frequently made contemptible by these powerful chieftains, repeatedly endeavoured, though at no small hazard, to remedy this evil. In the reign of Robert III. it was enacted, that, to prevent the great and horrible ravages, depredations, fires, and homicides, which were daily committed in every part of the kingdom, no person travelling should be allowed more attendants than those whose maintenance he actually defrayed. By this it would appear that a great portion of these armed followers often did not really belong to the household or vassalage of the chief to whom they attached themselves, but only assumed for the time his livery, for the protection it conferred, or the opportunities it afforded of revenge or plunder. The same law was repeated and enforced with energy by James I. ; but after his death the evil reverted to its former state.† Another law of James I., and which was repeated in the following

* Godscroft's Hist. of the House of Douglas.
† Pinkerton.

reign, exhibits a curious feature in the manners of Scotland at this period. It would appear that a class of sturdy beggars, called *sorners*, either possessing, or pretending to gentle birth, followed their calling, not in humility and rags, but with horses, hounds, and attendants, thrusting themselves upon the hospitality of those who were not strong enough to deny them, and living at free quarters among the farmers and clergy. When these lordly "gaberlunies" were caught, they were shorn of their false gentility, by being deprived of their hounds and horses. The voluntary hospitality of the period also was so great, and was found so incompatible with the improvement of the people, that hostleries were ordered to be erected throughout the country, in which those who travelled were required to lodge or refresh themselves, instead of repairing to private houses. But in a disconnected and uncivilised land, a guest is such a welcome importer of tidings, and such an excellent substitute for books and newspapers, that this law was little regarded.

In the article of chivalry, we find that the Scots were eminent among the bravest of Europe, and the highest testimony was borne to their valour both by friends and enemies. As might be expected, the oaths of knightly investiture were the same among them as in other countries; and it is probable that the preparatory exercises of the young candidates for knighthood were also the same. In battle, the northern knights exhibited great daring and devotedness; and the dying Douglas, at Otterbourne, only spoke the sentiments of his brethren at large, when he thanked God that he had fallen like his race, with whom it was not the fashion to die in their beds.* The courtesies practised between the Scottish and English knights, during the fiercest periods of their national warfare, form one of the most engaging chapters in the history of chivalry. When not too busily engaged in actual war, we find that tilts and tournaments were held in Scotland by the kings and nobles, although they were not adorned by such crowds of foreigners and displays of pomp, as those that graced the warlike solemnities of their more wealthy neighbours. The Scottish knights also, during the intervals of peace or truce, repaired with alacrity to the tournaments of England, sometimes as spectators, sometimes as combatants, where they added largely to the military reputation of their country.†

Ordeal-combats, or the appeal to Heaven by arms, were also of frequent occurrence among the Scots. As it often happened, too, that the borders of both countries invaded or plundered each other during periods of truce, when detection was difficult, and a regular trial not to be expected, ordeal-combats were sometimes appointed for the discovery of the person in fault. Either Englishman or Scot, who considered himself aggrieved by one of the opposite nation, made his charge, and summoned the accused to battle, on which a fair

field was appointed for the combatants. Sometimes the person so appealed saw reason to refuse the summons; and in this case, a different mode of purgation was appointed. If charged, for instance, with stealing cattle (the common ground of offence), he was required to bring the animals claimed by the appellant to that part of the Tweed, or the Esk, where these rivers formed the frontier line, and drive them into the stream. If the cattle made for the other side, and escaped alive to the opposite kingdom, they were adjudged to the claimant; and if they were drowned before they reached the middle of the river, he was entitled to their full value from the defendant. It is remarkable, too, that the border priests were subjected to this law of arms equally with the wildest moss-troopers; and on the accusation of any person of the opposite kingdom, the reverend clerk, who was prohibited by the canon from answering the challenge in person, was obliged to hire a champion and send him to the lists in his stead. If this substitute chanced to be vanquished, the odium of the crime rested upon the principal, and he was held to be declared guilty by the righteous judgment of Heaven, to the great disparagement of his character and clerical office—a grievance and a scandal of which these reverend victims of chivalry very heavily and justly complained.*

The Scots, in their mode of warfare, were so much addicted to hand-blows and close fighting, that the bow could never be naturalised among them, even though they experienced its effects so fatally in the hands of the English; and the few archers to be found in the Scottish ranks were chiefly Highlanders and Isles-men—people held in very light estimation by the knights and warlike burghers of the Lowlands. These Scottish bowmen, too, were very inefficient, in consequence of their drawing the bow-string only to the breast, while the English archer drew his to the right ear, by which the arrow was sent through plate and mail. The author of the poem of 'Christ's Kirk on the Green'—whether James I. or James V.—ridicules this unskillfulness of his countrymen in a strain of grave irony worthy of Cervantes himself. He describes several persons in the midst of an affray, endeavouring to do deadly execution with the arrow; but though their antagonists are close at hand, every shot is unsuccessful. One man is a whole acre's breadth wide of the mark; a second draws his string with such fury that the bow breaks in shivers; while a third, who discharges his arrow he knows not where, is persuaded that it has slaughtered a priest 'a mile beyond a mire,' upon which this able archer, in a panic, throws down his artillery, and forthwith flies the country. For the purpose of encouraging archery, a law of James I. prohibited the popular sports most in vogue, and decreed that all persons above twelve years old should be taught the use of the bow. It was also required that butts should be erected at

* Froissart.

† Winton.—Bower.—Caxton.

* Sir Walter Scott's Border Antiquities.

every parish church, at which every man was to shoot at least six shots every holiday, while a fine of twopence was to be levied upon those who failed to attend, for drink to the shooters. But though this law was repeated by James II., it seems to have produced little or no effect; and in spite of parish butts and holiday shots, the people still grasped as before their long spears and heavy battle-axes, at the report of danger or invasion.

The sports of the common people of Scotland were chiefly those of a martial and still barbarous country—contentions of strength and bodily dexterity, such as running, throwing bars and weights, leaping, fencing, and wrestling. It also appears,

from the prohibitions of James I. and II., that the game of golf was already in great favour among the Scots, as it continues to be to the present day.



GOLF OR BANDY-BALL.
From a MS. in the Dou. Collect.



MONKS AT A FUNERAL, IN THE INTERIOR OF A CONVENT. From an Ancient Drawing.

CHAPTER VII.

HISTORY OF THE CONDITION OF THE PEOPLE.



N its social character and circumstances, as well as historically, the present period may be regarded as the close of the long interval, dividing ancient from modern civilization, which is commonly called the Middle Ages. As the reigns of Henry VI., Edward IV., and Richard III. belong to the ancient, and that of

Henry VII. to the modern history of England, and indeed of Europe, so, in the state of the country and of the people generally, under the former we contemplate an order of things altogether, at least in its characteristic spirit and lineaments, passed away and extinct,—under the latter the beginning of the same social system that still subsists. At the point which divides the two we turn a corner, as it were, in following the progress of the country, and, losing sight of the scene with which we have hitherto been familiar, open our eyes upon a new prospect. Besides, however, the opportunity which the occasion affords us of casting a last look upon the Norman feudalism, and the character which it impressed upon society while it still continued to exert a predominating influence, the present period presents also some features of its own, of a new and peculiar kind, which demand our notice. It happens, moreover, that in some respects the materials we possess for its illustration are more abundant, and throw more light upon the interior of social life, than those that have been available in any preceding era.

The common estimate of the population of England at the time of the Norman Conquest makes it to have amounted to about two millions of souls.* Three centuries after that date its amount appears to have been not much greater. A curious account has been preserved† of the produce of a capitation-tax levied in 1377 (the last year of Edward III.) upon all lay persons of either sex above fourteen years of age, beggars only excepted; and also upon all ecclesiastics, except the members of the four mendicant orders. Cheshire and Durham,

* See Vol. i. p. 350. This is the calculation, not only of Turner and Mackintosh, as there stated, but also of Chief Justice Hale, of Gregory King, of the late George Chalmers, and others.

† Printed in the *Archæologia*, vii. 340.

however, being Palatine counties, and having collectors of their own, are not included in the roll. Making the requisite allowances for these several omissions, the amount of the entire population of the kingdom as deduced from this document will stand thus:—

Entire number of lay persons taxed, according to the enumeration in the roll	1,376,442*
Add a half for the children under fourteen, who would form nearly a third of the population	688,221
For Cheshire, taken as equal to Cornwall	51,411
For Durham, taken as equal to Northumberland	25,213
Ecclesiastical persons paying the tax	29,161
Mendicants, lay and ecclesiastical, about	120,000
<hr/>	
Total population of England ..	2,290,448

As however many persons, no doubt, altogether escaped the notice of the electors, and many others liable to the tax would be falsely represented as being under age, we shall probably not err in assuming the population of England at this time to have fallen little short of 2,400,000. For Wales we may add 100,000 more, making the entire population of the kingdom about two millions and a half.

It is to be remembered, however, that not long before this time the numbers of the people had been immensely reduced by the great plague which visited most of the countries of Europe in 1349. According to Dr. Mead, this pestilence, the most destructive that has ravaged the world in modern times, swept away more than half the inhabitants of every region of the earth which it invaded.† We have noticed in the preceding Book the effects of this visitation in thinning the numbers of the people of England, as attested not only by the contemporary historians but by the declarations of the legislature. It occasioned, the reader may remember, so great a scarcity of curates that the church interfered to regulate the rates at which they should be hired,‡ while the parliament made several attempts to reduce in like manner what were deemed the excessive wages demanded by common labourers and mechanics, also, of course, seeking to reap the natural benefit of their diminished numbers.§ It is probable that Dr. Mead's traditional account of the ravages of the pestilence is a considerable over-statement, and, in the space of nearly thirty years that had

* This is the total given in the document. As usual, the summation does not quite agree with the items; but in this instance the difference is only about 10,000.

† Discourse concerning Pestilential Contagion.

‡ See vol. i. p. 802.

§ *Ibid.* p. 829.

elapsed between it and the present enumeration, it may be supposed that much of its waste would be repaired; still, if instead of half the people it only destroyed one-third of their number, and if half of that third had been recovered before the date of the enumeration that has just been quoted, it will follow that the population of England and Wales before the middle of the fourteenth century had reached the amount of three millions of souls,—in other words, had increased by nearly fifty per cent. in the course of the three centuries that had elapsed from the Norman Conquest. All circumstances considered, this will appear to be not an improbable result.

The fact, however, with which we are immediately concerned is, that, about twenty years before the commencement of the period we are now reviewing, the population of the kingdom was apparently about two millions and a half. As there were no wars in the intermediate reign of Richard II., or other causes to occasion any great waste of human life (a few thousands of persons being probably all that perished in the disturbances in the early part of the reign), and as there was still a wide gap to be filled up, we may assume that, by the beginning of the fifteenth century, the numbers of the people of England and Wales had increased to 2,700,000 at the least.

A still farther insight into the state of the country, in so far as regards the fundamental point of the numbers of the people, is afforded by the capitation-tax roll of 1377, in the notices which it contains of the population of all the principal towns. Adding to the numbers set down one-half for children under fourteen and for omissions, we obtain from these notices a population at this time for London (including most probably both Westminster and Southwark) of about 35,000 persons, for York of nearly 11,000, for Bristol of 9500, for Plymouth and Coventry of about 7300 each, for Norwich of 6000, for Lincoln and Salisbury of about 5000 each, for Lynn of about 4700, for Colchester of 4400, for Beverley and Newcastle-upon-Tyne 4000 each, for Canterbury 3900, for Bury St. Edmund's 3700, for Oxford 3600, for Gloucester 3400, for Leicester, Shrewsbury, and Yarmouth, about 3000 each; for Hereford 2800, for Ely and Cambridge 2500 each, for Exeter, Worcester, and Hull, 2300 each; for Ipswich, Northampton, Nottingham, and Winchester, between 2300 and 2100 each; for Stamford, Newark, Wells, Ludlow, Southampton, Derby, Lichfield, Chichester, Boston, and Carlisle, between 2000 and 1000 each; for Rochester, Bath, and Dartmouth, between 900 and 700 each. Not a single town is enumerated in the counties of Cornwall, Dorset, Berks, Buckingham, Hertford, Bedford, Huntingdon, Rutland, Lancaster, and Westmoreland; and no other except London in those of Middlesex and Surrey. Thus, in the latter part of the fourteenth century, the map of England scarcely exhibited thirty towns containing above 2000 inhabitants each; and, of these, two

only, besides the capital, contained a population of 10,000 each. The entire town population at this time may be set down at about 170,000 persons, or little more than a fifteenth of the general population of the kingdom.

The circumstances of the early part of the fifteenth century, and especially the consumption of human life occasioned by the French wars of Henry V., and the much larger draughts of men afterwards wasted in the vain attempt to preserve what he had won, are well attested not only to have prevented any increase, but to have effected a sensible reduction in the numbers of the English people. In addition to the statements of the chroniclers as to the difficulties that came at length to be felt in raising even a moderate military force, we have the evidence of various acts of the legislature either expressly declaratory of the fact of such diminution, or implying it by the contrivance of expedients intended to remedy the inconveniences it was found to have produced. Thus, in a statute passed in 1421 (the 9 Hen. V. st. 1, c. 5), repealing a previous statute of 1340, respecting the length of time during which sheriffs should hold office, the reason alleged for the extension of the period from one year to four is, that, whereas formerly there were "divers valiant and sufficient persons" in every county to serve the office, "as well by divers pestilences within the realm of England as by the wars without the realm, there is not now such sufficiency." This may not indeed have been the true reason of the change that was made, which may have been a politic arrangement, the real motive of which it would not have been expedient to avow; but still the statement would scarcely have been advanced even as a pretext, if it had not coincided with the common observation, or at least with the common opinion, of men at the time. But perhaps a stronger proof of the decrease of the population is afforded by the successive efforts that continued to be made to regulate, in other words to reduce, by legislative enactment, the market price of labour, and by the rise of that price, notwithstanding such attempts to keep it down. The old statutes regulating wages were re-enacted, with some amendments, in 1427 and 1429 (by the 6 Hen. VI. c. 3, and the 8 Hen. VI. c. 8); and in 1444 the wages of all the common descriptions of labourers were expressly fixed by statute,* in the same manner as those of servants in husbandry had been fifty-six years before.† On comparing the two acts, however, we find a very considerable rise in the rates fixed by that of later date, in all those cases to which they both refer. Thus, the annual wages of a bailiff are raised from 13s. 4d. to 23s. 4d.; of a master-hind, carter, or chief shepherd, from 10s. to 20s.; of a common servant in husbandry, from 7s. to 15s.; and of a female labourer, from 6s. to 10s. The act of 1444 also expressly allows clothes of a certain value to each farming-servant, as well as meat and drink; but it is probable that diet at least, if

* 23 Hen. VI. c. 12.

† 12 Rich. II. c. 4.

not clothing, was also intended to be allowed by the former act, although not distinctly specified.

It is possible, indeed, that other causes besides the contraction of the supply of labour may have contributed to bring about this augmentation of its market value. The depreciation of the coinage would account for a small part of the effect. Part of it might be the consequence of the growth of trade, which would absorb a portion of the population that had been heretofore occupied in agriculture. The general emancipation of the villains, also, which had apparently been nearly completed before the commencement of the fifteenth century,* would of course create an augmented demand for the services of free labourers in the cultivation of the earth. But as this social revolution would create as much labour of one kind as it abstracted or destroyed of another, we cannot lay much of the rise of wages which now took place to its account.

There can be no doubt, however, that not only the social importance, but the social position generally, of the labouring classes, would be eventually elevated by the extinction of villenage, and, it may be added, by those efforts on their own part to which, notwithstanding much in them that was blameable and attended with calamitous consequences at the moment, it must be admitted that their release from bondage was in all probability mainly owing. The insurrection of Wat Tyler and his followers, in the beginning of the reign of Richard II., besides giving a blow to villenage from which it appears never to have recovered, could not fail to impress upon the rest of the community an abiding conviction of the popular strength, and a salutary dread of provoking any new explosion of it. Seventy years afterwards the commons rose again, in what is called the rebellion of Jack Cade, and were again put down as before; but this demonstration also, unsuccessful as it was in regard to its immediate objects, no doubt helped to carry forward the body of the people another step in their course towards their due position in the state. The difference between the demands and avowed designs of the insurgents, on these two occasions, is very remarkable, and throws a strong light upon the progress the labouring classes had actually achieved in the intervening period. In 1380 their principal demand was the abolition of the system of villenage or slavery: to any positive political rights, any power of interfering in the making of the laws or in the regulation of public affairs, they made no claim. In 1450 not a word was said on the subject of villenage; that question was already settled: villenage was already almost, if not altogether, swept away. What the commons now insisted upon was, if not the concession of political power, at least the redress of various public grievances, such as the profuse waste by the king of the revenues of the crown, the illegal seizure by the crown of the property of the subject, the exclusion from the government of

the persons of highest rank and greatest natural influence in the kingdom in favour of foreigners or low-born minions, the extortions of the sheriffs and collectors of taxes, the delays and other abuses in the administration of justice. One of their complaints, indeed, amounted to a distinct assertion of popular rights,—they remonstrated against the illegal interference of the nobility in elections of knights of the shire, and required that the free choice of their representatives in parliament should be left, where the law had placed it, in the hands of the people. Successful or not for the present, the proclamation of such pretensions, by men with arms in their hands, was sounding the trumpet to a battle which could only end with the conquest, by the popular force, of all that was now claimed.

On the first view it might seem that the course of events in the latter part of the present period,—the confusion and devastation of the wars of the Roses,—must have proved unfavourable to the advancement of the great body of the English people, either in the career of political enfranchisement or in any other line of social progress. But the storm of a civil war, though the most calamitous of all public visitations to the persons of property and station in a country, and even to the middle classes, when there is any section of the community entitled to be so designated, may pass with much less destructive effect over the heads of the lowest order of the people. While it throws down whatever is of height enough to come in the way of its fury, there is comparative security for that which is already on the ground and cannot be thrown down. The labouring population, indeed, may be subjected to many temporary inconveniences by the crisis; they cannot but suffer from the downfall of those upon whom they have hitherto been dependent for the purchase of their labour. In this way they may be said to be exposed to the danger of being partially and for a season smothered beneath the tumbling ruins of their superiors. But, as a body at least, whatever may be the fate of individuals of their number, they are certain very soon to rise again from under the pressure of this incumbrance. They have lost nothing which they may not, and will not, speedily regain. On the other hand, in certain circumstances, a convulsion which shakes the ancient social edifice to its basis, and lays its proud pinnacles in the dust, may do for the elevation of the great body of the people in a few years what they might else have waited centuries for in vain. In England, at the middle of the fifteenth century, notwithstanding the decay of villenage, and some first feeble breathings of the spirit of popular freedom, the nightmare of the old feudalism still held the nation prostrate and comparatively powerless under its weight. The grasp of the incubus was for the first time effectually loosened by the fierce war of factions which now arose, and dislocated and shook down so much that was ancient, and high, and strong. The mere slaughter of the barons, and the extirpation of many noble houses,

* See vol. I. p. 887.

would, as it were, let in the requisite light and air for the growth of the liberties of the commons, which they had overshadowed. The circumstances of the case, also, and the course of events, operated directly to raise the people to an importance which they had never before enjoyed. It was alike the interest of each of the contending factions both to court the favour of the people, and as much as possible to spare rather than to destroy them. It was not, as in a war between two different nations, where each naturally strives to weaken the strength of the other by the widest devastation it can accomplish of the ranks of its adversary: here, besides the consideration that the people were the very prize that was contended for, and their preservation, therefore, equally the object of both parties, they were, even while the contest was proceeding, the common source from which both drew their supplies of strength; and the very men that fought for the House of York to-day might be arrayed in support of that of Lancaster to-morrow. For this appears to have been really nearly altogether a war of the barons, and scarcely at all a war of the people; the latter seem never to have had their hearts in it, — never to have had their passions or convictions strongly engaged on one side or the other, — but, although compelled to take a part in the struggle, to have really cared very little what might be its issue. We might almost suppose that they were contented to allow it to take its course, in the feeling that, go whichever way it might, it was, in the mean time, serving their purpose. The barons, on the other hand, had individually an interest in the success of the one side or the other, and, though they sometimes changed sides, still every one of them was always necessarily involved with the fortunes of the party with which he was acting at the time. They were, therefore, as it were, the players in the game; the people were merely the balls or counters with which it was played. It is remarkable, accordingly, that while in the old wars with the French the chief destruction of life was always among the common soldiery, and the nobles and knights were usually spared, the practice in these wars of the Roses was precisely the reverse; — now, we are told, the commonalty were spared, and the persons of rank were slaughtered. In some instances it is expressly stated that orders were given to that effect when the battle was joined. Even the industry of the people, and the progress of the useful arts, were probably much less seriously interrupted by this civil contest than might at first be imagined. This has been strongly put by a modern writer. "It is commonly supposed," he observes, "and generally remarked, by historians and writers on ethics, that, of all wars, civil conflicts are the least defensible, as being the most ruinous to the wealth and population of a country. In no point of view is it meant here to palliate the evils either of domestic or foreign wars; but, viewing them in their calamitous effects only, I much doubt whether the ravages

occasioned by civil contest are not the soonest repaired. In a war between two nations, the object of hostilities is, generally, on both parts, by violence and force, to reduce the enemy to submission. The peaceful labours of that class, from which the resources of a nation are principally derived, are seldom much respected by an invader; whereas, in a civil contest, the destruction of a party is usually the only object in view: opinion, too, must necessarily be much courted in a country which is unhappily plunged in domestic warfare. The contending parties are anxious to conciliate the affections of the people, on whom the issue of the contest must ultimately much depend; and, however merciless they may be to each other, they have seldom any interest to lay waste their common country. Accordingly, it does not appear from history that civil wars, however much to be deplored in other respects, have always greatly impeded the progress of nations to prosperity. The fury of Marius and Sylla, and the bloody contest of the Triumvirs, it might have been supposed would have retarded the advancement of the Roman state; yet it appears that, whilst the blood of her citizens was profligately lavished by ambition, she was making a rapid progress in all the arts and refinements of civilised life. So neither did the violence of the League and the Huguenots in France, nor the fatal divisions between King Charles and his parliament in this country, however destructive to the individuals concerned in them, destroy the spirit of national improvement. The truth is, that wars are chiefly destructive in proportion as they destroy the means and sources of subsistence: could we possibly suppose that a civil contest would be limited to the slaughter of human beings, the nation (if her other resources continued unexhausted) would, no doubt, in a few years regain her lost population. The multiplication of every species of animals, and of every commodity, is regulated on the same principle, and will be either retrograde, stationary, or progressive, as the demand for labour (which is created by the capital stock of a country) diminishes or increases. If, therefore, any circumstance takes place which, without affecting the wealth, should reduce the population of a country, the market would be so much understocked with labour; and, the demand of labour continuing the same, all the encouragements to promote marriage, and the multiplication of labourers, would operate in full force, and gradually repair the ravages of any depopulating cause."⁶

In this way, it may be supposed, would the general body of the labouring population in England, in addition to the political advantages that have just been adverted to, benefit from the diminution of their numbers by the wars and pestilences of the fifteenth century. We have already seen that a considerable rise of wages took place in the course of the first half of the period. In the case of labourers in husbandry, the advance between

⁶ Eden's State of the Poor, l. 67.

1388 and 1444 seems to have been from fifty to a hundred per cent, and there is no reason to suppose that it was not as great in the case of labourers of other descriptions, although in regard to them the statutes on the subject do not afford us the same materials for making the comparison. The improvement that continued to take place in the condition of the working classes to the end of the present period may be inferred from the statutes respecting apparel which were passed in the reign of Edward IV. as compared with the enactments of the same kind at an earlier date. In 1444 the entire annual allowance for clothing to an agricultural servant was fixed at 3s. 4d.* In 1463 a statute, passed with the declared purpose of checking the progress of luxury and expense in clothing, on the ground, as it is alleged, that "the commons, as well men as women, have worn and daily do wear excessive and inordinate array and apparel, to the great displeasure of God and impoverishing of this realm of England, and to the enriching of other strange realms and countries, to the final destruction of the husbandry (that is, the general economical welfare) of this said realm," ordained, among many other things, that the clothing of servants in husbandry, of common labourers and servants, and of artificers dwelling out of a city or borough, and also of their wives, should be of cloth not passing the price of 2s. the broad yard.† It is evident that this allowance must have raised the cost of a labourer's clothing very considerably above the former statutory amount of 3s. 4d. a-year; and yet even this was a curtailment of the still more expensive kind of clothing which in many instances had come into use among that class of the people. Another clause of the statute even implies the prevalence, among the same class, of a degree of luxury in apparel going beyond that of high-priced broad-cloth: it is enacted that no labourer or labourer's wife shall in future wear any girdle garnished with silver. The girdles here spoken of were probably of metal. It is also ordered that no servant or labourer shall wear any "close hosen," which seems to have been a garment combining the modern breeches and stockings,‡ "whereof the pair shall pass in price fourteen pence." In a subsequent statute passed in 1482,§ the price of a labourer's hose is permitted to be so high as eighteen pence, which may be taken as an evidence that the condition of that class of the people continued to maintain its ascending direction, and that they went on clothing themselves better and better notwithstanding all these sumptuary laws.

These statutes for the regulation of apparel, and in some cases also of other items of expense, afford some curious information respecting the condition and mode of living of other orders of the community as well as the labouring classes. We will arrange, in the order of time, a few of the most remarkable enactments of those of the fourteenth

and fifteenth centuries. The first we shall notice are the succession of acts passed in 1363,* for the correction "of the outrageous and excessive apparel of divers people, against their estate and degree." This collection of sumptuary regulations begins with an ordinance touching the diet of domestic servants; grooms and servants, it is declared, whether of lords or of tradesmen and artificers,† "shall be served to eat and drink once a-day of flesh or of fish, and the remnant (that is, the rest of their food) of other victuals, as of milk, butter, and cheese, and other such victuals." The object of the law seems to have been to limit their right to be fed with flesh or fish to one meal a-day. Such a provision certainly implies anything rather than the general prevalence of a meagre or penurious style of living at this time. It is further ordered that the said servants shall have "clothes for their vesture or hosing, whereof the whole cloth shall not exceed two marks, and that they wear no cloth of higher price, of their buying nor otherwise, nor nothing of gold nor of silver embroidered, aimeled, nor of silk." Their wives and daughters are forbidden to wear veils of a higher price than twelve pence each. Handicraftsmen and yeomen, again, are allowed to wear cloth of the price of forty shillings the whole cloth; but no cloth of gold nor of silver, nor girdle, knife, button, ring, garter, owche, ribband, chain, or any other ornament of gold or of silver, nor any apparel embroidered, or of silk: their wives and daughters are ordered to wear "no veil of silk, but only of yarn made within the realm, nor no manner of fur, nor of budge, but only lamb, coney, cat, and fox." Nearly the same regulations are laid down for the attire of esquires and all under the degree of a knight who have not lands or rents to the value of 100*l.* a-year, only that the cloth of which their dress is made is permitted to be of the value of four marks and a half, or sixty shillings. Esquires having lands or rents to the annual value of 200 marks (133*l.* 6*s.* 8*d.*) are allowed to "take and wear cloths of the price of five marks (3*l.* 6*s.* 8*d.*) the whole cloth, and cloth of silk and of silver, ribband, girdle, and other apparel reasonably garnished of silver;" and their wives and daughters, "fur turned up of minever, without ermine or letuse, or any manner of stone, but for their heads." "Merchants, citizens, and burgesses, artificers, and people of handicraft, as well within the city of London as elsewhere," having goods and chattels of the clear value of 500*l.*, are allowed to dress like esquires and gentlemen of 100*l.* a-year; and those possessing property to the amount of 1000*l.*, like landed proprietors of 200*l.* a-year. Other regulations follow respecting the apparel of knights and of clergymen which it is unnecessary for our present purpose to quote. The last enactment is, that "Carters, ploughmen, drivers of the plough, oxherds, cowherds, shepherds, swineherds, deys, and all other keepers of

* 23 Henry VI. c. 12.

† 3 Edward IV. c. 5.

‡ "Chausez" is the original French term.

§ 23 Edward IV. c. 1.

* 37 Edward III. chaps. 8-14.

† Servants as seigneurs come de mestiere et des artisans.

beasts, threshers of corn, and all manner of people of the estate of a groom, attending to husbandry, and all other people that have not forty shillings of goods nor of chattels, shall not take nor wear no manner of cloth but blanket and russet wool of twelve pence, and shall wear their girdles of linen according to their estate; and that in eating and drinking they live in the manner as pertaineth to them, and not excessively." It does not destroy the historical value of this "ordinance of living and of apparel," as evidence of the relative and actual conditions of the several ranks of the community at the time when it was passed, that it was totally repealed the following year.* The subject, however, as already mentioned, again drew the attention of the legislature, and gave occasion to a new law in 1463. This will in some degree show us the progress of wealth and luxury during the century that had elapsed. The statute begins by interdicting to knights, esquires, and gentlemen, and to their wives and daughters, according to their respective ranks, a great variety of descriptions of rich or ornamental attire, such as cloth of gold, courses wrought with gold, fur of sables, cloth of velvet upon velvet, cloth of silk being of the colour of purple, velvet, satin branched, counterfeit cloth of silk in imitation of that kind of satin, courses wrought like to velvet or to satin branched, or fur of ermine. The lord mayor of London, it may be observed, and his wife, are allowed to wear the array of knights bachelors and their wives; the aldermen and recorder of London, and the mayors of other cities and towns, that of esquires and gentlemen having property to the yearly value of forty pounds. It is next ordained that no man having less than forty pounds a-year, or his wife or daughter, shall wear any fur of martons (martins?), letuse, pure grey, or pure minever, or any girdle garnished with gold or silver, or any course of silk made out of the realm, or any kerchiefs (apparently the same thing called veils in the former act) whereof the price of a plight† shall exceed the sum of 3s. 4d. He, again, whose property does not amount to the yearly value of forty shillings, is forbidden "to wear in array for his body" any fustian bustian, or fustian of Naples, any scarlet cloth in grain, or any fur except black or white lamb. In regard to yeomen and all persons under that degree, it is ordained that they use no bolsters, nor stuffing of wool, cotton, or caddis, nor any other stuffing, in their doublets, but only a proper lining. The stuffing was a fashionable superfluity, which it seems even persons of this rank had now begun to adopt. A singular clause follows, prohibiting all persons not of noble rank from wearing garments of indecent brevity (the rule is laid down in terms of the most explicit *naïveté*), and therefore, as it would appear, making it one of the privileges of the nobility to indulge in that sort of offensive exposure. Lords

only, and no others, it is also ordained, may wear shoes or boots having pikes more than two inches long. Finally, as already noticed, servants in husbandry, and also artificers living in the country, and their wives, are restricted by this statute to clothing of which the material shall not be of higher price than two shillings the yard, and are prohibited from wearing either hose costing more than fourteen pence a pair, or girdles garnished with silver. The price, also, of the kerchiefs (or coverings for the head) to be worn by the wives of this class of the community is limited to twelve pence the plight. On the subject of kerchiefs, or "coverchiefs," in general, it is enacted that, inasmuch as those imported from abroad had hitherto put the realm to great charge and cost, no person should in future "sell, in any part within this realm, any lawn, nieffes, umple, or any other manner of coverchiefs whereof the plight shall exceed ten shillings." The next statute on this subject—that of 1482—is remarkable for the general exemption from its provisions of all women except the wives of servants and labourers. This was an important concession to the growing spirit of expense and display which augmented and more widely diffused wealth had generated. With regard to persons of the other sex, however, it was still ordered that the use of cloth of gold and silk of purple should be confined to the king and the royal family,—that no one under the degree of a duke should presume to wear cloth of gold of tissue,—none under the degree of a lord plain cloth of gold,—none under the degree of a knight any velvet in their doublets or gowns, or any damask or satin in their gowns,—and none under the degree of an esquire or gentleman either doublets of damask or satin, or gowns of chamlet. It was further forbidden to all who were not of noble rank to wear either foreign woollen or fur of sables; and the strange regulation touching garments of undue brevity, declaring that these also might be worn by none but lords, was repeated in the terms of the former act. Besides women and lords, however, several persons are exempted by name from all the provisions of the act, save only the prohibition against the wearing of purple and cloth of gold, one being "Master John Gunthorp, dean of the King's Chapel," one of the last functionaries in whom we should have expected to find a female passion for splendid attire. Besides the restriction already mentioned of servants in husbandry and labourers to broad-cloth not passing the price of two shillings the yard, and to hose not costing more than eighteen pence, this act directs that they shall not suffer their wives to wear "any veil* called a kerchief" whose price exceedeth twenty pence the plight. This liberal relaxation of the old rule in regard to what appears to have been the most ornamental or ostentatious article of female attire, was only fair to the wives of the

* By the 28th Edward III. c. 2.

† "A plight was a yard and a quarter in length."—Eden, *State of the Poor*, i. 63.

* The word is printed "Kelle" in the English translation, but the original French term is "voile;" in other copies, "veile," as in the preceding statutes.

labouring class, when their countrywomen of higher degree were emancipated altogether from the restraints of this impertinent kind of legislation.

To the period immediately preceding the present belongs the origin of English pauperism, as well as of legislation on the subject of the poor. So long as the system of villenage was maintained in its integrity, there could be no paupers in the land, that is to say, no persons left destitute of all means of subsistence except beggary or public alms. The principle of that institution was, that every individual who had nothing else, had, at least, a legal right to food and shelter from the landed proprietor or other master whose bondsman he was. The master was not more entitled to the services of his villain than the villain was to the maintenance of himself and his family at the expense of his master. It cannot be doubted that even when the villain, whether from sickness or old age, became unfit for work, his master was still as much bound to support him as when he was in the vigour of his days, and his services were at their highest value. This has, of absolute necessity, been the law in every age and country in which slavery has existed. Although human beings may, by a sufficiently unnatural and infamous abuse of the powers of society, be converted into property, and treated as a species of cattle, they cannot be shot through the head like worn-out horses, or thrown out and left to perish, when all the service they are capable of yielding has been got out of them. But as soon as the original slavery of the English labouring population began to be exchanged for freedom, and villenage gradually and at last generally passed away in the manner stated in the last Book,* the working man, now his own master, was of course left in all circumstances to his own resources; and, when either want of employment, or sickness, or the helplessness of old age, came upon him, if he had not saved something from his former earnings, and had no one to take care of him from motives of affection or compassion, his condition was as unprovided for as that of the fowls of heaven. But men will not starve while they can either beg or steal; hence the first appearance that the destitute poor, as a class of the community, make in our annals is in the characters of thieves and mendicants, sometimes enforcing their demands by threats or violence. The earliest notice of this state of things that we find on the Statute Book is in one of the chapters of the Ordinance of Labourers, enacted in 1349, in which it is commanded that, "because many valiant beggars, as long as they may live of begging, do refuse to labour, giving themselves to idleness and vice, and sometimes to theft and other abominations, none, upon pain of imprisonment, shall, under the colour of pity or alms, give anything to such which may labour, or presume to favour them in their sloth, so that thereby they may be compelled to labour for their necessary living."† The nuisance,

however, was not put down; and in 1376 the Rolls of Parliament record a strong complaint on the subject by the Commons. It is alleged that, notwithstanding the great wages which masters were obliged to give their servants and labourers to prevent their running away, such encouragement was given to them in their evil practices, that they were wont to quit on the slightest cause; that they then led an idle life in towns, or wandered as vagabonds over the country, many of them, though sufficiently able to labour, turning beggars, others becoming "staff-strikers" (or cudgell-players), and wandering from village to village in parties of two, three, and four; but the greater number turning out "sturdy rogues," and taking to open robbery in all parts of the kingdom. To remedy these evils, the Commons proposed that a law should be passed, prohibiting the giving of any relief in the way of charity to persons who were able to work, making vagrant beggars and staff-strikers liable to be imprisoned till they consented to return home to work, and imposing a penalty of 10*l.* upon any person detected in harbouring a runaway servant. No legislative measure, however, appears to have been actually adopted in consequence of this representation. It was not till 1383 that (by the 7th Rich. II. c. 5) it was ordained and assented, "to refrain the malice of divers people, feitors and wandering from place to place, running in the country more abundantly than they were wont in times past," that the justices of assize, the justices of peace, and the sheriffs, should have power to apprehend and examine diligently all such vagabonds, and to compel them to find surety for their good behaviour, or in default to commit them to the nearest gaol, "there to abide till the coming of the justices assigned for the deliverance of the gaols, who, in such case, shall have power to do upon such feitors and vagabonds so imprisoned, that that thereof to them best shall seem by the law." The indecision of this last vague phrase forcibly indicates the novelty of the evil to be corrected, and the want of any provision for it in the established law of the land, as well as the hesitation and perplexity which were now felt in devising a proper way of meeting it. The present statute was soon found to have provided no effectual remedy. The subject accordingly was again brought before the legislature in 1388, when it gave rise to a series of more elaborate enactments. First, it was ordered that no servant or labourer, whether man or woman, should depart out of the hundred, rape, or wapentake in which he had been dwelling, on pretence either of going to serve or dwell elsewhere, or of going on a pilgrimage, without carrying with him a letter patent, containing the cause of his going, and the time of his return—if he ought to return—under the king's seal, which for this purpose was to be entrusted to the keeping of some "good man" in every hundred, rape, wapentake, city, and borough: if any one was found wandering about without such letter, he was to be immediately apprehended and put in the stocks, and kept

* See vol. I. pp. 886, 897.

† This has escaped the research of Sir Frederick Eden, who places the first legislative notice of the prevalence of mendicity in 1376.—See *State of the Poor*, i. 43 and 61.

till he found surety to return to his service, or obtained a letter authorising him to depart for a reasonable cause.* Next it was enacted, that every person found begging, and able to serve or labour, should be treated in the same manner as a servant who had left his proper district without the requisite testimonial. And now, for the first time, we find notice taken of that class of the destitute poor, whose case forms the most difficult problem which legislation has to solve in connexion with this subject—those who are willing to work, but either cannot find employment, or, from bodily weakness, are incapable of labour. That persons coming under this description must have existed in great numbers, ever since the breaking up of the system of villenage had thrown the greater part of the labouring population loose from the ancient connexion on which they had been wont to depend for support, cannot be doubted; but the legislature had shut its eyes to the perplexing evil as long as it could. Even now it only half opened them. "Beggars impotent to serve," it was ordained, "shall abide in the cities and towns where they be dwelling at the time of the proclamation of this statute; and if the people of the said cities or towns will not or may not suffice to maintain them, then the said beggars shall draw them to other towns within the hundred, rape, or wapentake, or to the towns where they were born, within forty days after the said proclamation made, and there shall continually abide during their lives."† It may, perhaps, be inferred from these words, that a right to be supported at the expense of the inhabitants of the place in which they had been born was intended to be conferred by the statute upon the destitute poor; and if so, this is the earliest English law of settlement, and the proper commencement of our legislation on the subject of pauperism; but it will be observed, that the obligation upon the rape or hundred to support its own paupers, is enacted, if at all, only by implication. The legislature, as if even already in some degree apprehensive of what this beginning might lead to, seems to have shrunk from any express declaration of the novel principle. From the immediately succeeding chapter of the statute, which professes to direct how the several foregoing ordinances shall be executed, it might even be conjectured that it was really intended the paupers should be treated as a species of criminals. It is ordered that "the sheriffs, mayors, bailiffs, and keepers of the gaols, shall be holden and charged to receive the said servants, labourers, beggars, and vagabonds (there is no exception made with regard to the impotent), and to keep them in prison, without letting to mainprise or in bail, and without fee or any other thing taking of themselves or by any other, as long as they may be so imprisoned, or at their entry, or at their going forth." Perhaps it was felt inexpedient to avow this scheme of general incarceration for all descriptions of mendicants in plainer terms. The plan

* 12 Rich. II. c. 2.

† 12 Rich. II. c. 7.

probably was not found to answer very well; and, by a subsequent statute passed in 1391 (the 15th Rich. II. c. 6), we find it ordered, that in every future appropriation of any parish church the diocesan shall direct a convenient proportion of the fruits and profits of the benefice to be distributed yearly to the poor parishioners in aid of their subsistence and living for ever. This statute was confirmed in 1402 (by the 4th Hen. IV. c. 12). From that date we find no more mention of the poor in the Statute Book till after the close of the present period.

It is not to be supposed, however, notwithstanding the circumstances in the course of events in England during the fifteenth century that were favourable to both the political and economical advancement of the great body of the people, that a period marked by such revolutions and scenes of violence, in the confused rush of which all government was repeatedly for a time overthrown, could fail to generate its abundant harvest both of poverty and of crime. The inattention of the legislature to the continued growth of these and other kindred evils must be attributed to the public distractions of the time. An unusually near view into the interior of English society at this period is afforded us by one of the most curious reliques of former times, the collection of papers known by the name of 'The Paston Letters,' published in the latter part of the last century.* The 'Paston Letters' consist principally of the correspondence, from about 1440 to 1505, between the members and connexions of the respectable Norfolk family of that name—afterwards Earls of Yorkmouth—of which the head, till his death in 1444, was Sir William Paston, Knight, one of the justices of the Common Pleas, and popularly called the "Good Judge;" and afterwards, in succession, his eldest son, John Paston, Esq., who died in 1466; and the eldest and next eldest sons of the latter, Sir John Paston, Knight, a distinguished soldier, who died in 1479; and John Paston, Esq., also a military man, and eventually made a knight banneret by Henry VII. at the battle of Stoke, in 1487, who survived till 1503. A few public documents are intermixed among the private letters; even the latter, however, written as they are by persons who, from their station, were involved in all the leading political movements of their day, often throw much light on the public transactions of this obscure period. We have repeatedly, in the preceding pages, had occasion to refer to their testimony in regard to events imperfectly related, or not noticed at all, by the professed annalists of the time, and they will still afford us some further assistance in a small portion of the next section of our narrative. But the chief mass of their contents consists of details of the affairs of private life, the principal interest of

* Original Letters, written during the reigns of Henry VI., Edward IV., and Richard III., digested, with notes, by John Fenn, Esq., 2nd edit. 3 vols. 4to. 1787; vols. iii. and iv. by Sir John Fenn, Knight, 1789; and vol. 5 (including Letters during the reign of Henry VII.), by the late Sir John Fenn, Knight, 1825.

which lies in the illustration they afford of the general state of society and manners in England in that remote age. We will select a few specimens of the matter of this description to be found in the correspondence.

One of the most remarkable characteristics of this period is the manner in which the law itself—naturally and properly the great protective and tranquillising power of society—was turned into an engine of oppression and violence. Ostensibly the authority of the law was as much respected then as it is now; it was the regular resort in all disputes: and every act of the parties was scrupulously affected to be done in its name and under its sanction. The age, in fact, was pre-eminently one of legal forms. But the manner in which the forms of the law were applied, and the purposes to which its powers were attempted to be turned, evinced that the spirit of the age was still a spirit of force and barbarism. The law was as yet only a new instrument which the half-savage had got hold of, and by which his cunning endeavoured to assist his strength. The Paston Letters are crowded with instances in confirmation of this. A common practice, for example, by which a debtor avoided the payment of what he owed, was to get an outlawry issued against his creditor. "Furthermore," writes a correspondent to the first of the three John Pastons we have mentioned, in 1440, "ye be remembered, that an esquire of Suffolk, called John Lyston, recovered, in assize of novel disseisin, 700 marks (466*l.* 13*s.* 4*d.*) in damages against Sir Robert Wingfield. In avoiding of the payment of the said 700 marks, the said Sir Robert Wingfield subtly hath outlawed the said John Lyston in Nottinghamshire; by the virtue of which outlawry all manner of chattel to the said John Lyston appertaining are accrued unto the king. And anon, as soon as the said outlawry was certified, my Lord Treasurer granted the said 700 marks to my Lord of Norfolk for the arrears of his pay whilst he was in Scotland. And according to this assignment aforesaid, tallies were delivered. And my Lord of Norfolk hath released the same 700 marks to Sir Robert Wingfield."* This arrangement, so convenient both for Wingfield and the Duke of Norfolk, may be presumed to have been managed through the influence of the latter, assisted perhaps by the Lord Treasurer, who may also have been admitted to a share of the benefit. In like manner legal proceedings, it seems, were sometimes taken clandestinely, which materially affected the property of individuals, even perhaps to the extent of obtaining a decree depriving them of their title to the property, before they had ever been made aware that it was called in question. Something of this kind appears to be intimated in the following passage of a letter addressed, in 1462, to the same John Paston by a person who was probably his law agent in London:—"Please it your worshipful

* Paston Letters, i. 9. We quote from the version given by Sir John Fenn in modern spelling. It may be proper, however, to notice that this version does not always express the full amount of the original.

mastership to weet, that it is informed me this day secretly that there is directed out a commission to Master Yelverton and Master Jenney (two lawyers) which shall to-morrow sit by virtue of the same at St. Olave's (in Suffolk), and the substance of gentlemen and yeomen of Lothingland be assigned to be afore the said commissioners; and it is supposed it is for my master's lands; for, as the said person informed me, the said commissioners have been at Cotton, and there entered and holden a court. I cannot inform your mastership that it is thus in certain, but thus it was told me, and desired me to keep it secret; but because I conceive it is against your mastership, it is my part to give you relation thereof."* But the most extraordinary of the legal proceedings which the correspondence records are those that took place in a long contest between the Pastons and the Duke of Norfolk for the possession of the estate of Caister, which the celebrated warrior Sir John Fastolf, on his death in 1459, had left by will to the former, to whom he was related, but which the duke asserted he had already given to him in his lifetime. This business occupies a considerable portion of more than one volume of the publication, and we cannot, therefore, here attempt any detail of it in its whole extent. The first intimation we have of the duke's claim is in a letter to John Paston from his mother, written apparently a short time before the death of Fastolf. "It is said in this country," she writes from Norwich, "that my Lord of Norfolk saith Sir John Fastolf hath given him Caister, and he will have it plainly."† On the death of Sir John, however, Paston appears to have entered upon the possession of the estate.‡ The Duke of Norfolk died in 1461, but his son, by whom he was succeeded (the last of the Mowbrays), maintained the claim that had been made by his father, and seems also to have some years afterwards endeavoured to strengthen his right by concluding a bargain for the purchase of the estate with one of Fastolf's executors.§ He then, in 1468, proceeded to lay regular siege to the manor-house. On the 9th of November, that year, Sir John Paston, who had by this time succeeded his father, writes from London to his younger brother John, at Caister, informing him that he has procured "four well-assured and true men to do all manner of thing that they be desired to do in safeguard or strengthening of the said place;" "and moreover," it is added, "they be proved men, and cunning in the war and in feats of arms; and they can well shoot both guns and cross-bows, and amend and string them, and devise bulwarks, or any things that should be a strength to the place; and they will, as need is, keep watch and ward: they be sad (serious) and well-advised men, saving one of them which is bald, and called William Penny, which is as good a man as goeth on the earth, saving a little,—he will, as I understand, be a little copshotten (high-crested), but yet he is no brawler, but full

* Paston Letters, i. 261. † Id. iii. 167. ‡ Id. iii. 405. § Id. iv. 299.

of courtesy," &c. He goes on to say that they must have a couple of beds, which he prays his mother to provide for them. "Ye shall find them," he concludes, "gentlemanly, comfortable fellows, and that they will and dare abide by their taking: and if ye understand that any assault should be towards, I send you these men, because that men of the country there about you should be frightened for fear of loss of their goods; wherefore, if there were any such thing towards, I would ye took of men of the country but few, and that they were well-assured men, for else they might discourage all the remanent."* These are exactly such preparations as might be made in case of a dispute between two parties not living under the dominion of any common law or government at all. Yet, if the law did not expressly sanction the present proceedings, it appears to have looked on without ever attempting to interrupt them. A letter to Sir John Paston from his mother, dated 12th September, 1469, informs us of the state of matters at that time, apparently some months, or at least weeks, after the attack had commenced. "I greet you well," she writes, "letting you weet that your brother and his fellowship stand in great jeopardy at Caister, and lack victuals; and Daubeney and Berney (two friends who had joined him in the defence) be dead, and divers other greatly hurt; and they fail gunpowder and arrows, and the place is sore broken with guns of the other party, so that, unless they have hasty help, they be like to lose both their lives and the place, to the greatest rebuke to you that ever came to any gentleman, for every man in this country marvelleth greatly that ye suffer them to be so long in so great jeopardy without help or other remedy." She goes on to state that the duke had sent for all his tenants to present themselves at Caister on the following Thursday, so that, she says, "there is there like to be the greatest multitude of people that came there yet, and they purpose then to make a great assault; for they have sent for guns to Lynn and other places, by the sea's side, that with their great multitude of guns, with other shot and ordinance, there shall no man dare appear in the place; . . . therefore, as ye will have my blessing, I charge you and require you that you see your brother be holpen in haste." She urges him to get either the Duke of Clarence or the Archbishop of York to apply to the Duke of Norfolk, proposing terms of accommodation; or if he thinks, as she supposes he will, that the duke will not agree to this, because he had made an offer to that effect before, which had not been accepted, she beseeches that an application may be made by Clarence or the Archbishop to the Earl of Oxford to come to the rescue of the besieged, "though the said earl," she adds, "should have the place during his life for his labour; spare not this to be done in haste if ye will have their lives, and be set by (esteemed) in Norfolk, though ye should lose the best manor of all for the rescue; . . . do your

* Paston Letters, iv. 306.

devoir now, and let me send you no more messengers for this matter, but send me by the bearer hereof more certain comfort than ye have done by all other that ye sent before."* Sir John's answer to this pressing letter is very interesting, but is greatly too long to be quoted entire: a few passages, however, are too curiously illustrative of the times to be omitted. He begins by assuring his mother that, on Saturday last, both Daubeney and Berney were alive and merry, and that she is undoubtedly in error in the account she gives of their having been killed. In fact, Berney is known to have lived till some years after this time. It had also been agreed, he tells her, that there should be a truce till Monday, and he was in good hopes it would be still further prolonged. As for his not helping his brother and those with him, "they shall be rescued," he says, "if all the lands that I have in England, and friends, may do it . . . if God be friendly, and that as shortly as it may goodly and well be brought about." The greatest default earthly, he declares, is money, and some friends and neighbours to help; wherefore he beseeches his mother to send him comfort with what money she could find the means to procure or borrow on interest on any species of security he has it in his power to give. The constant and extreme scarcity of money, even among people of condition and extensive landed property, is one of the circumstances of the times which most frequently meet us in these Letters. Sir John, after vindicating himself calmly but earnestly from his mother's implied charge that he had not done his duty by his brother, assuring her that those within the house at Caister had had no worse rest nor more jeopardy there than he himself had had in London, and protesting that he would rather lose the estate altogether than the simplest man's life engaged in defending it, again beseeches her to send him without delay what money she can raise: "for by my troth," he says, "I have but ten shillings, and wot not where to have more; and moreover I have been ten times in like case or worse within this ten weeks."† Yet he was living at this very time in habits of intimate intercourse with the chief men in the land, was a frequenter of the court, and seems to have enjoyed the friendly regard of the king himself. With our modern notions of the indispensableness of some command of pecuniary resources for almost any kind of independent existence, it is difficult to enter into the conception of such a state of things; but money was not in those days nearly so much the universal mark of wealth as it is now. A person, for instance, with little money, might still be in no want of food, or of any of the other ordinary necessities of life, and might therefore manage very well both to maintain a numerous array of domestics, and even to spread a plentiful table for all comers. The poverty that prevailed was merely a scarcity of the circulating medium of exchange. The inconvenience of this, however, was severely felt, as we have seen, on the

* Paston Letters, iv. 307. Digitized by Google

† Id. iv. 333.

occurrence of any unusual emergency. From his mother's answer to Sir John's letter, it appears that Daubeney was really dead. She writes to her son with much good sense and right feeling, exhorting him to take what has befallen him patiently, and to thank God for the visitation. "If anything," she says, "have been amiss, any otherwise than it ought to have been before this, either in pride, or in lavish expenses, or in any other thing that have offended God, amend it, and pray him of his grace and help, and intend well to God and to your neighbours, and though your power hereafter be to acquit (to make return upon) them of their malice, yet be merciful to them, and God shall send you the more grace to have your intent in other things." Of money she had only been able to obtain ten pounds upon pledges, and "that," she says, "is spent for your matters here, for paying of your men that were at Caister, and other things, and I wot not where to get more, neither for surety nor for pledges; and as for mine own livelihood I am so simply paid thereof, that I fear me I shall be fain to borrow for myself, or else to break up household, or both."* She proceeds with much prudent advice to her son for the regulation of his affairs, which we must omit. Very soon after this, as we learn from a letter of John Paston's, Caister was yielded up to the duke.† Want of money, and consequent failure of victuals and gunpowder, had compelled the brave garrison to surrender. It is a remarkable trait of the times that the contest has been no sooner in this manner brought to a close, than John Paston talks of engaging in the duke's service, against whom he had just been bearing arms. It may be observed, also, that scarcely any expression of bitterness or irritated feeling escapes from any of the writers in reference to the adverse party, even during the height of the murderous controversy. Much more exasperation than all this violence and bloodshed appears to have occasioned would usually be generated by the cold and calm hostilities, that break no bones, of a modern law-suit. The affair, after all its destructive results, seems to have been regarded as nothing more than a sort of game, or trial of skill or strength, much indeed as we still regard a war between one people and another, which, as soon as it is terminated by a peace, generally leaves no feelings of enmity or soreness in either. In that age, besides, in the dance of revolutions and counter-revolutions, men had been so much accustomed to shifting of sides, and it was so common for the hands to be locked in union to-day that had been lifted against each other yesterday, that the habit of any long retention of enmity must have been of difficult acquisition. There is no state of things which has not some peculiar advantages, and the induration of many sensibilities that in a more refined condition of society are often both sharp tormentors and active mischief-makers, is one of the compensations which temper to those whose lot is cast in a comparatively barbarous age,

* Paston Letters, iv. 401.

† Id. 411.

or in times of blood and violence, the inclemencies of their stormy existence. In England, at the period with which we are at present occupied, human life was evidently rated at a very low value; the constant risks to which it was exposed reduced its real worth; and the mere habit of seeing it constantly perilled, and so often suddenly lost, helped still further to make its extinction, by violence or otherwise, be regarded with a deficiency of concern, of which in the present day we have no conception. The nearest relations were little lamented and soon forgotten. When a man died, the feelings of his friends and connexions expended themselves in giving him a handsome funeral, and procuring some masses to be said for his soul, partly to secure his comfort in the other world, partly for the sake of their own credit in this;—for the rest, the dead only made more room for the living, in the universal scramble to which the scene of life was reduced. After the resignation of Caister, the Pastons suffered some little annoyance from a prosecution with which they were threatened at the instance of the widow of one of the Duke of Norfolk's men who had been killed at the siege. It was understood that the woman had been instigated by the duke, but, if she really had ever seriously entertained the intention of coming forward in the matter, she was soon induced to desist from her purpose. According to a letter written to John Paston on the 22nd of October, 1470, by a person who had gone to her and conversed with her on the subject, she had already found a second husband, and had no inclination to give herself any further trouble about the one she had lost. She told this correspondent that she had never sued the appeal, but that she was, by subtle craft, brought to the New Inn at Norwich, where an attempt was made by an agent of the duke's to induce her to come forward; "but she said that she had lever (rather) lose that she had done, than to lose that and more, and therefore she said plainly that she would no more of that matter, and so she took her an husband, which is the said Thomas Slyward; and she saith that it was full sore against her will that ever the matter went so far forth, for she had never none avail thereof, but it was sued to her great labour and loss, for she had never of my lord's counsel, but barely her costs to London."* At the worst, this, the only interference on the part of the law with which their violent proceedings were ever menaced, appears to have been regarded by all parties as a matter of very little consequence. Caister, it may be added, was eventually recovered by the Pastons after the death of the Duke of Norfolk, in 1475. The final arrangement of the affair seems to have been effected partly by process before the king's council, partly by negotiation with the Duchess of Norfolk, who had always been well disposed towards the family, and had exerted herself, even in her husband's lifetime, to accommodate matters between them and him.

Throughout these letters the features of the times which present themselves most prominently are those indicative of the unsettled, insecure, and half-disorganised state to which society had been brought by the public distractions, and the double curse of a government at once weak and oppressive—powerless for good, and strong only for evil. The writers repeatedly advert in guarded, but not on that account the less expressive language, to what they call sometimes the “quavering,” sometimes the “queasy” condition of the world, as if they felt all things to be giddy and reeling around them. A general sense of instability, and expectation of continued change, infested every man’s mind. In the popular imagination this feeling, as might be expected, took a superstitious shape, disposing men to listen with gaping mouth to warnings and predictions, and to see the shadows of coming events in the clouds. “Here,” writes a correspondent from London to the first John Paston, in October, 1455, a few months after the commencement of the civil war at the fight of St. Alban’s, “be many marvellous tales of things that shall fall this next month, as it is said; for it is talked that one Dr. Grene, a priest, hath calculated and reporteth, that before St. Andrew’s day next coming shall be the greatest battle that was since the battle of Shrewsbury, and it shall fall between the Bishop’s Inn of Salisbury and Westminster Bars; and there shall die seven lords, whereof three shall be bishops. All this and much more is talked and reported: I trust to God it shall not fall so!”* To the last hour of the long contest nobody felt any assurance or strong conviction as to how it would terminate. Sir John Paston fought on the side of the Lancastrians at the battle of Barnet, so disastrous for that party, in April, 1471. Four days after his escape from that field, and within sixteen days of Edward’s crowning victory at Tewkesbury, he writes to his mother,—“God hath showed himself marvellously like him that made all, and can undo all when him list; and I can think that by all likelihood shall show himself as marvellous again, and that in short time; and, as I suppose, oftener than once in cases like.”† It could not happen otherwise in such chaotic and bewildering times, than that men should learn and practise caution, concealment, duplicity, and all

* Paston Letters, i. 115.

† Id. ii. 67.

the other arts by which the sudden jolts and convulsions of fortune were to be best sustained, including even that of dexterously shifting the position, and openly stepping over from one side to the other, at the proper moment. The letters before us are deeply marked by the traces of this prudential policy. “There is much ado in the world, as men say,” writes Sir John Paston to his mother, after the apparently complete re-establishment of Edward: “I pray you beware of your guiding, and in chief of your language, so that from henceforth by your language no man perceive they favour any person contrary to the King’s pleasure.”* And, in fact, as we have had occasion to notice above, Sir John is found soon after the figuring at court, and in the enjoyment of the marked favour of the Yorkist king. It would be an affectation, in the circumstances, to censure the conduct very sternly; besides the rudeness of the age, which excuses any imperfection in the manner in which it may have been usually varnished over. It is to be observed that this contention of the Roses was really a mere personal affair after all; it was no struggle of principles, like the great civil war of the seventeenth century; no point either in the theory, or even in the practice of government, was involved in it; the whole matter of the dispute was merely whether the reigning king should be called by the name of Henry or Edward. We believe, as we have already said, that the mass of the people were generally very indifferent as to how this question might be decided; and in truth, except in so far as the interests and partialities of individuals were concerned, it was not a very momentous one. It was right, no doubt, that even on such a question as this, men should be faithful to the side they had espoused, so long as the issue of the strife undetermined; the abandonment of his cause by any one while it could be hurt by his desertion, would have been here, as in other cases, base and criminal; but this was certainly not a case in which an enlightened patriotism would have prompted a man to disturb the peace of his country indefinitely for the chance of having the matter in dispute settled at last according to his own views. He might be excused for feeling quite contented if it were settled at all.

* Paston Letters, i. 75.

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