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HISTORY OF ENGLAND

FROM

THE FALL OF WOLSEY

TO

THE DEATH OF ELIZABETH.

BY

JAMES ANTHONY FROUDE, M.A.

LATE FELLOW OF EXETER COLLEGE, OXFORD.

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CHAPTER VI.

THE PROTESTANTS.

WHERE changes are about to take place of great and enduring moment, a kind of prologue, on a small scale, sometimes anticipates the true opening of the drama; like the first drops which give notice of the coming storm, or as if the shadows of the reality were projected forwards into the future, and imitated in dumb show the movements of the real actors in the story.

Prelude to the Reformation in the fourteenth century.

Such a rehearsal of the English Reformation was witnessed at the close of the fourteenth century, confused, imperfect, disproportioned, to outward appearance barren of results; yet containing a representative of each one of the mixed forces by which that great change was ultimately effected, and foreshadowing even something of the course which it was to run.

There was a quarrel with the pope upon the extent of the papal privileges; there were disputes between the laity and the clergy,—accompanied, as if involuntarily, by attacks on the sacramental system and the Catholic faith,—while innovation in doctrine was accompanied also with the tendency which characterized the extreme development of the later Protestants—to-

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Ch. 6.

wards political republicanism, the fifth monarchy, and community of goods. Some account of this movement must be given in this place, although it can be but a sketch only. 'Lollardry'* has a history of its own; but it forms no proper part of the history of the Reformation. It was a separate phenomenon, provoked by the same causes which produced their true fruit at a later period; but it formed no portion of the stem on which those fruits ultimately grew. It was a prelude which was played out, and sank into silence, answering for the time no other end than to make the name of heretic odious in the ears of the English nation. In their recoil from their first failure, the people stamped their hatred of heterodoxy into their language; and in the word *miscreant*, misbeliever, as the synonym of the worst species of reprobate, they left an indelible record of the popular estimate of the followers of John Wycliffe.

The Lollards forerunners not fathers of the Reformation.

The Lollard story opens with the disputes between the crown and the see of Rome on the presentation to English benefices. For the hundred and fifty years which succeeded the Conquest, the right of nominating the archbishops, the bishops, and the mitred abbots, had been claimed and exercised by the crown. On the passing of the great charter, the church had recovered its liberties, and the privilege of free election had been conceded by a special clause to the clergy.

Changes in the mode of presentation to bishopricks.

* The origin of the word Lollards has been always a disputed question. I conceive it to be from Lolium. They were the 'tares' in the corn of Catholicism.

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The practice which then became established was in accordance with the general spirit of the English constitution. On the vacancy of a see, the cathedral chapter applied to the crown for a congé d'élire. The application was a form; the consent was invariable. A bishop was then elected by a majority of suffrages; his name was submitted to the metropolitan, and by him to the pope. If the pope signified his approval, the election was complete; consecration followed; and the bishop having been furnished with his bulls of investiture, was presented to the king, and from him received 'the temporalities' of his see. The mode in which the great abbots were chosen was precisely similar; the superiors of the orders to which the abbeys belonged were the channels of communication with the pope, in the place of the archbishops; but the elections in themselves were free, and were conducted in the same manner. The smaller church benefices, the small monasteries or parish churches, were in the hands of private patrons, lay or ecclesiastical; but in the case of each institution a reference was admitted, or was supposed to be admitted, to the court of Rome.

Right of free election conceded in the great charter to the chapters and the religious houses.

There was thus in the pope's hand an authority of an indefinite kind, which it was presumed that his sacred office would forbid him to abuse, but which, however, if he so unfortunately pleased, he might abuse at his discretion. He had absolute power over every nomination to an English benefice; he might refuse his consent till such adequate reasons, material or spiritual, as he considered sufficient to induce him to ac-

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CH. 6. quiesce, had been submitted to his consideration.

Privilege of the pope and of the superiors of the religious orders in controlling the elections.

In the case of nominations to the religious houses, the superiors of the various orders residing abroad had equal facilities for obstructiveness; and the consequence of so large a confidence in the purity of the higher orders of the Church became visible in an act of parliament which it was found necessary to pass in 1306-7.*

A.D. 1306-7

Act to prevent the superiors resident abroad from laying taxes on the English houses.

'Of late,' says this act, 'it has come to the knowledge of the king, by the grievous complaint of the honourable persons, lords, and other noblemen of his realm, that whereas monasteries, priories, and other religious houses were founded to the honour and glory of God, and the advancement of holy church, by the king and his progenitors, and by the said noblemen and their ancestors; and a very great portion of lands and tenements have been given by them to the said monasteries, priories, and religious houses, and the religious men serving God in them; to the intent that clerks and laymen might be admitted in such houses, and that sick and feeble folk might be maintained, hospitality, almsgiving, and other charitable deeds might be done, and prayers be said for the souls of the founders and their heirs; the abbots, priors, and governors of the said houses, *and certain aliens their superiors*, as the abbots and priors of the Cistertians, the Premonstrants, the orders of Saint Augustine and of Saint Benedict, and many more of other religions and orders have at their own pleasure set

* 35 Ed. I.; Statutes of Carlisle, cap. 1–4.

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divers heavy, unwonted heavy and importable tallages, payments, and impositions upon every of the said monasteries and houses subject unto them, in England, Ireland, Scotland, and Wales, without the privity of the king and his nobility, contrary to the laws and customs of the said realm; and thereby the number of religious persons being oppressed by such tallages, payments, and impositions, the service of God is diminished, alms are not given to the poor, the sick, and the feeble; the healths of the living and the souls of the dead be miserably defrauded; hospitality, alms-giving, and other godly deeds do cease; and so that which in times past was charitably given to godly uses and to the service of God, is now converted to an evil end, by permission whereof there groweth great scandal to the people.' To provide against a continuance of these abuses, it was enacted that no 'religious' persons should, under any pretence or form, send out of the kingdom any kind of tax, rent, or tallage; and that 'priors aliens' should not presume to assess any payment, charge, or other burden whatever upon houses within the realm.*

The language of this act was studiously guarded. The pope was not alluded to; the specific methods by which the extortion was practised were not explained; the tax upon presentations to benefices, either having not yet distinguished itself beyond other impositions, or the government trusting that a measure of this

* 35 Ed. I. cap. 1–4.

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CH. 6. A.D. 1351-2

general kind might answer the desired end. Lucrative encroachments, however, do not yield so easily to treatment; nearly fifty years after it became necessary to re-enact the same statute; and while recapitulating the provisions of it, the parliament found it desirable to point out more specifically the intention with which it was passed.

The popes in the interval had absorbed in their turn from the heads of the religious orders, the privileges which by them had been extorted from the affiliated societies. Each English benefice had become the fountain of a rivulet which flowed into the Roman exchequer, or a property to be distributed as the private patronage of the Roman bishop: and the English parliament for the first time found itself in collision with the Father of Christendom.

Statute of provisors forbidding the attempts of the popes to present to benefices in England.

'The pope,' says the fourth of the twenty-fifth of Edward III., 'accroaching to himself the signories of the benefices within the realm of England, doth give and grant the same to aliens which did never dwell in England, and to cardinals which could not dwell here, and to others as well aliens as denizens, whereby manifold inconveniences have ensued.' 'Not regarding' the statute of Edward I., he had also continued to present to bishopricks, abbeys, priories, and other valuable preferments: money in large quantities was carried out of the realm from the proceeds of these offices, and it was necessary to insist emphatically that the papal nominations should cease. They were made in violation of

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the law, and were conducted with simony so flagrant that English benefices were sold in the papal courts to any person who would pay for them, whether an Englishman or a stranger. It was therefore decreed that the elections to bishopricks should be free as in time past, that the rights of patrons should be preserved, and penalties of imprisonment, forfeiture, or outlawry, according to the complexion of the offence, should be attached to all impetration of benefices from Rome by purchase or otherwise.*

If statute law could have touched the evil, these enactments would have been sufficient for the purpose; but the influence of the popes in England was of that subtle kind which was not so readily defeated. The law was still defied, or still evaded; and the struggle continued till the close of the century, the legislature labouring patiently, but ineffectually, to confine with fresh enactments their ingenious adversary.†

The statute fails, and is again enacted in fresh forms.

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* 25 Ed. III. stat. 4. A clause in the preamble of this act bears a significantly Erastian complexion: *come seinte Eglise estoit founde en estat de prelacie deins le royaulme Dengleterre par le dit Roi et ses progenitours, et countes, barons, et nobles de ce Royaulme et lours ancestres, pour eux et le poeple enfourmer de la lei Dieu.* If the Church of England was held to have been founded not by the successors of the Apostles, but by the king and the nobles, the claim of Henry VIII. to the supremacy was precisely in the spirit of the constitution.

† 38 Ed. III. stat. 2; 3 Ric. II. cap. 3; 12 Ric. II. cap. 15; 13 Ric. II. stat. 2. The first of these acts contains a paragraph which shifts the blame from the popes themselves to the officials of the Roman courts. The statute is said to have been enacted en eide et confort du pape qui moult sovent a estee trublez par tieles et semblables clamours et impetracions, et qui y meist voluntiers covenable remedie, si sa seyntetee estoit sur

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A.D. 1389-90. The popes threaten the censures of the church.

At length symptoms appeared of an intention on the part of the popes to maintain their claims with spiritual censures, and the nation was obliged to resolve upon the course which, in the event of their resorting to that extremity, it would follow. The lay lords* and the House of Commons found no difficulty in arriving at a conclusion. They passed a fresh penal statute with prohibitions even more emphatically stringent, and decided that 'if any man brought into this realm any sentence, summons, or excommunication, contrary to the effect of the statute, he should incur pain of life and members, with forfeiture of goods; and if any prelate made execution of such sentence, his temporalities should be taken from him, and should abide in the king's hands till redress was made.'†

The parliament declares that to bring any such censures into the realm shall be punished with death and forfeiture.

So bold a measure threatened nothing less than open rupture. The act, however, seems to have been passed in haste, without determined consideration; and on second thoughts, it was held more prudent to attempt a milder course. The strength of the opposition to the papacy lay

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ces choses enfournee. I had regarded this passage as a fiction of courtesy like that of the Long Parliament who levied troops in the name of Charles I. The suspicious omission of the clause, however, in the translation of the statutes which was made in the later years of Henry VIII. justifies an interpretation more favourable to the intentions of the popes.

* The abbots and bishops decently protested. Their protest was read in parliament, and entered on the Rolls. *Rot. Parl.* iii. [264] quoted by Lingard, who has given a full account of these transactions.

† 13 Ric. II. stat. 2.

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with the Commons.* When the session of parliament was over, a great council was summoned to reconsider what should be done, and an address was drawn up, and forwarded to Rome, with a request that the then reigning pope would devise some manner by which the difficulty could be arranged.† Boniface IX. replied with the same want of judgment which was shown afterwards on an analogous occasion by Clement VII. He disbelieved the danger; and daring the government to persevere, he granted a prebendal stall at Wells to an Italian cardinal, to which a presentation had been made already by the king. Opposing suits were instantly instituted between the claimants in the courts of the two countries. A decision was given in England in favour of the nominee of the king, and the bishops agreeing to support the crown were excommunicated.‡ The court of Rome had resolved to try the issue by a struggle of force, and the government had no alternative but to surrender at discretion, or to persevere at all hazards, and resist the usurpation.

A.D. 1389-90. A 'great council' addresses the pope, with a desire for an arrangement.

The question is brought to an issue by the excommunication of the bishops.

The proceedings on this occasion seem to have been unusual, and significant of the importance of the crisis. Parliament either was sitting at the time when the excommunication was issued,

A.D. 1392-3

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* See 16 Ric. II. cap. 5.

† This it will be remembered was the course which was afterwards followed by the parliament under Henry VIII. before abolishing the payment of first-fruits.

‡ Lingard says, that 'there were rumours that if the prelates executed the decree of the king's courts, they would be excommunicated.'—Vol. iii. p. 172. The language of the act of parliament, 16 Ric. II. cap. 5, is explicit that the sentence was pronounced.

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CH. 6. A.D. 1392-3

or else it was immediately assembled; and the House of Commons drew up, in the form of a petition to the king, a declaration of the circumstances which had occurred. After having stated generally the English law on the presentation to benefices, 'Now of late,' they added, 'divers processes be made by his Holiness the Pope, and censures of excommunication upon certain bishops, because they have made execution of the judgments [given in the king's courts], to the open disherison of the crown; whereby, if remedy be not provided, the crown of England, which hath been so free at all times, that it has been in no earthly subjection, should be submitted to the pope; and the laws and statutes of the realm by him be defeated and avoided at his will, in perpetual destruction of the sovereignty of the king our lord, his crown, his regality, and all his realm.' The Commons, therefore, on their part, declared, 'That the things so attempted were clearly against the king's crown and his regality, used and approved of in the time of all his progenitors, and therefore they and all the liege commons of the realm would stand with their said lord the king, and his said crown, in the cases aforesaid, to live and die.'* Whether they made allusion to the act of 1389 does not appear—a measure passed under protest from one of the estates of the realm was possibly held unequal to meet the emergency—at all events they would not rely upon it. For after this

The House of Commons declare that they will stand with the Crown to live and die,

* 16 Ric. II. cap. 5.

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peremptory assertion of their own opinion, they desired the king, 'and required him in the way of justice,' to examine severally the lords spiritual and temporal how they thought, and how they would stand.* The examination was made, and the result was satisfactory. The lay lords replied without reservation that they would support the crown. The bishops (they were in a difficulty for which all allowance must be made) gave a cautious, but also a manly answer. They would not affirm, they said, that the pope had a right to excommunicate them in such cases, and they would not say that he had not. It was clear, however, that legal or illegal, such excommunication was against the privileges of the English crown, and therefore that, on the whole, they would and ought to be with the crown, *loialment*, like loyal subjects, as they were bound by their allegiance.†

A.D. 1392-3 And desire the king to examine the lords spiritual and temporal how they will stand.

The lay lords answer directly, and the spiritual lords indirectly, to the same effect with the Commons.

In this unusual and emphatic manner, the three estates agreed that the pope should be resisted; and an act passed 'that all persons suing at the court of Rome, and obtaining thence any bulls, instruments, sentences of excommunication which touched the king, or were against him, his regality, or his realm, and they which brought the same within the realm, or received the same, or made thereof notification, or any other execution whatever, within the realm or without, they, their notaries, procurators, maintainers and abettors, fautors and

* 16 Ric. II. cap. 5. † Ibid.

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CH. 6. counsellors, should be put out of the king's protection, and their lands and tenements, goods and chattels, be forfeited.'

A.D. 1392-3 The pope yields.

The resolute attitude of the country terminated the struggle. Boniface prudently yielded, and for the moment, and indeed for ever under this especial form, the wave of papal encroachment was rolled back. The temper which had been roused in the contest, might perhaps have carried the nation further. The liberties of the crown had been asserted successfully. The analogous liberties of the church might have followed; and other channels, too, might have been cut off, through which the papal exchequer fed itself on English blood. But at this crisis the anti-Roman policy was arrested in its course by another movement, which turned the current of suspicion, and frightened back the nation to conservatism.

Analogous agitation among the laity against the corruption of the clergy.

While the crown and the parliament had been engaged with the pope, the undulations of the dispute had penetrated down among the body of the people, and an agitation had been commenced of an analogous kind against the spiritual authorities at home. The parliament had lamented that the duties of the religious houses were left unfulfilled, in consequence of the extortions of their superiors abroad. The people, who were equally convinced of the neglect of duty, adopted an interpretation of the phenomenon less favourable to the clergy, and attributed it to the temptations of worldliness, and the self-indulgence generated by enormous wealth.

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This form of discontent found its exponent in John Wycliffe, the great forerunner of the Reformation, whose austere figure stands out above the crowd of notables in English history, with an outline not unlike that of another forerunner of a greater change.

A.D. 1360. John Wycliffe.

The early life of Wycliffe is obscure. Lewis, on the authority of Leland,* says that he was born near Richmond, in Yorkshire. Fuller, though with some hesitation, prefers Durham.† He emerges into distinct notice in 1360, ten years subsequent to the passing of the first Statute of Provisors, having then acquired a great Oxford reputation as a lecturer in divinity, and having earned for himself powerful friends and powerful enemies. He had made his name distinguished by attacks upon the clergy for their indolence and profligacy: attacks both written and orally delivered—those written, we observe, being written in English, not in Latin.‡ In 1365, Islip, Archbishop of Canterbury, appointed him Warden of Canterbury Hall; the appointment, however, was made with some irregularity, and the following year, Archbishop Islip dying, his successor, Langham, deprived Wycliffe, and the sentence was confirmed by the king. It seemed, nevertheless, that no personal reflection was intended by this decision, for Edward III. nomi-

His early career.

* Lewis, *Life of Wycliffe.*

† If such *scientia media* might be allowed to man, which is beneath certainty and above conjecture, such should I call our persuasion that he was born in Durham.—Fuller's *Worthies*, vol. i. p. 479.

‡ *The Last Age of the Church* was written in 1356. See Lewis, p. 3.

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Ch. 6. nated the ex-warden one of his chaplains immediately after, and employed him on an important mission to Bruges, where a conference on the benefice question was to be held with a papal commission.

A.D. 1360-1377.

Other church preferment was subsequently given to Wycliffe; but Oxford remained the chief scene of his work. He continued to hold his professorship of divinity; and from this office the character of his history took its complexion. At a time when books were rare and difficult to be procured, lecturers who had truth to communicate fresh drawn from the fountain, held an influence which in these days it is as difficult to imagine as, however, it is impossible to overrate. Students from all Europe flocked to the feet of a celebrated professor, who became the leader of a party by the mere fact of his position.

The burden of Wycliffe's teaching was the exposure of the indolent fictions which passed under the name of religion in the established theory of the church. He was a man of most simple life; austere in appearance, with bare feet and russet mantle.* As a soldier of Christ, he saw in his Great Master and his Apostles the patterns whom he was bound to imitate. By the contagion of example he gathered about him other men who thought as he did; and gradually, under his captaincy, these 'poor priests,' as they were called—vowed to poverty because Christ was poor—vowed to accept no benefice, lest they

Simplicity of his life and habits.

The poor priests.

* Leland.

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should misspend the property of the poor, and because, as apostles, they were bound to go where their Master called them,* spread out over the country as an army of missionaries, to preach the faith which they found in the Bible—to preach, not of relics and of indulgences, but of repentance and of the grace of God. They carried with them copies of the Bible which Wycliffe had translated, leaving here and there, as they travelled, their costly treasures, as shining seed points of light; and they refused to recognise the authority of the bishops, or their right to silence them.

His doctrines.

The translation of the Bible.

If this had been all, and perhaps if Edward III. had been succeeded by a prince less miserably incapable than his grandson Richard, Wycliffe might have made good his ground; the movement of the parliament against the pope might have united in a common stream with the spiritual move against the church at home, and the Reformation have been antedated by a century. He was summoned to answer for himself before the Archbishop of Canterbury in 1377. He appeared in court supported by the presence of John of Gaunt, Duke of Lancaster, the eldest of Edward's surviving sons, and the authorities were unable to strike him behind so powerful a shield.

He is protected by John of Gaunt.

But the 'poor priests' had other doctrines besides those which they discovered in the Bible, relating to subjects with which, as apostles, they would have done better if they had shrunk from

* Lewis, p. 287.

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CH. 6. meddling. The inefficiency of the clergy was occasioned, as Wycliffe thought, by their wealth and by their luxury. He desired to save them from a temptation too heavy for them to bear, and he insisted that by neglect of duty their wealth had been forfeited, and that it was the business of the laity to take it from its unworthy possessors. The invectives with which the argument was accompanied produced a widely-spread irritation. The reins of the country fell simultaneously into the weak hands of Richard II., and the consequence was a rapid spread of disorder. In the year which followed Richard's accession, consistory judges were assaulted in their courts, sanctuaries were violated, priests were attacked and ill-treated in church, churchyard, and cathedral, and even while engaged in the mass;* the contagion of the growing anarchy seems to have touched even Wycliffe himself, and touched him in a point most deeply dangerous.

A.D. 1378. Theory that the laity had a right to deprive the clergy of their property.

Tendencies to anabaptism.

His theory of property, and his study of the character of Christ, had led him to the near confines of Anabaptism. Expanding his views upon the estates of the church into an axiom, he taught that 'charters of perpetual inheritance were impossible;' 'that God could not give men civil possessions for ever;'† 'that property was founded in grace, and derived from God;' and 'seeing that forfeiture was the punishment of treason, and all sin was treason

Theory of the tenure of property.

* 1 Ric. II. cap. 13.

† WALSINGHAM, 206–7, apud LINGARD. It is to be observed, however, that Wycliffe himself limited his arguments strictly to the property of the clergy. See MILMAN'S *History of Latin Christianity*, vol. v. p. 508.

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against God, the sinner must consequently forfeit his right to what he held of God.' These propositions were nakedly true, as we shall most of us allow; but God has his own methods of enforcing extreme principles; and human legislation may only meddle with them at its peril. The theory as an abstraction could be represented as applying equally to the laity as to the clergy, and the new teaching received a practical comment in 1381, in the invasion of London by Wat, the tyler of Dartford, and 100,000 men, who were to level all ranks, put down the church, and establish universal liberty.* Two priests accompanied the insurgents, not Wycliffe's followers, but the licentious counterfeits of them, who trod inevitably in their footsteps, and were as inevitably countenanced by their doctrines. The insurrection was attended with the bloodshed, destruction, and ferocity natural to such outbreaks. The Archbishop of Canterbury and many gentlemen were murdered; and a great part of London sacked and burnt. It would be absurd to attribute this disaster to Wycliffe, nor was there any desire to hold him responsible for it; but it is equally certain that the doctrines which he had taught were incompatible, at that particular time, with an effective repression of the spirit which had caused the explosion. It is equally certain that he had brought discredit on his nobler efforts by ambiguous language on a subject of the utmost difficulty, and had taught

Wat Tyler's insurrection.

A mischievous comment on Wycliffe's teaching.

* WALSINGHAM, p. 275, apud LINGARD.

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CH. 6. A.D. 1382.

the wiser and better portion of the people to confound heterodoxy of opinion with sedition, anarchy, and disorder.

So long as Wycliffe lived, his own lofty character was a guarantee for the conduct of his immediate disciples; and although his favour had far declined, a party in the state remained attached to him, with sufficient influence to prevent the adoption of extreme measures against the 'poor priests.' In the year following the insurrection, an act was passed for their repression in the House of Lords, and was sent down by the king to the Commons. They were spoken of as 'evil persons,' going from place to place in defiance of the bishops, preaching in the open air to great congregations at markets and fairs, 'exciting the people,' 'engendering discord between the estates of the realm.' The ordinaries had no power to silence them, and had therefore desired that commissions should be issued to the sheriffs of the various counties, to arrest all such persons, and confine them, until they would 'justify themselves' in the ecclesiastical courts.* Wycliffe petitioned against the bill, and it was rejected; not so much perhaps out of tenderness for the reformer, as because the Lower House was excited by the controversy with the pope; and being doubtfully disposed towards the clergy, was reluctant to subject the people to a more stringent spiritual control.

Measure for the repression of the poor priests passed in the House of Lords.

Rejected by the Commons at Wycliffe's petition.

But Wycliffe himself meanwhile had received

* 5 Ric. II. cap. 5.

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a clear intimation of his own declining position. His opposition to the church authorities, and his efforts at re-invigorating the faith of the country, had led him into doubtful statements on the nature of the eucharist; he had entangled himself in dubious metaphysics on a subject on which no middle course is really possible; and being summoned to answer for his language before a synod in London, he had thrown himself again for protection on the Duke of Lancaster. The duke (not unnaturally under the circumstances) declined to encourage what he could neither approve nor understand;* and Wycliffe, by his great patron's advice, submitted. He read a confession of faith before the bishops, which was held satisfactory; he was forbidden, however, to preach again in Oxford, and retired to his living of Lutterworth, in Leicestershire, where two years later he died.

Wycliffe's position, however, declines. He makes his submission,

And dies Dec. 31, 1384.

With him departed all which was best and purest in the movement which he had commenced. The zeal of his followers was not extinguished, but the wisdom was extinguished which had directed it; and perhaps the being treated as the enemies of order had itself a tendency to make them what they were believed to be. They were left unmolested for the next twenty years, the feebleness of the government, the angry complexion which had been assumed by the dispute with Rome, and the political anarchy in the closing decade of the century, combining to give

Wycliffe's followers continue unmolested till the revolution of 1400; when they fall under the ban as disturbers of order.

* WILKINS, *Concilia*, iii. 160–167.

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CH. 6. A.D. 1384.

them temporary shelter; but they availed themselves of their opportunity to travel further on the dangerous road on which they had entered; and on the settlement of the country under Henry IV. they fell under the general ban which struck down all parties who had shared in the late disturbances.

They had been spared in 1382, only for more sharp denunciation, and a more cruel fate; and Boniface having healed, on his side, the wounds which had been opened, by well-timed concessions, there was no reason left for leniency. The character of the Lollard teaching was thus described (perhaps in somewhat exaggerated language) in the preamble of the act of 1401.*

1400-1.

Act *de Heretico comburendo.*

'Divers false and perverse people,' so runs the act *De Heretico comburendo*, 'of a certain new sect, damnably thinking of the faith of the sacraments of the church, and of the authority of the same, against the law of God and of the church, usurping the office of preaching, do perversely and maliciously, in divers places within the realm, preach and teach divers new doctrines, and wicked erroneous opinions, contrary to the faith and determination of Holy Church. And of such sect and wicked doctrines they make unlawful conventicles, they hold and exercise schools, they make and write books, they do wickedly instruct and inform people, and excite and stir them to sedition and insurrection, and make great strife and division among the people,

Political character of the teaching.

* *De Heretico comburendo.* 2 Hen. IV. cap. 15.

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and other enormities horrible to be heard, daily do perpetrate and commit. The diocesans cannot by their jurisdiction spiritual, without aid of the King's Majesty, sufficiently correct these said false and perverse people, nor refrain their malice, because they do go from diocess to diocess, and will not appear before the said diocesans; but the jurisdiction spiritual, the keys of the church, and the censures of the same, do utterly contemn and despise; and so their wicked preachings and doctrines they do from day to day continue and exercise, to the destruction of all order and rule, right and reason.'

Something of these violent accusations is perhaps due to the horror with which false doctrine in matters of faith was looked upon in the Catholic church, the grace by which alone an honest life was made possible being held to be dependent upon orthodoxy. But the Lollards had become political revolutionists as well as religious reformers; the revolt against the spiritual authority had encouraged and countenanced a revolt against the secular; and we cannot be surprised, therefore, that these institutions should have sympathized with each other, and have united to repress a danger which was formidable to both.

Power conferred upon the bishops of arresting *ex officio*.

The bishops, by this act, received arbitrary power to arrest and imprison on suspicion, without check or restraint of law, at their will and pleasure. Prisoners who refused to abjure their errors, who persisted in heresy, or relapsed into it after abjuration, were sentenced to be burnt at the stake—a dreadful punishment, on the

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CH. 6. wickedness of which the world has long been happily agreed. Yet we must remember that those who condemned teachers of heresy to the flames, considered that heresy itself involved everlasting perdition; that they were but faintly imitating the severity which orthodoxy still ascribes to Almighty God Himself.

A.D. 1400-1 The stake and the orthodox faith.

The tide which was thus setting back in favour of the church did not yet, however, flow freely, and without a check. The Commons consented to sacrifice the heretics, but they still cast wistful looks on the lands of the religious houses. On two several occasions, in 1406, and again 1410, spoliation was debated in the Lower House, and representations were made upon the subject to the king.* The country, too, continued to be agitated with war and treason; and when Henry V. became king, in 1412, the church was still uneasy, and the Lollards were as dangerous as ever. Whether by prudent conduct they might have secured a repeal of the persecuting act is uncertain; it is more likely, from their conduct, that they had made their existence incompatible with the security of any tolerable government.

The Commons petition the Crown for a secularization of church property.

Accession of Henry V.

A rumour having gone abroad that the king intended to enforce the laws against heresy, notices were found fixed against the doors of the London churches, that if any such measure was attempted, a hundred thousand men would be in arms to oppose it. These papers were traced to

* Stow, 330, 338.

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Sir John Oldcastle, otherwise called Lord Cobham, a man whose true character is more difficult to distinguish, in the conflict of the evidence which has come down to us about him, than that of almost any noticeable person in history. He was perhaps no worse than a fanatic. He was certainly prepared, if we may trust the words of a royal proclamation (and Henry was personally intimate with Oldcastle, and otherwise was not likely to have exaggerated the charges against him), he was prepared to venture a rebellion, with the prospect of himself becoming the president of some possible Lollard commonwealth.* The king, with swift decisiveness, annihilated the incipient treason. Oldcastle was himself arrested. He escaped out of the Tower into Scotland; and while Henry was absent in France he seems to have attempted to organize some kind of Scotch invasion; but he was soon after again taken on the Welsh Border, tried and executed. An act which was passed in 1414 described his proceedings as an 'attempt to destroy the king, and all other manner of estates of the realm, as well spiritual as temporal, and also all manner of policy, and finally the laws of the land.' The sedition was held to have originated in heresy, and for the better repression of such mischiefs in time to come, the lord chancellor, the judges, the justices of the peace, the sheriffs, mayors, bailiffs, and every other officer having government of people, were sworn on entering their office to use

Ch. 6.

A.D. 1412. Insurrection of Sir John Oldcastle.

Oldcastle tried and executed. Fresh act against heresy.

* *Rot. Parl.* iv. 24, 108, apud Lingard; Rymer, ix. 89, 119, 129, 170, 193; Milman, vol. v. p. 520–535.

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Ch. 6. their best power and diligence to detect and prosecute all persons suspected of so heinous a crime.*

A.D. 1414.

Thus perished Wycliffe's labour,—not wholly, because his translation of the Bible still remained a rare treasure; a seed of future life, which would spring again under happier circumstances. But the sect which he organized, the special doctrines which he set himself to teach, after a brief blaze of success, sank into darkness; and no trace remained of Lollardry except the black memory of contempt and hatred with which the heretics of the fourteenth century were remembered by the English people, long after the actual Reformation had become the law of the land.†

Final termination of the Lollard movement.

So poor a close to a movement of so fair promise was due partly to the agitated temper of the times; partly, perhaps, to a want of judg-

Causes of Wycliffe's failure,

* 2 Hen. V. stat. 1, cap. 7.

† There is no better test of the popular opinion of a man than the character assigned to him on the stage; and till the close of the sixteenth century Sir John Oldcastle remained the profligate buffoon of English comedy. Whether in life he bore the character so assigned to him, I am unable to say. The popularity of Henry V., and the splendour of his French wars, served no doubt to colour all who had opposed him with a blacker shade than they deserved: but it is almost certain that Shakspeare, though not intending Falstaff as a portrait of Oldcastle, thought of him as he was designing the character; and it is altogether certain that by the London public Falstaff was supposed to represent Oldcastle. We can hardly suppose that such an expression as 'my old lad of the castle,' should be accidental; and in the epilogue to the Second Part of *Henry the Fourth*, when promising to reintroduce Falstaff once more, Shakspeare says, 'where for anything I know he shall die of the sweat, for Oldcastle died a martyr, and this is not the man.' He had, therefore, certainly been supposed to *be the man*, and Falstaff represented the English conception of the character of the Lollard hero. I should add, however, that Dean Milman, who has examined the records which remain to throw light on the character of this remarkable person with elaborate care and ability, concludes emphatically in his favour.

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ment in Wycliffe; but chiefly and essentially because it was an untimely birth. Wycliffe saw the evil; he did not see the remedy; and neither in his mind nor in the mind of the world about him, had the problem ripened itself for solution. England would have gained little by the premature overthrow of the church, when the house out of which the evil spirit was cast out could have been but swept and garnished for the occupation of the seven devils of anarchy.

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A.D. 1414. Which is not to be regretted, for the times were not ripe.

The fire of heresy continued to smoulder, exploding occasionally in insurrection,* occasionally blazing up in nobler form, when some poor seeker for the truth, groping for a vision of God in the darkness of the years which followed, found his way into that high presence through the martyr's fire. But substantially, the nation relapsed into obedience—the church was reprieved for a century. Its fall was delayed till the spirit in which it was attacked was winnowed clean of all doubtful elements—until Protestantism had recommenced its enterprise in a desire, not for a fairer adjustment of the world's good things, but in a desire for some deeper, truer, nobler, holier insight into the will of God. It recommenced not under the auspices of a Wycliffe, not with the partial countenance of a government which was crossing swords with the Father of Catholic

The reaction.

New birth of Protestantism.

* Two curious letters of Henry VI. upon the Lollards, written in 1431, are printed in the *Archæologia*, vol. xxiii. p. 339, &c. 'As God knoweth,' he says of them, 'never would they be subject to his laws nor to man's, but would be loose and free to rob, reve, and dispoil, slay and destroy all men of thrift and worship, as they proposed to have done in our father's days; and of lads and lurdains would make lords.'

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CH. 6. A.D. 1525.

Christendom, and menacing the severance of England from the unity of the faith, but under a strong dynasty of undoubted Catholic loyalty, with the entire administrative power, secular as well as spiritual, in the hands of the episcopate. It sprung up spontaneously, unguided, unexcited, by the vital necessity of its nature, among the masses of the nation.

Association of Christian Brethren enrolled in London.

Leaping over a century, I pass to the year 1525, at which time, or about which time, a society was enrolled in London calling itself 'The Association of Christian Brothers.'* It was composed of poor men, chiefly tradesmen, artisans, a few, a very few of the clergy; but it was carefully organized, it was provided with moderate funds, which were regularly audited; and its paid agents went up and down the country carrying Testaments and tracts with them, and enrolling in the order all persons who dared to risk their lives in such a cause. The harvest had been long ripening. The records of the bishops' courts† are filled from the beginning of the century with accounts of prosecutions for heresy—with prosecutions, that is, of men and women to whom the masses, the pilgrimages, the indulgences, the pardons, the effete paraphernalia of the establishment, had become

Spirit of the country.

* Proceedings of an organized Society in London called the Christian Brethren, supported by voluntary contributions, for the dispersion of tracts against the doctrines of the Church: *Rolls House MS.*

† HALE'S *Precedents.* The London and Lincoln Registers, in FOXE, vol. iv.: and the MS. Registers of Archbishops Morton and Warham, at Lambeth.

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intolerable; who had risen up in blind resistance, and had declared, with passionate anger, that whatever was the truth, all this was falsehood. The bishops had not been idle; they had plied their busy tasks with stake and prison, and victim after victim had been executed with more than necessary cruelty. But it was all in vain: punishment only multiplied offenders, and 'the reek' of the martyrs, as was said when Patrick Hamilton was burnt at St. Andrews, 'infected all that it did blow upon.'*

Absence of definite guidance.

Difficulty from the want of books.

There were no teachers, however, there were no books, no unity of conviction, only a confused refusal to believe in lies. Copies of Wycliffe's Bible remained, which parties here and there, under death penalties if detected, met to read;† copies, also, of some of his tracts‡ were extant; but they were unprinted transcripts, most rare and precious, which the watchfulness of the police made it impossible to multiply through the press, and which remained therefore necessarily in the possession of but a few fortunate persons.

The Protestants were thus isolated in single groups or families, without organization, without knowledge of each other, with nothing to give them coherency as a party; and so they might

* KNOX'S *History of the Reformation in Scotland.*

† Also we object to you that divers times, and specially in Robert Durdant's house, of Iver Court, near unto Staines, you erroneously and damnably read in a great book of heresy, all [one] night, certain chapters of the Evangelists, in English, containing in them divers erroneous and damnable opinions and conclusions of heresy, in the presence of divers suspected persons.—Articles objected against Richard Butler—London Register: FOXE, vol. iv. p. 178.

‡ FOXE, vol. iv. p. 176.

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Ch. 6. have long continued, except for an impulse from some external circumstances. They were waiting for direction, and men in such a temper are seldom left to wait in vain.

A.D. 1525. General condition of the Teutonic nations.

The state of England did but represent the state of all Northern Europe. Wherever the Teutonic language was spoken, wherever the Teutonic nature was in the people, there was the same weariness of unreality, the same craving for a higher life. England rather lagged behind than was a leader in the race of discontent. In Germany, all classes shared the common feeling; in England it was almost confined to the lowest. But, wherever it existed, it was a free, spontaneous growth in each separate breast, not propagated by agitation, but springing self sown, the expression of the honest anger of honest men at a system which had passed the limits of toleration, and which could be endured no longer. At such times the minds of men are like a train of gunpowder, the isolated grains of which have no relation to each other, and no effect on each other, while they remain unignited; but let a spark kindle but one of them, and they shoot into instant union in a common explosion. Such a spark was kindled in Germany, at Wittenberg, on the 31st of October, 1517. In the middle of that day Luther's denunciation of Indulgences was fixed against the gate of All Saints church, Wittenberg, and it became, like the brazen serpent in the wilderness, the sign to which the sick spirits throughout the western world looked hopefully and were healed. In all those millions

The theses on the church door at Wittenberg,

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A.D. 1517. And the kindling of Europe.

of hearts the words of Luther found an echo, and flew from lip to lip, from ear to ear. The thing which all were longing for was done, and in two years from that day there was scarcely perhaps a village from the Irish Channel to the Danube in which the name of Luther was not familiar as a word of hope and promise. Then rose a common cry for guidance. Books were called for—above all things, the great book of all, the Bible. Luther's inexhaustible fecundity flowed with a steady stream, and the printing presses in Germany and in the Free Towns of the Netherlands, multiplied Testaments and tracts in hundreds of thousands. Printers published at their own expense as Luther wrote.* The continent was covered with disfrocked monks who had become the pedlars of these precious wares;† and as the contagion spread, noble young spirits from other countries, eager themselves to fight in God's battle, came to Wittenberg to learn from the champion who had struck the first blow at their great enemy how to use their weapons. 'Students from all nations came to Wittenberg,' says one, 'to hear Luther and Melancthon. As they came in sight of the town they returned thanks to God with clasped hands; for from Wittenberg, as heretofore from Jerusalem, proceeded the light of evangelical truth, to spread thence to the utmost parts of the earth.'‡ Thither came young Patrick Hamilton from Edinburgh, whose 'reek' was of so much potency,

The gathering under the banner of the Cross.

* Michelet, *Life of Luther*, p. 71. † Ibid.
‡ Ibid. p. 41.

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CH. 6.

A.D. 1524. Tyndal's first appearance and character.

a boy-enthusiast of nature as illustrious as his birth; and thither came also from England, which is here our chief concern, William Tyndal, a man whose history is lost in his work, and whose epitaph is the Reformation. Beginning life as a restless Oxford student, he moved thence to Cambridge, thence to Gloucestershire, to be tutor in a knight's family, and there hearing of Luther's doings, and expressing himself with too warm approval to suit his patron's conservatism,* he fell into disgrace. From Gloucestershire he removed to London, where Cuthbert Tunstall had lately been made bishop, and from whom he looked for countenance in an intention to translate the New Testament. Tunstall showed little encouragement to this enterprise; but a better friend rose where he was least looked for; and a London alderman, Humfrey Monmouth by name, hearing the young dreamer preach on some occasion at St. Dunstan's, took him to his home for half a year, and kept him there: where 'the said Tyndal,' as the alderman declared, 'lived like a good priest, studying both night and day; he would eat but sodden meat, by his good will, nor drink but small single beer; nor was he ever seen to wear linen about him all the time of his being there.'† The half year being passed, Monmouth gave him ten pounds, with which provision he went off to Wittenberg; and the alderman, for assisting him in that business, went to the Tower—escaping, however, we are glad to

* WOOD'S *Athenæ Oxonienses.*

† FOXE, vol. iv. p. 618.

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know, without worse consequences than a short imprisonment. Tyndal saw Luther,* and under his immediate direction translated the Gospels and Epistles while at Wittenberg. Thence he returned to Antwerp, and settling there under the privileges of the city, he was joined by Joy, who shared his great work with him. Young Frith from Cambridge came to him also, and Barnes, and Lambert, and many others of whom no written record remains, to concert a common scheme of action.

A.D. 1525. The translation of the Bible, and the press at Antwerp.

In Antwerp, under the care of these men, was established the printing press, by which books were supplied, to accomplish for the teaching of

* The suspicious eyes of the Bishops discovered Tyndal's visit, and the result which was to be expected from it.

On Dec. 2nd, 1525, Edward Lee, afterwards Archbishop of York, then king's almoner, and on a mission into Spain, wrote from Bordeaux to warn Henry. The letter is instructive:

'Please your Highness to understand that I am certainly informed as I passed in this country, that an Englishman, your subject, at the solicitation and instance of Luther, with whom he is, hath translated the New Testament into English; and within few days intendeth to return with the same imprinted into England. I need not to advertise your Grace what infection and danger may ensue hereby if it be not withstanded. This is the next way to fulfil your realm with Lutherians. For all Luther's perverse opinions be grounded upon bare words of Scripture, not well taken, ne understanded, which your Grace hath opened in sundry places of your royal book. All our forefathers, governors of the Church of England, hath with all diligence forbid and eschewed publication of English Bibles, as appeareth in constitutions provincial of the Church of England. Nowe, sire, as God hath endued your Grace with Christian courage to sett forth the standard against these Philistines and to vanquish them, so I doubt not but that he will assist your Grace to prosecute and perform the same—that is, to undertread them that they shall not now lift up their heads; which they endeavour by means of English Bibles. They know what hurt such books hath done in your realm in times past.'—Edward Lee to Henry VIII.: Ellis, third series, vol. ii. p. 71.

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Ch. 6. A.D. 1525.

England what Luther and Melancthon were accomplishing for Germany. Tyndal's Testament was first printed, then translations of the best German books, reprints of Wycliffe's tracts or original commentaries. Such volumes as the people most required were here multiplied as fast as the press could produce them; and for the dissemination of these precious writings, the brave London Protestants dared, at the hazard of their lives, to form themselves into an organized association.

The London Protestants.

It is well to pause and look for a moment at this small band of heroes; for heroes they were, if ever men deserved the name. Unlike the first reformers who had followed Wycliffe, they had no earthly object, emphatically none; and equally unlike them, perhaps, because they had no earthly object, they were all, as I have said, poor men—either students, like Tyndal, or artisans and labourers who worked for their own bread, and in tough contact with reality, had learnt better than the great and the educated the difference between truth and lies. Wycliffe had royal dukes and noblemen for his supporters—knights and divines among his disciples—a king and a House of Commons looking upon him, not without favour. The first Protestants of the sixteenth century had for their king the champion of Holy Church, who had broken a lance with Luther; and spiritual rulers over them alike powerful and imbecile, whose highest conception of Christian virtue was the destruction of those who disobeyed their mandates. The masses of the people were indifferent to a cause which promised them no

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material advantage; and the Commons of Parliament, while contending with the abuses of the spiritual authorities, were laboriously anxious to wash their hands of heterodoxy. 'In the crime of heresy, thanked be God,' said the bishops in 1529, 'there hath no notable person fallen in our time;' no chief priest, chief ruler, or learned Pharisee—not one. 'Truth it is that certain apostate friars and monks, lewd priests, bankrupt merchants, vagabonds and lewd idle fellows of corrupt nature, have embraced the abominable and erroneous opinions lately sprung in Germany, and by them have been some seduced in simplicity and ignorance. Against these, if judgment have been exercised according to the laws of the realm, we be without blame. If we have been too remiss or slack, we shall gladly do our duty from henceforth.'* Such were the first Protestants in the eyes of their superiors. On one side was wealth, rank, dignity, the weight of authority, the majority of numbers, the prestige of centuries; here too were the phantom legions of superstition and cowardice; and here were all the worthier influences so pre-eminently English, which lead wise men to shrink from change, and to cling to things established, so long as one stone of them remains upon another. This was the army of conservatism. Opposed to it were a little band of enthusiasts, armed only with truth and fearlessness; 'weak things of the world,' about to do battle in God's name;

The opposing powers.

* Answer of the Bishops: *Rolls House MS.* See cap. 3.

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Ch. 6. and it was to be seen whether God or the world was the stronger. They were armed, I say, with the truth. It was that alone which could have given them victory in so unequal a struggle. They had returned to the essential fountain of life; they re-asserted the principle which has lain at the root of all religions, whatever their name or outward form, which once burnt with divine lustre in that Catholicism which was now to pass away; the fundamental axiom of all real life, that the service which man owes to God is not the service of words or magic forms, or ceremonies or opinions; but the service of holiness, of purity, of obedience to the everlasting laws of duty.

A.D. 1525. The Protestant armoury.

The early Protestants did not bring forward any new scheme of doctrine,

When we look through the writings of Latimer, the apostle of the English Reformation, when we read the depositions against the martyrs, and the lists of their crimes against the established faith, we find no opposite schemes of doctrine, no 'plans of salvation;' no positive system of theology which it was held a duty to believe; these things were of later growth, when it became again necessary to clothe the living spirit in a perishable body. We find only an effort to express again the old exhortation of the Wise Man—'Will you hear the beginning and the end of the whole matter? Fear God and keep his commandments; for that is the whole duty of man.'

But protested only against a false superstition, and insisted on the principle of obedience.

Had it been possible for mankind to sustain themselves upon this single principle without disguising its simplicity, their history would have been painted in far other colours than those

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which have so long chequered its surface. This, however, has not been given to us; and perhaps it never will be given. As the soul is clothed in flesh, and only thus is able to perform its functions in this earth, where it is sent to live; as the thought must find a word before it can pass from mind to mind; so every great truth seeks some body, some outward form in which to exhibit its powers. It appears in the world, and men lay hold of it, and represent it to themselves, in histories, in forms of words, in sacramental symbols; and these things which in their proper nature are but illustrations, stiffen into essential fact, and become part of the reality. So arises in era after era an outward and mortal expression of the inward immortal life; and at once the old struggle begins to repeat itself between the flesh and the spirit, the form and the reality. For a while the lower tendencies are held in check; the meaning of the symbolism is remembered and fresh; it is a living language, pregnant and suggestive. Bye and bye, as the mind passes into other phases, the meaning is forgotten; the language becomes a dead language; and the living robe of life becomes a winding-sheet of corruption. The form is represented as everything, the spirit as nothing; obedience is dispensed with; sin and religion arrange a compromise; and outward observances, or technical inward emotions, are converted into jugglers' tricks, by which men are enabled to enjoy their pleasures and escape the penalties of wrong. Then such religion becomes no religion, but a falsehood; and honourable men turn away

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Ch. 6. A.D. 1525.

from it, and fall back in haste upon the naked elemental life.

This, as I understand it, was the position of the early Protestants. They found the service of God buried in a system where obedience was dissipated into superstition; where sin was expiated by the vicarious virtues of other men; where, instead of leading a holy life, men were taught that their souls might be saved through masses said for them, at a money rate, by priests whose licentiousness disgraced the nation which endured it; a system in which, amidst all the trickery of the pardons, pilgrimages, indulgences,—double-faced as these inventions are—wearing one meaning in the apologies of theologians, and quite another to the multitude who live and suffer under their influence—one plain fact at least is visible. The people substantially learnt that all evils which could touch either their spirits or their bodies, might be escaped by means which resolved themselves, scarcely disguised, into the payment of moneys.

The last form of the corruption of Catholicism.

The superstition had lingered long; the time had come when it was to pass away. Those in whom some craving lingered for a Christian life turned to the heart of the matter, to the book which told them who Christ was, and what he was; and finding there that holy example for which they longed, they flung aside in one noble burst of enthusiastic passion, the disguise which had concealed it from them. They believed in Christ, not in the bowing rood, or the pretended wood of the cross on which he suffered; and

The Protestants turn to the Bible and to the life of Christ.

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when that saintly figure had once been seen— the object of all love, the pattern of all imitation —thenceforward neither form nor ceremony should stand between them and their God. CH. 6. A.D. 1525.

Under much confusion of words and thoughts, confusion pardonable in all men, and most of all in them, this seems to me to be transparently visible in the aim of these 'Christian Brothers;' a thirst for some fresh and noble enunciation of the everlasting truth, the one essential thing for all men to know and believe. And therefore they were strong; and therefore they at last conquered. Yet if we think of it, no common daring was required in those who would stand out at such a time in defence of such a cause. The bishops might seize them on mere suspicion; and the evidence of the most abandoned villains sufficed for their conviction.* By the act of Henry V., every officer, from the lord chancellor to the parish constable, was sworn to seek them out and destroy them; and both bishops and officials had shown no reluctance to execute their duty. Hunted like wild beasts from hiding-place to hiding-place, decimated by the stake, with the certainty that however many years they might be reprieved, their own lives would close at last in the same fiery trial; beset by informers, imprisoned, racked, and scourged; worst of all, haunted by their own infirmities, the flesh shrinking before the dread of a death of agony—thus it was that they struggled on; earning for *themselves* martyrdom—for *us*, the

The dangers which they had to encounter.

* Answer of the Bishops, vol. i. cap. 3.

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CH. 6. free England in which we live and breathe. Among the great, until Cromwell came to power, they had but one friend, and he but a doubtful one, who long believed the truest kindness was to kill them. Henry VIII. was always attracted towards the persons of the reformers. Their open bearing commanded his respect. Their worst crime in the bishops' eyes—the translating the Bible—was in his eyes not a crime, but a merit; he had himself long desired an authorized English version, and at length compelled the clergy to undertake it; while in the most notorious of the men themselves, in Tyndal and in Frith, he had more than once expressed an anxious interest.* But the convictions of his early years were long in yielding. His feeling, though genuine, extended no further than to pity, to a desire to recover estimable heretics out of errors which he would endeavour to pardon. They knew, and all the 'brethren' knew, that if they persisted, they must look for the worst from the king and from every earthly power; they knew it, and they made their account with it. An informer deposed to the council, that he had asked one of the society 'how the King's Grace did take the matter against the sacrament; which answered, the King's Highness was extreme against their opinions, and would punish them grievously; also that my Lords of Norfolk and Suffolk, my Lord Marquis of Exeter, with divers other great lords, were very extreme against

A.D. 1525. Henry VIII. their only and very doubtful friend.

* See, particularly, *State Papers*, vol. vii. p. 302.

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them. Then he (the informer) asked him how he and his fellows would do seeing this, the which answered they had two thousand books out against the Blessed Sacrament, in the commons' hands; and if it were once in the commons' heads, they would have no further care.'*

A.D. 1525. Two thousand books out against transubstantiation.

Tyndal then being at work at Antwerp, and the society for the dispersion of his books thus preparing itself in England, the authorities were not slow in taking the alarm. The isolated discontent which had prevailed hitherto had been left to the ordinary tribunals; the present danger called for measures of more systematic coercion. This duty naturally devolved on Wolsey, and the office of Grand Inquisitor, which he now assumed, could not have fallen into more competent hands.

Resolution to persecute systematically.

Wolsey was not cruel. There is no instance, I believe, in which he of his special motion sent a victim to the stake;—it would be well if the same praise could be allowed to Cranmer. There was this difference between the cardinal and other bishops, that while they seemed to desire to punish, Wolsey was contented to silence; while they, in their conduct of trials, made escape as difficult as possible, Wolsey sought rather to make submission easy. He was too wise to suppose that he could cauterize heresy, while the causes of it, in the corruption of the clergy, remained unremoved; and the remedy to which he trusted, was the infusing new vigour into the constitution

The conduct of the persecution undertaken by Wolsey; who, however, used his powers with unusual leniency.

* Proceedings of the Christian Brethren: *Rolls House MS.*

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CH. 6. A.D. 1527.

of the church.* Nevertheless, he was determined to repress, as far as outward measures could repress it, the spread of the contagion; and he set himself to accomplish his task with the full energy of his nature, backed by the whole power, spiritual and secular, of the kingdom. The country was covered with his secret police, arresting suspected persons and searching for books. In London the scrutiny was so strict that at one time there was a general flight and panic; suspected butchers, tailors, and carpenters, hiding themselves in the holds of vessels in the river, and escaping across the Channel.† Even there they were not safe.

Heretics outlawed by a common consent of the great Powers.

Heretics were outlawed by a common consent of the European governments. Special offenders were hunted through France by the English emissaries with the permission and countenance of the court,‡ and there was an attempt to arrest Tyndal at Brussels, from which, for that time, he happily escaped.§

Barnes and Latimer summoned before Wolsey.

Simultaneously, the English universities fell under examination, in consequence of the appearance of dangerous symptoms among the younger students. Dr. Barnes, returning from the continent, had used violent language in a pulpit at Cambridge; and Latimer, then a neophyte in heresy, had grown suspect, and

* See the letter of Bishop Fox to Wolsey: STRYPE'S *Memorials*, vol. i. Appendix.

† Particulars of Persons who had dispersed Anabaptist and Lutheran Tracts: *Rolls House MS.*

‡ Dr. Taylor to Wolsey: *Rolls House MS.* Clark to Wolsey: *State Papers*, vol. vii. pp. 80, 81.

§ ELLIS, third series, vol. ii. p. 189.

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had alarmed the heads of houses. Complaints against both of them were forwarded to Wolsey, and they were summoned to London to answer for themselves. CH. 6. A.D. 1527.

Latimer is dismissed.

Latimer, for some cause, found favour with the cardinal, and was dismissed, with a hope on the part of his judge that his accusers might prove as honest as he appeared to be, and even with a general licence to preach.* Barnes was less fortunate; he was far inferior to Latimer; a noisy, unwise man, without reticence or prudence. In addition to his offences in matters of doctrine, he had attacked Wolsey himself with somewhat vulgar personality; and it was thought well to single him out for a public, though not a very terrible admonition. His house had been searched for books, which he was suspected, and justly suspected, of having brought with him from abroad. These, however, through a timely warning of the danger, had been happily secreted,† or it might have gone harder with him. As it was, he was committed to the Fleet on the charge of having used heretical language. An abjuration was drawn up by Wolsey, which he signed; and while he remained in prison preparations were made for a ceremony, in which he was to bear a part, in St. Paul's church, by which the Catholic authorities hoped to produce some salutary effect on the disaffected spirits of London.

Barnes is committed to the Fleet, and abjures.

Vast quantities of Tyndal's publications had

Preparation for a

* Memoirs of Latimer prefixed to *Sermons*, pp. 3, 4; and see STRYPE's *Memorials*, vol. i.

† FOXE, vol. v. p. 416.

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CH. 6. A.D. 1527. ceremony in St. Paul's church.

been collected by the police. The bishops, also, had subscribed among themselves* to buy up the copies of the New Testament before they left Antwerp;—an unpromising method, like an attempt to extinguish fire by pouring oil upon it; they had been successful, however, in obtaining a large immediate harvest, and a pyramid of

* Tunstall, Bishop of London, has had the credit hitherto of this ingenious folly, the effect of which, as Sir Thomas More warned him, could only be to supply Tyndal with money.—HALL, 762, 763. The following letter from the Bishop of Norwich to Warham shows that Tunstall was only acting in canonical obedience to the resolution of his metropolitan:—

'In right humble manner I commend me unto your good Lordship, doing the same to understand that I lately received your letters, dated at your manor of Lambeth, the 26th day of the month of May, by the which I do perceive that your Grace hath lately gotten into your hands all the books of the New Testament, translated into English, and printed beyond the sea; as well those with the glosses joined unto them as those without the glosses.

'Surely, in myn opinion, you have done therein a gracious and a blessed deed; and God, I doubt not, shall highly reward you therefore. And when, in your said letters, ye write that, insomuch as this matter and the danger thereof, if remedy had not been provided, should not only have touched you, but all the bishops within your province; and that it is no reason that the holle charge and cost thereof should rest only in you; but that they and every of them, for their part, should advance and contribute certain sums of money towards the same: I for my part will be contented to advance in this behalf, and to make payment thereof unto your servant, Master William Potkyn.

'Pleaseth it you to understand, I am well contented to give and advance in this behalf ten marks, and shall cause the same to be delivered shortly; the which sum I think sufficient for my part, if every bishop within your province make like contribution, after the rate and substance of their benefices. Nevertheless, if your Grace think this sum not sufficient for my part in this matter, your further pleasure known, I shall be as glad to conform myself thereunto in this, or any other matter concerning the church, as any your subject within your province; as knows Almighty God, who long preserve you. At Hoxne in Suffolk, the 14th day of June, 1527. Your humble obedience and bedeman,

'R. NORWICEN.'

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offending volumes was ready to be consumed in a solemn *auto da fé*.

A.D. 1527. Procession from the Fleet.

In the morning of Shrove Sunday, then, 1527, we are to picture to ourselves a procession moving along London streets from the Fleet prison to St. Paul's Cathedral. The warden of the Fleet was there, and the knight marshal, and the tipstaffs, and 'all the company they could make,' 'with bills and glaives;' and in the midst of these armed officials, six men marching in penitential dresses, one carrying a lighted taper five pounds' weight, the others with symbolic fagots, signifying to the lookers-on the fate which their crimes had earned for them, but which this time, in mercy, was remitted. One of these was Barnes; the other five were 'Stillyard men,' undistinguishable by any other name, but detected members of the brotherhood.

Barnes and five Stillyard men taken to St. Paul's.

It was eight o'clock when they arrived at St. Paul's. The people had flocked in crowds before them. The public seats and benches were filled. All London had hurried to the spectacle. A platform was erected in the centre of the nave, on the top of which, enthroned in pomp of purple and gold and splendour, sate the great cardinal, supported on each side with eighteen bishops, mitred abbots, and priors — six-and-thirty in all; his chaplains and 'spiritual doctors' sitting also where they could find place, 'in gowns of damask and satin.' Opposite the platform, over the north door of the cathedral, was a great crucifix—a famous image, in those days

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Ch. 6. A.D. 1527.

called the Rood of Northen; and at the foot of it, inside a rail, a fire was burning, with the sinful books, the Tracts and Testaments, ranged round it in baskets, waiting for the execution of sentence.

And exposed for a public penance.

Such was the scene into the midst of which the six prisoners entered. A second platform stood in a conspicuous place in front of the cardinal's throne, where they could be seen and heard by the crowd; and there upon their knees, with their fagots on their shoulders, they begged pardon of God and the Holy Catholic Church for their high crimes and offences. When the confession was finished Fisher, Bishop of Rochester, preached a sermon: and the sermon over, Barnes turned to the people, declaring that 'he was more charitably handled than he deserved, his heresies were so heinous and detestable.'

There was no other religious service: mass had perhaps been said previous to the admission into the church of heretics lying under censure; and the knight marshal led the prisoners down from the stage to the fire underneath the crucifix. They were taken within the rails, and three times led round the blazing pile, casting in their fagots as they passed. The contents of the baskets were heaped upon the fagots, and the holocaust was complete. This time, an unbloody sacrifice was deemed sufficient. The church was satisfied with penance, and Fisher pronounced the prisoners absolved, and received back into communion.*

They are led round a fire, and throw in their fagots. The Bible burning.

* Foxe, vol. iv.

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So ended this strange exhibition, designed to work great results on the consciences of the spectators. It may be supposed, however, that men whom the tragedies of Smithfield failed to terrify, were not likely to be affected deeply by melodrame and blazing paper.

Story of Anthony Dalaber.

A story follows of far deeper human interest, a story in which the persecution is mirrored with its true lights and shadows, unexaggerated by rhetoric; and which, in its minute simplicity, brings us face to face with that old world, where men like ourselves lived, and worked, and suffered, three centuries ago.

Cardinal's College founded by Wolsey,

Two years before the time at which we have now arrived, Wolsey, in pursuance of his scheme of converting the endowments of the religious houses to purposes of education, had obtained permission from the pope to suppress a number of the smaller monasteries. He had added largely to the means thus placed at his disposal from his own resources, and had founded the great college at Oxford, which is now called Christ-church.* Desiring his magnificent institution to be as perfect as art could make it, he had sought his professors in Rome, in the Italian universities, wherever genius or ability could be found; and he had introduced into the foundation several students from Cambridge, who had been

* The papal bull, and the king's licence to proceed upon it, are printed in *Rymer*, vol. vi. part ii. pp. 8 and 17. The latter is explicit on Wolsey's personal liberality in establishing this foundation. Ultro et ex propriâ liberalitate et munificentiâ, nec sine gravissimo suo sumptu et impensis, collegium fundare conatur.

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CH. 6. reported to him as being of unusual promise. Frith, of whom we have heard, was one of these. Of the rest, John Clark, Sumner, and Taverner are the most noticeable. At the time at which they were invited to Oxford, they were tainted, or some of them were tainted, in the eyes of the Cambridge authorities, with suspicion of heterodoxy;* and it is creditable to Wolsey's liberality, that he set aside these unsubstantiated rumours, not allowing them to weigh against ability, industry, and character. The church authorities thought only of crushing what opposed them, especially of crushing talent, because talent was dangerous. Wolsey's noble anxiety was to court talent, and if possible to win it.

A.D. 1527. Who introduces into Oxford a number of Cambridge students of unusual promise, but lying under suspicion of heresy.

They infect Oxford; and the first Protestant divinity class is formed at Wolsey's college.

The young Cambridge students, however, ill repaid his confidence (so, at least, it must have appeared to him), and introduced into Oxford the rising epidemic. Clark, as was at last discovered, was in the habit of reading St. Paul's Epistles to young men in his rooms; and a gradually increasing circle of undergraduates, of three or four years' standing,† from various colleges, formed themselves into a spiritual freemasonry, some of them passionately insisting on being admitted to the lectures, in spite of warnings

* Would God my Lord his Grace had never been motioned to call any Cambridge man to his most towardly college. It were a gracious deed if they were tried and purged and restored unto their mother from whence they came, if they be worthy to come thither again. We were clear without blot or suspicion till they came, and some of them, as Master Dean hath known a long time, hath had a shrewd name.—Dr. London to Archbishop Warham: *Rolls House MS.*

† Dr. London to Warham: *Rolls House MS.*

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from Clark himself, whose wiser foresight knew the risk which they were running, and shrank from allowing weak giddy spirits to thrust themselves into so fearful peril.* CH. 6. A.D. 1527.

This little party had been in the habit of meeting for about six months,† when at Easter, 1527, Thomas Garret, a fellow of Magdalen,‡ who had gone out of residence, and was curate at All Hallows church, in London, re-appeared in Oxford. Garret was a secret member of the London Society, and had come down at Clark's instigation, to feel his way in the university. So excellent a beginning had already been made, that he had only to improve upon it. He sought out all such young men as were given to Greek, Hebrew, and the polite Latin;§ and in this visit met with so much encouragement, that the Christmas following he returned again, this time bringing with him treasures of forbidden books, imported by 'the Christian Brothers;' New Testaments, tracts and volumes of German divinity, which he sold privately among the initiated.

Garret, fellow of Magdalen, and member of the London Society.

Introduces into Oxford the forbidden books from Germany.

He lay concealed, with his store, at 'the house of one Radley,'‖ the position of which cannot now be identified; and there he remained

* DALABER'S *Narrative.*

† Clark seems to have taken pupils in the long vacation. Dalaber at least read with him all one summer in the country.—Dr. London to Warham: *Rolls House MS.*

‡ The Vicar of Bristol to the Master of Lincoln College, Oxford: *Rolls House MS.*

§ Dr. London to Warham: *Rolls House MS.*

‖ Radley himself was one of the singers at Christchurch: London to Warham. *MS.*

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CH. 6. for several weeks, unsuspected by the university authorities, till orders were sent by Wolsey to the Dean of Christchurch, for his arrest. Precise information was furnished at the same time respecting himself, his mission in Oxford, and his place of concealment.*

A.D. 1527. Orders for his arrest are sent down from London.

Tuesday, Feb. 17, 1528. He is warned by a proctor to escape.

The proctors were put upon the scent, and directed to take him; but one of them, Arthur Cole, of Magdalen, by name, not from any sympathy with Garret's objects, as the sequel proved, but probably from old acquaintance, for they were fellows at the same college, gave him information of his danger, and warned him to escape.

His young friends, more alarmed for their companion than for themselves, held a meeting instantly to decide what should be done; and at this meeting was Anthony Dalaber, an undergraduate of Alban Hall, and one of Clark's pupils, who will now tell the story of what followed.

Dalaber's narrative.

'The Christmas before that time, I, Anthony Dalaber, the scholar of Alban Hall, who had books of Master Garret, had been in my country, at Dorsetshire, at Stalbridge, where I had a brother, parson of this parish, who was very desirous to have a curate out of Oxford, and willed me in any wise to get him one there, if I could. This just occasion offered, it was thought good among the brethren (for so we did not only call one another, but were indeed one to another), that Master Garret, changing his name, should

* Dr. London to Warham: *Rolls House MS.*

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be sent forth with my letters into Dorsetshire, to my brother, to serve him there for a time, until he might secretly convey himself from thence some whither over the sea. According hereunto I wrote my letters in all haste possible unto my brother, for Master Garret to be his curate; but not declaring what he was indeed, for my brother was a rank papist, and afterwards was the most mortal enemy that ever I had, for the Gospel's sake. CH. 6. A.D. 1528.

'So on Wednesday (Feb. 18), in the morning before Shrove-tide, Master Garret departed out of Oxford towards Dorsetshire, with my letter, for his new service.' Feb. 18. Garret leaves Oxford.

The most important person being thus, as was supposed, safe from immediate danger, Dalaber was at leisure to think a little about himself; and supposing, naturally, that the matter would not end there, and that some change of residence might be of advantage for his own security, he moved off from Alban Hall (as undergraduates it seems were then at liberty to do) to Gloucester College,* under pretence that he desired to study civil law, for which no facilities existed at the hall. This little matter was effected on the Thursday; and all Friday and Saturday morning he 'was so much busied in setting his poor stuff in order, his bed, his books, and such things else as he had,' that he had no leisure to go forth anywhere those two days, Friday and Saturday. Anthony Dalaber, of AlbanHall, who has been concerned in the escape, takes measures to avoid suspicion, And moves to Gloucester College.

'Having set up my things handsomely,' he

* On the site of the present Worcester College. It lay beyond the walls of the town, and was then some distance from it across the fields.

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Ch. 6. A.D. 1528.

continues, 'the same day, before noon, I determined to spend that whole afternoon, until evensong time, at Frideswide College,* at my book in mine own study; and so shut my chamber door unto me, and my study door also, and took into my head to read Francis Lambert upon the Gospel of St. Luke, which book only I had then within there. All my other books written on the Scriptures, of which I had great numbers, I had left in my chamber at Alban's Hall, where I had made a very secret place to keep them safe in, because it was so dangerous to have any such books. And so, as I was diligently reading in the same book of Lambert upon Luke, suddenly one knocked at my chamber door very hard, which made me astonished, and yet I sat still and would not speak; then he knocked again more hard, and yet I held my peace; and straightway he knocked again yet more fiercely; and then I thought this: peradventure it is somebody that hath need of me; and therefore I thought myself bound to do as I would be done unto; and so, laying my book aside, I came to the door and opened it, and there was Master Garret, as a man amazed, whom I thought to have been with my brother, and one with him.'

Garret returns to Oxford, Friday, Feb. 20.

Garret had set out on his expedition into Dorsetshire, but had been frightened, and had stolen back into Oxford on the Friday, to his old hiding place, where, in the middle of the night, the

* Christchurch, where Dalaber occasionally sung in the quire. Vide infra.

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proctors had taken him. He had been carried to Lincoln, and shut up in a room in the rector's house, where he had been left all day. In the afternoon the rector went to chapel, no one was stirring about the college, and he had taken advantage of the opportunity to slip the bolt of the door and escape. He had a friend at Gloucester College, 'a monk who had bought books of him;' and Gloucester lying on the outskirts of the town, he had hurried down there as the readiest place of shelter. The monk was out; and as no time was to be lost, Garret asked the servant on the staircase to show him Dalaber's rooms.

Ch. 6.

A.D. 1528. He is taken, and shut up at Lincoln.

From whence he escapes, Saturday, Feb. 21,

As soon as the door was opened, 'he said he was undone, for he was taken.' 'Thus he spake unadvisedly in the presence of the young man, who at once slipped down the stairs,' it was to be feared, on no good errand. 'Then I said to him,' Dalaber goes on, 'alas, Master Garret, by this your uncircumspect coming here and speaking so before the young man, you have disclosed yourself and utterly undone me. I asked him why he was not in Dorsetshire. He said he had gone a day's journey and a half; but he was so fearful, his heart would none other but that he must needs return again unto Oxford. With deep sighs and plenty of tears, he prayed me to help to convey him away; and so he cast off his hood and gown wherein he came to me, and desired me to give him a coat with sleeves, if I had any; and he told me that he would go into Wales, and thence convey himself, if he might, into Germany.

And goes to Dalaber's rooms.

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Ch. 6. A.D. 1528. Then I put on him a sleeved coat of mine. He would also have had another manner of cap of me, but I had none but priestlike, such as his own was.

'Then kneeled we both down together upon our knees, and lifting up our hearts and hands to God our heavenly Father, desired him, with plenty of tears, so to conduct and prosper him in his journey, that he might well escape the danger of all his enemies, to the glory of His Holy Name, if His good pleasure and will so were. And then we embraced and kissed the one the other, the tears so abundantly flowing out from both our eyes, that we all bewet both our faces, and scarcely for sorrow could we speak one to another. And so he departed from me, apparelled in my coat, being committed unto the tuition of our Almighty and merciful Father.

Dalaber lends him a disguise, and he again leaves Oxford.

'When he was gone down the stairs from my chamber, I straightways did shut my chamber door, and went into my study; and taking the New Testament in my hands, kneeled down on my knees, and with many a deep sigh and salt tear, I did, with much deliberation, read over the tenth chapter of St. Matthew's Gospel,* praying

* Some part of which let us read with him. 'I send you forth as sheep in the midst of wolves; be ye therefore wise as serpents and harmless as doves. But beware of men, for they will deliver you up to the councils, and they will scourge you in their synagogues; and ye shall be brought before governors and kings for my sake, for a testimony against them and the gentiles. But when they deliver you up, take no thought how or what ye shall speak, for it shall be given you in that same hour what ye shall speak; for it is not ye that speak, but the Spirit of your Father which speaketh in you. And the brother shall

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that God would endue his tender and lately-born little flock in Oxford with heavenly strength by his Holy Spirit; that quietly to their own salvation, with all godly patience, they might bear Christ's heavy cross, which I now saw was presently to be laid on their young and weak backs, unable to bear so huge a burden without the great help of his Holy Spirit. Ch. 6. A.D. 1528. Saturday, Feb. 21.

'This done, I laid aside my book safe, folded up Master Garret's gown and hood, and so, having put on my short gown, and shut my doors, I went towards Frideswide (Christchurch), to speak with that worthy martyr of God, Master Clark. But of purpose I went by St. Mary's church, to go first unto Corpus Christi College, to speak with Diet and Udal, my faithful brethren and fellows in the Lord. By chance I met by the way a brother of ours, one Master Eden, fellow of Magdalen, who, as soon as he saw me, said, we were all undone, for Master Garret was re- Dalaber goes to Frideswide.

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deliver up the brother to death; and the father the child; and the children shall rise up against their parents, and cause them to be put to death. And ye shall be hated of all men for my name's sake: but he that endureth to the end shall be saved. Whosoever shall confess me before men, him will I confess also before my Father which is in heaven. Whosoever shall deny me before men, him will I also deny before my Father which is in heaven. Think not that I am come to send peace on earth; I came not to send peace, but a sword. For I am come to set a man at variance against his father, and the daughter against her mother, and the daughter-in-law against her mother-in-law. And a man's foes shall be they of his own household. He that loveth father or mother more than me is not worthy of me. He that loveth son or daughter more than me is not worthy of me. He that taketh not his cross and followeth after me is not worthy of me. He that findeth his life shall lose it, and he that loseth his life for my sake shall find it.'

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CH. 6. turned, and was in prison. I said it was not so; he said it was. I heard, quoth he, our Proctor, Master Cole, say and declare the same this day. Then I told him what was done; and so made haste to Frideswide, to find Master Clark, for I thought that he and others would be in great sorrow.

A.D. 1528. Saturday, Feb. 21.

Vespers at the cathedral.

'Evensong was begun; the dean and the canons were there in their grey amices; they were almost at Magnificat before I came thither. I stood in the choir door and heard Master Taverner play, and others of the chapel there sing, with and among whom I myself was wont to sing also; but now my singing and music were turned into sighing and musing. As I there stood, in cometh Dr. Cottisford,* the commissary, as fast as ever he could go, bareheaded, as pale as ashes (I knew his grief well enough); and to the dean he goeth into the choir, where he was sitting in his stall, and talked with him, very sorrowfully: what, I know not; but whereof I might and did truly guess. I went aside from the choir door to see and hear more. The commissary and dean came out of the choir, wonderfully troubled as it seemed. About the middle of the church, met them Dr. London,† puffing, blustering, and blowing like a hungry and greedy lion seeking his prey. They talked together awhile; but the commissary was much blamed by them, insomuch that he wept for sorrow.

'The doctors departed, and sent abroad their

* Rector of Lincoln. † Warden of New College.

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servants and spies everywhere. Master Clark, about the middle of the compline,* came forth of the choir. I followed him to his chamber, and declared what had happened that afternoon of Master Garret's escape. Then he sent for one Master Sumner and Master Bets, fellows and canons there. In the meantime he gave me a very godly exhortation, praying God to give us all the wisdom of the serpent and the harmlessness of doves, for we should shortly have much need thereof. When Master Sumner and Master Bets came, he caused me to declare again the whole matter to them two. Then desiring them to tell our other brethren in that college, I went to Corpus Christi College, to comfort our brethren there, where I found in Diet's chamber, looking for me, Fitzjames, Diet, and Udal. They all knew the matter before by Master Eden, whom I had sent unto Fitzjames. So I tarried there and supped with them, where they had provided meat and drink for us before my coming; and when we had ended, Fitzjames would needs have me to lie that night with him in my old lodging at Alban's Hall. But small rest and little sleep took we both there that night.'

Ch. 6.

A.D. 1528. Saturday, Feb. 21.

The brothers meet.

The next day, which was Sunday, Dalaber rose at five o'clock, and as soon as he could leave the Hall, hastened off to his rooms at Gloucester. The night had been wet and stormy, and his shoes and stockings were covered with mud. The college gates, when he reached them, were still

Sunday, Feb. 22.

* The last prayer.

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Ch. 6.

A.D. 1528. Sunday, Feb. 22.

closed, an unusual thing at that hour; and he walked up and down under the walls in the bleak grey morning, till the clock struck seven, 'much disquieted, his head full of forecasting cares,' but resolved, like a brave man, that come what would, he would accuse no one, and declare nothing but what he saw was already known. The gates were at last opened; he went to his rooms, and for some time his key would not turn in the door, the lock having been meddled with. At length he succeeded in entering, and found everything in confusion, his bed tossed and tumbled, his study door open, and his clothes strewed about the floor. A monk who occupied the opposite rooms, hearing him return, came to him and said that the commissary and the two proctors had been there looking for Garret. Bills and swords had been thrust through the bed-straw, and every corner of the room searched for him. Finding nothing, they had left orders that Dalaber, as soon as he returned, should appear before the prior of the students.

Dalaber's rooms searched by the commissary and the police.

'This so troubled me,' Dalaber says, 'that I forgot to make clean my hose and shoes, and to shift me into another gown; and all bedirted as I was, I went to the said prior's chamber.' The prior asked him where he had slept that night. At Alban's Hall, he answered, with his old bedfellow, Fitzjames. The prior said he did not believe him, and asked if Garret had been at his rooms the day before. He replied that he had. Whither had he gone, then? the prior inquired; and where was he at that time? 'I

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answered,' says Dalaber, 'that I knew not, unless he was gone to Woodstock; he told me that he would go there, because one of the keepers had promised him a piece of venison to make merry with at Shrovetide. This tale I thought meetest, though it were nothing so.'*

A.D. 1528. Sunday, Feb. 22. Dalaber is arrested. He is examined about his friend's escape, and tells a lie.

At this moment the university beadle entered with two of the commissary's servants, bringing a message to the prior that he should repair at once to Lincoln, taking Dalaber with him. 'I was brought into the chapel,' the latter continues, 'and there I found Dr. Cottisford, commissary; Dr. Higdon, Dean of Cardinal's College; and Dr. London, Warden of New College; standing together at the altar. They called for chairs and

He is taken to Lincoln College, and re-examined by the commissary and two other heads of houses.

* Dr. Maitland, who has an indifferent opinion of the early Protestants, especially on the point of veracity, brings forward this assertion of Dalaber as an illustration of what he considers their recklessness. It seems obvious, however, that a falsehood of this kind is something different in kind from what we commonly mean by unveracity, and has no affinity with it. I do not see my way to a conclusion; but I am satisfied that Dr. Maitland's strictures are unjust. If Garret was taken, he was in danger of a cruel death, and his escape could only be made possible by throwing the bloodhounds off the scent. A refusal to answer would not have been sufficient; and the general laws by which our conduct is ordinarily to be directed, cannot be made so universal in their application as to meet all contingencies. It is a law that we may not strike or kill other men, but occasions rise in which we may innocently do both. I may kill a man in defence of my own life or my friend's life, or even of my friend's property; and surely the circumstances which dispense with obedience to one law may dispense equally with obedience to another. *If* I may kill a man to prevent him from robbing my friend, why may I not deceive a man to save my friend from being barbarously murdered? It is possible that the highest morality would forbid me to do either. I am unable to see why, if the first be permissible, the second should be a crime. Rahab of Jericho did the same thing which Dalaber did, and on that very ground was placed in the catalogue of saints.

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CH. 6. sate down, and then [ordered] me to come to them; they asked me what my name was, how long I had been at the university, what I studied,' with various other inquiries: the clerk of the university, meanwhile, bringing pens, ink, and paper, and arranging a table with a few loose boards upon tressels. A mass book, he says, was then placed before him, and he was commanded to lay his hand upon it, and swear that he would answer truly such questions as should be asked him. At first he refused; but afterwards, being persuaded, 'partly by fair words, and partly by great threats,' he promised to do as they would have him; but in his heart he 'meant nothing so to do.' 'So I laid my hand on the book,' he goes on, 'and one of them gave me my oath, and commanded me to kiss the book. They made great courtesy between them who should examine me; at last, the rankest Pharisee of them all took upon him to do it.

A.D. 1528. Sunday, Feb. 22.

He again tells a lie.

'Then he asked me again, by my oath, where Master Garret was, and whither I had conveyed him. I said I had not conveyed him, nor yet wist where he was, nor whither he was gone, except he were gone to Woodstock, as I had before said. Surely, they said, I brought him some whither this morning, for they might well perceive by my foul shoes and dirty hosen that I had travelled with him the most part of the night. I answered plainly, that I lay at Alban's Hall with Sir Fitzjames, and that I had good witness thereof. They asked me where I was at evensong. I told them at Frideswide, and that I

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saw, first, Master Commissary, and then Master Doctor London, come thither to Master Dean. Doctor London and the Dean threatened me that if I would not tell the truth I should surely be sent to the Tower of London, and there be racked, and put into Little-ease.* CH. 6.

A.D. 1528. Sunday, Feb. 22. He is threatened with the rack,

'At last when they could get nothing out of me whereby to hurt or accuse any man, or to know anything of that which they sought, they all three together brought me up a long stairs, into a great chamber, over Master Commissary's chamber, wherein stood a great pair of very high stocks. Then Master Commissary asked me for my purse and girdle, and took away my money and my knives; and then they put my legs into the stocks, and so locked me fast in them, in which I sate, my feet being almost as high as my head; and so they departed, locking fast the door, and leaving me alone.

And is put in the stocks.

'When they were all gone, then came into my remembrance the worthy forewarning and godly declaration of that most constant martyr of God, Master John Clark, who, well nigh two years before that, when I did earnestly desire him to grant me to be his scholar, said unto me after this sort: 'Dalaber, you desire you wot not what, and that which you are, I fear, unable to take upon you; for though now my preaching be sweet and pleasant to you, because there is no persecution laid on you for it, yet the time will come, and that, peradventure, shortly,

* A cell in the Tower, the nature of which we need not inquire into.

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Ch. 6.

A.D. 1528. Sunday, Feb. 22.

if ye continue to live godly therein, that God will lay on you the cross of persecution, to try you whether you can as pure gold abide the fire. You shall be called and judged a heretic; you shall be abhorred of the world; your own friends and kinsfolk will forsake you, and also hate you; you shall be cast into prison, and none shall dare to help you; you shall be accused before bishops, to your reproach and shame, to the great sorrow of all your friends and kinsfolk. Then will ye wish ye had never known this doctrine; then will ye curse Clark, and wish that ye had never known him because he hath brought you to all these troubles.'

'At which words I was so grieved that I fell down on my knees at his feet, and with tears and sighs besought him that, for the tender mercy of God, he would not refuse me; saying that I trusted, verily, that he which had begun this in me would not forsake me, but would give me grace to continue therein to the end. When he heard me say so, he came to me, took me in his arms and kissed me, the tears trickling from his eyes; and said unto me: 'The Lord God Almighty grant you so to do; and from henceforth for ever, take me for your father, and I will take you for my son in Christ.''

In these meditations the long Sunday morning wore away. A little before noon the commissary came again to see if his prisoner was more amenable; finding him, however, still obstinate, he offered him some dinner—a promise which we will hope he fulfilled, for here

He still refuses to confess where Garret is gone,

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Dalaber's own narrative abruptly forsakes us,* leaving uncompleted, at this point, the most vivid picture which remains to us of a fraction of English life in the reign of Henry VIII. If the curtain fell finally on the little group of students, this narrative alone would furnish us with rare insight into the circumstances under which the Protestants fought their way. The story, however, can be carried something further, and the strangest incident connected with it remains to be told.

CH. 6.

A.D. 1528. Sunday, Feb. 22.

Dalaber breaks off on Sunday at noon. The same day, or early the following morning, he was submitted once more to examination: this time, for the discovery of his own offences, and to induce him to give up his confederates. With respect to the latter he proved 'marvellous obstinate.' 'All that was gotten of him was with much difficulty;' nor would he confess to any names as connected with heresy or heretics except that of Clark, which was already known. About himself he was more open. He wrote his 'book of heresy,' that is, his confession of faith, 'with his own hand'—his evening's occupation, perhaps, in the stocks in the rector of Lincoln's house; and the next day he was transferred to prison.†

Monday, Feb. 23.

But acknowledges his own heresies.

This offender being thus disposed of, and strict secresy being observed to prevent the spread of alarm, a rapid search was set on foot for books in all suspected quarters. The fear of

Search for books.

* Foxe, vol. v. p. 421.

† Dr. London to the Bishop of Lincoln: *Rolls House MS.*

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Ch. 6. the authorities was that 'the infect persons would flee,' and 'convey' their poison 'away with them.'* The officials, once on the scent of heresy, were skilful in running down the game. No time was lost, and by Monday evening many of 'the brethren' had been arrested, their rooms examined, and their forbidden treasures discovered and rifled. Dalaber's store was found 'hid with marvellous secresy;' and in one student's desk a duplicate of Garret's list—the titles of the volumes with which the first 'Religious Tract Society' set themselves to convert England.

A.D. 1528. Monday, Feb. 23.

Information of all this was conveyed in haste by Dr. London to the Bishop of Lincoln, as the ordinary of the university; and the warden told his story with much self-congratulation. On one point, however, the news which he had to communicate was less satisfactory. Garret himself was gone—utterly gone. Dalaber was obstinate, and no clue to the track of the fugitive could be discovered. The police were at fault; neither bribes nor threats could elicit anything; and in these desperate circumstances, as he told the bishop, the three heads of houses conceived that they might strain a point of propriety for so good a purpose as to prevent the escape of a heretic. Accordingly, after a full report of the points of their success, Doctor London went on to relate the following remarkable proceeding:

The heads of houses consult one expert in astronomy to discover the track of Garret.

'After Master Garret escaped, *the com-*

* Dr. London to the Bishop of Lincoln: *Rolls House MS.*

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A.D. 1528.

missary being in extreme pensiveness, knew no other remedy but this extraordinary, and caused a figure to be made by one expert in astronomy— and his judgment doth continually persist upon this, that he fled in a tawny coat south-eastward, and is in the middle of London, and will shortly to the sea side. He was curate unto the parson of Honey Lane.* It is likely he is privily cloaked there. Wherefore, as soon as I knew the judgment of this astronomer, I thought it expedient and my duty with all speed to ascertain your good lordship of all the premises; that in time your lordship may advertise my lord his Grace, and my lord of London. It will be a gracious deed that he and all his pestiferous works, which he carrieth about, might be taken, to the salvation of his soul, opening of many privy heresies, and extinction of the same.'†

Monday, Feb. 23.

We might much desire to know what the bishop's sensations were in reading this letter —to know whether it occurred to him that in this naïve acknowledgment, the Oxford heresy hunters were themselves confessing to an act of heresy; and that by the law of the church, which they were so eager to administer, they were liable to the same death which they were so zealous to secure for the poor vendors of Testaments. So indeed they really were. Consulting the stars had been ruled from immemorial time to be

Tuesday, Feb. 24.

* Dr. Forman, rector of All Hallows, who had himself been in trouble for heterodoxy.

† Dr. London to the Bishop of Lincoln, Feb. 20, 1528: *Rolls House MS.*

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CH. 6. dealing with the devil; the penalty of it was the same as for witchcraft; yet here was a reverend warden of a college considering it his duty to write eagerly of a discovery obtained by these forbidden means, to his own diocesan, begging him to communicate with the Cardinal of York and the Bishop of London, that three of the highest church authorities in England might become *participes criminis*, by acting on this diabolical information.

A.D. 1528. Tuesday, Feb. 24.

The principal ports set for Garret's capture.

Meanwhile, the commissary, not wholly relying on the astrologer, but resolving prudently to make use of the more earthly resources which were at his disposal, had sent information of Garret's escape to the corporations of Dover, Rye, Winchester, Southampton, and Bristol, with descriptions of the person of the fugitive; and this step was taken with so much expedition, that before the end of the week no vessel was allowed to leave either of those harbours without being strictly searched.

The natural method proved more effectual than the supernatural, though again with the assistance of a singular accident. Garret had not gone to London; unfortunately for himself, he had not gone to Wales as he had intended. He left Oxford, as we saw, the evening of Saturday, February 21st. That night he reached a village called Corkthrop,* where he lay concealed till Wednesday; and then, not in the astrologer's orange-tawny dress, but in 'a courtier's coat and

* Now Cokethorpe Park, three miles from Stanton Harcourt, and about twelve from Oxford. The village has disappeared.

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buttoned cap,' which he had by some means contrived to procure, he set out again on his forlorn journey, making for the nearest sea-port, Bristol, where the police were looking out to receive him. His choice of Bristol was peculiarly unlucky. The 'chapman' of the town was the step-father of Cole, the Oxford proctor: to this person, whose name was Master Wilkyns, the proctor had written a special letter, in addition to the commissary's circular; and the family connexion acting as a spur to his natural activity, a coast guard had been set before Garret's arrival, to watch for him down the Avon banks, and along the Channel shore for fifteen miles. All the Friday night 'the mayor, with the aldermen, and twenty of the council, had kept privy watch,' and searched suspicious houses at Master Wilkyns's instance; the whole population were on the alert, and when the next afternoon, a week after his escape, the poor heretic, footsore and weary, dragged himself into the town, he found that he had walked into the lion's mouth.* He quickly learnt the danger to which he was exposed, and hurried off again with the best speed which he could command; but it was too late. The chapman, alert and indefatigable, had heard that a stranger had been seen in the street; the police were set upon his track, and he was taken at Bedminster, a suburb on the opposite bank of the Avon, and hurried before a

A.D. 1528. Feb. 24. Garret goes to Bristol, and is taken by the father-in-law of the Oxford proctor.

Master Wilkyns's triumph, hopes, and disappointment.

* Vicar of All Saints, Bristol, to the Rector of Lincoln: *Rolls House MS.*

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Ch. 6. magistrate, where he at once acknowledged his identity.

A.D. 1528. Saturday, Feb. 28.

With such happy success were the good chapman's efforts rewarded. Yet in this world there is no light without shadow; no pleasure without its alloy. In imagination, Master Wilkyns had thought of himself conducting the prisoner in triumph into the streets of Oxford, the hero of the hour. The sour formality of the law condemned him to ill-merited disappointment. Garret had been taken beyond the liberties of the city; it was necessary, therefore, to commit him to the county gaol, and he was sent to Ilchester. 'Master Wilkyns offered himself to be bound to the said justice in three hundred pounds to discharge him of the said Garret, and to see him surely to Master Proctor's of Oxford; yet could he not have him, for the justice said that the order of the law would not so serve.'* The fortunate captor had therefore to content himself with the consciousness of his exploit, and the favourable report of his conduct which was sent to the bishops; and Garret went first to Ilchester, and thence was taken by special writ, and surrendered to Wolsey.

Garret is sent to Ilchester, and thence to London,

Thus unkind had fortune shown herself to the chief criminal, guilty of the unpardonable offence of selling Testaments at Oxford, and therefore hunted down as a mad dog, and a common enemy of mankind. He escaped for the present the heaviest consequences, for Wolsey persuaded

Where he abjures.

* The Vicar of All Saints to the Rector of Lincoln: *Rolls House MS.*

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him to abjure. A few years later we shall again meet him, when he had recovered his better nature, and would not abjure, and died as a brave man should die. In the mean time we return to the university, where the authorities were busy trampling out the remains of the conflagration. CH. 6. A.D. 1528. Feb. 28.

Two days after his letter respecting the astrologer, the Warden of New College wrote again to the Diocesan, with an account of his further proceedings. He was an efficient inquisitor, and the secrets of the poor undergraduates had been unravelled to the last thread. Some of 'the brethren' had confessed; all were in prison; and the doctor desired instructions as to what should be done with them. It must be said for Dr. London, that he was anxious that they should be treated leniently. Dalaber described him as a roaring lion, and he was a bad man, and came at last to a bad end. But it is pleasant to find that even he, a mere blustering arrogant official, was not wholly without redeeming points of character; and as little good will be said for him hereafter, the following passage in his second letter may be placed to the credit side of his account. The tone in which he wrote was at least humane, and must pass for more than an expression of natural kindness, when it is remembered that he was addressing a person with whom tenderness for heresy was a crime. The investigation at Oxford continues.

'These youths,' he said, 'have not been long conversant with Master Garret, nor have greatly perused his mischievous books; and long before Doctor London writes to the Bishop of Lincoln, advising a general pardon.

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Ch. 6. Master Garret was taken, divers of them were weary of these works, and delivered them to Dalaber. I am marvellous sorry for the young men. If they be openly called upon, although they appear not greatly infect, yet they shall never avoid slander, because my Lord's Grace did send for Master Garret to be taken. I suppose his Grace will know of your good lordship everything. Nothing shall be hid, I assure your good lordship, an every one of them were my brother; and I do only make this moan for these youths, for surely they be of the most towardly young men in Oxford; and as far as I do yet perceive, not greatly infect, but much to blame for reading any part of these works.'*

A.D. 1528. Feb. 28.

Doctor London's intercession, if timid, was generous; he obviously wished to suggest that the matter should be hushed up, and that the offending parties should be dismissed with a reprimand. If the decision had rested with Wolsey, it is likely that this view would have been readily acted upon. But the Bishop of Lincoln was a person in whom the spirit of humanity had been long exorcised by the spirit of an ecclesiastic. He was staggering along the last years of a life against which his own register† bears dreadful witness, and he would not burden his conscience with mercy to heretics. He would not mar the completeness of his barbarous career. He singled out three of the prisoners—Garret, Clark, and

The bishop insists on punishment.

* Dr. London to the Bishop of Lincoln: *Rolls House MS.*

† Long extracts from it are printed in Foxe, vol. iv.

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Ferrars* — and especially entreated that they should be punished. 'They be three perilous men,' he wrote to Wolsey, 'and have been the occasion of the corruption of youth. They have done much mischief, and for the love of God let them be handled thereafter.'† CH. 6. A.D. 1528.

Wolsey had Garret in his own keeping, and declined to surrender him. Ferrars had been taken at the Black Friars, in London,‡ and making his submission, was respited, and escaped with abjuration. But Clark was at Oxford, in the bishop's power, and the wicked old man was allowed to work his will upon him. A bill of heresy was drawn, which the prisoner was required to sign. He refused, and must have been sent to the stake, had he not escaped by dying prematurely of the treatment which he had received in prison.§ His last words only are recorded. He was refused the communion, not perhaps as a special act of cruelty, but because the laws of the church would not allow the holy thing to be profaned by the touch of a heretic. When he was told that it would not be suffered, he said '*crede et manducásti*'—'faith is the communion;' and so passed away; a very noble person, so far as the surviving features of

Clark dies in prison.

His last words.

* Another of the brethren, afterwards Bishop of St. David's, and one of the Marian victims.

† Bishop of Lincoln to Wolsey, March 5, 1527–8: *Rolls House MS.*; and see ELLIS, third series, vol. ii. p. 77.

‡ ELLIS, third series, vol. ii. p. 77.

§ With some others he 'was cast into a prison where the salt-fish lay, through the stink whereof the most part of them were infected; and the said Clark, being a tender young man, died in the same prison.'—FOXE, vol. iv. p. 615.

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Ch. 6. A.D. 1528.

his character will let us judge; one who, if his manhood had fulfilled the promise of his youth, would have taken no common part in the Reformation.

Dalaber and his friends carry fagots in High-street.

The remaining brethren were then dispersed. Some were sent home to their friends—others, Anthony Dalaber among them, were placed on their trial, and being terrified at their position, recanted, and were sentenced to do penance. Ferrars was brought to Oxford for the occasion, and we discern indistinctly (for the mere fact is all which survives) a great fire at Carfax; a crowd of spectators, and a procession of students marching up High-street with fagots on their shoulders, the solemn beadles leading them with gowns and maces. The ceremony was repeated to which Dr. Barnes had been submitted at St. Paul's. They were taken three times round the fire, throwing in each first their fagot, and then some one of the offending books, in token that they repented and renounced their errors.

Oxford is purged.

Thus was Oxford purged of heresy. The state of innocence which Dr. London pathetically lamented* was restored, and the heads of houses had peace till their rest was broken by a ruder storm.

In this single specimen we may see a complete image of Wolsey's persecution, as with varying details it was carried out in every town and village from the Tweed to the Land's End. I dwell on the stories of individual suffering, not

* London to Warham: *Rolls House MS.*

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to colour the narrative, or to re-awaken feelings of bitterness which may well rest now and sleep for ever; but because, through the years in which it was struggling for recognition, the history of Protestantism is the history of its martyrs. No rival theology, as I have said, had as yet shaped itself into formulas. We have not to trace any slow growing elaboration of opinion. Protestantism, before it became an establishment, was a refusal to live any longer in a lie. It was a falling back upon the undefined untheoretic rules of truth and piety which lay upon the surface of the Bible, and a determination rather to die than to mock with unreality any longer the Almighty Maker of the world. We do not look in the dawning manifestations of such a spirit for subtleties of intellect. Intellect, as it ever does, followed in the wake of the higher virtues of manly honesty and truthfulness. And the evidences which were to effect the world's conversion were no cunningly arranged syllogistic demonstrations, but once more those loftier evidences which lay in the calm endurance by heroic men of the extremities of suffering, and which touched —not the mind with conviction, but the heart with admiring reverence.

The early history of Protestantism is the history of its martyrs and confessors,

And its evidences, their endurance and suffering.

In the concluding years of his administration Wolsey was embarrassed with the divorce. Difficulties were gathering round him, from the failure of his hopes abroad and the wreck of his popularity at home; and the activity of the persecution was something relaxed, as the guiding mind of the great minister ceased to have leisure

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CH. 6.

A.D. 1529. Wolsey falls, but the persecution is continued by the bishops.

to attend to it. The bishops, however, continued, each in his own diocese, to act with such vigour as they possessed. Their courts were unceasingly occupied with vexatious suits, commenced without reason, and conducted without justice. They summoned arbitrarily as suspected offenders whoever had the misfortune to have provoked their dislike; either compelling them to criminate themselves by questions on the intricacies of theology,* or allowing sentence to be passed against them on the evidence of abandoned persons, who would not have been admissible as witnesses before the secular tribunals.†

The House of Commons, in checking causeless prosecutions, has no wish to protect those who are really heretical.

It might have been thought that the clear perception which was shown by the House of Commons of the injustice with which the trials for heresy were conducted, the disregard, shameless and flagrant, of the provisions of the statutes under which the bishops were enabled to proceed, might have led them to re-consider the equity of persecution in itself; or, at least, to remove from the office of judges persons who had shown themselves so signally unfit to exercise that office. It would have been indecent, however, if not impossible, to transfer to a civil tribunal the cognizance of opinion; and, on the other hand, there was as yet among the upper classes of the laity no kind of disposition to be lenient towards those who were really unorthodox.

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* Petition of the Commons, vol. i. cap. 3.

† Ibid. And, as we saw in the bishops' reply, they considered their practice in these respects wholly defensible.—See *Reply of the Bishops*, cap. 3.

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The desire so far was only to check the reckless and random accusations of persons whose offence was to have criticised, not the doctrine but the moral conduct, of the church authorities. The Protestants, although from the date of the meeting of the parliament and Wolsey's fall their ultimate triumph was certain, gained nothing in its immediate consequences. They suffered rather from the eagerness of the political reformers to clear themselves from complicity with heterodoxy; and the bishops were even taunted with the spiritual dissensions of the realm as an evidence of their indolence and misconduct.* Language of this kind boded ill for the 'Christian Brethren;' and the choice of Wolsey's successor for the office of chancellor soon confirmed their apprehensions; Wolsey had chastised them with whips; Sir Thomas More would chastise them with scorpions; and the philosopher of the *Utopia*, the friend of Erasmus, whose life was of blameless beauty, whose genius was cultivated to the highest attainable perfection, was to prove to the world that the spirit of persecution is no peculiar attribute of the pedant, the bigot, or the fanatic, but may co-exist with the fairest graces of the human character. The lives of remarkable men usually illustrate some emphatic truth. Sir Thomas More may be said to have lived to illustrate the necessary tendencies of Romanism in an honest mind convinced of its truth; to show that the test of sincerity in a man who

The Protestants rather lose than gain in the revolution which followed on the fall of Wolsey.

Sir Thomas More's chancellorship.

The true test of sincerity in a Catholic.

* Petition of the Commons, cap. 3.

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CH. 6. A.D. 1529.

professes to regard orthodoxy as an essential of salvation, is not the readiness to endure persecution, but the courage which will venture to inflict it.

The seals were delivered to the new chancellor in November, 1529. By his oath on entering office he was bound to exert himself to the utmost for the suppression of heretics:* he was bound, however, equally to obey the conditions under which the law allowed them to be suppressed. Unfortunately for his reputation as a judge, he permitted the hatred of 'that kind of men,' which he did not conceal that he felt,† to obscure his conscience on this important feature of his duty, and tempt him to imitate the worst iniquities of the bishops. I do not intend in this place to relate the stories of his cruelties in his house at Chelsea,‡ which he himself partially denied, and which at least we may hope were exaggerated. Being obliged to confine myself to specific instances, I choose rather those on which the evidence is not open to question; and which prove against More, not the zealous execution of a cruel law, for which we may not fairly hold him responsible, but a disregard, in the highest degree censurable, of his obligations as a judge.

The acts under which heretics were liable to

* 2 Hen. V. stat. 1.

† He had been 'troublesome to heretics,' he said, and he had 'done it with a little ambition;' for 'he so hated this kind of men, that he would be the sorest enemy that they could have, if they would not repent.'—MORE'S *Life of More*, p. 211.

‡ See FOXE, vol. iv. pp. 689, 698, 705.

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punishment, were the 15th of the 2nd of Henry IV., and the 1st of the 2nd of Henry V.

A.D. 1529.

By the act of Henry IV., the bishops were bound to bring offenders to trial in open court, within three months of their arrest, if there were no lawful impediment. If conviction followed, they might imprison at their discretion. Except under these conditions, they were not at liberty to imprison.

In cases of heresy, the legal period of imprisonment previous to trial was three months.

By the act of Henry V., a heretic, if he was first indicted before a secular judge, was to be delivered within ten days (or if possible, a shorter period) to the bishop, 'to be acquit or convict' by a jury in the spiritual court, and to be dealt with accordingly.*

In cases of indictments before the chancellor, the accused person was to be delivered to the bishops within ten days.

The secular judge might detain a heretic for ten days before delivering him to the bishop. The bishop might detain him for three months before his trial. Neither the secular judge nor the bishop had power to inflict indefinite imprisonment at will while the trial was delayed; nor if on the trial the bishop failed in securing a conviction, was he at liberty to detain the accused person any longer on the same charge, because the result was not satisfactory to himself. These provisions were not preposterously lenient. Sir Thomas More should have found no difficulty in observing them himself, and in securing the observance of them by the bishops, at least in cases where he was himself responsible for the first committal. It is to be feared that

More's carelessness in observing these provisions.

* 2 Hen. V. stat. 1.

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CH. 6. A.D. 1529.

he forgot that he was a judge in his eagerness to be a partisan, and permitted no punctilious legal scruples to interfere with the more important object of ensuring punishment to heretics.

The first case which I shall mention is one in which the Bishop of London was principally guilty; not, however, without More's countenance, and, if Foxe is to be believed, his efficient support.

In December, 1529, the month succeeding his appointment as chancellor, More, at the instance of the Bishop of London,* arrested a citizen of London, Thomas Philips by name, on a charge of heresy.

Case of Thomas Philips.

The prisoner was surrendered in due form to his diocesan, and was brought to trial on the 4th of February; a series of articles being alleged against him by Foxford, the bishop's vicar-general. The articles were of the usual kind. The prisoner was accused of having used unorthodox expressions on transubstantiation, on purgatory, pilgrimages, and confession. It does not appear whether any witnesses were produced. The vicar-general brought his accusations on the ground of general rumour, and failed to maintain them. Whether there were witnesses or not, neither the particular offences, nor even the fact of the general rumour, could be proved to the satisfaction of the jury. Philips himself encountered each separate charge with a specific denial, declaring that he neither was, nor ever had been,

* John Stokesley.

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other than orthodox; and the result of the trial was, that no conviction could be obtained. The prisoner 'was found so clear from all manner of infamous slanders and suspicions, that all the people before the said bishop, shouting in judgment as with one voice, openly witnessed his good name and fame, to the great reproof and shame of the said bishop, if he had not been ashamed to be ashamed.'* The case had broken down; the proceedings were over, and by law the accused person was free. But the law, except when it was on their own side, was of little importance to the church authorities. As they had failed to prove Philips guilty of heresy, they called upon him to confess his guilt by abjuring it; 'as if,' he says, 'there were no difference between a nocent and an innocent, between a guilty and a not guilty.'†

He refused resolutely, and was remanded to prison, in open violation of the law. The bishop, in conjunction with Sir Thomas More,‡ sent for him from time to time, submitting him to private examinations, which again were illegal; and urged the required confession, in order, as Philips says, 'to save the bishop's credit.'

The further they advanced, the more difficult it was to recede; and the bishop at length irritated at his failure, concluded the process with an arbitrary sentence of excommunication. From this sentence, whether just or unjust, there was

* Petition of Thomas Philips to the House of Commons: *Rolls House MS.*

† Ibid.

‡ Foxe, vol. v. pp. 29, 30.

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CH. 6. A.D. 1530.

then no appeal, except to the pope. The wretched man, in virtue of it, was no longer under the protection of the law, and was committed to the Tower, where he languished for three years, protesting, but protesting fruitlessly, against the tyranny which had crushed him, and clamouring for justice in the deaf ears of pedants who knew not what justice meant.

He is imprisoned unconvicted for three years.

If this had occurred at the beginning of the century, the prisoner would have been left to die, as countless multitudes had already died, unheard, uncared for, unthought of; the victim not of deliberate cruelty, but of that frightfullest portent, folly armed with power. Happily the years of his imprisonment had been years of swift revolution. The House of Commons had become a tribunal where oppression would not any longer cry wholly unheard; Philips appealed to it for protection, and recovered his liberty.*

He appeals at length to the House of Commons, and recovers his liberty.

* The circumstances are curious. Philips begged that he might have the benefit of the king's writ of corpus cum causâ, and be brought to the bar of the House of Commons, where the Bishop of London should be subpœnaed to meet him. [Petition of Thomas Philips: *Rolls House MS.*] The Commons did not venture on so strong a measure; but a digest of the petition was sent to the Upper House, that the bishop might have an opportunity of reply. The Lords refused to receive or consider the case: they replied that it was too 'frivolous an affair' for so grave an assembly, and that they could not discuss it. [*Lords' Journals*, vol. i. p. 66.] A deputation of the Commons then waited privately upon the bishop, and being of course anxious to ascertain whether Philips had given a true version of what had passed, they begged him to give some written explanation of his conduct, which might be read in the Commons' House. [*Lords' Journals*, vol. i. p. 71.] The request was reasonable, and we cannot doubt that, if explanation had been possible, the bishop would not have failed to offer it; but he preferred to shield himself behind the judgment of

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A.D. 1530. The Bishop of London responsible in the first degree; but More was severely censurable.

The weight of guilt in this instance presses essentially on Stokesley; yet a portion of the blame must be borne also by the chancellor, who first placed Philips in Stokesley's hands; who took part in the illegal private examinations, and who could not have been ignorant of the prisoner's ultimate fate. If, however, it be thought unjust to charge a good man's memory with an offence in which his part was only secondary, the following iniquity was wholly and exclusively his own. I relate the story without comment in the address of the injured person to More's successor.*

Case of John Field.

'*To the Right Hon. the Lord Chancellor of England (Sir T. Audeley) and other of the King's Council.*

'In most humble wise showeth unto your goodness your poor bedeman John Field, how that the next morrow upon twelfth day,† in the twenty-first year of our sovereign lord the King's Highness, Sir Thomas More, Knight, then being

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the Lords. The Lords, he said, had decided that the matter was too frivolous for their own consideration; and without their permission, he might not set a precedent of responsibility to the Commons by answering their questions.

This conduct met with the unanimous approval of the Peers. [*Lords' Journals*, vol. i. p. 71. Omnes proceres tam spirituales quam temporales unâ voce dicebant, quod non consentaneum fuit aliquem procerum prædictorum alicui in eo loco responsurum.] The demand for explanation was treated as a breach of privilege, and the bishop was allowed to remain silent. But the time was passed for conduct of this kind to be allowed to triumph. If the bishop could not or would not justify himself, his victim might at least be released from unjust imprisonment. The case was referred to the king: and by the king and the House of Commons Philips was set at liberty.

* Petition of John Field: *Rolls House MS.*

† Jan. 1529–30.

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Ch. 6. A.D. 1530. Lord Chancellor of England, did send certain of his servants, and caused your said bedeman, with certain others, to be brought to his place at Chelsea, and there kept him (after what manner and fashion it were now long to tell), by the space of eighteen days;* and then set him at liberty, binding him to appear before him again the eighth day following in the Star Chamber, which was Candlemas eve; at which day your said bedeman appeared, and was then sent to the Fleet, where he continued until Palm Sunday two years after, [in violation of both the statutes,] kept so close the first quarter that his keeper only might visit him; and always after closed up with those that were handled most straitly; often searched, sometimes even at midnight; besides snares and traps laid to take him in. Betwixt Michaelmas and Allhalloween tide next after his coming to prison there was taken from your bedeman a Greek vocabulary, price five shillings; Saint Cyprian's works, with a book of the same Sir Thomas More's making, named the *Supplication of Souls*. For what cause it was done he committeth to the judgment of God, that seeth the souls of all persons. The said Palm Sunday, which was also our Lady's day, towards night there came two officers of the Fleet, named George Porter and John Butler, and took your bedeman into a ward alone, and there, after long searching, found his purse hanging at his girdle; which they took, and shook out the money to the sum

Illegally imprisoned by More.

* Illegal. See 2 Hen. V. stat. 1.

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of ten shillings, which was sent him to buy such necessaries as he lacked, and delivered him again his purse, well and truly keeping the money to themselves, as they said for their fees; and forthwith carried him from the Fleet (where he lost such poor bedding as he then had, and could never since get it), and delivered him to the Marshalsea, under our gracious sovereign's commandment and Sir Thomas More's. When the Sunday before the Rogation week following, your bedeman fell sick; and the Whitsun Monday was carried out on four men's backs, and delivered to his friends to be recovered if it so pleased God. At which time the keeper took for your bedeman's fees other ten shillings, when four shillings should have sufficed if he had been delivered in good health.

'Within three weeks it pleased God to set your bedeman on his feet, so that he might walk abroad. Whereof when Sir Thomas More heard (who went out of his chancellorship about the time your bedeman was carried out of prison), although he had neither word nor deed which he could ever truly lay to your bedeman's charge, yet made he such means by the Bishops of Winchester and London, as your bedeman heard say, to the Hon. Lord Thomas Duke of Norfolk, that he gave new commandment to the keeper of the Marshalsea to attach again your said bedeman; which thing was speedily done the Sunday three weeks after his deliverance. And so he continued in prison again until Saint Lawrence tide following; at which time money was given to the

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CH. 6. keeper, and some things he took which were not given, and then was your bedeman re-delivered through the king's goodness, under sureties bound in a certain sum, that he should appear the first day of the next term following, and then day by day until his dismission. And so hath your bedeman been at liberty now twelve months waiting daily from term to term, and nothing laid to his charge as before.

A.D. 1530.

'Wherefore, the premises tenderly considered, and also your said bedeman's great poverty, he most humbly beseecheth your goodness that he may now be clearly discharged; and if books, money, or other things seem to be taken or kept from him otherwise than justice would, eftsoons he beseecheth you that ye will command it to be restored.

'As for his long imprisonment, with other griefs thereto appertaining, he looketh not to have recompense of man; but committeth his whole cause to God, to whom your bedeman shall daily pray, according as he is bound, that ye may so order and govern the realm that it may be to the honour of God and your heavenly and everlasting reward.'

I do not find the result of this petition, but as it appeared that Henry had interested himself in the story, it is likely to have been successful. We can form but an imperfect judgment on the merits of the case, for we have only the sufferer's *ex parte* complaint, and More might probably have been able to make some counter-statement. But the illegal imprisonment cannot be explained

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away, and cannot be palliated; and when a judge permits himself to commit an act of arbitrary tyranny, we argue from the known to the unknown, and refuse reasonably to give him credit for equity where he was so little careful of law. CH. 6. A.D. 1530.

Yet a few years of misery in a prison was but an insignificant misfortune when compared with the fate under which so many other poor men were at this time overwhelmed. Under Wolsey's chancellorship the stake had been comparatively idle; he possessed a remarkable power of making recantation easy; and there is, I believe, no instance in which an accused heretic was brought under his immediate cognizance, where he failed to arrange some terms by which submission was made possible. With Wolsey heresy was an error—with More it was a crime. Soon after the seals changed hands the Smithfield fires recommenced; and, the chancellor acting in concert with them, the bishops resolved to obliterate, in these edifying spectacles, the recollection of their general infirmities. The crime of the offenders varied—sometimes it was a denial of the corporal presence, more often it was a reflection too loud to be endured on the character and habits of the clergy; but whatever it was, the alternative lay only between abjuration humiliating as ingenuity could make it, or a dreadful death. The hearts of many failed them in the trial, and of all the confessors those perhaps do not deserve the least compassion whose weakness betrayed them, who sank and died broken-hearted. Of these silent sufferers history knows nothing. A

Contrast between Wolsey and More in the treatment of heretics.

The Smithfield fires recommence.

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CH. 6. A.D. 1530.

few, unable to endure the misery of having, as they supposed, denied their Saviour, returned to the danger from which they had fled, and washed out their fall in martyrdom. Latimer has told us the story of his friend Bilney—little Bilney, or Saint Bilney,* as he calls him, his companion at Cambridge, to whom he owed his own conversion. Bilney, after escaping through Wolsey's hands in 1527, was again cited in 1529 before the Bishop of London. Three times he refused to recant. He was offered a fourth and last chance. The temptation was too strong, and he fell. For two years he was hopelessly miserable; at length his braver nature prevailed. There was no pardon for a relapsed heretic, and if he was again in the bishop's hands he knew well the fate which awaited him.

Troubles of Bilney.

He 'goes up to Jerusalem.'

He told his friends, in language touchingly significant, that 'he would go up to Jerusalem;' and began to preach in the fields. The journey which he had undertaken was not to be a long one. He was heard to say in a sermon, that of his personal knowledge certain things which had been offered in pilgrimage had been given to abandoned women. The priests, he affirmed, 'take away the offerings, and hang them about their women's necks; and after that they take them off the women, if they please them not, and hang them again upon the images.'† This was Bilney's heresy, or formed the ground of his arrest; he

* Seventh Sermon before King Edward. First Sermon before the Duchess of Suffolk.

† FOXE, vol. iv. p. 649.

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was orthodox on the mass, and also on the power of the keys; but the secrets of the sacred order were not to be betrayed with impunity. He was seized, and hurried before the Bishop of Norwich; and being found heterodox on the papacy and the mediation of the saints, by the Bishop of Norwich he was sent to the stake. CH. 6. A.D. 1531.

Another instance of recovered courage, and of martyrdom consequent upon it, is that of James Bainham, a barrister of the Middle Temple. This story is noticeable from a very curious circumstance connected with it. James Bainham,

Bainham had challenged suspicion by marrying the widow of Simon Fish, the author of the famous *Beggars' Petition*, who had died in 1528; and, soon after his marriage, was challenged to give an account of his faith. He was charged with denying transubstantiation, with questioning the value of the confessional, and the power of the keys; and the absence of authoritative Protestant dogma had left his mind free to expand to a yet larger belief. He had ventured to assert, that 'if a Turk, a Jew, or a Saracen do trust in God and keep his law, he is a good Christian man,'*—a conception of Christianity, a conception of Protestantism, which we but feebly dare to whisper even at the present day. The proceedings against him commenced with a demand that he should give up his books, and also the names of other barristers with whom he was suspected to have held intercourse. He refused; and in conse- The latitudinarian martyr.

* Articles against James Bainham: FOXE, vol. iv. p. 703.

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CH. 6. quence his wife was imprisoned, and he himself was racked in the Tower by order of Sir Thomas More. Enfeebled by suffering, he was then brought before Stokesley, and terrified by the cold merciless eyes of his judge, he gave way, not about his friends, but about himself: he abjured, and was dismissed heartbroken. This was on the seventeenth of February. He was only able to endure his wretchedness for a month. At the end of it, he appeared at a secret meeting of the Christian Brothers, in 'a warehouse in Bow Lane,' where he asked forgiveness of God and all the world for what he had done; and then went out to take again upon his shoulders the heavy burden of the cross.

A.D. 1531-2

On his first trial he recants.

He recovers his courage,

The following Sunday, at the church of St. Augustine, he rose in his seat with the fatal English Testament in his hand, and 'declared openly, before all the people, with weeping tears, that he had denied God,' praying them all to forgive him, and beware of his weakness; 'for if I should not return to the truth,' he said, 'this Word of God would damn me, body and soul, at the day of judgment.' And then he prayed 'everybody rather to die than to do as he did, for he would not feel such a hell again as he did feel for all the world's good.'*

And is arrested again.

Of course but one event was to be looked for; he knew it, and himself wrote to the bishop, telling him what he had done. No mercy was possible: he looked for none, and he found none.

* FOXE, vol. iv. p. 702.

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Yet perhaps he found what the wise authorities thought to be some act of mercy. They could not grant him pardon in this world upon any terms; but they would not kill him till they had made an effort for his soul. He was taken to the Bishop of London's coal cellar at Fulham, the favourite episcopal penance chamber, where he was ironed and put in the stocks; and there was left for many days, in the chill March weather, to bethink himself. This failing to work conviction, he was carried to Sir Thomas More's house at Chelsea, where for two nights he was chained to a post and whipped; thence, again, he was taken back to Fulham for another week of torture; and finally to the Tower, for a further fortnight, again with ineffectual whippings.

CH. 6.

A.D. 1532. The mercy of the church authorities.

The demands of charity were thus satisfied. The pious bishop and the learned chancellor had exhausted their means of conversion; they had discharged their consciences; and the law was allowed to take its course. The prisoner was brought to trial on the 20th of April, as a relapsed heretic. Sentence followed; and on the last of the month the drama closed in the usual manner at Smithfield. Before the fire was lighted Bainham made a farewell address to the people, laying his death expressly to More, whom he called his accuser and his judge.*

He is burnt, April 20, 1532.

It is unfortunately impossible to learn the feelings with which these dreadful scenes were

* Foxe, vol. iv. p. 705.

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CH. 6. witnessed by the people. There are stories which show that, in some instances, familiarity had produced the usual effect; that the martyrdom of saints was at times of no more moment to an English crowd than the execution of ordinary felons—that it was a mere spectacle to the idle, the hardened, and the curious. On the other hand, it is certain that the behaviour of the sufferers was the argument which at last converted the nation; and an effect which in the end was so powerful with the multitude, must have been visible long before in the braver and better natures. The increasing number of prosecutions in London shows, also, that the leaven was spreading. There were five executions in Smithfield between 1529 and 1533, besides those in the provinces. The prisons were crowded with offenders who had abjured and were undergoing sentence; and the list of those who were 'troubled' in various ways is so extensive, as to leave no doubt of the sympathy which, in London at least, must have been felt by many, very many, of the spectators of the martyrs' deaths. We are left, in this important point, mainly to conjecture; and if we were better furnished with evidence, the language of ordinary narrative would fail to convey any real notion of perplexed and various emotions. We have glimpses, however, into the inner world of men, here and there of strange interest; and we must regret that they are so few.

A.D. 1532. The feelings with which these spectacles were witnessed by the people.

Suicide of a boy at Cambridge.

A poor boy at Cambridge, John Randall, of Christ's College, a relation of Foxe the martyro-

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logist, destroyed himself in these years in religious desperation; he was found in his study hanging by his girdle, before an open Bible, with his dead arm and finger stretched pitifully towards a passage on predestination.*

Ch. 6.

A.D. 1532.

A story even more remarkable is connected with Bainham's execution. Among the lay officials present at the stake, was 'one Pavier,' town clerk of London. This Pavier was a Catholic fanatic, and as the flames were about to be kindled he burst out into violent and abusive language. The fire blazed up, and the dying sufferer, as the red flickering tongues licked the flesh from off his bones, turned to him and said, 'May God forgive thee, and shew more mercy than thou, angry reviler, shewest to me.' The scene was soon over; the town clerk went home. A week after, one morning when his wife had gone to mass, he sent all his servants out of his house on one pretext or another, a single girl only being left, and he withdrew to a garret at the top of the house, which he used as an oratory. A large crucifix was on the wall, and the girl having some question to ask, went to the room, and found him standing before it 'bitterly weeping.' He told her to take his sword, which was rusty, and clean it. She went away, and left him; when she returned, a little time after, he was hanging from a beam, dead. He was a singular person. Edward Hall, the historian, knew him, and had heard him say, that 'if the

Pavier, the town clerk of London, also destroys himself, under strange circumstances.

* Foxe, vol. iv. p. 694.

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Ch. 6. king put forth the New Testament in English, he would not live to bear it.'* And yet he could not bear to see a heretic die. What was it? Had the meaning of that awful figure hanging on the torturing cross suddenly revealed itself? Had some inner voice asked him whether, in the prayer for his persecutors with which Christ had parted out of life, there might be some affinity with words which had lately sounded in his own ears? God, into whose hands he threw himself, self-condemned in his wretchedness, only knows the agony of that hour. Let the secret rest where it lies, and let us be thankful for ourselves that we live in a changed world.

A.D. 1532.

Thus, however, the struggle went forward; a forlorn hope of saints led the way up the breach, and paved with their bodies a broad road into the new era; and the nation the meanwhile was unconsciously waiting till the works of the enemy were won, and they could walk safely in and take possession. While men like Bilney and Bainham were teaching with words and writings, there were stout English hearts labouring also on the practical side of the same conflict, instilling the same lessons, and meeting for themselves the same consequences. Speculative superstition was to be met with speculative denial. Practical idolatry required a rougher method of disenchantment.

The two orders of martyrs.

Every monastery, every parish church, had in those days its special relics, its special images, its

The worship of relics, in its origin and in its abuse.

* Hall, p. 806; and see Foxe, vol. iv. p. 705.

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special something, to attract the interest of the people. The reverence for the remains of noble and pious men, the dresses which they had worn, or the bodies in which their spirits had lived, was in itself a natural and pious emotion; but it had been petrified into a dogma; and like every other imaginative feeling which is submitted to that bad process, it had become a falsehood, a mere superstition, a substitute for piety, not a stimulus to it, and a perpetual occasion of fraud. The people brought offerings to the shrines where it was supposed that the relics were of greatest potency. The clergy, to secure the offerings, invented the relics, and invented the stories of the wonders which had been worked by them. The greatest exposure of these things took place at the visitation of the religious houses. In the meantime, Bishop Shaxton's unsavoury inventory of what passed under the name of relics in the diocese of Salisbury, will furnish an adequate notion of these objects of popular veneration. There 'be set forth and commended unto the ignorant people,' he said, 'as I myself of certain which be already come to my hands, have perfect knowledge, stinking boots, mucky combes, ragged rochettes, rotten girdles, pyl'd purses, great bullocks' horns, locks of hair, and filthy rags, gobbetts of wood, under the name of parcels of the holy cross, and such pelfry beyond estimation.'* Besides matters of this kind, there were images

Bishop Shaxton's inventory.

* Instructions given by the Bishop of Salisbury: BURNET'S *Collectanea*, p. 493.

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CH. 6. of the Virgin or of the Saints; above all, roods or crucifixes, of especial potency, the virtues of which had begun to grow uncertain, however, to sceptical Protestants; and from doubt to denial, and from denial to passionate hatred, there were but a few brief steps. The most famous of the roods was that of Boxley in Kent, which used to smile and bow, or frown and shake its head, as its worshippers were generous or closehanded. The fortunes and misfortunes of this image I shall by and bye have to relate. There was another, however, at Dovercourt, in Suffolk, of scarcely inferior fame. This image was of such power that the door of the church in which it stood was open at all hours to all comers, and no human hand could close it. Dovercourt therefore became a place of great and lucrative pilgrimage, much resorted to by the neighbours on all occasions of difficulty.

A.D. 1532. The wonder-working roods.

The rood of Boxley.

The rood of Dovercourt.

Now it happened that within the circuit of a few miles there lived four young men, to whom the virtues of the rood had become greatly questionable. If it could work miracles, it must be capable, so they thought, of protecting its own substance; and they agreed to apply a practical test which would determine the extent of its abilities. Accordingly (about the time of Bainham's first imprisonment), Robert King of Dedham, Robert Debenham of Eastbergholt, Nicholas Marsh of Dedham, and Robert Gardiner of Dedham, 'their consciences being burdened to see the honour of Almighty God so blasphemed by such an idol,' started off 'on a wondrous goodly

Its powers are submitted to trial,

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night' in February, with hard frost and a clear full moon, ten miles across the wolds, to the church. CH. 6.

A.D. 1532. And are found unequal to the emergency.

The door was open as the legend declared; but nothing daunted, they entered bravely, and lifting down the 'idol' from its shrine, with its coat and shoes, and the store of tapers which were kept for the services, they carried it on their shoulders for a quarter of a mile from the place where it had stood, 'without any resistance of the said idol.' There setting it on the ground, they struck a light, fastened the tapers to the body, and with the help of them, sacrilegiously burnt the image down to a heap of ashes; the old dry wood 'blazing so brimly,' that it lighted them a full mile of their way home.*

The rood is burnt.

For this night's performance, which, if the devil is the father of lies, was a stroke of honest work against him and his family, the world rewarded these men after the usual fashion. One of them, Robert Gardiner, escaped the search which was made, and disappeared till better times; the remaining three were swinging in chains six months later on the scene of their exploit. Their fate was perhaps inevitable. Men who dare to be the first in great movements are ever self-immolated victims. But I suppose that it was better for them to be bleaching on their gibbets, than crawling at the feet of a wooden rood, and believing it to be God.

Execution of three of the perpetrators.

These were the first Paladins of the Reforma-

The Protestant Paladins.

* From a Letter of Robert Gardiner: FOXE, vol. iv. p. 706.

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Ch. 6. A.D. 1532.

tion; the knights who slew the dragons and the enchanters, and made the earth habitable for common flesh and blood. They were rarely, as we have said, men of great ability, still more rarely men of 'wealth and station;' but men rather of clear senses and honest hearts. Tyndal was a remarkable person, and so Clark and Frith promised to become; but the two last were cut off before they had found scope to show themselves; and Tyndal remaining abroad, lay outside the battle which was being fought in England, doing noble work, indeed, and ending as the rest ended, with earning a martyr's crown; but taking no part in the actual struggle except with his pen. As yet but two men of the highest order of power were on the side of Protestantism—Latimer and Cromwell. Of them we have already said something; but the time was now fast coming when they were to step forward, pressed by circumstances which could no longer dispense with them, into scenes of far wider activity; and the present seems a fitting occasion to give some closer account of their history. When the breach with the pope was made irreparable, and the papal party at home had assumed an attitude of suspended insurrection, the fortunes of the Protestants entered into a new phase. The persecution ceased; and those who but lately were carrying fagots in the streets, or hiding for their lives, passed at once by a sudden alternation into the sunshine of political favour. The summer was but a brief one, followed soon by returning winter; but Cromwell and Latimer had together

The two greatest men on the side of the Reformation.

The approaching revulsion, and the use which was made of it.

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caught the moment as it went by; and before it was over, a work had been done in England which, when it was accomplished once, was accomplished for ever. The conservative party recovered their power, and abused it as before; but the chains of the nation were broken, and no craft of kings or priests or statesmen could weld the magic links again.

It is a pity that of two persons to whom England owes so deep a debt, we can piece together such scanty biographies. I must attempt, however, to give some outline of the little which is known.

The family of Hugh Latimer. His father, a Leicestershire yeoman.

The father of Latimer was a solid English yeoman, of Thurcaston, in Leicestershire. 'He had no lands of his own,' but he rented a farm 'of four pounds by the year,' on which 'he tilled so much as kept half a dozen men;' 'he had walk for a hundred sheep, and meadow ground for thirty cows.'* The world prospered with him; he was able to save money for his son's education and his daughters' portions; but he was free-handed and hospitable; he kept open house for his poor neighbours; and he was a good citizen, too, for 'he did find the king a harness with himself and his horse,' ready to do battle for his country, if occasion called. His family were brought up 'in godliness and the fear of the Lord;' and in all points the old Latimer seems to have been a worthy, sound, upright man, of the true English mettle.

* LATIMER'S *Sermons*, p. 101.

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CH. 6.

A.D. 1532. The Reformer born about 1490,

There were several children.* The Reformer was born about 1490, some five years after the usurper Richard had been killed at Bosworth. Bosworth being no great distance from Thurcaston, Latimer the father is likely to have been present in the battle, on one side or the other—the right side in those times it was no easy matter to choose—but he became a good servant of the new government—and the little Hugh, when a boy of seven years old, helped to buckle† on his armour for him, 'when he went to Blackheath field.'‡

And brought up in the farmhouse as a brave English boy.

Being a soldier himself, the old gentleman was careful to give his sons, whatever else he gave them, a sound soldier's training. 'He was diligent,' says Latimer, 'to teach me to shoot with the bow: he taught me how to draw, how to lay my body in the bow—not to draw with strength of arm, as other nations do, but with the strength of the body. I had my bows bought me according to my age and strength; as I increased in these, my bows were made bigger and bigger.'§ Under this education, and in the wholesome atmosphere of the farmhouse, the boy prospered well; and by and bye, showing signs of promise, he was sent to school. When he was fourteen, the promises so far having been fulfilled, his father transferred him to Cambridge.‖

He goes to Cambridge.

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* Latimer speaks of sons and daughters.—*Sermons*, p. 101.

† Ibid.

‡ Where the Cornish rebels came to an end in 1497.—BACON'S *History of Henry the Seventh.*

§ LATIMER'S *Sermons*, p. 197.

‖ On which occasion, old relations perhaps shook their heads, and made objection to the expense. Some such feeling is indicated in the following glimpse

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He was soon known at the university as a sober, hard-working student. At nineteen, he was elected fellow of Clare Hall; at twenty, he took his degree, and became a student in divinity, when he accepted quietly, like a sensible man, the doctrines which he had been brought up to believe. At the time when Henry VIII. was writing against Luther, Latimer was fleshing his maiden sword in an attack upon Melancthon;* and he remained, he said, till he was thirty, 'in darkness and the shadow of death.' About this time he became acquainted with Bilney, whom he calls 'the instrument whereby God called him to knowledge.' In Bilney, doubtless, he found a sound instructor; but a careful reader of his sermons will see traces of a teaching for which he was indebted to no human master. His deepest knowledge was that which stole upon him unconsciously through the experience of life and the world.

CH. 6.

Is elected fellow of Clare Hall, and becomes a divinity student.

Converted from 'the shadow of death' by Bilney.

Sources of Latimer's knowledge, as evidenced in his sermons.

behind the veil of Latimer's private history:—

'I was once called to one of my kinsfolk,' he says ('it was at that time when I had taken my degree at Cambridge); I was called, I say, to one of my kinsfolk which was very sick, and died immediately after my coming. Now, there was an old cousin of mine, which, after the man was dead, gave me a wax candle in my hand, and commanded me to make certain crosses over him that was dead; for she thought the devil should run away by and bye. Now, I took the candle, but I could not cross him as she would have me to do; for I had never seen it before. She, perceiving I could not do it, with great anger took the candle out of my hand, saying, 'It is pity that thy father spendeth so much money upon thee;' and so she took the candle, and crossed and blessed him; so that he was sure enough.'—LATIMER'S *Sermons*, p. 499.

* 'I was as obstinate a papist as any was in England, insomuch that, when I should be made Bachelor of Divinity, my whole oration went against Philip Melancthon and his opinions.'—LATIMER'S *Sermons*, p. 334.

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CH. 6. A.D. 1525.

His words are like the clear impression of a seal; the account and the result of observations, taken first hand, on the condition of the English men and women of his time, in all ranks and classes, from the palace to the prison. He shows large acquaintance with books; with the Bible, most of all; with patristic divinity and school divinity; and history, sacred and profane: but if this had been all, he would not have been the Latimer of the Reformation, and the Church of England would not, perhaps, have been here to-day. Like the physician, to whom a year of practical experience in a hospital teaches more than a life of closet study, Latimer learnt the mental disorders of his age in the age itself; and the secret of that art no other man, however good, however wise, could have taught him. He was not an echo, but a voice; and he drew his thoughts fresh from the fountain—from the facts of the era in which God had placed him.

His early reputation as a preacher at Cambridge.

He became early famous as a preacher at Cambridge, from the first, 'a seditious fellow,' as a noble lord called him in later life, highly troublesome to unjust persons in authority. 'None, except the stiff-necked and uncircumcised, ever went away from his preaching, it was said, without being affected with high detestation of sin, and moved to all godliness and virtue.'* And, in his audacious simplicity, he addressed himself always to his individual hearers, giving his words a per-

Personal character of his addresses.

* *Jewel of Joy*, p. 224, et seq.: Parker Society's edition. LATIMER'S *Sermons*, p. 3.

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sonal application, and often addressing men by name. This habit brought him first into difficulty in 1525. He was preaching before the university, when the Bishop of Ely came into the church, being curious to hear him. He paused till the bishop was seated; and when he recommenced, he changed his subject, and drew an ideal picture of a prelate as a prelate ought to be; the features of which, though he did not say so, were strikingly unlike those of his auditor. The bishop complained to Wolsey, who sent for Latimer, and inquired what he had said. Latimer repeated the substance of his sermon; and other conversation then followed, which showed Wolsey very clearly the nature of the person with whom he was speaking. No eye saw more rapidly than the cardinal's the difference between a true man and an impostor; and he replied to the Bishop of Ely's accusations by granting the offender a licence to preach in any church in England. 'If the Bishop of Ely cannot abide such doctrine as you have here repeated,' he said, 'you shall preach it to his beard, let him say what he will.'*

He offends the Bishop of Ely.

Wolsey's judgment on the bishop's complaint.

Thus fortified, Latimer pursued his way, careless of the university authorities, and probably defiant of them. He was still orthodox in points of theoretic belief. His mind was practical rather than speculative, and he was slow in arriving at conclusions which had no immediate bearing upon action. No charge could be fastened upon him, definitely criminal; and he was too strong to be

Practical character of Latimer's mind, which protected him from speculative difficulties.

* LATIMER'S *Remains*, pp. 27–31.

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Ch. 6. A.D. 1530.

crushed by that compendious tyranny which treated as an act of heresy the exposure of imposture or delinquency.

On Wolsey's fall, he is appointed royal chaplain.

On Wolsey's fall, however, he would have certainly been silenced: if he had fallen into the hands of Sir Thomas More, he would have perhaps been prematurely sacrificed. But, fortunately, he found a fresh protector in the king. Henry heard of him, sent for him, and, with instinctive recognition of his character, appointed him one of the royal chaplains. He now left Cambridge and removed to Windsor, but only to treat his royal patron as freely as he had treated the Cambridge doctors—not with any absence of respect, for he was most respectful, but with that highest respect which dares to speak unwelcome truth where the truth seems to be forgotten. He was made chaplain in 1530—during the new persecution, for which Henry was responsible by a more than tacit acquiescence. Latimer, with no authority but his own conscience, and the strong certainty that he was on God's side, threw himself between the spoilers and their prey, and wrote to the king, protesting against the injustice which was crushing the truest men in his dominions. The letter is too long to insert; the close of it may show how a poor priest could dare to address the imperious Henry VIII.:

Latimer addresses Henry in behalf of the Protestants.

'I pray to God that your Grace may take heed of the worldly wisdom which is foolishness before God; that you may do that [which] God commandeth, and not that [which] seemeth good in your own sight, without the word of God; that

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your Grace may be found acceptable in his sight, and one of the members of his church; and according to the office that he hath called your Grace unto, you may be found a faithful minister of his gifts, and not a defender of his faith: for he will not have it defended by man or man's power, but by his word only, by the which he hath evermore defended it, and that by a way far above man's power or reason. CH. 6. A.D. 1530.

'Wherefore, gracious king, remember yourself; have pity upon your soul; and think that the day is even at hand when you shall give account for your office, and of the blood that hath been shed by your sword. In which day, that your Grace may stand steadfastly, and not be ashamed, but be clear and ready in your reckoning, and have (as they say), your *quietus est* sealed with the blood of our Saviour Christ, which only serveth at that day, is my daily prayer to Him that suffered death for our sins, which also prayeth to his Father for grace for us continually; to whom be all honour and praise for ever. Amen. The Spirit of God preserve your Grace.'*

His intercession was ineffectual,

These words, which conclude an address of almost unexampled grandeur, are unfortunately of no interest to us, except as illustrating the character of the priest who wrote them, and the king to whom they were written. The hand of the persecutor was not stayed. The rack and the lash and the stake continued to claim their

* LATIMER'S *Remains*, pp. 308–9.

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CH. 6. A.D. 1530.

victims. So far it was labour in vain. But the letter remains, to speak for ever for the courage of Latimer; and to speak something, too, for a prince that could respect the nobleness of the poor yeoman's son, who dared in such a cause to write to him as a man to a man. To have written at all in such a strain was as brave a step as was ever deliberately ventured. Like most brave acts, it did not go unrewarded; for Henry remained ever after, however widely divided from him in opinion, his unshaken friend.

But earned the increased regard of the king.

He retires from the court to West Kingston, but preaches widely about the country.

In 1531, the king gave him the living of West Kingston, in Wiltshire, where for a time he now retired. Yet it was but a partial rest. He had a special licence as a preacher from Cambridge, which continued to him (with the king's express sanction)* the powers which he had received from Wolsey. He might preach in any diocese to which he was invited; and the repose of a country parish could not be long allowed in such stormy times to Latimer. He had bad health, being troubled with headache, pleurisy, colic, stone; his bodily constitution meeting feebly the demands which he was forced to make upon it.† But he struggled on, travelling up and down to London, to Kent, to Bristol, wherever opportunity called him; marked for destruction by the bishops, if he was betrayed into an imprudent word, and himself living in constant expectation of death.‡

* LATIMER to Sir Edward Baynton: *Letters*, p. 329.

† *Letters*, p. 323.

‡ He thought of going abroad. 'I have trust that God will help me,' he wrote to a friend; 'if I

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At length the Bishop of London believed that Latimer was in his power. He had preached at St. Abb's, in the city, 'at the request of a company of merchants,'* in the beginning of the winter of 1531; and soon after his return to his living, he was informed that he was to be cited before Stokesley. His friends in the neighbourhood wrote to him, evidently in great alarm, and more anxious that he might clear himself, than expecting that he would be able to do so;† he himself, indeed, had almost made up his mind that the end was coming.‡

He is cited before Stokesley.

And expects death.

The citation was delayed for a few weeks. It was issued at last, on the 10th of January, 1531-2,§ and was served by Sir Walter Hungerford, of Farley.‖ The offences with which he was charged were certain 'excesses and irregularities' not specially defined; and the practice of the bishops in such cases was not to confine the prosecution to

Method of prosecution in cases of suspected heresy.

had not, I think the ocean sea should have divided my Lord of London and me by this day.'—*Remains*, p. 334.

* Latimer to Sir Edward Baynton.

† See Latimer's two letters to Sir Edward Baynton: *Remains*, pp. 322–351.

‡ 'As ye say, the matter is weighty, and ought substantially to be looked upon, even as weighty as my life is worth; but how to look substantially upon it otherwise know not I, than to pray my Lord God, day and night, that, as he hath emboldened me to preach his truth, so he will strengthen me to suffer for it.

'I pray you pardon me that I write no more distinctly, for my head is [so] out of frame, that it would be too painful for me to write it again. If I be not prevented shortly, I intend to make merry with my parishioners, this Christmas, for all the sorrow, *lest perchance I never return to them again*; and I have heard say that a doe is as good in winter as a buck in summer.'—Latimer to Sir Edward Baynton, p. 334.

§ LATIMER'S *Remains*, p. 334.

‖ Ibid. p. 350.

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CH. 6. the acts committed; but to draw up a series of articles, on which it was presumed that the orthodoxy of the accused person was open to suspicion, and to question him separately upon each. Latimer was first examined by Stokesley; subsequently at various times by the bishops collectively; and finally, when certain formulas had been submitted to him, which he refused to sign, his case was transferred to convocation. The convocation, as we know, were then in difficulty with their premunire; they had consoled themselves in their sorrow with burning the body of Tracy; and they would gladly have taken further comfort by burning Latimer.* He was submitted to the closest cross-questionings, in the hope that he would commit himself. They felt that he was the most dangerous person to them in the kingdom, and they laboured with unusual patience to ensure his conviction.† With a common person they would have rapidly succeeded. But Latimer was in no haste to be a martyr; he would be martyred patiently when the time was

A.D. 1531-2 Jan. 10.

The charge against Latimer submitted to convocation.

* 'I pray you, in God's name, what did you, so great fathers, so many, so long season, so oft assembled together? What went you about? What would ye have brought to pass? Two things taken away—the one that ye (which I heard) burned a dead man,—the other, that ye (which I felt) went about to burn one being alive. Take away these two noble acts, and there is nothing else left that ye went about that I know,' &c. &c. —Sermon preached before the Convocation: LATIMER'S *Sermons*, p. 46.

† 'My affair had some bounds assigned to it by him who sent for me up, but is now protracted by intricate and wily examinations, as if it would never find a period; while sometimes one person, sometimes another, ask me questions, without limit and without end.'—Latimer to the Archbishop of Canterbury: *Remains*, p. 352.

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come for martyrdom; but he felt that no one ought 'to consent to die,' as long as he could honestly live;* and he baffled the episcopal inquisitors with their own weapons. He has left a most curious account of one of his interviews with them.

A.D. 1531-2 The efforts for his conviction baffled by his skill in reply.

'I was once in examination,' he says,† 'before five or six bishops, where I had much turmoiling. Every week, thrice, I came to examination, and many snares and traps were laid to get something. Now, God knoweth, I was ignorant of the law; but that God gave me answer and wisdom what I should speak. It was God indeed, for else I had never escaped them. At the last, I was brought forth to be examined into a chamber hanged with arras, where I was before wont to be examined, but now, at this time, the chamber was somewhat altered: for whereas before there was wont ever to be a fire in the chimney,‡ now the fire was taken away, and an arras hanging hanged over the chimney; and the table stood near the chimney's end, so that I stood between the table and the chimney's end. There was among these bishops that examined me one with whom I had been very familiar, and took him for my great friend, an aged man, and he sate next the table end. Then, among all other questions, he put forth one, a very subtle and crafty one, and such one indeed as I could not think so great danger in. And when

Latimer before the bishops.

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* *Remains*, p. 222. † *Sermons*, p. 294.

‡ The process lasted through January, February, and March.

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Ch. 6. A.D. 1531-2

I would make answer, 'I pray you, Master Latimer,' said he, 'speak out; I am very thick of hearing, and here be many that sit far off.' I marvelled at this, that I was bidden to speak out, and began to misdeem, and gave an ear to the chimney; and, sir, there I heard a pen walking in the chimney, behind the cloth. They had appointed one there to write all mine answers; for they made sure work that I should not start from them: there was no starting from them: God was my good Lord, and gave me answer; I could never else have escaped it. The question was this: 'Master Latimer, do you not think, on your conscience, that you have been suspected of heresy?'—a subtle question—a very subtle question. There was no holding of peace would serve. To hold my peace had been to grant myself faulty. To answer was every way full of danger. But God, which hath always given me answer, helped me, or else I could never have escaped it. *Ostendite mihi numisma censûs.* Shew me, said he, a penny of the tribute money. They laid snares to destroy him, but he overturneth them in their own traps.'*

The bishops, however, were not men who were nice in their adherence to the laws; and it would have gone ill with Latimer, notwithstanding his dialectic ability. He was excommunicated and imprisoned, and would soon have fallen into worse extremities; but at the last moment he appealed to the king, and the king, who knew

He appeals to the king, and is saved.

* *Sermons*, p. 294.

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his value, would not allow him to be sacrificed. He had refused to subscribe the articles proposed to him.* Henry intimated to the convocation that it was not his pleasure that the matter should be pressed further; they were to content themselves with a general submission, which should be made to the archbishop, without exacting more special acknowledgments. This was the reward to Latimer for his noble letter. He was absolved, and returned to his parish, though snatched as a brand out of the fire. CH. 6. A.D. 1531-2

Soon after, the tide turned, and the Reformation entered into a new phase.

Such is a brief sketch of the life of Hugh Latimer, to the time when it blended with the broad stream of English history. With respect to the other very great man whom the exigencies of the state called to power simultaneously with him, our information is far less satisfactory. Though our knowledge of Latimer's early story comes to us in fragments only, yet there are certain marks in it by which the outline can be determined with certainty. A cloud rests over the youth and early manhood of Thomas Cromwell, through which, only at intervals, we catch glimpses of authentic facts; and these few fragments of reality seem rather to belong to a romance than to the actual life of a man. Thomas Cromwell.

* He subscribed all except two — one apparently on the power of the pope, the other I am unable to conjecture. Compare the Articles themselves—printed in LATIMER'S *Remains*, p. 466—with the Sermon before the Convocation. — *Sermons*, p. 46; and BURNET, vol. iii. p. 116.

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Ch. 6.

His father, one of the Cromwells of Lincolnshire, dies early.

Cromwell, the malleus monachorum, was of good English family, belonging to the Cromwells of Lincolnshire. One of these, probably a younger brother, moved up to London and conducted an ironfoundry, or other business of that description, at Putney. He married a lady of respectable connexions, of whom we know only that she was sister of the wife of a gentleman in Derbyshire, but whose name does not appear.*

His mother re-marries, and her son becomes a vagabond.

The old Cromwell dying early, the widow was re-married to a cloth-merchant; and the child of the first husband, who made himself so great a name in English story, met with the reputed fortune of a stepson, and became a vagabond in the wide world. The chart of his course wholly fails us. One day in later life he shook by the hand an old bell-ringer at Sion House before a crowd of courtiers, and told them that 'this man's father had given him many a dinner in his necessities.' And a strange random account is given by Foxe of his having joined a party in an expedition to Rome to obtain a renewal from the pope of certain immunities and indulgences for the town of Boston; a story which derives some kind of credibility from its connexion with Lincolnshire, but is full of incoherence and unlikelihood. Following still the popular legend, we find him in the autumn of 1515 a ragged stripling at the door of Frescobaldi's banking-house in Florence, begging for help. Frescobaldi had an

Wild story of his journey to Rome.

His Italian wanderings.

* Nicholas Glossop to Cromwell: Ellis, third series, vol. ii. p. 237.

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establishment in London,* with a large connexion there; and seeing an English face, and seemingly an honest one, he asked the boy who and what he was. 'I am, sir,' quoth he, 'of England, and my name is Thomas Cromwell; my father is a poor man, and by occupation a cloth-shearer; I am strayed from my country, and am now come into Italy with the camp of Frenchmen that were overthrown at Garigliano, where I was page to a footman, carrying after him his pike and burganet.' Something in the boy's manner was said to have attracted the banker's interest; he took him into his house, and after keeping him there as long as he desired to stay, he gave him a horse and sixteen ducats to help him home to England.† Foxe is the first English authority for the story; and Foxe took it from Bandello, the novelist; but it is confirmed by, or harmonizes with, a sketch of Cromwell's early life in a letter of Chappuys, the imperial ambassador, to Chancellor Granvelle. 'Master Cromwell,' wrote Chappuys in 1535, 'is the son of a poor blacksmith, who lived in a small village four miles from London, and is buried in a common grave in the parish churchyard. In his youth, for some offence, he was imprisoned, and had to leave the country. He went to Flanders, and thence to Rome and other places in Italy.'‡

Ch. 6.

The Florentine banker.

Returning to England, he married the

* Where he was known among the English of the day as Master Friskyball.

† See Foxe, vol. v. p. 392.

‡ Eustace Chappuys to Chancellor Granvelle: *MS. Archiv. Brussels: Pilgrim*, p. 106.

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CH. 6. daughter of a woollen-dealer, and became a partner in the business, where he amassed or inherited a considerable fortune.* Circumstances afterwards brought him, while still young, in contact with Wolsey, who discovered his merit, took him into service, and in 1525, employed him in the most important work of visiting and breaking up the small monasteries, which the pope had granted for the foundation of the new colleges. He was engaged with this business for two years, and was so efficient that he obtained an unpleasant notoriety, and complaints of his conduct found their way to the king. Nothing came of these complaints, however, and Cromwell remained with the cardinal till his fall.†

A.D. 1525.

He finds his way into the service of Wolsey.

* See Cromwell's will in an appendix to this chapter. This document, lately found in the Rolls House, furnishes a clue at last to the connexions of the Cromwell family.

† Are we to believe Foxe's story that Cromwell was with the Duke of Bourbon at the storming of Rome in May, 1527? See FOXE, vol. v. p. 365. He was with Wolsey in January, 1527. See ELLIS, third series, vol. ii. p. 117. And he was again with him early in 1528. Is it likely that he was in Italy on such an occasion in the interval? Foxe speaks of it as one of the random exploits of Cromwell's youth, which is obviously untrue; and the natural impression which we gather is, that he was confusing the expedition of the Duke of Bourbon with some earlier campaign. On the other hand Foxe's authority was Cranmer, who was likely to know the truth; and it is not impossible that, in the critical state of Italian politics, the English government might have desired to have some confidential agent in the Duke of Bourbon's camp. Cromwell, with his knowledge of Italy and Italian, and his adventurous ability, was a likely man to have been sent on such an employment; and the story gains additional probability from another legend about him, that he once saved the life of Sir John Russell, in some secret affair at Bologna. See FOXE, vol. v. p. 367. Now, although Sir John Russell had been in Italy several times before (he was at the Battle of Pavia, and had been employed in various

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A.D. 1531-2 Cromwell's noble conduct on Wolsey's fall.

It was then that the truly noble nature which was in him showed itself. He accompanied his master through his dreary confinement at Esher,* doing all that man could do to soften the outward wretchedness of it; and at the meeting of parliament, in which he obtained a seat, he rendered him a still more gallant service. The Lords had passed a bill of impeachment against Wolsey, violent, vindictive, and malevolent. It was to be submitted to the Commons, and Cromwell prepared to attempt an opposition. Cavendish has left a most characteristic description of his leaving Esher at this trying time. A cheerless November evening was closing in with rain and storm. Wolsey was broken down with sorrow and sickness; and had been unusually tried by parting with his retinue, whom he had sent home, as unwilling to keep them attached any longer to his fallen fortunes. When they were all gone, 'My lord,' says Cavendish, 'returned to his chamber, lamenting the departure of his servants, making his moan unto Master Cromwell, who comforted him the best he could, and desired my lord to give him leave to go to London, where he would either make or mar before he came again, which was always his common saying.

Scene at Esher.

Cromwell's common saying, that he would either make or mar.

diplomatic missions), and Cromwell might thus have rendered him the service in question on an earlier occasion, yet he certainly was in the Papal States, on a most secret and dangerous mission, in the months preceding the capture of Rome. *State Papers*, vol. vi. p. 560, &c. The probabilities may pass for what they are worth till further discovery.

* A damp, unfurnished house belonging to Wolsey, where he was ordered to remain till the government had determined upon their course towards him. See CAVENDISH.

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CH. 6. A.D. 1531-2

Then after long communication with my lord in secret, he departed, and took his horse and rode to London; at whose departing I was by, whom he bade farewell, and said, ye shall hear shortly of me, and if I speed well I will not fail to be here again within these two days.'* He did speed well. 'After two days he came again with a much pleasanter countenance, and meeting with me before he came to my lord, said unto me, that he had adventured to put in his foot where he trusted shortly to be better regarded or all were done.' He had stopped the progress of the impeachment in the Lower House, and was answering the articles one by one. In the evening he rode down to Esher for instructions. In the morning he was again at his place in Parliament; and he conducted the defence so skilfully, that finally he threw out the bill, saved Wolsey, and himself 'grew into such estimation in every man's opinion, for his honest behaviour in his master's cause, that he was esteemed the most faithfullest servant, [and] was of all men greatly commended.'†

He defeats the attempted impeachment of Wolsey in the House of Commons,

And passes into the service of the king.

Henry admired his chivalry, and perhaps his talent. The loss of Wolsey had left him without any very able man, unless we may consider Sir Thomas More such, upon his council, and he could not calculate on More for support in his anti-Roman policy; he was glad, therefore, to avail himself of the service of a man who had given so rare a proof of fidelity, and who had

* CAVENDISH, pp. 269–70. † Ibid. p. 276.

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been trained by the ablest statesman of the age.* CH. 6.

To Wolsey Cromwell could render no more service except as a friend, and his warm friend he remained to the last. He became the king's secretary, representing the government in the House of Commons, and was at once on the high road to power. I cannot call him ambitious; an ambitious man would scarcely have pursued so refined a policy, or have calculated on the admiration which he gained by adhering to a fallen minister. He did not seek greatness — greatness rather sought him as the man in England most fit to bear it. His business was to prepare the measures which were to be submitted to Parliament by the government. His influence, therefore, grew necessarily with the rapidity with which events were ripening; and when the conclusive step was taken, and the king was married, the virtual conduct of the Reformation passed into his hands. His Protestant tendencies were unknown as yet, perhaps, even to his own conscience; nor to the last could he arrive at any certain speculative convictions. He was drawn towards the Protestants as he rose into power by the integrity of his nature, which compelled him to trust only those who were honest like himself.

* Chappuys says, that a quarrel with Sir John Wallop first introduced Cromwell to Henry. Cromwell, 'not knowing how else to defend himself, contrived with presents and entreaties to obtain an audience of the king, whom he promised to make the richest sovereign that ever reigned in England.'—Chappuys to Granvelle: *The Pilgrim*, p. 107.

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APPENDIX TO CHAPTER VI.

WILL OF THOMAS CROMWELL—1529.

IN the name of God, Amen. The 12th day of July, in the year of our Lord God MCCCCCXXIX., and in the 21st year of the reign of our Sovereign Lord, King Henry VIII., I, Thomas Cromwell, of London, Gentleman, being whole in body and in good and perfect memory, lauded be the Holy Trinity, make, ordain, and declare this my present testament, containing my last will, in manner as following:—First I bequeath my soul to the great God of heaven, my Maker, Creator, and Redeemer, beseeching the most glorious Virgin and blessed Lady Saint Mary the Virgin and Mother, with all the holy company of heaven, to be mediators and intercessors for me to the Holy Trinity, so that I may be able, when it shall please Almighty God to call me out of this miserable world and transitory life, to inherit the kingdom of heaven amongst the number of good Christian people; and whensoever I shall depart this present life I bequeath my body to be buried where it shall please God to ordain me to die, and to be ordered after the discretion of mine executors undernamed. And for my goods which our Lord hath lent me in this world, I will shall be ordered and disposed in manner and form as hereafter shall ensue. First I give and bequeath unto my son Gregory Cromwell six hundred threescore six pounds, thirteen shillings, and fourpence, of lawful money of England, with the which six hundred threescore six pounds, thirteen shillings, and fourpence, I will mine executors undernamed immediately or as soon as they conveniently may after my decease, shall purchase lands, tenements, and hereditaments to the clear yearly value of 33*l.* 6s. 8d. by the year above all charges and reprises to the use of my said son Gregory, for term of his life; and after the decease of the said

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Gregory to the heirs male of his body lawfully to be begotten, and for lack of heirs male of the body of the said Gregory, lawfully begotten, to the heirs general of his body lawfully begotten. And for lack of such heirs to the right heirs of me the said Thomas Cromwell, in fee. I will also that immediately and as soon as the said lands, tenements, and hereditaments shall be so purchased after my death as is aforesaid by mine executors, that the yearly profits thereof shall be wholly spent and employed in and about the education and finding honestly of my said son Gregory, in virtue, good learning, and manners, until such time as he shall come to the full age of 24 years. During which time I heartily desire and require my said executors to be good unto my said son Gregory, and to see he do lose no time, but to see him virtuously ordered and brought up according to my trust.

Item. I give and bequeath to my said son Gregory, (when he shall come to his full age of 24 years, two hundred pounds of lawful English money to order them as our Lord shall give him grace and discretion, which 200*l.* I will shall be put in surety to the intent the same may come to his hands at his said age of 24 years. Item. I give and bequeath to my said son Gregory of such household stuff as God hath lent me, three of my best featherbeds with their bolsters; 2d, the best pair of blankets of fustian, my best coverlet of tapestry, and my quilt of yellow Turkey satin; one pair of my best sheets, four pillows of down, with four pair of the best pillowberes, four of my best table-cloths, four of my best towels, two dozen of my finest napkins, and two dozen of my other napkins, two garnish of my best vessel, three of my best brass pots, three of my best brass pans, two of my best kettles, two of my best spits, my best joined bed of Flanders work, with the best —— and tester, and other the appurtenances thereto belonging; my best press, carven of Flanders work, and my best cupboard, carven of Flanders work, with also six joined stools of Flanders work, and six of my best cushions. Item. I

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give and bequeath to my said son Gregory a basin with an ewer parcel-gilt, my best salt gilt, my best cup gilt, three of my best goblets; three other of my goblets parcel-gilt, twelve of my best silver spoons, three of my best drinking alepots gilt; all the which parcels of plate and household stuff I will shall be safely kept to the use of my said son Gregory till he shall come to his said full age of 24. And all the which plate, household stuff, napery, and all other the premises, I will mine executors do put in safe keeping until my said son come to the said years or age of 24. And if he die before the age of 24, then I will all the said plate, vessel, and household stuff shall be sold by mine executors. And the money thereof coming to be given and equally divided amongst my poor kinsfolk, that is to say, amongst the children as well of mine own sisters Elizabeth and Katherine, as of my late wife's sister Joan, wife to John Williamson;* and if it happen that all the children of my said sisters and sister-in-law do die before the partition be made, and none of them be living, then I will that all the said plate, vessel, and household stuff shall be sold and given to other my poor kinsfolk then being in life, and other poor and indigent people, in deeds of charity for my soul, my father and mother their souls, and all Christian souls.

[† Item. I give and bequeath to my daughter Anne an hundred marks of lawful money of England when she shall come to her lawful age or happen to be married, and 40*l.* toward her finding until the time that she shall be of lawful age or be married, which 40*l.* I will shall be delivered to my friend John Cook, one of the six Clerks of the King's Chancery, to the intent he may order the same and cause the same to be employed in the best wise he can devise about the virtuous education and bringing up of my said daughter till she shall come to her lawful age or marriage. Then I will that the said 100 marks, and so much of the said 40*l.* as then shall be unspent and unemployed at the day

* Or Willyams. The words are used indifferently.

† The clause enclosed between brackets is struck through.

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of the death of my said daughter Anne, I will it shall remain to Gregory my son, if he then be in life; and if he be dead, the same hundred marks, and also so much of the said 40*l.* as then shall be unspent, to be departed amongst my sisters' children, in manner and form aforesaid. And if it happen my said sisters' children then to be all dead, then I will the said 100 marks and so much of the said 40*l.* as shall be unspent, shall be divided amongst my kinsfolk, such as then shall be in life.] Item. I give and bequeath unto my sister Elizabeth Wellyfed 40*l.*, three goblets without a cover, a mazer, and a nut. Item. I give and bequeath to my nephew Richard Willyams [* servant with my Lord Marquess Dorset, 66*l.* 13s. 4d.], 40*l.* sterling, my [*fourth] best gown, doublet, and jacket. Item. I give and bequeath to my nephew Christopher Wellyfed 40*l.*, [*20*l.*] my fifth gown, doublet, and jacket. Item. I give and bequeath to my nephew William Wellyfed the younger 20*l.*, [*40*l.*] Item. I give and bequeath to my niece Alice Wellyfed, to her marriage, 20*l.* And if it happen her to die before marriage, then I will that the said 20*l.* shall remain to her brother Christopher. And if it happen him to die, the same 20*l.* to remain to Wm. Wellyfed the younger, his brother. And if it happen them all to die before their lawful age or marriage, then I will that all their parts shall remain to Gregory my son. And if it happen him to die before them, then I will all the said parts shall remain [* to Anne and Grace, my daughters] to Richard Willyams and Walter Willyams, my nephews. And if it happen them to die, then I will that all the said parts shall be distributed in deeds of charity for my soul, my father's and mother's souls, and all Christian souls. Item. I give and bequeath to my mother-in-law Mercy Prior, 40*l.* of lawful English money, and her chamber, with certain household stuff; that is to say, a feather-bed, a bolster, two pillows with their beres, six pair of sheets, a pair of blankets, a garnish of vessel, two pots, two pans, two spits, with such other of my household stuff as shall be thought meet for her by the discretion of mine

* Struck through.

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executors, and such as she will reasonably desire, not being bequeathed to other uses in this my present testament and last will. Item. I give and bequeath to my said mother-in-law a little salt of silver, a mazer, six silver spoons, and a drinking-pot of silver. And also I charge mine executors to be good unto her during her life. Item. I give and bequeath to my brother-in-law William Wellyfed, 20*l.*, my third gown, jacket, and doublet. Item. I give and bequeath to John Willyams my brother-in-law, 100 marks, a gown, a doublet, a jacket, a featherbed, a bolster, six pair of sheets, two table-cloths, two dozen napkins, two towels, two brass pots, two brass pans, a silver pot, a nut parcel-gilt; and to Joan, his wife, 40*l.* Item. I give and bequeath to Joan Willyams, their daughter, to her marriage, 20*l.*, and to every other of their children 12*l.* 13s. 4d. Item. I bequeath to Walter Willyams, my nephew, 20*l.* Item. I give and bequeath to Ralph Sadler, my servant, 200 marks of lawful English money, my second gown, jacket, and doublet, and all my books. Item. I give and bequeath to Hugh Whalley, my servant, 6*l.* 13s. 4d. Item. I give and bequeath to Stephen Vaughan, sometime my servant, 100 marks, a gown, jacket, and doublet. Item. I give and bequeath to Page, my servant, otherwise called John De Pount, 6*l.* 13s. 4d. [* Item. I give and bequeath to Elizabeth Gregory, sometime my servant, 20*l.*, six pair of sheets, a featherbed, a pair of blankets, a coverlet, two table-cloths, one dozen napkins, two brass pots, two pans, two spits.] And also to Thomas Averey, my servant, 6*l.* 13s. 4d. [* Item. I give and bequeath to John Cooke, one of the six Master Clerks of the Chancery, 10*l.*, my second gown, doublet, and jacket. Item. I give and bequeath to Roger More, servant of the King's bakehouse, 6*l.* 13s. 4d., three yards of satin; and to Maudelyn, his wife, 3*l.* 6s. 8d.] Item. I give and bequeath to John Horwood, 6*l.* 13s. 4d. [* Item. I give and bequeath to my little daughter Grace 100 marks of lawful English money when she shall come to her lawful age or marriage; and also 40*l.* towards her

* Struck through.

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exhibition and finding until such time she shall be of lawful age or be married, which 40*l.* I will shall be delivered to my brother-in-law, John Willyams, to the intent he may order and cause the same to be employed in and about the virtuous education and bringing up of my said daughter, till she shall come to her lawful age or marriage. And if it happen my said daughter to die before she come to her lawful age or marriage, then I will that the said 100 marks, and so much of the said 40*l.* as shall then be unspent and unemployed about the finding of my said daughter at the day of the death of my said daughter shall remain and be delivered to Gregory my son, if he then shall happen to be in life; and if he be dead, then the said 100 marks, and the said residue of the said 40*l.*, to be evenly departed among my grown kinsfolk — that is to say, my sisters' children aforesaid.] Item. That the rest of mine apparel before not given or bequeathed in this my testament and last will shall be given and equally departed amongst my servants after the order and discretion of mine executors. Item. I will also that mine executors shall take the yearly profits above the charges of my farm of Carberry, and all other things contained in my said lease of Carberry, in the county of Middlesex, and with the profits thereof shall yearly pay unto my brother-in-law William (Wellyfed) and Elizabeth his wife, mine only sister, twenty pounds; give and distribute for my soul quarterly 40 shillings during their lives and the longer of them; and after the decease of the said William and Elizabeth, the profits of the said farm over and above the yearly rent to be kept to the use of my son Gregory till he be come to the age of 24 years. And at the years of 24 the said lease and farm of Carberry, I do give and bequeath to my son Gregory, to have the same to him, his executors and assigns. And if it fortune the said Gregory my son to die before, my said brother-in-law and sister being dead, he shall come to the age of 24 years, then I will my said cousin Richard Willyams shall have the farm with the appurtenances to him and to his executors and assigns;

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and if it happen my said brother-in-law, my sister, my son Gregory, and my said cousin Richard, to die before the accomplishment of this my will touching the said farm, then I will mine executors shall sell the said farm, and the money thereof coming to employ in deeds of charity, to pray for my soul and all Christian souls. Item. I will mine executors shall conduct and hire a priest, being an honest person of continent and good living, to sing for my soul by the space of seven years next after my death, and to give him for the same 6*l.* 13s. 4d. for his stipend. Item. I give and bequeath towards the making of highways in this realm, where it shall be thought most necessary, 20*l.* to be disposed by the discretion of mine executors. Item. I give and bequeath to every the five orders of Friars within the City of London, to pray for my soul, 20 shillings. Item. I give and bequeath to 60 poor maidens in marriage, 40*l.*, that is to say, 13s. 4d. to every of the said poor maidens, to be given and distributed by the discretion of mine executors. Item. I will that there shall be dealt and given after my decease amongst poor people householders, to pray for my soul, 20*l.*, such as by mine executors shall be thought most needful. Item. I give and bequeath to the poor parishioners of the parish where God shall ordain me to have my dwellingplace at the time of my death, 10*l.*, to be truly distributed amongst them by the discretion of mine executors. Item. I give and bequeath to my parish church for my tithes forgotten, 20 shillings. Item. To the poor prisoners of Newgate, Ludgate, King's Bench, and Marshalsea, to be equally distributed amongst them, 10*l.* Willing, charging, and desiring mine executors underwritten, that they shall see this my will performed in every point according to my true meaning and intent as they will answer to God, and discharge their consciences. The residue of all my goods, chattels, and debts not bequeathed, my funeral and burial performed, which I will shall be done without any earthly pomp, and my debts paid, I will shall be sold, and the money thereof coming, to be distributed in works of charity and pity, after the good discretion of mine executors under-

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named. Whom I make and ordain, Stephen Vaughan, Ralph Sadler, my servants, and John Willyams my brother-in-law. Praying and desiring the same mine executors to be good unto my son Gregory, and to all other my poor friends and kinsfolk and servants aforenamed in this my testament. And of this my present testament and last will I make Roger More mine overseer; unto whom and also to every of the other mine executors I give and bequeath 6*l.* 13s. 4d. for their pains to be taken in the execution of this my last will and testament, over and above such legacies as herebefore I have bequeathed them in this same testament and will. In witness whereof, to this my present testament and last will I have set to my hand in every leaf contained in this book, the day and year before limited.

THOMAS CROMWELL.

Item. I give and bequeath to William Brabazon, my servant, 20*l.* 8s., a gun, a doublet, a jacket, and my second gelding.

It. to John Avery, Yeoman of the Bedchamber with the King's Highness, 6*l.* 13s. 4d., and a doublet of satin.

It. to Thurston, my cook, 6*l.* 13s. 4d.

It. to William Body, my servant, 6*l.* 13s. 4d.

It. to Peter Mewtas, my servant, 6*l.* 13s. 4d.

It. to Ric. Sleysh, my servant, 6*l.* 13s. 4d.

It. to George Wilkinson, my servant, 6*l.* 13s. 4d.

It. to my friend, Thomas Alvard, 10*l.*, and my best gelding.

It. to my friend, Thomas Rush, 10*l.*

It. to my servant, John Hynde, my horsekeeper, 3*l.* 6s. 8d.

Item. I will that mine executors shall safely keep the patent of the manor of Romney to the use of my son Gregory, and the money growing thereof, till he shall come to his lawful age, to be yearly received to the use of my said son, and the whole revenue thereof coming to be truly paid unto him at such time as he shall come to the age of 24 years.

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CHAPTER VII.

THE LAST EFFORTS OF DIPLOMACY.

Ch. 7.

A.D. 1533.

I HAVE now to resume the thread of the political history where it was dropped at the sentence of divorce pronounced by Cranmer, and the coronation of the new queen. The effect was about to be ascertained of these bold measures upon Europe; and of what their effect would be, only so much could be foretold with certainty, that the time for trifling was past, and the pope and Francis of France would be compelled to declare their true intentions. If these intentions were honest, the subordination of England to the papacy might be still preserved in a modified form. The papal jurisdiction was at end, but the spiritual supremacy of the Bishop of Rome, with a diminished but considerable revenue attached to it, remained unaffected; and it was for the pope to determine whether, by fulfilling at last his original engagements, he would preserve these remnants of his power and privileges, or boldly take up the gage, excommunicate his disobedient subjects, and attempt by force to bring them back to their allegiance.

April 22.

The news of what had been done did not take him wholly by surprise. It was known at Brussels at the end of April that the king had married.

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A.D. 1533. The king's marriage compels Clement to declare himself.

The queen regent* spoke of it to the ambassador sternly and significantly, not concealing her expectation of the mortal resentment which would be felt by her brothers;† and the information was forwarded with the least possible delay to the cardinals of the imperial faction at Rome. The true purposes which underlay the contradiction of Clement's language are undiscoverable. Perhaps in the past winter he had been acting out a deep intrigue—perhaps he was drifting between rival currents, and yielded in any or all

* Mary, widow of Louis of Hungary, sister of the emperor, and Regent of the Netherlands.

† She was much affected when the first intimation of the marriage reached her. 'I am informed of a secret friend of mine,' wrote Sir John Hacket, 'that when the queen here had read the letters which she received of late out of England, the tears came to her eyes with very sad countenance. But indeed this day when I spake to her she showed me not such countenance, but told me that she was not well pleased.

'At her setting forward to ride at hunting, her Grace asked me if I had heard of late any tidings out of England. I told her Grace, as it is true, that I had none. She gave me a look as that she should marvel thereof, and said to me, 'Jay des nouvelles qui ne me semblent point trop bonnes,' and told me touching the King's Highness's marriage. To the which I answered her Grace and said, 'Madame, je ne me doute point syl est faict, et quand le veult prendre et entendre de bonne part et au sain chemyn, sans porter faveur parentelle que ung le trouvera tout lente et bien raysonnable par layde de Dieu et de bonne conscience.' Her Grace said to me again, 'Monsieur l'ambassadeur, c'est Dieu qui le scait que je vouldroye que le tout allysse bien, mais ne scaye comment l'empereur et le roy mon frere entendront l'affaire car il touche a eulx tant que a moy.' I answered and said, 'Madame, il me semble estre assuree que l'empereur et le roy vostre frere qui sont deux Prinssys tres prudens et sayges, quant ilz auront considere indifferentement tout l'affaire qu ilz ne le deveroyent prendre que de bonne part.' And hereunto her Grace made me answer, saying, 'Da quant de le prendre de bonne part cela, ne sayge M.l'ambassadeur.'' —Hacket to the Duke of Norfolk: *State Papers*, vol. vii. p. 452.

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CH. 7. A.D. 1533.

directions as the alternate pressure varied; yet whatever had been the meaning of his language, whether it was a scheme to deceive Henry, or was the expression only of weakness and good-nature desiring to avoid a quarrel to the latest moment, the decisive step which had been taken in the marriage, even though it was nominally undivulged, obliged him to choose his course and openly adhere to it. After the experience of the past, there could be no doubt what that course would be.

May 12. The king is cited to appear at Rome.

On the 12th of May a citation was issued against the King of England, summoning him to appear by person or proxy at a stated day. It had been understood that no step of such a kind was to be taken before the meeting of the pope and Francis; Bennet, therefore, Henry's faithful secretary, hastily inquired the meaning of this measure. The pope told him that it could not be avoided, and the language which he used revealed to the English agent the inevitable future. The king, he said, had defied the inhibitory brief which had been lately issued, and had incurred excommunication; the imperialists insisted that he should be proceeded against for contempt, and that the excommunication should at once be pronounced. However great might be his own personal reluctance, it was not possible for him to remain passive; and if he declined to resort at once to the more extreme exercise of his power, the hesitation was merely until the emperor was prepared to enforce the censures of the church with the strong hand. It stood not 'with his

The censures of the church suspended only till the emperor can execute them.

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honour to execute such censures,' he said, 'and the same not to be regarded.'* But there was no wish to spare Henry; and if Francis could be detached from his ally, and if the condition of the rest of Christendom became such as to favour the enterprise, England might evidently look for the worst which the pope, with the Catholic powers, could execute. If the papal court was roused into so menacing a mood by the mere intimation of the secret marriage, it was easy to foresee what would ensue when the news arrived of the proceedings at Dunstable. Bennet entreated that the process should be delayed till the interview; but the pope answered coldly that he had done his best and could do no more; the imperialists were urgent, and he saw no reason to refuse their petition.† This was Clement's usual language, but there was something peculiar in his manner. He had been often violent, but he had never shown resolution, and the English agents were perplexed. The mystery was soon explained. He had secured himself on the side of France; and Francis, who at Calais had told Henry that his negotiations with the see of Rome were solely for the interests of England, that for Henry's sake he was marrying his son into a family beneath him in rank, that Henry's divorce was to form the especial subject

The pope's resolution, and the explanation of it.

* *State Papers*, vol. vii. p. 457.

† Sir Gregory Cassalis to the Duke of Norfolk. Ad pontificem accessi, et mei sermonis illa summa fuit, vellet id præstare ut serenissimum regem nostrum certiorem facere possemus, in suâ causâ nihil innovatum iri. Hic ille, sicut solet, respondit, nescire se quo pacto possit Cæsarianis obsistere.—*State Papers*, vol. vii. p. 461.

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Ch. 7. A.D. 1533. May 28.

of his conference with the pope, had consented to allow these dangerous questions to sink into a secondary place, and had relinquished his intention, if he had ever seriously entertained it, of becoming an active party in the English quarrel.

Delay of the interview between the pope and Francis.

The long talked-of interview was still delayed. First it was to have taken place in the winter, then in the spring; June was the date last fixed for it, and now Bennet had to inform the king that it would not take place before September; and that, from the terms of a communication which had just passed between the parties who were to meet, the subjects discussed at the conference would not be those which he had been led to expect. Francis, in answer to a question from the pope, had specified three things which he proposed particularly to 'intreat.' The first concerned the defence of Christendom against the Turks, the second concerned the general council, and the third concerned 'the extinction of the Lutheran sect.'*

The true purposes of that interview.

These were the points which the Most Christian king was anxious to discuss with the pope. For the latter good object especially, 'he would devise and treat for the provision of an army.' In the King of England's cause, he trusted 'some means might be found whereby it might be compounded;'† but if persuasion failed, there was no fear lest he should have recourse to any other method.

It was this which had given back to the pope

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* Bennet to Henry: *State Papers*, vol. vii. p. 462.

† Ibid.

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his courage. It was this which Bennet had now to report to Henry. The French alliance, it was too likely, would prove a broken reed, and pierce the hand that leant upon it. CH. 7. A.D. 1533.

Henry knew the danger; but danger was not a very terrible thing either to him or to his people. If he had conquered his own reluctance to risk a schism in the church, he was not likely to yield to the fear of isolation; and if there was something to alarm in the aspect of affairs, there was also much to encourage. His parliament was united and resolute. His queen was pregnant. The Nun of Kent had assigned him but a month to live after his marriage; six months had passed, and he was alive and well; the supernatural powers had not declared against him; and while safe with respect to enmity from above, the earthly powers he could afford to defy. When he finally divorced Queen Catherine, he must have foreseen his present position at least as a possibility, and if not prepared for so swift an apostasy in Francis, and if not yet wholly believing it, we may satisfy ourselves he had never absolutely trusted a prince of metal so questionable. Probable isolation of England. Policy of Francis.

The Duke of Norfolk was waiting at the French court, with a magnificent embassy, to represent the English king at the interview. The arrival of the pope had been expected in May. It was now delayed till September; and if Clement came after all, it would be for objects in which England had but small concern. It was better for England that there should be no meeting at all, than a meeting to devise schemes for the

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Ch. 7.

A.D. 1533. June.

massacre of Lutherans. Henry therefore wrote to the Duke, telling him generally what he had heard from Rome; he mentioned the three topics which he understood were to form the matter of discussion; but he skilfully affected to regard them as having originated with the imperialists, and not with the French king. In a long paper of instructions, in which earnestness and irony were strangely blended, he directed the ambassador to treat his good brother as if he were still exclusively devoted to the interests of England; and to urge upon him, on the ground of this fresh delay, that the interview should not take place at all.*

The king's instructions to the Duke of Norfolk to 'disappoint the interview.'

'Our pleasure is,' he wrote, 'that ye shall say———that we be not a little moved in our heart to see our good brother and us, being such princes of Christendom, to be so handled with the pope, so much to our dishonour, and to the pope's and the emperor's advancement; seeming to be at the pope's commandment to come or tarry as he or his cardinals shall appoint; and to depend upon his pleasure when to meet—that is to say, when he list or never. If our good brother and we were either suitors to make request, the obtaining whereof we did much set by, or had any particular matter of advantage to entreat with him, these proceedings might be the better tolerated; but our good brother having no particular matter of his own, and being . . . . that

* Letter undated, but written about the middle of June: *State Papers*, vol. vii. p. 474.

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[no] more glory nor surety could happen to the emperour than to obtain the effect of the three articles moved by the pope and his cardinals, we think it not convenient to attend the pleasure of the pope, to go or to abyde. We could have been content to have received and taken at the pope's hand, jointly with our good brother, pleasure and friendship in our great cause; [but] on the other part, we cannot esteem the pope's part so high, as to have our good brother an attendant suitor therefore . . . . desiring him, therefore, in anywise to disappoint for his part the said interview; and if he have already granted thereto—upon some new good occasion, which he now undoubtedly hath—to depart from the same.

CH. 7.

A.D. 1533. June.

The 'Three Articles' proposed for discussion will be wholly to the advantage of the Imperialists.

'For we, ye may say, having the justness of our cause for us, with such an entire and whole consent of our nobility and commons of our realm and subjects, and being all matters passed, and in such terms as they now be, do not find such lack and want of that the pope might do, with us or against us, as we would for the obtaining thereof be contented to have a French king our so perfect a friend, to be not only a mediator but a suitor therein, and a suitor attendant to have audience upon liking and after the advice of such cardinals as repute it among pastymes to play and dally with kings and princes; whose honour, ye may say, is above all things, and more dear to us in the person of our good brother, than is any piece of our cause at the pope's hands. And therefore, if there be none other thing but

He has found by experience that the friendship of the pope is not vital to England.

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CH. 7. A.D. 1533.

our cause, and the other causes whereof we be advertised, our advice, counsel, special desire also and request is, [that our good brother shall] break off the interview, unless the pope will make suit to him; and [unless] our said good brother hath such causes of his own as may particularly tend to his own benefit, honour, and profit—wherein he shall do great and singular pleasure unto us; *giving to understand to the pope, that we know ourselves and him both, and look to be esteemed accordingly.*'

King Henry knows the pope and himself also.

Should it appear that on receipt of this communication, Francis was still resolved to persevere, and that he had other objects in view to which Henry had not been made privy, the ambassadors were then to remind him of the remaining obligations into which he had entered; and to ascertain to what degree his assistance might be calculated upon, should the pope pronounce Henry deposed, and the emperor attempt to enforce the sentence.

Intended appeal to a general council.

After forwarding these instructions, the king's next step was to anticipate the pope by an appeal which would neutralize his judgment should he venture upon it; and which offered a fresh opportunity of restoring the peace of Christendom, if there was true anxiety to preserve that peace. The hinge of the great question, in the form which at last it assumed, was the validity or invalidity of the dispensation by which Henry had married his brother's widow. Being a matter which touched the limit of the pope's power, the pope was himself unable to

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determine it in his own favour; and the only authority by which the law could be ruled, was a general council. In the preceding winter, the pope had volunteered to submit the question to this tribunal; but Henry believing that it was on the point of immediate solution in another way, had then declined, on the ground that it would cause a needless delay. He was already married, and he had hoped that sentence might be given in his favour in time to anticipate the publication of the ceremony. But he was perfectly satisfied that justice was on his side; and was equally confident of obtaining the verdict of Europe, if it could be fairly pronounced. Now, therefore, under the altered circumstances, he accepted the offered alternative. He anticipated with tolerable certainty the effect which would be produced at Rome, when the news should arrive there of the Dunstable divorce; and on the 29th of June, he appealed formally, in the presence of the Archbishop of York, from the pope's impending sentence, to the next general council.*

CH. 7.

A.D. 1533. The advantages of this measure.

June 29.

Of this curious document the substance was as follows:—It commenced with a declaration

* Of the Archbishop of York, not of Canterbury: which provokes a question. Conjectures are of little value in history, but inasmuch as there must have been some grave reason for the substitution, a suggestion of a possible reason may not be wholly out of place. The appeal in itself was strictly legal; and it was of the highest importance to avoid any illegality of form. Cranmer, by transgressing the inhibition which Clement had issued in the winter, might be construed by the papal party to have virtually incurred the censures threatened, and an escape might thus have been furnished from the difficulty in which the appeal placed them.

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CH. 7. that the king had no intention of acting otherwise than became a good Catholic prince; or of injuring the church or attacking the privileges conceded by God to the Holy See. If his words could be lawfully shown to have such a tendency, he would revoke, emend, and correct them in a Catholic spirit.

A.D. 1533. Terms of the appeal. The king has no intention of derogating from the lawful privileges of the See of Rome.

The general features of the case were then recapitulated. His marriage with his brother's wife had been pronounced illegal by the principal universities of Europe, by the clergy of the two provinces of the Church of England, by the most learned theologians and canonists, and finally, by the public judgment of the church.* He therefore had felt himself free; and, 'by the inspiration of the Most High, had lawfully married another woman.' Furthermore, 'for the common weal and tranquillity of the realm of England, and for the wholesome rule and government of the same, he had caused to be enacted certain statutes and ordinances, by authority of parliaments lawfully called for that purpose.' 'Now, however,' he continued, 'we fearing that his Holyness the Pope . . . having in our said cause treated us far otherwise than either respect for our dignity and desert, or the duty of his own office required at his hands, and having done us many injuries which we now of design do suppress, but which hereafter we shall be ready, should circumstances so require, to divulge . . . . may now proceed to acts of further injustice, and heaping wrong on wrong, may pronounce the censures

But Europe having declared in his favour in his great matter, 'by the inspiration of the Most High,' he has married another wife.

He fears that the pope, who has injured him throughout, may now pass the censures of the church against him.

* Publico ecclesiæ judicio.

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and other penalties of the spiritual sword against ourselves, our realm, and subjects, seeking thereby to deprive us of the use of the sacraments, and to cut us off, in the sight of the world, from the unity of the church, to the no slight hurt and injury of our realm and subjects: CH. 7. A.D. 1533. June 29.

'Fearing these things, and desiring to preserve from detriment not only ourselves, our own dignity and estimation, but also our subjects, committed to us by Almighty God; to keep them in the unity of the Christian faith, and in the wonted participation in the sacraments; that, when in truth they be not cut off from the integrity of the church, nor can nor will be so cut off in any manner, they may not appear to be so cut off in the estimation of men; [desiring further] to check and hold back our people whom God has given to us, lest, in the event of such injury, they refuse utterly to obey any longer the Roman Pontiff, as a hard and cruel pastor: [for these causes] and believing, from reasons probable, conjectures likely, and words used to our injury by his Holiness the Pope, which in divers manners have been brought to our ears, that some weighty act may be committed by him or others to the prejudice of ourselves and of our realm;—We, therefore, in behalf of all and every of our subjects, and of all persons adhering to us in this our cause, do make our appeal to the next general council, which shall be lawfully held, in place convenient, with the consent of the Christian princes, and of such others as it may concern—not in contempt of the Holy See, but for defence of the truth of the Gospel, and for the other

June 29. He appeals from any such censures to the next general council.

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CH. 7. causes afore rehearsed. And we do trust in God that it shall not be interpreted as a thing ill done on our part, if preferring the salvation of our soul and the relief of our conscience to any mundane respects or favours, we have in this cause regarded more the Divine law than the laws of man, and have thought it rather meet to obey God than to obey man.'*

A.D. 1533. June.

By the appeal and the causes which were assigned for it, Henry pre-occupied the ground of the conflict; he entrenched himself in the 'debateable land' of legal uncertainty; and until his position had been pronounced untenable by the general voice of Christendom, any sentence which the pope could issue would have but a doubtful validity. It was, perhaps, but a slight advantage; and the niceties of technical fencing might soon resolve themselves into a question of mere strength; yet, in the opening of great conflicts, it is well, even when a resort to force is inevitable, to throw on the opposing party the responsibility of violence; and Henry had been led, either by a refinement of policy, or by the plain straightforwardness of his intentions, into a situation where he could expect without alarm the unrolling of the future.

The character of that future was likely soon to be decided. The appeal was published on the 29th of June; and as the pope must have heard, by the middle of the month at latest, of the trial and judgment at Dunstable, a few days would

* RYMER, vol. vi. part 2, p. 188.

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bring an account of the manner in which he had received the intelligence. Prior to the arrival of the couriers, Bennet, with the assistance of Cardinal Tournon, had somewhat soothed down his exasperation. Francis, also, having heard that immediate process was threatened, had written earnestly to deprecate such a measure;* and though he took the interference 'very displeasantly,'† the pope could not afford to lose, by premature impatience, the fruit of all his labour and diplomacy, and had yielded so far as to promise that nothing of moment should be done. To this state of mind he had been brought one day in the second week of June. The morning after, Bennet found him 'sore altered.' The news of 'my Lord of Canterbury's proceedings' had arrived the preceding night; and 'his Holiness said that [such] doings were too sore for him to stand still at and do nothing.'‡ It was 'against his duty towards God and the world to tolerate them.' The imperialist cardinals, impatient before, clamoured that the evil had been caused by the dilatory timidity with which the case had been handled from the first.§ The consistory sate day after

Ch. 7.

A.D. 1533. June.

The news of the divorce pronounced at Dunstable arrives at Rome.

* The French king did write unto Cardinal Tournon (not, however, of his own will, but under pressure from the Duke of Norfolk), very instantly, that he should desire the pope, in the said French king's name, that his Holyness would not innovate anything against your Highness any wise till the congress: adding, withal, that if his Holyness, notwithstanding his said desire, would proceed, he could not less do, considering the great and indissoluble amity betwixt your Highnesses, notorious to all the world, but take and recognise such proceeding for a fresh injury.—Bennet to Henry VIII.: *State Papers*, vol. vii. p. 468.

† Ibid. p. 469.

‡ Ibid. p. 469.

§ Ibid. p. 470.

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CH. 7. day with closed doors;* and even such members of it as had before inclined to the English side, joined in the common indignation. 'Some extreme process' was instantly looked for, and the English agents, in their daily interviews with the pope, were forced to listen to language which it was hard to bear with equanimity. Bennet's well-bred courtesy carried him successfully through the difficulty; his companion Bonner was not so fortunate. Bonner's tongue was insolent, and under bad control. He replied to menace by impertinence; and on one occasion was so exasperating, that Clement threatened to burn him alive, or boil him in a caldron of lead.† When fairly roused, the old man was dangerous; and the future Bishop of London wrote to England in extremity of alarm. His letter has not been found, but the character of it may be perceived from the reassuring reply of the king. The agents, Henry said, were not to allow themselves to be frightened; they were to go on calmly, with their accustomed diligence and dexterity, disputing the ground from point to point, and trust to him. Their cause was good, and, with God's help, he would be able to defend them from the malice of their adversaries.‡

A. D. 1533. General indignation in the consistory.

Bonner is impertinent. The pope threatens to boil him in lead. He writes in terror to England.

Henry comforts him.

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* *State Papers*, p. 467, note, and p. 470.

† BURNET, vol. i. p. 221.

‡ We only desire and pray you to endeavour yourselves in the execution of that your charge — casting utterly away and banishing from you such fear and timorousness, or rather despair, as by your said letters we perceive ye have conceived— reducing to your memories in the lieu and stead thereof, as a thing continually lying before your eyes and incessantly sounded in your ears, the jus-

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Fortunately for Bonner, the pope's passion was of brief duration, and the experiment whether Henry's arm could reach to the dungeons of the Vatican remained untried. The more moderate of the cardinals, also, something assuaged the storm; and angry as they all were, the majority still saw the necessity of prudence. In the heat of the irritation, final sentence was to have been pronounced upon the entire cause, backed by interdict, excommunication, and the full volume of the papal thunders. At the close of a month's deliberation they resolved to reserve judgment on the original question, and to confine themselves for the present to revenging the insult to the pope by 'my Lord of Canterbury.' Both the king and the archbishop had disobeyed a formal inhibition. On the 12th of July, the pope issued a brief, declaring Cranmer's judgment to have been illegal, the English process to have been null and void, and the king, by his disobedience, to have incurred, *ipso facto*, the threatened penalties of excommunication. Of his clemency he suspended these censures till the close of the following September, in order that time might be allowed to restore the respective parties to their old positions: if within that period the parties were not so restored, the censures would fall.*

A.D. 1533. The consistory cools into prudence.

July 12. The pope declares the divorce illegal, and commands Henry to cancel the process. If he fails to obey, he is declared excommunicated.

tice of our cause, which cannot at length be shadowed, but shall shine and shew itself to the confusion of our adversaries. And we having, as is said, truth for us, with the help and assistance of God, author of the same, shall at all times be able to maintain you.—Henry VIII. to Bonner: *State Papers*, vol. vii. p. 485.

* Bonner to Cromwell: *State Papers*, vol. vii. p. 481.

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CH. 7. A.D. 1533.

This brief was sent into Flanders, and fixed in the usual place against the door of a church in Dunkirk.

Henry was prepared for a measure which was no more than natural. He had been prepared for it as a possibility when he married. Both he and Francis must have been prepared for it on their meeting at Calais, when the French king advised him to marry, and promised to support him through the consequences. His own measures had been arranged beforehand, and he had secured himself in technical entrenchments by his appeal. After the issue of the brief, however, he could allow no English embassy to compliment Clement by its presence on his visit to France. He 'knew the pope,' as he said. Long experience had shown him that nothing was to be gained by yielding in minor points; and the only chance which now remained of preserving the established order of Christendom, was to terrify the Vatican court into submission by the firmness of his attitude. For the present complications, the court of Rome, not he, was responsible. The pope, with a culpable complacency for the emperor, had shrunk from discharging a duty which his office imposed upon him; and the result had been, that the duty was discharged by another. Henry could not blame himself for the consequences of Clement's delinquency. He rather felt himself wronged in having been driven to so extreme a measure against his will. He resolved, therefore, to recal the embassy, and once more, though with no great hope that he would be successful, to invite Francis to fulfil

Henry again urges Francis to decline to meet the pope.

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his promise, and to unite with himself in expressing his resentment at the pope's conduct. CH. 7.

A.D. 1533. Aug. 8.

His despatch to the Duke of Norfolk on this occasion was the natural sequel of what he had written a few weeks previously. That letter had failed wholly of its effect. The interview was resolved upon for quite other reasons than those which were acknowledged, and therefore was not to be given up. A promise, however, had been extracted, that it should be given up, if in the course of the summer the pope 'innovated anything' against the King of England; and Henry now required, formally, that this engagement should be observed. 'A notorious and notable innovation' had been made, and Francis must either deny his words, or adhere to them. It would be evident to all the world, if the interview took place under the present circumstances, that the alliance with England was no longer of the importance with him which it had been; that his place in the struggle, when the struggle came, would be found on the papal side.

The cause at issue is the independence of princes.

The language of Henry throughout this paper was very fine and noble. He reminded Francis that substantially the cause at issue was the cause of all princes; the pope claiming a right to summon them to plead in the courts of Rome, and refusing to admit their exemption as sovereign rulers. He had been required not only to undo his marriage, and cancel the sentence of divorce, but, as a condition of reconciliation with the Holy See, to undo also the Act of Appeals, and to restore the papal jurisdiction. He desired it to be understood, with emphasis, that these points

He has been required to repeal the Act of Appeals,

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CH. 7. were all equally sacred, and the repeal of the act was as little to be thought of as the annulling the marriage. 'The pope,' he said, 'did inforce us to excogitate some new thing, whereby we might be healed and relieved of that continual disease, to care for our cause at Rome, where such defence was taken from us, as by the laws of God, nature, and man, is due unto us. Hereupon depended the wealth of our realm; hereupon consisted the surety of our succession, which by no other means could be well assured.' 'And therefore,' he went on, 'you [the Duke] shall say to our good brother, that the pope persisting in the ways he hath entered, ye must needs despair in any meeting between the French king and the pope, to produce any such effect as to cause us to meet in concord with the pope; but we shall be even as far asunder as is between yea and nay. For to the pope's enterprise to revoke or put back anything that is done here, either in marriage, statute, sentence, or proclamation*—of which four members is knit and conjoined the surety of our matter, nor any can be removed from the other, lest thereby the whole edifice should be destroyed—we will and shall, by all ways and means say nay, and declare our nay in such sort as the world shall hear, and the pope feel it. Wherein ye may say our firm trust, perfect hope, and assured confidence is, that our good brother will agree with us: as well for that it

A.D. 1533. Which is impossible.

He, therefore, and the pope are as far asunder as yea and nay,

* The proclamation ordering that Catherine should be called not queen, but Princess Dowager.

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A.D. 1533. And he trusts that Francis will agree with him as to the pope's conduct.

should be partly dishonourable for him to see decay the thing that was of his own foundation and planting; as also that it should be too much dishonourable for us—having travelled so far in this matter, and brought it to this point, that all the storms of the year passed, it is now come to harvest, trusting to see shortly the fruit of our marriage, to the wealth, joy, and comfort of all our realm, and our own singular consolation—that anything should now be done by us to impair the same, and to put our issue either in peril of bastardy, or otherwise disturb that [which] is by the whole agreement of our realm established for their and our commodity, wealth, and benefit. And in this determination ye know us to be so fixed, and the contrary hereof to be so infeasible, either at our hands, or by the consent of the realm, that ye must needs despair of any order to be taken by the French king with the pope. For if any were by him taken wherein any of these four pieces should be touched—that is to say, the marriage of the queen our wife, the revocation of the Bishop of Canterbury's sentence, the statute of our realm, or our late proclamation, which be as it were one—and as walls, covering, and foundation make a house, so they knit together, establish, and make one matter—ye be well assured, and be so ascertained from us, that in no wise we will relent, but will, as we have before written, withstand the same. Whereof ye may say that ye have thought good to advertise him, to the intent he make no farther promise to the pope therein than may be performed.'

For himself, he is satisfied that he can retract nothing which he has justly done,

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CH. 7.
A.D. 1533.

The ambassadors were the more emphatically to insist on the king's resolution, lest Francis, in his desire for conciliation, might hold out hopes to the pope which could not be realized. They were to say, however, that the King of England still trusted that the interview would not take place. The see of Rome was asserting a jurisdiction which, if conceded, would encourage an unlimited usurpation. If princes might be cited to the papal courts in a cause of matrimony, they might be cited equally in other causes at the pope's pleasure; and the free kingdoms of Europe would be converted into dependent provinces of the see of Rome. It concerned alike the interest and the honour of all sovereigns to resist encroachments which pointed to such an issue; and, therefore, Henry said he hoped that his good brother would use the pope as he had deserved, 'doing him to understand his folly, and [that] unless he had first made amends, he could not find in his heart to have further amity with him.'

And the pope must be made to understand his folly.

If notwithstanding, the instructions concluded, 'all these persuasions cannot have place to let the said meeting, and the French king shall say it is expedient for him to have in his hands the duchess,* under pretence of marriage for his son, which he cannot obtain but by this means, ye shall say that ye remember ye heard him say once he would never conclude that marriage but to do us good, which is now infaisible; and now in the voice of the world shall do us both more

* Catherine de Medici.

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hurt in the diminution of the reputation of our amity than it should do otherwise profit. Nevertheless, [if] ye cannot let his precise determination, [ye] can but lament and bewail your own chance to depart home in this sort; and that yet of the two inconvenients, it is to you more tolerable to return to us nothing done, than to be present at the interview and to be compelled to look patiently upon your master's enemy.'

A.D. 1533. Aug. 8. If the meeting is to go on, and the ambassadors cannot induce Francis to 'break' it, they are to return home.

After having entered thus their protest against the French king's conduct, the embassy was to return to England, leaving a parting intimation of the single condition under which Henry would consent to treat. If the pope would declare that 'the matrimony with the Lady Catherine was and is nought, he should do somewhat not to be refused;' except with this preliminary, no offer whatever could be entertained.*

The remonstrance fails.

This communication, as Henry anticipated, was not more effectual than the former in respect of its immediate object. At the meeting of Calais the interests of Francis had united him with England, and in pursuing the objects of Henry he was then pursuing his own. The pope and the emperor had dissolved the coalition by concessions on the least dangerous side. The interests of Francis lay now in the other direction, and there are few instances in history in which governments have adhered to obligations against their advantage from a spirit of honour, when

* Henry VIII. to the Duke of Norfolk: *State Papers*, vol. vii. p. 493.

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CH. 7. A.D. 1533.

the purposes with which they contracted those obligations have been otherwise obtained. The English embassy returned as they were ordered; the French court pursued their way to Marseilles; not quarrelling with England; intending to abide by the alliance, and to give all proofs of amity which did not involve inconvenient sacrifices; but producing on the world at large by their conduct the precise effect which Henry had foretold. The world to large, looking at acts rather than to words, regarded the interview as a contrivance to reconcile Francis and the emperor through the intervention of the pope, as a preliminary for a packed council, and for a holy war against the Lutherans*—a combination of ominous augury to Christendom, from the consequences of which, if Germany was to be the first sufferer, England would be inevitably the second.

The effect upon the world's opinion.

Intended Catholic triumvirate—the Pope, the Emperor, and the King of France.

Meanwhile, as the French alliance threatened to fail, the English government found themselves driven at last to look for a connexion among those powers from whom they had hitherto most anxiously disconnected themselves. At such a time

* Sir John Hacket, writing from Ghent on the 6th of September, describes as the general impression that the Pope's 'trust was to assure his alliance on both sides.' 'He trusts to bring about that his Majesty the French king and he shall become and remain in good, fast, and sure alliance together; and so ensuring that they three (the Pope, Francis, and Charles V.) shall be able to reform and set good order in the rest of Christendom. But whether his Unhappiness's—I mean his Holiness's—intention, is set for the welfare and utility of Christendom, or for his own insincerity and singular purpose, I remit that to God and to them that know more of the world than I do.'—Hacket to Cromwell: *State Papers*, vol. vii. p. 506.

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Protestant Germany, not Catholic France, was England's natural friend. The Reformation was essentially a Teutonic movement; the Germans, the English, the Scotch, the Swedes, the Hollanders, all were struggling on their various roads towards an end essentially the same. The same dangers threatened them, the same inspiration moved them; and in the eyes of the orthodox Catholics they were united in a black communion of heresy. Unhappily, though this identity was obvious to their enemies, it was far from obvious to themselves. The odium theologicum is ever hotter between sections of the same party which are divided by trifling differences, than between the open representatives of antagonist principles; and Anglicans and Lutherans, instead of joining hands across the Channel, endeavoured only to secure each a recognition of themselves at the expense of the other. The English plumed themselves on their orthodoxy. They were 'not as those publicans,' heretics, despisers of the keys, disobedient to authority; they desired only the independence of their national church, and they proved their zeal for the established faith with all the warmth of persecution. To the Germans national freedom was of wholly minor moment, in comparison with the freedom of the soul; the orthodoxy of England was as distasteful to the disciples of Luther as the orthodoxy of Rome—and the interests of Europe were sacrificed on both sides to this foolish and fatal disunion. Circumstances indeed would not permit the division to

CH. 7.

A.D. 1533. Sept. 6. Henry, against his will, looks towards Germany.

Unfortunate want of union among Protestants.

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CH. 7. A.D. 1533. September.

remain in its first intensity, and their common danger compelled the two nations into a partial understanding. Yet the reconciliation, imperfect to the last, was at the outset all but impossible. Their relations were already embittered by many reciprocal acts of hostility. Henry VIII. had won his spurs as a theologian by an attack on Luther. Luther had replied by a hailstorm of invectives. The Lutheran books had been proscribed, the Lutherans themselves had been burnt by Henry's bishops. The Protestant divines in Germany had attempted to conciliate the emperor by supporting the cause of Catherine; and Luther himself had spoken loudly in condemnation of the king. The elements of disunion were so many and so powerful, that there was little hope of contending against them successfully. Nevertheless, as Henry saw, the coalition of Francis and the emperor, if the pope succeeded in cementing it, was a most serious danger, to which an opposite alliance would alone be an adequate counterpoise; and the experiment might at least be tried whether such an alliance was possible.

Mission of Stephen Vaughan to the Court of the Elector of Saxe,

At the beginning of August, therefore, Stephen Vaughan was sent on a tentative mission to the Elector of Saxe, John Frederick, at Weimar.* He was the bearer of letters containing a proposal for a resident English ambassador; and if the elector gave his consent, he was to proceed with similar offers to the courts of the Landgrave

* John the Magnanimous, son of John the Steadfast, and nephew of the Elector Frederick, Luther's first protector.

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of Hesse and the Duke of Lunenberg.* Vaughan arrived in due time at the elector's court, was admitted to audience and delivered his letters. The prince read them, and in the evening of the same day returned for answer a polite but wholly absolute refusal. Being but a prince elector, he said, he might not aspire to so high an honour as to be favoured with the presence of an English ambassador. It was not the custom in Germany, and he feared that if he consented he should displease the emperor.† The meaning of such a reply delivered in a few hours was not to be mistaken, however disguised in courteous language. The English emissary saw that he was an unwelcome visitor, and that he must depart with the utmost celerity. 'The elector,' he wrote,‡ 'thirsted to have me gone from him, which I right well perceived by evident tokens which declared unto me the same.' He had no anxiety to expose to hazard the toleration which the Protestant dukedoms as yet enjoyed from the emperor, by committing himself to a connexion with a prince with whose present policy he had no sympathy, and whose conversion to the cause of the Reformation he had as yet no reason to believe sincere.§

Ch. 7.

A.D. 1533. September.

Which is not welcome.

The Elector had no anxiety to compromise himself with the Emperor.

* *State Papers*, vol. vii. pp. 499–501.

† Princeps Elector ducit se imparem ut Regiæ Celsitudinis vel aliorum regum oratores eâ lege in aulâ suâ degerent; vereturque ne ob id apud Cæsaream majestatem unicum ejus Dominum et alios male audiret, possetque sinistre tale institutum interpretari. — Reply of the Elector: *State Papers*, vol. vii. p. 503.

‡ Vaughan to Cromwell: *State Papers*, vol. vii. p. 509.

§ I consider the man, with other two—that is to say, the Landgrave von Hesse and the Duke of Lunenberg—to be the chief and principal defenders and

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The reception which Vaughan met with at Weimar satisfied him that he need go no further; neither the Landgrave nor the Duke of Lunenberg would be likely to venture on a course which the elector so obviously feared. He, therefore, gave up his mission, and returned to England.

The failure a not unprofitable lesson to England.

The first overtures in this direction issued in complete failure, nor was the result wholly to be regretted. It taught Henry (or it was a first commencement of the lesson) that so long as he pursued a merely English policy he might not expect that other nations would embroil themselves in his defence. He must allow the Reformation a wider scope, he must permit it to comprehend within its possible consequences the breaking of the chains by which his subjects' minds were bound—not merely a change of jailors. Then perhaps the German princes might return some other answer.

The disappointment, however, fell lightly; for before the account of the failure had reached England, an event had happened, which, poor as the king might be in foreign alliances, had added most material strength to his position in England.

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maintainers of the Lutheran sect: who considering the same with no small difficulty to be defended, as well against the emperor and the bishops of Germany, his nigh and shrewd neighbours, as against the most opinion of all Christian men, feareth to raise any other new matter whereby they should take a larger and peradventure a better occasion to revenge the same. The King's Highness seeketh to have intelligence with them, as they conjecture to have them confederate with him; yea, and that against the emperor, if he would anything pretend against the king.—Here is the thing which I think feareth the duke.—Vaughan to Cromwell: *State Papers*, vol. vii. pp. 509–10.

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A.D. 1533. Sept. 7. Birth of the Princess Elizabeth.

The full moment of that event he had no means of knowing. In its immediate bearing it was matter for most abundant satisfaction. On the seventh of September, between three and four in the afternoon, at the palace of Greenwich, was born a princess, named three days later in her baptism, after the king's mother, Elizabeth.* A son had been hoped for. The child was a daughter only; yet at least Providence had not pronounced against the marriage by a sentence of barrenness; at least there was now an heir whose legitimacy the nation had agreed to accept. Te Deums were sung in all the churches; again the river decked itself in splendour; again all London steeples were musical with bells. A font of gold was presented for the christening. Francis, in compensation for his backslidings, had consented to be godfather; and the infant, who was soon to find her country so rude a stepmother, was received with all the outward signs of exulting welcome. To Catherine's friends the offspring of the rival marriage was not welcome, but was an object rather of bitter hatred; and the black cloud of a sister's jealousy gathered over the cradle whose innocent occupant had robbed her of her title and her expectations. To the king, to the parliament, to the healthy heart of England, she was an object of eager hope and an occasion for thankful gratitude; but the seeds were sown with her birth of those misfortunes which were soon to overshadow her, and to form the school

Exultation in London.

Light and shadow.

* HALL, p. 805.

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CH. 7. of the great nature which in its maturity would re-mould the world.

A.D. 1533. September. Leaving Elizabeth for the present, we return to the continent, and to the long-promised interview, which was now at last approaching. Henry made no further attempt to remonstrate with Francis; and Francis assured him, and with all sincerity, that he would use his best efforts to move the pope to make the necessary concessions. The English embassy meanwhile was withdrawn. The excommunication had been received as an act of hostility, of which Henry would not even condescend to complain; and it was to be understood distinctly that in any exertions which might be made by the French king, the latter was acting without commission on his own responsibility.

Preparations for the interview at Marseilles. The intercession was to be the spontaneous act of a mutual friend, who, for the interests of Christendom, desired to heal a dangerous wound; but neither directly nor indirectly was it to be interpreted as an expression of a desire for a reconciliation on the English side.

It was determined further, on the recal of the Duke of Norfolk, that the opportunity of the meeting should be taken to give a notice to the pope of the king's appeal to the council; and for this purpose, Bennet and Bonner were directed to follow the papal court from Rome. Bennet never accomplished this journey, dying on the route, worn out with much service.* His death delayed Bonner, and the conferences had opened for

* *State Papers*, vol. vii. p. 512.

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A.D. 1533. The pope arrives under the conduct of the Duke of Albany.

many days before his arrival. Clement had reached Marseilles by ship from Genoa, about the 20th of October. As if pointedly to irritate Henry, he had placed himself under the conduct of the Duke of Albany.* He was followed two days later by his fair niece, Catherine de Medici; and the preparations for the marriage were commenced with the utmost swiftness and secrecy. The conditions of the contract were not allowed to transpire, but they were concluded in three days; and on the 25th of October the pope bestowed his precious present on the Duke of Orleans, he himself performing the nuptial ceremony, and accompanying it with his paternal benediction on the young pair, and on the happy country which was to possess them for its king and queen. France being thus securely riveted to Rome, other matters could be talked of more easily. Francis made all decent overtures to the pope in behalf of Henry; if the pope was to be believed indeed, he was vehemently urgent.† Clement in turn made suggestions for terms of alliance between Francis and Charles, 'to the advantage

Oct. 25th. Marriage of Henry Duke of Orleans, and Catherine de Medici.

* The Duke of Albany, during the minority of James V., had headed the party in Scotland most opposed to the English. He expelled the queen-mother, Margaret, sister of Henry; he seized the persons of the two young princes, whom he shut up in Stirling, where the younger brother died under suspicion of foul play (*Despatches of* GIUSTINIANI, vol. i. p. 157); and subsequently, in his genius for intrigue, he gained over the queen dowager herself in a manner which touched her honour.—Lord Thomas Dacre to Queen Margaret: ELLIS, second series, vol. i. p. 279.

† Ex his tamen, qui hæc a Pontifice, audierunt, intelligo regem vehementissime instare, ut vestræ majestatis expectationi satisfiat Pontifex.—Peter Vannes to Henry VIII.: *State Papers*, vol. vii. p. 518.

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Ch. 7. of the Most Christian king;'* and thus parried the remonstrances. The only point positively clear to the observers, was the perfect understanding which existed between the King of France and his spiritual father.† Unusual activity was remarked in the dockyards; Italian soldiers of fortune were about the court in unusual numbers, and apparently in favour.‡ An invasion of Lombardy was talked of among the palace retinue; and the emperor was said to distrust the intentions of the conference. Possibly experience had taught all parties to doubt each other's faith. Possibly they were all in some degree waiting upon events; and had not yet resolved upon their conduct.

A.D. 1533. Amicable differences between the pope and Francis on the English question.

General distrust.

Bonner at Marseilles.

In the midst of this scene arrived Doctor Bonner, in the beginning of November, with Henry's appeal. He was a strange figure to appear in such a society. There was little probity, perhaps, either in the court of France, or in their Italian visitors: but of refinement, of culture, of those graces which enable men to dispense with the more austere excellences of character—which transform licentiousness into elegant frailty, and treachery and falsehood into pardonable finesse—of these there was very much: and when a rough, coarse, vulgar Englishman was plunged among these delicate ladies and gentlemen, he formed an element which contrasted strongly with the general environment. Yet

* *State Papers*, vol. vii. p. 520.

† Hoc dico quod video inter regem et pontificem conjunctissime et amicissime hic agi.—Vannes to Cromwell: Ibid.

‡ Vannes to Cromwell: Ibid. pp. 522–3.

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Bonner, perhaps, was not without qualifications which fitted him for his mission. He was not, indeed, virtuous; but he had a certain downright honesty about him, joined with an entire insensibility to those finer perceptions which would have interfered with plain speaking, where plain speaking was desirable; he had a broad, not ungenial humour, which showed him things and persons in their genuine light, and enabled him to picture them for us with a distinctness for which we owe him lasting thanks.

A.D. 1533. Character of Bonner.

He appeared at Marseilles on the 7th of November, and had much difficulty in procuring an interview. At length, weary of waiting, and regardless of the hot lead with which he had been lately threatened, he forced his way into the room where 'the pope was standing, with the Cardinals De Lorraine and Medici, ready apparelled with his stole to go to the consistory.'

Nov. 7.

'Incontinently upon my coming thither,' he wrote to Henry,* 'the pope, whose sight is incredulous quick, eyed me, and that divers times; making a good pause in one place; at which time I desired the datary to advertise his Holiness that I would speak with him; and albeit the datary made no little difficulty therein, yet perceiving that upon refusal I would have gone forthwith to the pope, he advertised the pope of my said desire. His Holiness dismissing as then the said cardinals, and letting his vesture fall, went to a window in the said chamber, calling me unto

Bonner's letter to the king.

* BURNET, *Collectanea*, p. 436.

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CH. 7. A.D. 1533. Nov. 7.

him. At which time I showed unto his Holiness how that your Highness had given me express and strait commandment to intimate unto him how that your Grace had solemnly provoked and appealed unto the general council; submitting yourself to the tuition and defence thereof; which provocation and appeal I had under authentic writings then with me, to show for that purpose. And herewithal I drew out the said writing, showing his said Holiness that I brought the same in proof of the premises, and that his Holiness might see and perceive all the same. The pope having this for a breakfast, only pulled down his head to his shoulders, after the Italian fashion, and said that because he was as then fully ready to go into the consistory, he would not tarry to hear or see the said writings, but willed me to come at afternoon.'

The king's appeal is delivered to the pope.

The afternoon came, and Bonner returned, and was admitted. There was some conversation upon indifferent matters; the pope making good-natured inquiries about Bennet, and speaking warmly and kindly of him.

'Presently,' Bonner continues, 'falling out of that, he said that he marvelled your Highness would use his Holiness after such sort as it appears ye did. I said that your Highness no less did marvel that his Holiness having found so much benevolence and kindness at your hands in all times past, would for acquittal show such unkindness as of late he did. And here we entered in communication upon two points: one was that

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his Holiness, having committed in times past, and in most ample form, the cause into the realm, promising not to revoke the said commission, and over that, to confirm the process and sentence of the commissaries, should not at the point of sentence have advoked the cause, retaining it at Rome—forasmuch as Rome was a place whither your Highness could not, ne yet ought, personally to come unto, and also was not bound to send thither your proctor. The second point was, that your Highness's cause being, in the opinion of the best learned men in Christendom, approved good and just, and so [in] many ways known unto his Holiness, the same should not so long have retained it in his hands without judgment. CH. 7. A.D. 1533. Nov. 7.

'His Holiness answering the same, as touching the first point, said that if the queen (meaning the late wife of Prince Arthur, calling her always in his conversation the queen) had not given an oath refusing the judges as suspect, he would not have advoked the matter at all, but been content that it should have been determined and ended in your realm. But seeing she gave that oath, appealing also to his court, he might and ought to hear her, his promise made to your Highness, which was qualified, notwithstanding. As touching the second point, his Holiness said that your Highness only was the default thereof, because ye would not send a proxy to the cause. These matters, however, he said, had been many times fully talked upon at Rome; and therefore [he]

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Ch. 7. willed me to omit further communication thereupon, and to proceed to the doing of such things that I was specially sent for.

A.D. 1533. Nov. 7.

'Whereupon making protestation of your Highness's mind and intent towards the see apostolic—not intending anything to do in contempt of the same—I exhibited unto his Holiness the commission which your Highness had sent unto me; and his Holiness delivering it to the datary, commanded him to read it; and hearing in the same the words (referring to the injuries which he had done to your Highness), he began to look up after a new sort, and said, 'O questo et multo vero! (this is much true!)' meaning that it was not true indeed. And verily, sure not only in this, but also in many parts of the said commission, he showed himself grievously offended; insomuch that, when those words, 'To the next general council which shall be lawfully held in place convenient,' were read, he fell in a marvellous great choler and rage, not only declaring the same by his gesture and manner, but also by words: speaking with great vehemence, and saying, 'Why did not the king, when I wrote to my nuncio this year past, to speak unto him for this general council, give no answer unto my said nuncio, but referred him for answer to the French king? at what time he might perceive by my doing, that I was very well disposed, and much spake for it.' 'The thing so standing, now to speak of a general council! Oh, good Lord! but well! his commission and all his other writings cannot be but

The pope's anger.

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welcome unto me;' which words methought he spake willing to hide his choler, and make me believe that he was nothing angry with their doings, when in very deed I perceived, by many arguments, that it was otherwise. And one among others was taken here for infallible with them that knoweth the pope's conditions, that he was continually folding up and unwinding of his handkerchief, which he never doth but when he is tickled to the very heart with great choler.' CH. 7. A.D. 1533. Nov. 10.

At length the appeal was read through; and at the close of it Francis entered, and talked to the pope for some time, but in so low a voice that Bonner could not hear what was passing. When he had gone, his Holiness said that he would deliberate upon the appeal with the consistory, and after hearing their judgments would return his answer.

Three days passed, and then the English agent was informed that he might again present himself. The pope had recovered his calmness. When he had time to collect himself, Clement could speak well and with dignity; and if we could forget that his conduct was substantially unjust, and that in his conscience he knew it to be unjust, he would almost persuade us to believe him honest. 'He said,' wrote Bonner, 'that his mind towards your Highness always had been to minister justice, and to do pleasure to you; albeit it hath not been so taken: and he never unjustly grieved your Grace that he knoweth, nor intendeth hereafter to do. As concerning the appeal, he said that, forasmuch as there was a constitution of Pope Pius,

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CH. 7. his predecessor, that did condemn and reprove all such appeals, he did therefore reject your Grace's appeal as frivolous, forbidden, and unlawful.' As touching the council, he said generally, that he would do his best that it should meet; but it was to be understood that the calling a general council belonged to him, and not to the King of England.

A.D. 1533. November. The appeal is rejected.

The audience ended, and Bonner left the pope convinced that he intended, on his return to Rome, to execute the censures and continue the process without delay. That the sentence which he would pronounce would be against the king appeared equally certain.

Yet on Bonner's departure Clement assures Francis that the King of England's cause is just,

It appeared certain, yet after all no certain conclusion is possible. Francis I., though not choosing to quarrel with the see of Rome to do a pleasure to Henry, was anxious to please his ally to the extent of his convenience; at any rate, he would not have gratuitously deceived him; and still less would he have been party to an act of deliberate treachery. When Bonner was gone he had a last interview with the pope, in which he urged upon him the necessity of complying with Henry's demands; and the pope on this occasion said that he was satisfied that the King of England was right; that his cause was good; and that he had only to acknowledge the papal jurisdiction by some formal act, to find sentence immediately pronounced in his favour. Except for his precipitation, and his refusal to depute a proxy to plead for him, his wishes would have been complied

And if he will only acknowledge the Papal authority, he will give sentence in his favour.

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with long before. In the existing posture of affairs, and after the measures which had been passed in England with respect to the see of Rome, he himself, the pope said, could not make advances without some kind of submission; but a single act of acknowledgment was all which he required.*

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Extraordinary as it must seem, the pope certainly bound himself by this engagement: and who can tell with what intention? To believe him sincere and to believe him false seems equally impossible. If he was persuaded that Henry's cause *was* good, why did he in the following year pronounce finally for Catherine? why had he imperilled so needlessly the interests of the papacy in England? why had his conduct from the beginning pointed steadily to the conclusion at which he at last arrived? and why throughout Europe were the ultramontane party, to a man, on Catherine's side? On the other hand, what object at such a time can be conceived for falsehood? Can we suppose that he designed to dupe Henry into submission by a promise which he had predetermined to break? It is hard to suppose even Clement capable of so elaborate an act of perfidy; and it is, perhaps, idle to waste conjectures on the motives of a weak, much-agitated man. He was, probably, but giving a fresh example of his dis-

Was the pope honest? or treacherous? or merely weak?

Let us try to judge him charitably.

* Letter of the King of France: LEGRAND, vol. iii. Reply of Henry: FOXE, vol. v. p. 110.

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position to say at each moment whatever would be most agreeable to his hearers. This was his unhappy habit, by which he earned for himself a character for dishonesty, I labour to think, but half deserved.

Proposal that the cause should be referred to a commission, to sit at Cambray.

If, however, Clement meant to deceive, he succeeded, undoubtedly, in deceiving the French king. Francis, in communicating to Henry the language which the pope had used, entreated him to reconsider his resolution. The objection to pleading at Rome might be overcome; for the pope would meet him in a middle course. Judges could be appointed, who should sit at Cambray, and pass a sentence in condemnation of the original marriage; with a definite promise that their sentence should not again be called in question. To this arrangement there could be no reasonable objection; and Francis implored that a proposal so liberal should not be rejected. Sufficient danger already threatened Christendom, from heretics within and from the Turks without; and although the English parliament were agreed to maintain the second marriage, it was unwise to provoke the displeasure of foreign princes. To allow time for the preliminary arrangements, the execution of the censures had been further postponed; and if Henry would make up the quarrel, the French monarch was commissioned to offer a league, offensive and defensive, between England, France, and the Papacy. He himself only desired to be faithful to his engagements to his good brother; and as a proof of his good faith, he said that he had been offered the Duchy of Milan, if

Francis implores Henry to consent.

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he would look on while the emperor and the pope attacked England.* CH. 7.

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This language bears all the character of sincerity; and when we remember that it followed immediately upon a close and intimate communication of three weeks with Clement, it is not easy to believe that he could have mistaken the extent of the pope's promises. We may suppose Clement for the moment to have been honest, or wavering between honesty and falsehood; we may suppose further that Francis trusted him because it was undesirable to be suspicious, in the belief that he was discharging the duty of a friend to Henry, and of a friend to the church, in offering to mediate upon these terms.

Suspicions of Henry.

But Henry was far advanced beyond the point at which fair words could move him. He had trusted many times, and had been many times deceived. It was not easy to entangle him again. It mattered little whether Clement was weak or false; the result was the same—he could not be trusted. To an open English understanding there was something monstrous in the position of a person professing to be a judge, who admitted

* Commission of the Bishop of Paris: LEGRAND, vol. iii.; BURNET, vol. iii. p. 128; FOXE, vol. v. p. 106–111. The commission of the Bishop of Bayonne is not explicit on the extent to which the pope had bound himself with respect to the sentence. Yet either in some other despatch, or verbally through the Bishop, Francis certainly informed Henry that the Pope had promised that sentence should be given in his favour. We shall find Henry assuming this in his reply; and the Archbishop of York declared to Catherine that the pope 'said at Marseilles, that if his Grace would send a proxy thither he would give sentence for his Highness against her, because that he knew his cause to be good and just.'—*State Papers*, vol. i. p. 421.

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CH. 7. that a cause which lay before him was so clear that he could bind himself to a sentence upon it,

A.D. 1533. November. His disgust with Clement. and could yet refuse to pronounce that sentence, except upon conditions. It was scarcely for the interests of justice to leave the distribution of it in hands so questionable.

Instead, therefore, of coming forward, as Francis hoped, instead of consenting to entangle himself again in the meshes of diplomatic intrigue, the king returned a peremptory refusal.

The Duke of Norfolk, and such of the council as dreaded the completion of the schism, assured d'Inteville, the French ambassador, that for themselves they considered Francis was doing the best for England which could be done, and that they deprecated violent measures as much as possible; but in all this party there was a secret leaning to Queen Catherine, a dislike of Queen Anne and the whole Boleyn race, and a private hope and belief that the pope would after all be firm. Their tongues were therefore tied. They durst not speak except alone in whispers to each other; and the French ambassador, who did dare, only drew from Henry a more determined expression of his resolution.

As to his measures in England, the king said, the pope had begun the quarrel by issuing censures and by refusing to admit his reasons for declining to plead at Rome. He was required to send a proctor, and was told that the cause should be decided in favour of whichever party was so represented there. For the sake of all other princes as well as himself, he would send no proctor, nor would he seem to acquiesce in the pretences of the papal see. The King of France told him that

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the pope admitted the justice of his cause. Let the pope do justice, then. The laws passed in parliament were for the benefit of the commonwealth, and he would never revoke them. He demanded no reparation, and could make no reparation. He asked only for his right, and if he could not obtain it, he had God and truth on his side, and that was enough. In vain d'Inteville answered feebly, that his master had done all that was in his power; the king replied that the French council wished to entangle him with the pope; but for his own part he would never more acknowledge the pope in his pretended capacity. He might be bishop of Rome, or pope also, if he preferred the name; but the see of Rome should have no more jurisdiction in England, and he thought he would be none the worse Christian on that account, but rather the better. Jesus Christ he would acknowledge, and him only, as the true Lord of Christian men, and Christ's word only should be preached in England. The Spaniards might invade him as they threatened. He did not fear them. They might come, but they might not find it so easy to return.'*

The King had taken his position and was prepared for the consequences. He had foreseen for more than a year the possibility of an attempted invasion; and since his marriage, he had been aware that the chances of success in the adventure had been discussed on the Continent by the papal and imperial party. The pope had spoken of his cen-

* MS. Bibl. Impér. Paris. — *The Pilgrim*, pp. 97, 98. Cf. Foxe, vol. v. p. 110.

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sures being enforced, and Francis had revealed to Henry the nature of the dangerous overtures which had been made to himself. The Lutheran princes had hurriedly declined to connect themselves in any kind of alliance with England; and on the 25th of September, Stephen Vaughan had reported that troops were being raised in Germany, which rumour destined for Catherine's service.* Ireland, too, as we shall hear in the next chapter, was on the verge of an insurrection, which had been fomented by papal agents.

The conditions under which invasion might be dangerous.

Nevertheless, there was no real danger from an invasion, unless it was accompanied with an insurrection at home, or with a simultaneous attack from Scotland; and while of the first there appeared upon the surface no probability, with Scotland a truce for a year had been concluded on the 1st of October.† The king, therefore, had felt himself reasonably secure. Parliament had seemed unanimous; the clergy were submissive; the nation acquiescent or openly approving;‡ and

Apparent tranquillity of England.

* I hear of a number of Gelders which be lately reared; and the opinion of the people here is that they shall go into England. All men there speak evil of England, and threaten it in their foolish manner.—Vaughan to Cromwell: *State Papers*, vol. vii. p. 511.

† RYMER, vol. vi. part 2, p. 189.

‡ Parties were so divided in England that lookers-on who reported any one sentiment as general there, reported in fact by their own wishes and sympathies. D'Inteville, the French ambassador, a strong Catholic, declares the feeling to have been against the revolt. Chastillon, on the other hand, writing at the same time from the same place (for he had returned from France, and was present with d'Inteville at the last interview), says, 'The King has made up his mind to a complete separation from Rome; and the lords and the majority of the people go along with him.'—Chastillon to the Bishop of Paris: *The Pilgrim*, p. 99.

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as late as the beginning of November, 1533, no suspicion seems to have been entertained of the spread of serious disaffection. A great internal revolution had been accomplished; a conflict of centuries between the civil and spiritual powers had been terminated without a life lost or a blow struck. Partial murmurs there had been, but murmurs were inevitable, and, so far as the government yet knew, were harmless. The Scotch war had threatened to be dangerous, but it had been extinguished. Impatient monks had denounced the king from the pulpits, and disloyal language had been reported from other quarters, which had roused vigilance, but had not created alarm. The Nun of Kent had forced herself into the royal presence with menacing prophecies; but she had appeared to be a harmless dreamer, who could only be made of importance by punishment. The surface of the nation was in profound repose. Cromwell, like Walsingham after him, may perhaps have known of the fire which was smouldering below, and have watched it silently till the moment came at which to trample it out; but no symptom of uneasiness appears either in the conduct of the government or in the official correspondence. The organization of the friars, the secret communication of the Nun with Catherine and the Princess Mary, with the papal nuncio, or with noble lords and reverend bishops, was either unknown, or the character of those communications was not suspected. That a serious political conspiracy should have shaped itself round the ravings of a seeming lunatic, to

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The Nun of Kent's conspiracy.

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CH. 7. A.D. 1533. November.

all appearance had not occurred as a possibility to a single member of the council, except to those whose silence was ensured by their complicity.

The first occasion of suspicion.

So far as we are able to trace the story (for the links of the chain which led to the discovery of the designs which were entertained, are something imperfect), the suspicions of the government were first roused in the following manner:

Queen Catherine, as we have already seen, had been called upon, at the coronation of Anne Boleyn, to renounce her title, and she had refused. Mary had been similarly deprived of her rank as princess; but either her disgrace was held to be involved in that of her mother, or some other cause, perhaps the absence of immediate necessity, had postponed the demand for her own personal submission. As, however, on the publication of the second marriage, it had been urged on Catherine that there could not be two queens in England, so on the birth of the Princess Elizabeth, an analogous argument required the disinheritance of Mary. It was a hard thing; but her mother's conduct obliged the king to be peremptory. She might have been legitimatized by act of parliament, if Catherine would have submitted. The consequences of Catherine's refusal might be cruel, but they were unavoidable.

On the birth of Elizabeth, the Princess Mary is called upon to surrender her title.

Mary was not with her mother. It had been held desirable to remove her from an influence which would encourage her in a useless opposition; and she was residing at Beaulieu, afterwards

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New Hall, in Essex, under the care of Lord Hussey and the Countess of Salisbury. Lord Hussey was a dangerous guardian; he was subsequently executed for his complicity in the Pilgrimage of Grace, the avowed object of which was the restoration of Mary to her place as heir-apparent. We may believe, therefore, that while under his surveillance she experienced no severe restraint, nor received that advice with respect to her conduct which prudence would have dictated. Lord Hussey, however, for the present enjoyed the confidence of the king, and was directed to inform his charge, that for the future she was to consider herself not as princess, but as the king's natural daughter, the Lady Mary Tudor. The message was a painful one; painful, we will hope, more on her mother's account than on her own; but her answer implied that, as yet, Henry VIII. was no object of especial terror to his children.

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'Her Grace replied,' wrote Lord Hussey to the council in communicating the result of his undertaking,* that 'she could not a little marvel that I being alone, and not associate with some other the king's most honourable council, nor yet sufficiently authorized neither by commission nor by any other writing from the King's Highness, would attempt to declare such a high enterprise and matter of no little weight and importance unto her Grace, in diminishing her said estate and name; her Grace not doubting that she is the king's true and legitimate daughter and heir

She replies haughtily and violently.

* STRYPE, *Eccles. Memor.*, vol. i. p. 224.

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Ch. 7. procreate in good and lawful matrimony; [and] further adding, that unless she were advertised from his Highness by his writing that his Grace was so minded to diminish her estate, name, and dignity, which she trusteth his Highness will never do, she would not believe it.'

A.D. 1533. October.

Inasmuch as Mary was but sixteen at this time, the resolution which she displayed in sending such a message was considerable. The early English held almost Roman notions on the nature of parental authority, and the tone of a child to a father was usually that of the most submissive reverence. Nor was she contented with replying indirectly through her guardian. She wrote herself to the king, saying that she neither could nor would in her conscience think the contrary, but that she was his lawful daughter born in true matrimony, and that she thought that he in his own conscience did judge the same.*

She writes to the king in a similar tone.

Such an attitude in so young a girl was singular, yet not necessarily censurable. Henry was not her only parent, and if we suppose her to have been actuated by affection for her mother, her conduct may appear not pardonable only, but spirited and creditable. In insisting upon her legitimacy, nevertheless, she was not only asserting the good name and fame of Catherine of Arragon, but unhappily her own claim to the succession to the throne. It was natural that under the circumstances she should have felt her right to assert

* Instructions to the Earls of Oxford, Essex, and Sussex, to remonstrate with the Lady Mary: *Rolls House MS.*

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that claim; for the injury which she had suffered was patent not only to herself, but to Europe. Catherine might have been required to give way that the king might have a son, and that the succession might be established in a prince; but so long as the child of the second marriage was a daughter only, it seemed substantially monstrous to set aside the elder for the younger. Yet the measure was a harsh necessity; a link in the chain which could not be broken. The harassed nation insisted above all things that no doubt should hang over the future, and it was impossible in the existing complications to recognise the daughter of Catherine without excluding Elizabeth, and excluding the prince who was expected to follow her. By asserting her title, Mary was making herself the nucleus of sedition, which on her father's death would lead to a convulsion in the realm. She might not mean it, but the result would not be affected by a want of purpose in herself; and it was possible that her resolution might create immediate and far more painful complications. The king's excommunication was imminent, and if the censures were enforced by the emperor, she would be thrust into the unpermitted position of her father's rival.

CH. 7. A.D. 1533. October.

Danger to the nation of Mary's attitude.

The political consequences of her conduct, notwithstanding, although evident to statesmen, might well be concealed from a headstrong, passionate girl. There was no suspicion that she herself was encouraging any of these dangerous thoughts, and Henry looked upon her answer to Lord Hussey and her letter to himself as expres-

The king treats her as a petulant child.

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Ch. 7. sions of petulant folly. Lord Oxford, the Earl of Essex, and the Earl of Sussex were directed to repair to Beaulieu, and explain to her the situation in which she had placed herself.

A.D. 1533. October.

His letter explaining to her the true nature of her position.

'Considering,' wrote the king to them, 'how highly such contempt and rebellion done by our daughter and her servants doth touch not only us, and the surety of our honour and person, but also the tranquillity of our realm; and not minding to suffer the pernicious example hereof to spread far abroad, but to put remedy to the same in due time, we have given you commandment to declare to her the great folly, temerity, and indiscretion that she hath used herein, with the peril she hath incurred by reason of her so doing. By these her ungodly doings hitherto she hath most worthily deserved our high indignation and displeasure, and thereto no less pain and punition than by the order of the laws of our realm doth appertain in case of high treason, unless our mercy and clemency should be shewed in that behalf. [If, however, after] understanding our mind and pleasure, [she will] conform herself humbly and obediently to the observation of the same, according to the office and duty of a natural daughter, and of a true and faithful subject, she may give us cause hereafter to incline our fatherly pity to her reconciliation, her benefit and advancement.'*

The reply of Mary to this message is not discoverable; but it is certain that she persisted in

* Instructions to the Earls of Oxford, Essex, and Sussex, to remonstrate with the Lady Mary: *Rolls House MS.*

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her resolution, and clung either to her mother's 'cause' or to her own rank and privilege, in sturdy defiance of her father. To punish her insubordination or to tolerate it was equally difficult; and the government might have been in serious embarrassment had not a series of discoveries, following rapidly one upon the other, explained the mystery of these proceedings, and opened a view with alarming clearness into the undercurrents of the feeling of the country.

Information from time to time had reached Henry from Rome, relating to the correspondence between Catherine and the pope. Perhaps, too, he knew how assiduously she had importuned the emperor to force Clement to a decision.* No effort, however, had been hitherto made to inter-

Correspondence between Queen Catherine, the Court of Rome, and the Emperor.

* On the 15th of November, Queen Catherine wrote to the Emperor, and after congratulating him on his successes against the Turks, she continued,

'And as our Lord in his mercy has worked so great a good for Christendom by your Highness's hands, so has he enlightened also his Holiness; and I and all this realm have now a sure hope that, with the grace of God, his Holiness will slay this second Turk, this affair between the King my Lord and me. Second Turk, I call it, from the misfortunes which, through his Holiness's long delay, have grown out of it, and are now so vast and of so ill example that I know not whether this or the Turk be the worst. Sorry am I to have been compelled to importune your Majesty so often in this matter, for sure I am you do not need my pressing. But I see delay to be so calamitous, my own life is so unquiet and so painful, and the opportunity to make an end now so convenient, that it seems as if God of his goodness had brought his Holiness and your Majesty together to bring about so great a good. I am forced to be importunate, and I implore your Highness for the passion of our Lord Jesus Christ, that in return for the signal benefits which God each day is heaping on you, you will accomplish for me this great blessing, and bring his Holiness to a decision. Let him remember what he promised you at Bologna. The truth here is known, and he will thus destroy the hopes of those who persuade the King my Lord that he will never pass judgment.' —Queen Catherine to Charles V.: *MS. Simancas*, November 15, 1533.

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CH. 7. A.D. 1533.

fere with her hospitalities, or to oblige her visitors to submit to scrutiny before they could be admitted to her presence. She was the mistress of her own court and of her own actions; and confidential agents, both from Rome, Brussels, and Spain, had undoubtedly passed and repassed with reciprocal instructions and directions.

The crisis which was clearly approaching had obliged Henry, in the course of this autumn, to be more watchful; and about the end of October, or the beginning of November,* two friars were reported as having been at Bugden, whose movements attracted suspicion from their anxiety to escape observation. Secret agents of the government, who had been 'set' for the purpose, followed the friars to London, and notwithstanding 'many wiles and cautells by them invented to escape,' the suspected persons were arrested and brought before Cromwell. Cromwell 'upon examination, could gather nothing from them of any moment or great importance;' but, 'entering on further communication,' he said 'he found one of them a very seditious person, and so committed them to ward.' The king was absent from London, but had left directions that, in the event of any important occurrence of the kind, Archbishop Cranmer should be sent for; but Cranmer not being immediately at hand, Cromwell wrote to Henry for instructions;

November. Two suspicious friars at Bugden,

'Followed' to London; arrested, and probably tortured.

* Letter to the King, giving an account of certain Friars Observants who had been about the Princess Dowager: *Rolls House MS.*

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inasmuch as, he said, 'it is undoubted that they (the monks) have intended, and would confess, some great matter, if they might be examined as they ought to be—that is to say, by pains.' CH. 7. A.D. 1533.

The curtain here falls over the two prisoners; we do not know whether they were tortured, whether they confessed, or what they confessed; but we may naturally connect this letter, directly or indirectly, with the events which immediately followed. In the middle of November we find a commission sitting at Lambeth, composed of Cromwell, Cranmer, and Latimer, ravelling out the threads of a story, from which, when the whole was disentangled, it appeared that by Queen Catherine, the Princess Mary, and a large and formidable party in the country, the king, on the faith of a pretended revelation, was supposed to have forfeited the crown; that his death, either by visitation of God or by visitation of man, was daily expected; and that whether his death took place or not, a revolution was immediately looked for, which would place the princess on the throne. Conspiracy, in which the Princess Mary was implicated, to dethrone the king.

The Nun of Kent, as we remember, had declared that if Henry persisted in his resolution of marrying Anne, she was commissioned by God to tell him that he should lose his power and authority. She had not specified the manner in which the sentence would be carried into effect against him. The form of her threats had been also varied occasionally; she said that he should die, but whether by the hands of his subjects, or by Prophecies of the Nun of Kent.

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Ch. 7. a providential judgment, she left to conjecture;* and the period within which his punishment was to fall upon him was stated variously at one month or at six.† She had attempted no secresy with these prophecies; she had confined herself in appearance to words; and the publicity which she courted having prevented suspicion of secret conspiracy, Henry quietly accepted the issue, and left the truth of the prophecy to be confuted by the event. He married. The one month passed; the six months passed; eight—nine months. His child was born and was baptized, and no divine thunder had interposed; only a mere harmless verbal thunder, from a poor old man at Rome. The illusion, as he imagined, had been lived down, and had expired of its own vanity.

A.D. 1533. December.

But the Nun and her friar advisers were counting on other methods of securing the fulfilment of the prophecy than supernatural assistance. It is remarkable that hypocrites and impostors as they knew themselves to be, they were not without a half belief that some supernatural intervention was imminent; but the career on which they had entered was too fascinating to allow them to forsake it when their expectation failed them. They were swept into the stream which was

The Nun half deceiver, and half herself deceived.

* We remember the northern prophecy, 'In England shall be slain the decorate Rose in his mother's belly,' which the monks of Furness interpreted as meaning that 'the King's Grace should die by the hands of priests.'—Vol. i. cap. 4.

† Statutes of the Realm, 25 Henry VIII. cap. 12. State Papers relating to Elizabeth Barton: *Rolls House MS.* Prior of Christ Church, Canterbury, to Cromwell: *Suppression of the Monasteries*, p. 20.

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swelling to resist the Reformation, and allowed themselves to be hurried forward either to victory or to destruction.

The first revelation being apparently confuted by facts, a second was produced as an interpretation of it; which, however, was not published like the other, but whispered in secret to persons whose dispositions were known.*

On the failure of the first prophecy, an interpretation is discovered of a perilous kind. The king is declared to be in the condition of Saul after his rejection.

'When the King's Grace,' says the report of the commissioners, 'had continued in good health, honour, and prosperity more than a month, Dr. Bocking shewed the said Nun, that as King Saul, abjected from his kingdom by God, yet continued king in the sight of the world, so her said revelations might be taken. And therefore the said Nun, upon this information, forged another revelation, that her words should be understanded to mean that the King's Grace should not be king in the reputation or acceptation of God, not one month or one hour after that he married the Queen's Grace that now is. The first revelation had moved a great number of the king's subjects, both high and low, to grudge against the said marriage before it was concluded and perfected; and also induced such as were stiffly bent against that marriage, daily to look for the destruction of the King's Grace within a

* Thus Cromwell writes to Fisher: 'My Lord, [the outward evidences that she was speaking truth] moved you not to give credence to her, but only the very matter whereupon she made her false prophecies, to which matter ye were so affected—as ye be noted to be on all matters which ye once enter into—that nothing could come amiss that made for that purpose.'—*Suppression of the Monasteries*, p. 30.

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Ch. 7. month after he married the Queen's Grace that now is. And when they were deluded in that expectation, the second revelation was devised not only as an interpretation of the former, but to the intent to induce the king's subjects to believe that God took the King's Grace for no king of this realm; and that they should likewise take him for no righteous king, and themselves not bounden to be his subjects; which might have put the King and the Queen's Grace in jeopardy of their crown and of their issue, and the people of this realm in great danger of destruction.'*

A.D. 1533. December.

It was no light matter to pronounce the king to be in the position of Saul after his rejection; and read by the light of the impending excommunication, the Nun's words could mean nothing but treason. The speaker herself was in correspondence with the pope; she had attested her divine commission by miracles, and had been recognised as a saint by an Archbishop of Canterbury; the regular orders of the clergy throughout the realm were known to regard her as inspired; and when the commission recollected that the king was threatened further with dying 'a villain's death;' and that these and similar prophecies were carefully written out, and were in private circulation through the country, the matter assumed a dangerous complexion: it became at once essential to ascertain how far, and among what classes of the state, these things had penetrated. The Friars Mendicant were discovered to be in league

The prophecies in extensive secret circulation in a written form.

The Friars Mendicant.

* Papers relating to the Nun of Kent: *Rolls House MS.*

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with her, and these itinerants were ready-made missionaries of sedition. They had privilege of vagrancy without check or limit; and owing to their universal distribution and the freemasonry among themselves, the secret disposition of every family in England was intimately known to them. No movement, therefore, could be securely overlooked in which these orders had a share; the country might be undermined in secret; and the government might only learn their danger at the moment of explosion.

Ch. 7. A.D. 1533. December.

No sooner, therefore, were the commissioners in possession of the general facts, than the principal parties—that is to say, the Nun herself and five of the monks of Christ Church at Canterbury—with whom her intercourse was most constant, were sent to the Tower to be 'examined'—the monks it is likely by 'torture,' if they could not otherwise be brought to confession. The Nun was certainly not tortured. On her first arrest, she was obstinate in maintaining her prophetic character; and she was detected in sending messages to her friends, 'to animate them to adhere to her and to her prophecies.'* But her courage ebbed away under the hard reality of her position. She soon made a full confession, in which her accomplices joined her; and the half-completed web of conspiracy was ravelled out. They did not attempt to conceal that they had intended, if possible, to create an insurrection. The five monks—Father Bocking, Father Rich, Father

Arrest of the Nun and five monks.

She confesses.

A list is obtained of the persons

* Papers relating to the Nun of Kent: *Rolls House MS.*

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CH. 7.

A.D. 1533. December. who were implicated with her.

Rysby, Father Dering, and Father Goold—had assisted the Nun in inventing her 'Revelations;' and as apostles, they had travelled about the country to communicate them in whatever quarters they were likely to be welcome. When we remember that Archbishop Warham had been a dupe of this woman, and that even Wolsey's experience and ability had not prevented him from believing in her power, we are not surprised to find high names among those who were implicated. Vast numbers of abbots and priors, and of regular and secular clergy, had listened eagerly; country gentlemen also, and London merchants. The Bishop of Rochester had 'wept for joy' at the first utterances of the inspired prophetess; and Sir Thomas More, 'who at first did little regard the said revelations, afterwards did greatly rejoice to hear of them.'* We learn, also, that the Nun had continued to *communicate with 'the Lady Princess Dowager' and 'the Lady Mary, her daughter.'*†

The Countess of Salisbury and the Marchioness of Exeter.

These were names which might have furnished cause for regret, but little for surprise or alarm. The commissioners must have found occasion for other feelings, however, when among the persons implicated were found the Countess of Salisbury and the Marchioness of Exeter, with their chaplains, households, and servants; Sir Thomas Arundel, Sir George Carew, and 'many

* Papers relating to the Nun of Kent.

† 25 Hen. VIII. cap. 12.

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of the nobles of England.'* A combination headed by the Countess of Salisbury, if she were supported even by a small section of the nobility, would under any circumstances have been dangerous; and if such a combination was formed in support of an invasion, and was backed by the blessings of the pope and the fanaticism of the clergy, the result might be serious indeed. So careful a silence is observed in the official papers on this feature of the Nun's conspiracy, that it is uncertain how far the countess had committed herself; but she had listened certainly to avowals of treasonable intentions without revealing them, which of itself was no slight evidence of disloyalty; and that the government were really alarmed may be gathered from the simultaneous arrest of Sir William and Sir George Neville, the brothers of Lord Latimer. The connexion and significance of these names I shall explain presently; in the meantime I return to the preparations which had been made by the Nun.

Ch. 7.

A.D. 1533. December.

Danger of a White Rose confederacy under the papal sanction.

Arrest of the Nevilles.

As the final judgment drew near—which, unless the king submitted, would be accompanied with excommunication, and a declaration that the English nation was absolved from allegiance, —'the said false Nun,' says the report, 'surmised herself to have made a petition to God to know,

* Papers relating to the Nun of Kent: *Rolls House MS.* 25 Hen. VIII. cap. 12. The 'many' nobles are not more particularly designated in the official papers. It was not desirable to mention names when the offence was to be passed over.

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Ch. 7. when fearful war should come, whether any man should take my Lady Mary's part or no; and she feigned herself to have answer by revelation that no man should fear but that she should have succour and help enough; and that no man should put her from her right that she was born unto. And petitioning next to know when it was the pleasure of God that her revelations should be put forth to the world, she had answer that knowledge should be given to her ghostly father when it should be time.'*

A.D. 1533. December. The Nun prophesies that the Lady Mary should have help when the time was come.

She communicates with Queen Catherine,

With this information Father Goold had hastened down to Bugden, encouraging Catherine to persevere in her resistance;† and while the imperialists at Rome were pressing the pope for sentence (we cannot doubt at Catherine's instance), the Nun had placed herself in readiness to seize the opportunity when it offered, and to blow the trumpet of insurrection in the panic which might be surely looked for when that sentence should be published.

And organizes a corps of friars to preach insurrection.

For this purpose she had organized, with considerable skill, a corps of fanatical friars, who, when the signal was given, were simultaneously to throw themselves into the midst of the people, and call upon them to rise in the name of God.

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* Report of the Commissioners—Papers relating to the Nun of Kent: *Rolls House MS.*

† Goold, says the Act of the Nun's attainder, travelled to Bugden, 'to animate the said Lady Princess to make commotion in the realm against our sovereign lord; surmitting that the said Nun should hear by revelation of God that the said Lady Catherine should prosper and do well, and that her issue, the Lady Mary, should prosper and reign in the realm.'—25 Henry VIII. cap. 13.

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'To the intent,' says the report, 'to set forth this matter, certain spiritual and religious persons were appointed, as they had been chosen of God, to preach the false revelations of the said Nun, when the time should require, if warning were given them; and some of these preachers have confessed openly, and subscribed their names to their confessions, that if the Nun had so sent them word, they would have preached to the king's subjects that the pleasure of God was that they should take him no longer for their king; and some of these preachers were such as gave themselves to great fasting, watching, long prayers, wearing of shirts of hair and great chains of iron about their middle, whereby the people had them in high estimation of their great holiness,—and this strait life they took on them by the counsel and exhortation of the said Nun.'*

Ch. 7.

A.D. 1533. December.

First Catholic treason.

Here, then, was the explanation of the attitude of Catherine and Mary. Smarting under injustice, and most naturally blending their private quarrel with the cause of the church, they had listened to these disordered visions as to a message from heaven, and they had lent themselves to the first of those religious conspiracies which held England in chronic agitation for three quarters of a century. The innocent Saint at Bugden was the forerunner of the prisoner at Fotheringay; and the Observant

* Report of the Proceedings of the Nun of Kent: *Rolls House MS.*

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CH. 7. friars, with their chain girdles and shirts of hair, were the antitypes of Parsons and Campion. How critical the situation of England really was, appears from the following letter of the French ambassador. The project for the marriage of the Princess Mary with the Dauphin had been revived by the Catholic party; and a private arrangement, of which this marriage was to form the connecting link, was contemplated between the Ultramontanes in France, the pope, and the emperor.

A.D. 1533. November.

*D'Inteville to Cardinal Tournon.**

'MY LORD,—You will be so good as to tell the Most Christian king that the emperor's ambassador has communicated with the old queen. The emperor sends a message to her and to her daughter, that he will not return to Spain till he has seen them restored to their rights.

'The people are so much attached to the said ladies that they will rise in rebellion, and join any prince who will undertake their quarrel. You probably know from other quarters the intensity of this feeling. It is shared by all classes, high and low, and penetrates even into the royal household.

'The nation is in marvellous discontent. Every one but the relations of the present queen, is indignant on the ladies' account. Some fear

* MS. Bibliot. Impér., Paris. The letter is undated. It was apparently written in the autumn of 1533.

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the overthrow of religion; others fear war and injury to trade. Up to this time, the cloth, hides, wool, lead, and other merchandize of England have found markets in Flanders, Spain, and Italy; now it is thought navigation will be so dangerous that English merchants must equip their ships for war if they trade to foreign countries; and besides the risk of losing all to the enemy, the expense of the armament will swallow the profits of the voyage. In like manner, the emperor's subjects and the pope's subjects will not be able to trade with England. The coasts will be blockaded by the ships of the emperor and his allies; and at this moment men's fears are aggravated by the unseasonable weather throughout the summer, and the failure of the crops. There is not corn enough for half the ordinary consumption.

'The common people, foreseeing these inconveniences, are so violent against the queen, that they say a thousand shameful things of her, and of all who have supported her in her intrigues. On them is cast the odium of all the calamities anticipated from the war.

'When the war comes, no one doubts that the people will rebel as much from fear of the dangers which I have mentioned, as from the love which is felt for the two ladies, and especially for the Princess. She is so entirely beloved that, notwithstanding the law made at the last Parliament, and the menace of death contained in it, they persist in regarding her as Princess. No Parliament, they say, can make her anything but the king's daughter, born in marriage; and

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CH. 7. so the king and every one else regarded her before that Parliament.

'Lately, when she was removed from Greenwich, a vast crowd of women, wives of citizens and others, walked before her at their husbands' desire, weeping and crying that notwithstanding all she was Princess. Some of them were sent to the Tower, but they would not retract.

'Things are now so critical, and the fear of war is so general, that many of the greatest merchants in London have placed themselves in communication with the emperor's ambassador, telling him, that if the emperor will declare war, the English nation will join him for the love they bear the Lady Mary.

'You, my Lord, will remember that when you were here, it was said you were come to tell the king that he was excommunicated, and to demand the hand of the Princess for the Dauphin. The people were so delighted that they have never ceased to pray for you. We too, when we arrived in London, were told that the people were praying for us. They thought our embassy was to the Princess. They imagined her marriage with the Dauphin had been determined on by the two kings, and the satisfaction was intense and universal.

'They believe that, except by this marriage, they cannot possibly escape war; whereas, can it be brought about, they will have peace with the emperor and all other Christian princes. They are now so disturbed and so desperate that, although at one time they would have preferred a

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husband for her from among themselves, that they might not have a foreign king, there now is nothing which they desire more. Unless the Dauphin will take her, they say she will continue disinherited; or, if she come to her rights, it can only be by battle, to the great incommodity of the country. The Princess herself says publicly that the Dauphin is her husband, and that she has no hope but in him. I have been told this by persons who have heard it from her own lips.

'The emperor's ambassador inquired, after you came, whether we had seen her. He said he knew she was most anxious to speak with us; she thought we had permission to visit her, and she looked for good news. He told us, among other things, that she had been more strictly guarded of late, by the orders of the queen that now is, who, knowing her feeling for the Dauphin, feared there might be some practice with her, or some attempt to carry her off.

'The Princess's ladies say that she calls herself the Dauphin's wife. A time will come, she says, when God will see that she has suffered pain and tribulation sufficient; the Dauphin will then demand her of the king h erfather, and the king her father will not be able to refuse.

'The lady who was my informant heard, also, from the Princess, that her governess, and the other attendants whom the queen had set to watch her, had assured her that the Dauphin was married to the daughter of the emperor; but she, the Princess, had answered it was not true—the

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CH. 7. Dauphin could not have two wives, and they well knew that she was his wife: they told her that story, she said, to make her despair, and agree to give up her rights; but she would never part with her hopes.

'You may have heard of the storm that broke out between her and her governess when we went to visit her little sister. She was carried off by force to her room, that she might not speak with us; and they could neither pacify her nor keep her still, till the gentleman who escorted us told her he had the king's commands that she was not to show herself while we were in the house. You remember the message the same gentleman brought to you from her, and the charge which was given by the queen.

'Could the king be brought to consent to the marriage, it would be a fair union of two realms, and to annex Britain to the crown of France would be a great honour to our Sovereign; the English party desire nothing better; the pope will be glad of it; the pope fears that, if war break out again, France will draw closer to England on the terms which the King of England desires; and he may thus lose the French tribute as he has lost the English. He therefore will urge the emperor to agree, and the emperor will assist gladly for the love which he bears to his cousin.

'If the emperor be willing, the King of England can then be informed; and he can be made to feel that, if he will avoid war, he must not refuse his consent. The king, in fact, has no wish to disown the Princess, and he knows well

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that the marriage with the Dauphin was once agreed on. CH. 7.

A.D. 1533. November.

'Should he be unwilling, and should his wife's persuasions still have influence with him, he will hesitate before he will defy, for her sake, the King of France and the emperor united. His regard for the queen is less than it was, and diminishes every day. He has a new fancy,* as you are aware.'

The actual conspiracy, in the form which it had so far assumed, was rather an appeal to fanaticism than a plot which could have laid hold of the deeper mind of the country; but as an indication of the unrest which was stealing over the minds of men, it assumed an importance which it would not have received from its intrinsic character.

The guilt of the principal offenders admitted of no doubt. As soon as the commissioners were satisfied that there was nothing further to be discovered, the Nun, with the monks, was brought to trial before the Star Chamber; and conviction followed as a matter of course.† The Nun and the five monks brought to trial.

* Il a des nouvelles amours. In a paper at Simancas, containing Nuevas de Inglaterra, written about this time, is a similar account of the dislike of Anne and her family, as well as of the king's altered feelings towards her. Dicano anchora che la Anna è mal voluta degli S^{i} di Inghilterra si per la sua superbia, si anche per l'insolentia e mali portamenti che fanno nel regno li fratelli e parenti di Anna; e che per questo il Re non la porta la affezione que soleva per che il Re festeggia una altra Donna della quale se mostra esser inamorato, e molti S^{i} di Inghilterra lo ajutano nel seguir el preditto amor per deviar questo Re dalla pratica di Anna.

† HALL.

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CH. 7.

A.D. 1533. December.

The unhappy girl finding herself at this conclusion, after seven years of vanity, in which she had played with popes, and queens, and princesses, and archbishops, now, when the dream was thus rudely broken, in the revulsion of feeling could see nothing in herself but a convicted impostor. We need not refuse to pity her. The misfortunes of her sickness had exposed her to temptations far beyond the strength of an ordinary woman; and the guilt which she passionately claimed for herself rested far more truly with the knavery of the Christ Church monks and the incredible folly of Archbishop Warham.* But the times were too stern to admit of nice distinctions. No immediate sentence was pronounced, but it was thought desirable for the satisfaction of the people that a confession should be made in public by the Nun and her companions. The Sunday following their trial they were placed on a raised platform at Paul's Cross by the side of the pulpit, and when the sermon was over they one by one delivered their 'bills' to the preacher, which by him were read to the crowd.†

They make their confessions at St. Paul's.

After an acknowledgment of their imposture

* 'I, dame Elizabeth Barton,' she said, 'do confess that I, most miserable and wretched person, have been the original of all this mischief, and by my falsehood I have deceived all these persons (the monks who were her accomplices), and many more; whereby I have most grievously offended Almighty God, and my most noble sovereign the King's Grace. Wherefore I humbly, and with heart most sorrowful, desire you to pray to Almighty God for my miserable sins, and make supplication for me to my sovereign for his gracious mercy and pardon.'—Confession of Elizabeth Barton: *Rolls House MS.*

† Papers relating to Elizabeth Barton: Ibid.

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the prisoners were remanded to the Tower, and their ultimate fate reserved for the consideration of parliament, which was to meet in the middle of January. CH. 7. A.D. 1533. December.

The chief offenders being thus disposed of, the council resolved next that peremptory measures should be taken with respect to the Princess Mary.* Her establishment was broken up, and she was sent to reside as the Lady Mary in the household of the Princess Elizabeth—a hard but not unwholesome discipline.† As soon as this was done, being satisfied that the leading shoot of the conspiracy was broken, and that no immediate danger was now to be feared, they proceeded leisurely to follow the clue of the Nun's confession, and to extend their inquiries. The Countess of Salisbury was mentioned as one of the persons with whom the woman had been in correspondence. This lady was the daughter of the Duke of Clarence, brother of Edward IV. Her mother was a Neville, a child of Richard the King-maker, the famous Earl of Warwick, and her only brother had been murdered to secure the shaking throne of Henry VII. Margaret Plantagenet, in recompense for the lost honours of the house, was made Countess of Salisbury in her own right. The title descended from her

The household of the Princess Mary is broken up.

The inquiry is prosecuted further. The Countess of Salisbury.

* *State Papers*, vol. i. p. 415.

† A curious trait in Mary's character may be mentioned in connexion with this transfer. She had a voracious appetite; and in Elizabeth's household expenses an extra charge was made uecessary of 26*l.* a-year for the meat breakfasts and meat suppers 'served into the Lady Mary's chamber.'—Statement of the expenses of the Household of the Princess Elizabeth: *Rolls House MS.*

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grandfather, who was Earl of Salisbury and Warwick; but the prouder title had been dropped as suggestive of dangerous associations. The Earldom of Warwick remained in abeyance, and the castle and the estates attached to it were forfeited to the Crown. The countess was married after her brother's death to a Sir Richard Pole, a supporter and relation* of the king; and when left a widow she received from Henry VIII. the respectful honour which was due to the most nobly born of his subjects, the only remaining Plantagenet of unblemished descent. In his kindness to her children the king had attempted to obliterate the recollection of her brother's wrongs, and she had been herself selected to preside over the household of the Princess Mary. During the first twenty years of Henry's reign the countess seems to have acknowledged his attentions with loyal regard, and if she had not forgotten her birth and her childhood, she never connected herself with the attempts which during that time were made to revive the feuds of the houses. Richard de la Pole, nephew of Edward IV.,† and called while he lived 'the White Rose,' had more than once endeavoured to excite an insurrection in the eastern counties; but Lady Salisbury was never suspected of holding intercourse with him; she remained aloof from political disputes, and in lofty retirement she was contented to forget her greatness for the sake of the Princess Mary, to

* He is called *frater consobrinus*. See FULLER'S *Worthies*, vol. iii. p. 128.

† He was killed at the battle of Pavia.

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whom she and her family were deeply attached. Her relations with the king had thus continued undisturbed until his second marriage. As the representative of the House of York she was the object of the hopes and affections of the remnants of their party, but she had betrayed no disposition to abuse her influence, or to disturb the quiet of the nation for personal ambition of her own. CH. 7. A.D. 1533. December.

If it be lawful to interpret symptoms in themselves trifling by the light of later events, it would seem as if her attitude now underwent a material change. Her son Reginald had already quarrelled with the king upon the divorce. He was in suspicious connexion with the pope, and having been required to return home upon his allegiance, had refused obedience. His mother, and his mother's attached friend, the Marchioness of Exeter, we now find among those to whom the Nun of Kent communicated her prophecies and her plans. It does not seem that the countess thought at any time of reviving her own pretensions; it does seem that she was ready to build a throne for the Princess Mary out of the ruined supporters of her father's family. The power which she could wield might at any moment become formidable. She had two sons in England, Lord Montague and Sir Geoffrey Pole. Her cousin, the Marquis of Exeter, a grandson himself of Edward IV.,* was, with the exception of the Duke of Norfolk, the most powerful nobleman Reginald Pole. The Marquis of Exeter.

* Courtenay, Earl of Devonshire, married Catherine, daughter of Edward.

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Ch. 7. A.D. 1533. December.

in the realm; and he, to judge by events, was beginning to look coldly on the king.* We find her surrounded also by the representatives of her mother's family—Lord Abergavenny, who had been under suspicion when the Duke of Buckingham was executed, Sir Edward Neville, afterwards executed, Lord Latimer, Sir George and Sir William Neville, all of them were her near connexions, all collateral heirs of the King-maker, inheriting the pride of their birth, and resentfully conscious of their fallen fortunes. The support of a party so composed would have added formidable strength to the preaching friars of the Nun of Kent; and as I cannot doubt that the Nun was endeavouring to press her intrigues in a quarter where disaffection if created would be most dangerous, so the lady who ruled this party with a patriarchal authority had listened to her suggestions; and the repeated interviews with her which were sought by the Marchioness of Exeter were rendered more than suspicious by the secresy with which these interviews were conducted.†

The Nevilles.

The strength of the White Rose faction.

Examination, on suspicion, of Sir William and Sir George Neville.

These circumstances explain the arrest, to which I alluded above, of Sir William and Sir George Neville, brothers of Lord Latimer. They were not among 'the many noblemen' to whom

* Believe me, my lord, there are some here, and those of the greatest in the land, who will be indignant if the Pope confirm the sentence against the late Queen. —D'Inteville to Montmorency: *The Pilgrim*, p. 97.

† She once rode to Canterbury, disguised as a servant, with only a young girl for a companion.—Depositions of Sir Geoffrey Pole: *Rolls House MS.*

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the commissioners referred; for their confessions remain, and contain no allusion to the Nun; but they were examined at this particular time on general suspicion; and the arrest, under such circumstances, of two near relatives of Lady Salisbury, indicates clearly an alarm in the council, lest she might be contemplating some serious movements. At any rate, either on her account or on their own, the Nevilles fell under suspicion, and while they had no crimes to reveal, their depositions, especially that of Sir William Neville, furnish singular evidence of the temper of the times.

Confession of Sir William Neville.

The confession of the latter begins with an account of the loss of certain silver spoons, for the recovery of which Sir William sent to a wizard who resided in Cirencester. The wizard took the opportunity of telling Sir William's fortune: his wife was to die, and he himself was to marry an heiress, and be made a baron; with other prospective splendours. The wizard concluded, however, with recommending him to pay a visit to another dealer in the dark art more learned than himself, whose name was Jones, at Oxford.

Jones, the Oxford conjuror.

'So after that,' said Sir William [Midsummer, 1532], 'I went to Oxford, intending that my brother George and I should kill a buck with Sir Simon Harcourt, which he had promised me; and there at Oxford, in the said Jones's chamber, I did see certain stillatories, alembics, and other instruments of glass, and also a sceptre and other things, which he said did appertain to the con-

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juration of the four kings; and also an image of white metal; and in a box, a serpent's skin, as he said, and divers books and things, whereof one was a book which he said was my Lord Cardinal's, having pictures in it like angels. He told me he could make rings of gold, to obtain favour of great men; and said that my Lord Cardinal had such; and promised my said brother and me, either of us, one of them; and also he showed me a round thing like a ball of crystal.

'He said that if the King's Grace went over to France [the Calais visit of October, 1532], his Grace should marry my Lady Marchioness of Pembroke before that his Highness returned again; and that it would be dangerous to his Grace, and to the most part of the noblemen that should go with him; saying also that he had written to one of the king's council to advise his Highness not to go over, for if he did, it should not be for his Grace's profit.'

The wizard next pretended that he had seen a vision of a certain room in a tower, in which a spirit had appeared with a coat of arms in his hand, and had 'delivered the same to Sir William Neville.' The arms being described as those of the Warwick family, Sir William, his brother, and Jones rode down from Oxford to Warwick, where they went over the castle. The wizard professed to recognise in a turret chamber the room in which he had seen the spirit, and he prophesied that Sir William should recover the earldom, the long-coveted prize of all the Neville family.

The Nevilles to recover the Earldom of Warwick.

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On their return to Oxford, Jones, continues Sir William, said further, 'That there should be a field in the north about a se'nnight before Christmas, in which my Lord my brother [Lord Latimer] should be slain; the realm should be long without a king; and much robbery would be within the realm, specially of abbeys and religious houses, and of rich men, as merchants, graziers, and others; so that, if I would, he at that time would advise me to find the means to enter into the said castle for mine own safeguard, and divers persons would resort unto me. *None of Cadwallader's blood*, he told me, *should reign more than twenty-four years;* and also that Prince Edward [son of Henry VI. and Margaret of Anjou, killed at Tewkesbury], had issue a son which was conveyed over sea; and there had issue a son which was yet alive, either in Saxony or Almayne; and that either he or the King of Scots should reign next after the King's Grace that now is. To all which I answered,' Sir William concluded, 'that there is nothing which the will of God is that a man shall obtain, but that he of his goodness will put in his mind the way whereby he shall come by it; and that surely I had no mind to follow any such fashion; and that, also, the late Duke of Buckingham and others had cast themselves away by too much trust in prophecies, and other jeopardings of themselves, and therefore I would in no wise follow any such way. He answered, if I would not, it would be long ere I obtained it. Then I

Prophecy that none of Cadwallader's blood should reign more than twenty-four years.

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Ch. 7. said I believed that well, and if it never came, I trusted to God to live well enough.'*

A.D. 1533. December. Sir George Neville confirmed generally his brother's story, protesting that they had never intended treason, and that 'at no time had he been of counsel' when any treason was thought of.†

The wizard summoned before the Council. The wizard himself was next sent for. The prophecies about the king he denied wholly. He admitted that he had seen an angel in a dream giving Sir William Neville the shield of the earldom in Warwick Castle, and that he had accompanied the two brothers to Warwick, to examine the tower. Beyond that, he said that he knew nothing either of them or of their intentions. He declared himself a good subject, and he

He undertakes to make the philosopher's stone, and will jeopard his life upon it. would 'jeopard his life' to make the philosopher's stone for the king in twelve months if the king pleased to command him. He desired 'no longer space than twelve months upon silver and twelve and a half upon gold;' to be kept in prison till he had done it; and it would be 'better to the King's Grace than a thousand men.'‡

The result of these examinations does not appear, except it be that the Nevilles were dismissed without punishment; and the story itself may be thought too trifling to have deserved a

Evidence in these confessions of the unrest and grave notice. I see in it, however, an illustration very notice-worthy of the temper which was working in the country. The suspicion of treason

* Confession of Sir William Neville: *Rolls House MS.*

† Confession of Sir George Neville: Ibid.

‡ Confession of the Oxford Wizard: Ibid.

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in the Neville family may not have been confirmed, although we see them casting longing looks on the lost inheritance of Warwick; but their confessions betray the visions of impending change, anarchy, and confusion, which were haunting the popular imagination. A craving after prophecies, a restless eagerness to search into the future by abnormal means, had infected all ranks from the highest to the lowest; and such symptoms, when they appear, are a sure evidence of approaching disorder, for they are an evidence of a present madness which has brought down wisdom to a common level with folly. At such times, the idlest fancy is more potent with the mind than the soundest arguments of reason. The understanding abdicates its functions; and men are given over, as if by magic, to the enchantments of insanity.

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A.D. 1533. December. agitation of the country.

Phenomena of this eccentric kind always accompany periods of intellectual change. Most men live and think by habit; and when habit fails them, they are like unskilful sailors who have lost the landmarks of their course, and have no compass and no celestial charts by which to steer. In the years which preceded the French Revolution, Cagliostro was the companion of princes—at the dissolution of paganism the practicers of curious arts, the witches and the necromancers, were the sole objects of reverence in the Roman world;—and so, before the Reformation, archbishops and cardinals saw an inspired prophetess in a Kentish servant girl; Oxford heads of colleges sought out heretics with the help of astrology;

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Anne Boleyn blessed a basin of rings, her royal fingers pouring such virtue into the metal that no disorder could resist it;* Wolsey had a magic crystal; and Cromwell, while in Wolsey's household, 'did haunt to the company of a wizard.'† These things were the counterpart of a religion which taught that slips of paper, duly paid for, could secure indemnity for sin. It was well for England that the chief captain at least was proof against the epidemic—no random scandal seems ever to have whispered that such delusions had touched the mind of the king.‡

The king incurs the censures of the church.

While the government were prosecuting these inquiries at home, the law at the Vatican had run its course; November passed, and as no submission had arrived, the sentence of the 12th of July came into force, and the king, the queen, and the Archbishop of Canterbury were declared to have incurred the threatened censures.

Measures of the Council.

The privy council met on the 2nd of December, and it was determined in consequence that copies of the 'Act of Appeals,' and of the king's 'provocation' to a general council, should be fixed without delay on every church door in England. Protests were at the same time to be drawn up and sent into Flanders, and to the other courts in Europe, 'to the intent the falsehood and injustice of the Bishop of Rome might appear

* Queen Anne Boleyn to Gardiner: BURNET'S *Collectanea*, p. 355. Office for the Consecration of Cramp Rings: Ibid.

† So at least the Oxford Wizard said that Sir William Neville had told him.—Confession of the Wizard: *Rolls House MS.* But the authority is not good.

‡ Henry alone never listened seriously to the Nun of Kent.

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to all the world.' The defences of the country were to be looked to; and 'spies' to be sent into Scotland to see 'what they intended there,' 'and whether they would confeder themselves with any outward princes.' Finally, it was proposed that the attempt to form an alliance with the Lutheran powers should be renewed on a larger scale; that certain discreet and grave persons should be appointed to conclude 'some league or amity with the princes of Germany'—'that is to say, the King of Poland, the King of Hungary,* the Duke of Saxony, the Duke of Bavaria, the Duke of Brandenburg, the Landgrave of Hesse, and other potentates.'† Vaughan's mission had been merely tentative, and had failed. Yet the offer of a league, offensive and defensive, the immediate and avowed object of which was a general council at which the Protestants should be represented, might easily succeed where vague offers of amity had come to nothing. The formation of a Protestant alliance, however, would have been equivalent to a declaration of war against Catholic Europe; and it was a step which could not be taken, consistently with the Treaty of Calais, without first communicating with Francis.

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A.D. 1533. December.

Renewed suggestion of a Protestant league.

Henry, therefore, by the advice of the council, wrote a despatch to Sir John Wallop, the ambassador at Paris, which was to be laid before the

The king writes to Francis, menacing him with this expedient.

* John of Transylvania, the rival of Ferdinand. His designation by the title of king in an English state paper was a menace that, if driven to extremities, Henry would support him against the empire.

† Acts of Council: *State Papers*, vol. i. pp. 414–15.

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CH. 7. A.D. 1533. French court. He explained the circumstances in which he was placed, with the suggestion which the council had made to him. He gave a list of the princes with whom he had been desired by his ministers to connect himself—and the object was nothing less than a coalition of Northern Europe.

Dec. 2. He recapitulated the injuries which he had received from the pope, who at length was studying 'to subvert the rest and peace of the realm;' 'yea, and so much as in him was, utterly to destroy the same.' The nobles and council, he said, for their own sake as well as for the sake of the kingdom, had entreated him to put an end, once for all, to the pope's usurpation; and to invite the Protestant princes, for the universal weal of Christendom, to unite in a common alliance. In his present situation he was inclined to act upon this advice. 'As concerning his own realm, he had already taken such order with his nobles and subjects, as he would shortly be able to give to the pope such a buffet as he never had heretofore;' but as a German alliance was a matter of great weight and importance, 'although,' he concluded, 'we consider it to be right expedient to set forth the same with all diligence, yet we intend nothing to do therein without making our good brother first privy thereunto. And for this cause and consideration only, you may say that we have at this time addressed these letters unto you, commanding you to declare our said purpose unto our good brother, and to require of him on our behalf his good address and best advice. Of his answer we require you to adver-

A Protestant alliance highly desirable to put an end to the usurpation of the pope.

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tise us with all diligence, for according thereunto we intend to attemper our proceedings. We have lately had advertisements how that our said good brother should, by the labour of divers affectionate Papists, be minded to set forth something with his clergy in advancement of the pope and his desires. This we cannot believe that he will do.' *

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A.D. 1533. December. He will not act, however, without first consulting his good brother.

The meaning of this letter lies upon the surface. If the European powers were determined to leave him no alternative, the king was prepared to ally himself with the Lutherans. But however he might profess to desire that alliance, it was evident that he would prefer, if possible, a less extreme resource. The pope had ceased to be an object of concern to him; but he could not contemplate, without extreme unwillingness, a separation from the orderly governments who professed the Catholic faith. The pope had injured him; Francis had deceived him; they had tempted his patience because they knew his disposition. The limit of endurance had been reached at length; yet, on the verge of the concluding rupture, he turned once more, as if to offer a last opportunity of peace.

Meaning of this letter. He will join Germany sooner than yield to the pope, but he trusts that Francis will not drive him to it.

The reply of Francis was an immediate mission of the Bishop of Bayonne (now Bishop of Paris), first into England, and from England to Rome, where he was to endeavour, to the best of his ability, to seam together the already gaping rent in the church with fair words — a

Mission of the Bishop of Paris to England.

* Henry VIII. to Sir John Wallop: *State Papers*, vol. vii. p. 524.

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Ch. 7. hopeless task—the results of which, however, were unexpectedly considerable, as will be presently seen.

A.D. 1533. December.

Threatening attitude of the Court of Brussels.

Meanwhile, on the side of Flanders, the atmosphere was dubious and menacing. The refugee friars, who were reported to be well supplied with money from England, were labouring to exasperate the people, Father Peto especially distinguishing himself upon this service.* The English ambassador, Sir John Hacket, still remained at Brussels, and the two governments were formally at peace; but when Hacket required the queen-regent to forbid the publication of the brief of July in the Netherlands, he was met with a positive refusal. 'M. Ambassador,' she said, 'the Emperor, the King of Hungary, the Queen of France, the King of Portugal, and I, understand what are the rights of our aunt—our duty is to her—and such letters of the pope as come hither in her favour we shall obey. Your master has no right to complain either of the emperor or of myself, if we support our aunt in a just cause.'† At the same time, formal com-

The English ambassador requests the queen-regent to forbid the publication of the papal censures in Flanders. She refuses.

* Stephen Vaughan to Cromwell: *State Papers*, vol. vii. p. 517. Vaughan describes Peto with Shakespearian raciness. 'Peto is an ipocrite knave, as the most part of his brethren be; a wolf; a tiger clad in a sheep's skin. It is a perilous knave—a raiser of sedition—an evil reporter of the King's Highness—a prophecyer of mischief—a fellow I would wish to be in the king's hands, and to be shamefully punished. Would God I could get him by any policy—I will work what I can. Be sure he shall do nothing, nor pretend to do nothing, in these parts, that I will not find means to cause the King's Highness to know. I have laid a bait for him. He is not able to wear the clokys and cucullys that be sent him out of England, they be so many.'

† Hacket to Henry VIII.: *State Papers*, vol. vii. p. 528.

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plaints were made by Charles of the personal treatment of Queen Catherine, and the clouds appeared to be gathering for a storm. Yet here, too, there was an evident shrinking from extremities. A Welsh gentleman had been at Brussels to offer his services against Henry, and had met with apparent coldness. Sir John Hacket wrote, on the 15th of December, that he was assured by well-informed persons, that so long as Charles lived, he would never be the first to begin a war with England, 'which would rebound to the destruction of the Low Countries.'* A week later, when the queen-regent was suffering from an alarming illness, he said it was reported that, should she die, Catherine or Mary, if either of them was allowed to leave England, would be held 'meet to have governance of the Low Countries.'† This was a generous step, if the emperor seriously contemplated it. The failure of the Nun of Kent had perhaps taught him that there was no present prospect of a successful insurrection. In his conduct towards England, he was seemingly governing himself by the prospect which might open for a successful attack upon it. If occasion offered to strike the government in connexion with an efficient Catholic party in the nation itself, he would not fail to avail himself of it.‡ Otherwise, he would perhaps content

Dec. 15.

Dec. 23.

Proposal to make Catherine or Mary Regent of the Netherlands.

Charles waiting upon events.

* Hacket to Henry VIII.: *State Papers*, vol. vii. p. 530.

† Hacket to Cromwell: *State Papers*, vol. vii. p. 531.

‡ So at least Henry supposed, if we may judge by the resolutions of the Council 'for the fortification of all the frontiers of the realm, as well upon the coasts of the sea as the frontiers foreanenst Scotland.' The fortresses and havens were to be 'fortefyed and munited;' and money to be sent to York to be in readiness 'if any business should happen.'—Ibid. vol. i. p. 411.

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CH. 7. himself with an attitude of inactive menace; unless menaced himself by a Protestant confederation.

A.D. 1534. Jan. 15. Meeting of parliament.

Amidst these uneasy symptoms at home and abroad, parliament re-assembled on the 15th of January. It was a changed England since these men first came together on the fall of Wolsey. Session after session had been spent in clipping the roots of the old tree which had overshadowed them for centuries. On their present meeting they were to finish their work, and lay it prostrate for ever. Negotiations were still pending with the See of Rome, and this momentous session had closed before the final catastrophe. The measures which were passed in the course of it are not, therefore, to be looked upon as adopted hastily, in a spirit of retaliation, but as the consistent accomplishment of a course which had been deliberately adopted, to reverse the positions of the civil and spiritual authority within the realm, and to withdraw the realm itself from all dependence on a foreign power.

The Annates and Firstfruits' Bill had not yet received the royal assent; but the pope had refused to grant the bulls for bishops recently appointed, and he was no longer to receive payment for services which he refused to render. Peter's pence were still paid, and might continue to be paid, if the pope would recollect himself; but, like the Sibyl of Cuma, Henry destroyed some fresh privilege with each delay of justice, demanding the same price for the preservation of what remained. The secondary streams of tribute now only remained to the Roman See; and com-

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munion with the English church, which it was for Clement to accept or refuse. CH. 7.

A.D. 1534. January. Opening business of the session.

The circumstances under which the session opened were, however, grave and saddening. Simultaneously with the concluding legislation on the church, the succession to the throne was to be determined in terms which might, perhaps, be accepted as a declaration of war by the emperor; and the affair of the Nun of Kent had rendered necessary an inquiry into the conduct of honoured members of the two Houses, who were lying under the shadow of high treason. The conditions were for the first time to be plainly seen under which the Reformation was to fight its way. The road which lay before it was beset not merely with external obstacles, which a strong will and a strong hand could crush, but with the phantoms of dying faiths, which haunted the hearts of all living men; the superstitions, the prejudices, the hopes, the fears, the passions, which swayed stormily and fitfully through the minds of every actor in the great drama.

Perils of the Reformation.

The uniformity of action in the parliament of 1529, during the seven years which it continued, is due to the one man who saw his way distinctly, Thomas Cromwell. The nation was substantially united on the divorce question, could the divorce be secured without a rupture with the European powers. It was united also on the necessity of limiting the jurisdiction of the clergy, and cutting short the powers of the consistory courts. But in questions of 'opinion' there was the most sensitive jealousy; and from

Cromwell only sees his way clearly.

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Ch. 7. A.D. 1534. January.

the combined instincts of prejudice and conservatism, the majority of the country in a count of heads would undoubtedly have been against a separation from Rome.

The clergy professed to approve the acts of the government, but it was for the most part with the unwilling acquiescence of men who were without courage to refuse. The king was divided against himself. Nine days in ten he was the clear-headed, energetic, powerful statesman; on the tenth he was looking wistfully to the superstition which he had left, and the clear sunshine was darkened with theological clouds, which broke in lightning and persecution. Thus there was danger at any moment of a reaction, unless opportunity was taken at the flood, unless the work was executed too completely to admit of re-consideration, and the nation committed to a course from which it was impossible to recede. The action of the conservatives was paralysed for the time by the want of a fixed purpose. The various parts of the movement were so skilfully linked together, that partial opposition to it was impossible; and so long as the people had to choose between the pope and the king, their loyalty would not allow them to hesitate. But very few men actively adhered to Cromwell. Cromwell had struck the line on which the forces of nature were truly moving—the resultant, not of the victory of either of the extreme parties, but of the joint action of their opposing forces. To him belonged the rare privilege of genius, to see what other men could not see; and therefore he was condemned to rule a generation which hated him, to

Struggle in Henry's mind between light and darkness.

Danger of reaction.

Peculiarity of Cromwell's genius.

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do the will of God, and to perish in his success. He had no party. By the nobles he was regarded with the same mixed contempt and fear which had been felt for Wolsey. The Protestants, perhaps, knew what he was, but he could only purchase their toleration by himself checking their extravagance. Latimer was the only person of real power on whose friendship he could calculate, and Latimer was too plain spoken on dangerous questions to be useful as a political supporter.

The session commenced on the 15th of January.

The first step was to receive the final submission of convocation. The undignified resistance was at last over, and the clergy had promised to abstain for the future from unlicensed legislation. To secure their adherence to their engagements, an act* was passed to make the breach of that engagement penal; and a commission of thirty-two persons, half of whom were to be laymen, was designed for the revision of the Canon law.†

The clergy make their final submission.

Mixed Commission, intended for the revision of the Canon law.

The next most important movement was to assimilate the trials for heresy with the trials for other criminal offences. I have already explained at length the manner in which the bishops abused their judicial powers. These powers were not absolutely taken away, but ecclesiastics were no longer permitted to arrest *ex officio* and examine at their pleasure. Where a charge of heresy was to be brought against a man, presentments were to be made by lawful witnesses

Reform in the law for the prosecution of heretics.

* 25 Hen. VIII. cap. 19.

† A design which unfortunately was not put in effect. In the hurry of the time it was allowed to drop.

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Ch. 7. A.D. 1534. January.

before justices of the peace; and then, and not otherwise, he might fall under the authority of the 'ordinary.' Secret examinations were declared illegal. The offender was to be tried in open court, and, previous to his trial, had a right to be admitted to bail, unless the bishop could show cause to the contrary to the satisfaction of two magistrates.*

This was but a slight instalment of lenity; but it was an indication of the turning tide. Limited as it was, the act operated as an effective check upon persecution till the passing of the Six Articles Bill.

The Annates Act having received the royal assent,

Turning next to the relations between England and Rome, the parliament reviewed the Annates Act,† which had been left unratified in the hope that the pope might have consented to a compromise, and that 'by some gentle ways the said exaction might have been redressed and reformed.' The expectation had been disappointed. The pope had not condescended to reply to the communication which had been made to him, and the act had in consequence received the royal assent. An alteration had thus become necessary in the manner of presentation to vacant bishoprics. The anomalies of the existing practice have been already described. By the Great Charter the chapters had acquired the right of free election. A *congé d'élire* was granted by the king on the occurrence of a vacancy, with no attempt at a nomination. The chapters were

An alteration is necessary in the mode of electing bishops.

* 25 Henry VIII. cap. 14.
† 23 Henry VIII. cap. 20.

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supposed to make their choice freely, and the name of the bishop-elect was forwarded to the pope, who returned the Pallium and the Bulls, receiving the Annates in exchange. The pope's part in the matter was now terminated. No Annates would be sent any longer to Rome, and no Bulls would be returned from Rome. The appointments lay between the chapters and the crown; and it might have seemed, at first sight, as if it would have been sufficient to omit the reference to the papacy, and as if the remaining forms might continue as they were. The chapters, however, had virtually long ceased to elect freely; the crown had absorbed the entire functions of presentation, sometimes appointing foreigners,* sometimes allowing the great ecclesiastical ministers to nominate themselves;† while the rights of the chapters, though existing in theory, were not officially recognised either by the pope or by the crown. The king affected to accept the names of the prelates-elect, when returned to him from Rome, as nominations by the pope; and the pope, in communicating with the chapters, presented them with their bishops as from himself.‡

A.D. 1534. January.

The Chapters had gradually lost the privileges granted to them by the Great Charter.

The nomination had virtually rested with the crown.

* At this very time Campeggio was Bishop of Salisbury, and Ghinucci, who had been acting for Henry at Rome, was Bishop of Worcester. The Act by which they were deprived speaks of these two appointments as *nominations* by the king.—25 Henry VIII. cap. 27.

† Wolsey held three bishoprics and one archbishopric, besides the abbey of St. Albans.

‡ Thus when Wolsey was presented, in 1514, to the See of Lincoln, Leo X. writes to his beloved son Thomas Wolsey how that in his great care for the interests of the Church, 'Nos hodie Ecclesiæ Lincolniensi, te in episcopum et pastorem præficere intendimus.' He then informs the Chapter of Lincoln of the appointment; and the king, in granting the temporalities,

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CH. 7. A.D. 1534. January.

The papal share in the matter was a shadow, but it was acknowledged under the forms of courtesy; the share of the chapters was wholly and absolutely ignored. The crisis of a revolution was not the moment at which their legal privileges could be safely restored to them. The problem of re-arrangement was a difficult one, and it was met in a manner peculiarly English. The practice of granting the *congé d'élire* to the chapters on the occurrence of a vacancy, which had fallen into desuetude, was again adopted, and the church resumed the forms of liberty: but the licence to elect a bishop was to be accompanied with the name of the person whom the chapter was required to elect; and if within twelve days the person so named had not been chosen, the nomination of the crown was to become absolute, and the chapter would incur a Premunire.*

Difficulty of re-arrangement. The *congé d'élire.*

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continues the fiction without seeming to recognise it:—'Cum dominus summus Pontifex nuper vacante Ecclesiâ cathedrali personam fidelis clerici nostri Thomæ Wolsey, in ipsius Ecclesiæ episcopum præfecerit, nos,' &c.—See the Acts in RYMER, vol. vi. part 1, pp. 55–7.

* 25 Henry VIII. cap. 20. The pre-existing unrealities with respect to the election of bishops explain the unreality of the new arrangement, and divest it of the character of wanton tyranny with which it appeared *primâ facie* to press upon the Chapters. The history of this statute is curious, and perhaps explains the intentions with which it was originally passed. It was repealed by the 2nd of the 1st of Edward VI. on the ground that the liberty of election was merely nominal, and that the Chapters ought to be relieved of responsibility when they had no power of choice. Direct nomination by the crown was substituted for the *congé d'élire*, and remained the practice till the reaction under Mary, when the indefinite system was resumed which had existed before the Reformation. On the accession of Elizabeth, the statute of 25 Henry VIII. was again enacted. The more complicated process of Henry was preferred to the more simple one of Edward, and we are naturally led to ask the reason of so singular a preference. I cannot

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This act, which I conceive to have been more arbitrary in form than in intention, was followed by a closing attack upon the remaining 'exactions' of the Bishop of Rome. The Annates were gone. There were yet to go, 'Pensions, Censes, Peter's Pence, Procurations, Fruits, Suits for Provision, Delegacies and Rescripts in causes of Contention and Appeals, Jurisdictions legatine—also Dispensations, Licenses, Faculties, Grants, Relaxations, Writs called Perinde valere, Rehabilitations, Abolitions,' with other unnamed (the parliament being wearied of naming them) 'infinite sorts of Rules, Briefs, and instruments of sundry natures, names, and kinds.' All these were perennially open sluices, which had drained England of its wealth for centuries, returning only in showers of paper, and the Commons were determined that streams so unremunerative should flow no longer. They conceived that they had been all along imposed upon, and that the 'Bishop of Rome was to be blamed for having allured and beguiled the English nation, persuading them that he had power to dispense with human laws, uses,

Peter's Pence and other forms of tribute paid to Rome abolished.

but think that it was this. The Council of Regency under Edward VI. treated the Church as an institution of the State, while Henry and Elizabeth endeavoured (under difficulties) to regard it under its more Catholic aspect of an organic body. So long as the Reformation was in progress, it was necessary to prevent the intrusion upon the bench of bishops of Romanizing tendencies, and the deans and chapters were therefore protected by a strong hand from their own possible mistakes. But the form of liberty was conceded to them, not, I hope, to place deliberately a body of clergymen in a degrading position, but in the belief that at no distant time the Church might be allowed without danger to resume some degree of self-government.

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CH. 7. and customs, contrary to right and conscience.' If the king so pleased, therefore, they would not be so beguiled any more. These and all similar exactions should cease; and all powers claimed by the Bishop of Rome within the realm should cease, and should be transferred to the crown. At the same time they would not press upon the pope too hardly; they would repeat the same conditions which they had offered with the Annates. He had received these revenues as the supreme judge in the highest court in Europe, and he might retain his revenues or receive compensation for them, if he dared to be just. It was for himself to resolve, and three months were allowed for a final decision.

A.D. 1534. January. Conditional abolition of the papal authority in England.

Three months allowed to the pope to decide.

In conclusion, the Commons thought it well to assert that they were separating, not from the church of Christ, but only from the papacy. A judge who allowed himself to be overawed against his conscience by a secular power, could not any longer be recognised; but no thing or things contained in the act should be afterwards 'interpreted or expounded, that his Grace (the king), his nobles and subjects, intended by the same to decline or vary from the congregation of Christ's church in anything concerning the articles of the Catholic faith of Christendom, or in any other things declared by the Holy Scripture and the Word of God necessary for salvation; but only to make an ordinance, by policies necessary and convenient, to repress vice, and for the good conservation of the realm in peace, unity, and tranquillity, from ravin and spoil—ensuing much the

The Commons make a general declaration that in separating from the pope, they are not separating from the unity of the faith.

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old antient customs of the realm in that behalf.'* CH. 7.

A.D. 1534. Feb. 18.

The most arduous business was thus finished—the most painful remained. The Nun of Kent and her accomplices were to be proceeded against by act of parliament; and the bill of their attainder was presented for the first time in the House of Lords, on the 18th of February. The offence of the principal conspirators was plainly high treason; their own confessions removed uncertainty; the guilt was clear—the sentence was inevitable. But the fault of those who had been listeners only was less easy of measurement, and might vary from comparative innocence to a definite breach of allegiance.

Bill of attainder against the Nun of Kent and her accomplices.

The government were unwilling to press with severity on the noble lords and ladies whose names had been unexpectedly brought to light; and there were two men of high rank only, whose complicity it was thought necessary to notice. The Bishop of Rochester's connexion with the Nun had been culpably encouraging; and the responsibility of Sir Thomas More was held also to be very great in having countenanced, however lightly, such perilous schemers.

The Bishop of Rochester and Sir Thomas More

In the bill, therefore, as it was first read, More and Fisher found themselves declared guilty of misprision of treason. But the object of this measure was rather to warn than to punish, nor was there any real intention of continuing their prosecution. Cromwell, under instructions from

Declared in the first reading of the bill guilty of misprision of treason.

* 25 Henry VIII. cap. 21.

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Ch. 7.

A.D. 1534. Feb. 18. Private communications are made to them by Cromwell that the king will accept their apology.

the king, had communicated privately with both of them. He had sent a message to Fisher through his brother, telling him that he had only to ask for forgiveness to receive it;* and he had begged More through his son-in-law, Mr. Roper, to furnish him with an explicit account of what had passed at any time between himself and the Nun,† with an intimation that, if honestly made, it would be accepted in his favour.

Sir Thomas More complies elaborately and reasonably.

These advances were met by More in the spirit in which they were offered. He heartily thanked Cromwell, 'reckoning himself right deeply beholden to him;'‡ and replied with a long, minute, and evidently veracious story, detailing an interview which he had held with the woman in the chapel of Sion Monastery. He sent at the same time a copy of a letter which he had written to her, and described various conversations with the friars who were concerned in the forgery. He did not deny that he had believed the Nun to have been inspired, or that he had heard of the language which she was in the habit of using respecting the king. He protested, however, that he had himself never entertained a treasonable thought. He told Cromwell that 'he had done a very meritorious deed in bringing forth to light such detestable hypo-

* I sent you no heavy words, but words of great comfort; willing your brother to shew you how benign and merciful the prince was; and that I thought it expedient for you to write unto his Highness, and to recognise your offence and to desire his pardon, which his Grace would not deny you now in your age and sickness.—Cromwell to Fisher: *Suppression of the Monasteries*, p. 27.

† Sir Thomas More to Cromwell: BURNET'S *Collectanea*, p. 350.

‡ Ibid.

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crisy, whereby every other wretch might take warning, and be feared to set forth their devilish dissembled falsehoods under the manner and colour of the wonderful work of God.'* More's offence had not been great. His acknowledgments were open and unreserved; and Cromwell laid his letter before the king, adding his own intercession that the matter might be passed over. Henry consented, expressing only his grief and concern that Sir Thomas More should have acted so unwisely.† He required, nevertheless, as Cromwell suggested, that a formal letter should be written, with a confession of fault, and a request for forgiveness. More obeyed; he wrote, gracefully reminding the king of a promise when he resigned the chancellorship, that in any suit which he might afterwards have to his Grace, either touching his honour or his profit, he should find his Highness his good and gracious lord.‡ Henry acknowledged his claim; his name was struck out of the bill, and the prosecution against him was dropped.

CH. 7.

A.D. 1534. Feb. 18.

More is pardoned.

Fisher's conduct was very different; his fault had been far greater than More's, and promises more explicit had been held out to him of forgiveness. He replied to these promises by an elaborate and ridiculous defence—not writing to the king, as Cromwell desired him, but vindicating himself as having committed no fault; although he had listened eagerly to language which was only

Fisher is obstinate. His fault had been deeper than More's; yet he undertakes to defend it.

* Sir Thomas More to Cromwell: BURNET, *Collectanea*, p. 350.

† More to Cromwell: STRYPE'S *Memorials*, vol. i. Appendix, p. 195.

‡ More to the King: ELLIS, first series, vol. ii. p. 47.

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Ch. 7. A.D. 1534. Feb. 18.

pardonable on the assumption that it was inspired, and had encouraged a nest of fanatics by his childish credulity. The Nun 'had showed him not,' he said, 'that any prince or temporal lord should put the king in danger of his crown.' He knew nothing of the intended insurrection. He believed the woman to have been a saint; he supposed that she had herself told the king all which she had told to him; and therefore he said that he had nothing for which to reproach himself.* He was unable to see that the exposure of the imposture had imparted a fresh character to his conduct, which he was bound to regret. Knowingly or unknowingly, he had lent his countenance to a conspiracy; and so long as he refused to acknowledge his indiscretion, the government necessarily would interpret his actions in the manner least to his advantage.

Folly of his position;

If he desired that his conduct should be forgotten, it was indispensable that he should change his attitude, and so Cromwell warned him. 'Ye desire,' the latter wrote, 'for the passion of Christ, that ye be no more quickened in this matter; for if ye be put to that strait ye will not lose your soul, but ye will speak as your conscience leadeth you; with many more words of great courage. My Lord, if ye had taken my counsel sent unto you by your brother, and followed the same, submitting yourself by your letter to the King's Grace for your offences in this behalf, I would have trusted that ye should never be quickened in the matter more. But now where ye take

Which Cromwell exposes,

* Cromwell to Fisher: *Suppression of the Monasteries*, p. 27, et seq.

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upon you to defy the whole matter as ye were in no default, I cannot so far promise you. Wherefore, my Lord, I would eftsoons advise you that, laying apart all such excuses as ye have alleged in your letters, which in my opinion be of small effect, ye beseech the King's Grace to be your gracious lord, and to remit unto you your negligence, oversight, and offence committed against his Highness in this behalf; and I dare undertake that his Highness shall benignly accept you into his gracious favour, all matter of displeasure past afore this time forgotten and forgiven.'*

A.D. 1534. And once more urges him to apologize.

Fisher must have been a hopelessly impracticable person. Instead of following More's example, and accepting well-meant advice, he persisted in the same tone, and drew up an address to the House of Lords, in which he repeated the defence which he had made to Cromwell. He expressed no sorrow that he had been engaged in a criminal intrigue, no pleasure that the intrigue had been discovered; and he doggedly adhered to his assertions of his own innocence.†

Fisher again refuses, and sends in his defence to the House of Lords.

There was nothing to be done except to proceed with his attainder. The bill passed three readings, and the various prisoners were summoned to the Star Chamber to be heard in arrest of judgment. The Bishop of Rochester's attendance was dispensed with on the ground of illness, and because he had made his defence in writing.‡ Nothing of consequence was urged by either of

March 6. The Bill passes.

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* *Suppression of the Monasteries*, p. 27, et seq.

† John Fisher to the Lords in Parliament: ELLIS, third series, vol. ii. p. 289.

‡ *Lords' Journals*, p. 72.

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Ch. 7. A.D. 1534.

the accused. The bill was most explicit in its details, going carefully through the history of the imposture, and dwelling on the separate acts of each offender. They were able to disprove no one of its clauses, and on the 12th of March it was read a last time. On the 21st it received the royal assent, and there remained only to execute the sentence. The Nun herself, Richard Masters, and the five friars being found guilty of high treason, were to die; the Bishop of Rochester, Father Abel, Queen Catherine's confessor, and four more, were sentenced for misprision of treason to forfeiture of goods and imprisonment. All other persons implicated whose names did not appear, were declared pardoned at the intercession of Queen Anne.*

The Nun and the monks to be executed.

The Bishop of Rochester and Father Abel to be imprisoned with forfeiture of goods.

April 21.

The chief offenders suffered at Tyburn on the 21st of April, meeting death calmly, as it appears; receiving a fate most necessary and most deserved,† yet claiming from us that partial respect which is due to all persons who will risk their lives in an unselfish cause. For the Nun herself, we may feel even a less qualified regret. Before her death she was permitted to speak a few words to the

* 25 Hen. VIII. cap. 12.

† In a tract written by a Dr. Moryson in defence of the government, three years later, I find evidence that a distinction was made among the prisoners, and that Dr. Bocking was executed with peculiar cruelty. 'Solus in crucem actus est Bockingus,' are Moryson's words, though I feel uncertain of the nature of the punishment which he meant to designate. 'Crucifixion' was unknown to the English law; and an event so peculiar as the 'crucifixion' of a monk would hardly have escaped the notice of the contemporary chroniclers. In a careful diary kept by a London merchant during these years, which is in MS. in the Library of Balliol College, Oxford, the whole party are said to have been hanged. — See, however, *Morysini Apomaxis*, printed by Berthelet, 1537.

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people, which at the distance of three centuries will not be read without emotion. CH. 7.

A.D. 1534. Last words of the Nun at Tyburn.

'Hither am I come to die,' she said, 'and I have not been the only cause of mine own death, which most justly I have deserved; but also I am the cause of the death of all these persons which at this time here suffer. And yet I am not so much to be blamed, considering that it was well known unto these learned men that I was a poor wench without learning; and therefore they might have easily perceived that the things which were done by me could not proceed in no such sort; but their capacities and learning could right well judge that they were altogether feigned. But because the things which I feigned were profitable unto them, therefore they much praised me, and bare me in hand that it was the Holy Ghost and not I that did them. And I being puffed up with their praises, fell into a pride and foolish fantasye with myself, and thought I might feign what I would, which thing hath brought me to this case, and for the which I now cry God and the King's Highness most heartily mercy, and desire all you good people to pray to God to have mercy on me, and on all them that here suffer with me.'*

Fisher, in spite of himself, is left unpunished.

The inferior confederates were committed to their prisons with the exception only of Fisher, who, though sentenced, found mercy thrust upon him, till by fresh provocation the miserable old man forced himself upon his fate.†

* HALL, p. 814.

† LORD HERBERT says he was pardoned; I do not find, however, on what authority: but he was certainly not imprisoned, nor was the sentence of forfeiture enforced against him.

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Ch. 7.

A.D. 1534. March.

The Act of Succession.

And now the closing seal was to be affixed to the agitation of the great question of the preceding years. I have said that throughout these years the uncertainty of the succession had been the continual anxiety of the nation. The birth of a prince or princess could alone provide an absolute security; and to beget a prince appeared to be the single feat which Henry was unable to accomplish. The marriage so dearly bought had been followed as yet only by a girl; and if the king were to die, leaving two daughters circumstanced as Mary and Elizabeth were circumstanced, a dispute would open which the sword only could decide. To escape the certainty of civil war, therefore, it was necessary to lay down the line of inheritance by a peremptory order; to cut off resolutely all rival claims; and in legislating upon a matter so vital, and hitherto so uncertain and indeterminate, to enforce the decision with the most stringent and exacting penalties. From the Heptarchy downwards English history furnished no fixed rule of inheritance, but only a series of precedents of uncertainty; and while at no previous time had the circumstances of the succession been of a nature so legitimately embarrassing, the relations of England with the pope and with foreign powers doubly enhanced the danger. But I will not use my own language on so important a subject. The preamble of the Act of Succession is the best interpreter of the provisions of that act.

The necessity of it.

'In their most humble wise show unto your Majesty your most humble and obedient sub-

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jects, the Lords Spiritual and Temporal and the Commons, in this present parliament assembled; that since it is the natural inclination of every man gladly and willingly to provide for the safety of both his title and succession, although it touch only his private cause; we therefore, most rightful and dreadful Sovereign Lord, reckon ourselves much more bounden to beseech and intreat your Highness (although we doubt not of your princely heart and wisdom, mixed with a natural affection to the same) to foresee and provide for the most perfect surety of both you and of your most lawful successors and heirs, upon which dependeth all our joy and wealth; in whom also is united and knit the only mere true inheritance and title of this realm without any contradiction. We, your said most humble and obedient servants, call to our remembrance the great divisions which in times past hath been in this realm by reason of several titles pretended to the imperial crown of the same; which some time and for the most part ensued by occasion of ambiguity, and [by] doubts then not so perfectly declared but that men might upon froward intents expound them to every man's sinister appetite and affection after their senses; whereof hath ensued great destruction and effusion of man's blood, as well of a great number of the nobles as of other the subjects and specially inheritors in the same. The greatest occasion thereof hath been because no perfect and substantial provision by law hath been made within this realm itself when doubts and questions have been moved; by reason

Ch. 7.

A.D. 1534. March.

Inasmuch as the only unquestioned title to the throne lies in the king, and in his natural heirs;

And inasmuch as in times past a disputed succession has on many occasions caused confusion and bloodshed in the realm,

Because there has been no fixed order or rule of inheritance,

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CH. 7. A.D. 1534. March.

whereof the Bishops of Rome and See Apostolic have presumed in times past to invest who should please them to inherit in other men's kingdoms and dominions, which thing we your most humble subjects, both spiritual and temporal, do much abhor and detest. And sometimes other foreign princes and potentates of sundry degrees, minding rather dissension and discord to continue in the realm than charity, equity, or unity, have many times supported wrong titles, whereby they might the more easily and facilly aspire to the superiority of the same.

And because the intrigues of the popes and of foreign princes have created sedition and confusion,

'The continuance and sufferance of these things, deeply considered and pondered, is too dangerous and perilous to be suffered any longer; and too much contrary to unity, peace, and tranquillity, being greatly reproachable and dishonourable to the whole realm. And in consideration thereof, your said subjects, calling further to their remembrance, that the good unity, peace, and wealth of the realm, specially and principally, above all worldly things, consisteth in the surety and certainty of the procreation and posterity of your Highness, in whose most Royal person at this time is no manner of doubt, do therefore most humbly beseech your Highness that it may be enacted, with the consent of the Lords Spiritual and Temporal and the Commons in this present parliament assembled—

The king's subjects intreat his Highness for their better security after his death, that it may be enacted by authority of parliament:

'1. That the marriage between your Highness and the Lady Catherine, widow of the late Prince Arthur, be declared to have been from the beginning, null, the issue of it illegitimate,

1. That the marriage with the Lady Catherine was invalid from the beginning.

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and the separation pronounced by the Archbishop of Canterbury good and valid. Ch. 7.

A.D. 1534. March.

'2. That the marriage between your Highness and your most dear and entirely beloved wife, Queen Anne, be established and held good, and taken for undoubtful, true, sincere, and perfect, ever hereafter.'* 2. That the marriage with Queen Anne is good and sincere.

The act then assumed a general character, laying down a table of prohibited degrees, within which marriage might not under any pretence be in future contracted; and demanding that any marriage which might already exist within those degrees should be at once dissolved. After this provision, it again returned to the king, and fixed the order in which his children by Queen Anne were to succeed. The details of the regulations were minute and elaborate, and the rule to be observed was the same as that which exists at present. First, the sons were to succeed with their heirs. If sons failed, then the daughters, with their heirs; and, in conclusion, it was resolved that any person who should maliciously do anything by writing, printing, or other external act or deed to the peril of the king, or to the prejudice of his marriage with Queen Anne, or to the derogation of the issue of that marriage, should be held guilty of high treason; and whoever should speak against that marriage, should be held guilty of misprision of treason—severe enactments, such as could not be justified

That the issue of the king by Queen Anne shall succeed,

And that whoever by word or deed impugned the legitimacy of that issue, shall be held guilty of treason.

* This is the substance of the provisions, which are, of course, much abridged.

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Ch. 7. A.D. 1534. March.

at ordinary times, and such as, if the times had been ordinary, would not have been thought necessary—but the exigencies of the country could not tolerate an uncertainty of title in the heir to the crown; and the title could only be secured by prohibiting absolutely the discussion of dangerous questions.

The mere enactment of a statute, whatever penalties were attached to the violation of it, was still, however, an insufficient safeguard. The recent investigation had revealed a spirit of disloyalty, where such a spirit had not been expected. The deeper the inquiry had penetrated, the more clearly appeared tokens, if not of conspiracy, yet of excitement, of doubt, of agitation, of alienated feeling, if not of alienated act. All the symptoms were abroad which provide disaffection with its opportunity; and in the natural confusion which attended the revolt from the papacy, the obligations of duty, both political and religious, had become indefinite and contradictory, pointing in all directions, like the magnetic needle in a thunderstorm.

All persons, at the king's pleasure, liable to be called upon to swear to this act.

It was thought well, therefore, to vest a power in the crown, of trying the tempers of suspected persons, and examining them upon oath, as to their willingness to maintain the decision of parliament. This measure was a natural corollary of the statute, and depended for its justification, on the extent of the danger to which the state was exposed. If a difference of opinion on the legitimacy of the king's children, or of the pope's power in England, was not dangerous, it was un-

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just to interfere with the natural liberty of speech or thought. If it was dangerous, and if the state had cause for supposing that opinions of the kind might spread in secret so long as no opportunity was offered for detecting their progress, to require the oath was a measure of reasonable self-defence, not permissible only, but in a high degree necessary and right.

A commission appointed to take the examination.

Under the impression, then, that the circumstances of the country demanded extraordinary precautions, a commission was appointed, consisting of the Archbishop of Canterbury, the Lord Chancellor, the Duke of Norfolk, and the Duke of Suffolk; and these four, or any three of them, were empowered to administer, at the pleasure of the king, 'to all and singular liege subjects of the realm,' the following oath:—

Terms of the oath to the Statute of Succession.

'Ye shall swear to bear your faith, truth, and obedience only to the King's Majesty, and to the heirs of his body, according to the limitation and rehearsal within the statute of succession; and not to any other within this realm, or foreign authority, prince, or potentate: and in case any oath be made or hath been made by you to any other person or persons, that then you do repute the same as vain and annihilate: and that to your cunning, wit, and utmost of your power, without guile, fraud, or other undue means, ye shall observe, keep, maintain, and defend this act above specified, and all the whole contents and effects thereof; and all other acts and statutes made since the beginning of this present parliament, in confirmation or for due execution of the

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Ch. 7. A.D. 1534. March 30.

same, or of anything therein contained. And thus ye shall do against all manner of persons, of what estate, dignity, degree, or condition soever they be; and in no wise do or attempt, or to your power suffer to be done or attempted, directly or indirectly, any thing or things, privily or apertly, to the let, hindrance, damage, or derogation thereof, by any manner of means, or for any pretence or cause, so help you God and all saints.'*

April 7. The news arrives in England that the pope has given sentence.

With this last resolution the House rose, having sat seventy-five days, and despatched their business swiftly. A week later, the news arrived from Rome that there too all was at length over; that the cause was decided, and decided against the king. The history of the closing catastrophe is as obscure as it is strange, and the account of the manner in which it was brought about is unfortunately incomplete in many important particulars. The outline only can be apprehended, and that very imperfectly.

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* *Lords' Journals*, vol. i. p. 82. An act was also passed in this session 'against the usurped power of the Bishop of Rome.' We trace it in its progress through the House of Lords. (*Lords' Journals*, Parliament of 1533–4.) It received the royal assent (ibid.), and is subsequently alluded to in the 10th of the 28th of Henry VIII., as well as in a Royal Proclamation dated June, 1534; and yet it is not on the Roll, nor do I anywhere find traces of it. It is not to be confounded with the act against payment of Peter's Pence, for in the *Lords' Journals* the two acts are separately mentioned. It received the royal assent on the 30th of March, while that against Peter's Pence was suspended till the 7th of April. It contained, also, an indirect assertion that the king was Head of the English Church, according to the title which had been given him by Convocation. (King's Proclamation: Foxe, vol. v. p. 69.) For some cause or other, the act at the last moment must have been withdrawn.

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CH. 7.

A.D. 1534. April.

Mission of the Bishop of Paris to Rome.

On the receipt in Paris of the letter in which Henry threatened to organize a Protestant confederacy, Du Bellay, in genuine anxiety for the welfare of Christendom, had volunteered his services for a final effort. Not a moment was to be lost, for the courts at Rome were already busy with the great cause; but the king's evident reluctance to break with the Catholic powers, gave room for hope that something might still be done; and going in person to England, the bishop had induced Henry, at the last extremity, either to entrust him with representative powers, or else to allow him after all to make some kind of concession. I am unable to learn the extent to which Henry yielded, but that an offer was made of some kind is evident from the form of the story.* The winter was very cold, but the bishop made his way to Rome with the haste of good will, and arrived in time to stay judgment, which was on the point of being pronounced. It seemed, for the moment, as if he would succeed. He was permitted to make engagements on the part of Henry; and that time might be allowed for communication with England, the pope agreed to delay sentence till the 23rd of March. The bishop's terms were approved by the king, and a courier was sent off

At first, with appearance of success.

The bishop makes terms of which Henry approves, and despatches a courier with his consent.

* See BURNET, vol. i. pp. 220–1: vol. iii. p. 135; and LORD HERBERT. Du Bellay's brother, the author of the memoirs, says that the king, at the bishop's entreaty, promised that if the pope would delay sentence, and send 'judges to hear the matter, he would himself forbear to do what he proposed to do'— that is, separate wholly from the See of Rome. If this is true, the sending 'judges' must allude to the 'sending them to Cambray,' which had been proposed at Marseilles.

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CH. 7. with letters of confirmation; Sir Edward Karne and Dr. Revett following leisurely, with a more ample commission. The stone which had been laboriously rolled to the summit of the hill was trembling on the brink, and in a moment might rebound into the plain.

A.D. 1534. April.

But this was not to be the end. Some accidental cause delayed the courier; the 23rd of March came, and he had not arrived. Du Bellay implored a further respite. The King of England, he said, had waited six years; it was not a great thing for the papal council to wait six days. The cardinals were divided; but the Spanish party were the strongest, and when the votes were taken carried the day. The die was cast, and the pope, in spite of himself, his promises, and his conscience, drove at length upon the rocks to which he had been so long drifting.* In deference to the opinion of the majority of the cardinals, he pronounced the original marriage to have been valid, the dispensation by which it was permitted to have been legal; and, as a natural consequence, Henry, King of England, should he fail in obedience to this judgment, was declared to be excommunicate from the fellowship of the church, and to have forfeited the allegiance of his subjects.

The courier is delayed on the road. The conclave are divided; a majority decide against the king, and sentence is pronounced.

Henry must either submit, or is excommunicated.

Lest the censures should be discredited by a blank discharge, engagements were entered into, that within four months of the promulgation of the sentence, the emperor would invade England,

The Imperialists engage that Charles shall enforce the sentence.

* See the letter of the Bishop of Bayonne, dated March 23, in LEGRAND. A paraphrase is given by BURNET, vol. iii. p. 132.

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and Henry should be deposed.* The imperialists illuminated Rome; cannon were fired; bonfires blazed; and great bodies of men paraded the streets with shouts of 'the Empire and Spain.'† Already, in their eager expectation, England was a second Netherlands, a captured province under the regency of Catherine or Mary. CH. 7. A.D. 1534. April.

Two days later, the courier arrived. The pope, at the entreaties of the Bishop of Paris, re-assembled the consistory, to consider whether the steps which had been taken should be undone. They sat debating all night, and the result was nothing. No dependence could be placed on the cardinals, Du Bellay said, for they spoke one way, and voted another.‡

Thus all was over. In a scene of general helplessness the long drama closed, and, what we call accident, for want of some better word, cut the knot at last over which human incapacity had so vainly laboured. The Bishop of Paris retired from Rome in despair. On his way back, he met the English commissioners at Bologna, and told them that their errand was hopeless, and that they need not proceed. 'When we asked him,' wrote Sir Edward Karne to the king, 'the cause of such hasty process, he made answer that the imperialists at Rome had strengthened themselves in such a manner, that they coacted the

Du Bellay says that the pope was 'coacted' by the Spanish party against his judgment.

* Promisistis predecessori meo quod si sententiam contra regem Angliæ tulisset, Cæsar illum infra quatuor menses erat invasurus, et regno expulsurus.—*State Papers*, vol. vii. p. 579.

† Letter of Du Bellay in LEGRAND.

‡ Ibid.

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said Bishop of Rome to give sentence contrary to his own mind, and the expectation of himself and of the French king. He showed us also that the Lady Princess Dowager sent lately, in the month of March past, letters to the Bishop of Rome, and also to her proctors, whereby the Bishop of Rome was much moved for her part. The imperials, before the sentence was given, promised, in the emperor's behalf, that he would be the executor of the sentence.'*

This is all which we are able to say of the immediate catastrophe which decided the fate of England, and through England, of the world. The deep impenetrable falsehood of the Roman ecclesiastics prevents us from discovering with what intentions the game of the last few weeks or months had been played; it is sufficient for Englishmen to remember that, whatever may have been the explanation of his conduct, the pope, in the concluding passage of his connexion with this country, furnished the most signal justification which was ever given for the revolt from an abused authority. The supreme judge in Christendom had for six years trifled with justice, out of fear of an earthly prince; he concluded these years with uniting the extreme of folly with the extreme of improbity, and pronounced a sentence, willingly or unwillingly, which he had acknowledged to be unjust.

Papal diplomacy.

Charity may possibly acquit Clement of con-

* Sir Edward Karne and Dr. Revett to Henry VIII.: *State Papers*, vol. vii. pp. 553–4.

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scious duplicity. He was one of those men who waited upon fortune, and waited always without success; who gave his word as the interest of the moment suggested, trusting that it might be convenient to observe it; and who was too long accustomed to break his promises to look with any particular alarm on that contingency. It is possible, also,—for of this Clement was capable—that he knew from the beginning the conclusion to which he would at last be driven; that he had engaged himself with Charles to decide in Catherine's favour as distinctly as he had engaged himself with Francis to decide against her; and that all his tortuous scheming was intended either to weary out the patience of the King of England, or to entangle him in acknowledgments from which he would not be able to extricate himself.

Clement had formed a mistaken notion of the English temper,

He was mistaken, certainly, in the temper of the English nation; he believed what the friars told him; and trusting to the promises of disaffection, insurrection, invasion—those *ignes fatui* which for sixty years floated so delusively before the Italian imagination, he imagined, perhaps, that he might trifle with Henry with impunity. This only is impossible, that, if he had seriously intended to fulfil the promises which he had made to the French king, the accidental delay of a courier could have made so large a difference in his determination. It is not possible that, if he had assured himself, as he pretended, that justice was on the side against which he had declared, he would not have availed

But his true intentions are inscrutable.

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CH. 7. himself of any pretext to retreat from a position which ought to have been intolerable to him.

A.D. 1534. April.

The question, however, had ended, 'as all things in this world do have their end.' The news of the sentence arrived in England at the beginning of April, with an intimation of the engagements which had been entered upon by the imperial ambassador for an invasion. Du Bellay returned to Paris at the same time, to report the failure of his undertaking; and Francis, disappointed, angry, and alarmed, sent the Duke of Guise to London with promises of support if an attempt to invade was really made, and with a warning at the same time to Henry to prepare for danger. Troops were gathering in Flanders; detachments were on their way out of Italy, Germany, and Bohemia, to be followed by three thousand Spaniards, and perhaps many more; and the object avowed for these preparations was wholly incommensurate with their magnitude.* For his own sake Francis could not permit a successful invasion of England, unless, indeed, he himself was to take part in it; and therefore, with entire sincerity, he offered his services. The cordial understanding for which Henry had hoped was at an end; but the political confederacy remained, which the interests of the two countries combined for the present to preserve unbroken.

Francis warns Henry to prepare for danger.

Preparation in Flanders for an invasion of England.

Guise proposed another interview at Calais

Proposal for a new meeting between Francis and Henry.

* *State Papers*, vol. vii. p. 560, et seq.

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between the sovereigns. The king for the moment was afraid to leave England,* lest the opportunity should be made use of for an insurrection; but prudence taught him, though disappointed in Francis, to make the best of a connexion too convenient to be sacrificed. The German league was left in abeyance till the immediate danger was passed, and till the effect of the shock in England itself had been first experienced. He gladly accepted, in lieu of it, an offer that the French fleet should guard the Channel through the summer; and meanwhile, he collected himself resolutely, to abide the issue, whatever the issue was to be.

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Which Henry is afraid to accept, lest there should be a rising in his absence.

The French fleet guard the Channel.

The Tudor spirit was at length awake in the English sovereign. He had exhausted the resources of patience; he had stooped even to indignity to avoid the conclusion which had come at last. There was nothing left but to meet defiance by defiance, and accept the position to which the pope had driven him. In quiet times occasionally wayward and capricious, Henry, like Elizabeth after him, reserved his noblest nature for the moments of danger, and was ever greatest when peril was most immediate. Woe to those who crossed him now, for the time was grown stern, and

Effect of the sentence upon Henry.

* His Highness, considering the time and the malice of the emperour, cannot conveniently pass out of the realm—since he leaveth behind him another daughter and a mother, with their friends, maligning his enterprises in this behalf—who bearing no small grudge against his most entirely beloved Queen Anne, and his young daughter the princess, might perchance in his absence take occasion to excogitate and practise with their said friends matters of no small peril to his royal person, realm, and subjects.—*State Papers*, vol. vii. p. 559.

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Ch. 7.

A.D. 1534. April. April 7. Convocation declares the pope's authority abolished.

to trifle further was to be lost. The suspended act of parliament was made law on the day (it would seem) of the arrival of the sentence. Convocation, which was still sitting, hurried through a declaration that the pope had no more power in England than any other bishop.* Five years before, if a heretic had ventured so desperate an opinion, the clergy would have shut their ears and run upon him: now they only contended with each other in precipitate obsequiousness. The houses of the Observants at Canterbury and Greenwich, which had been implicated with the Nun of Kent, were suppressed, and the brethren were scattered among monasteries where they could be under surveillance. The Nun and her friends were sent to execution.† The ordnance stores were examined, the repairs of the navy were hastened, and the garrisons were strengthened along the coast. Everywhere the realm armed itself for the struggle, looking well to the joints of its harness and to the temper of its weapons.

The garrisons are strengthened along the coasts.

The commission sits to receive the oaths of allegiance.

The commission appointed under the Statute of Succession opened its sittings to receive the oaths of allegiance. Now, more than ever, was it necessary to try men's dispositions, when the pope had challenged their obedience. In words all went well: the peers swore; bishops, abbots, priors, heads of colleges, swore‡ with

* Lord Herbert.

† I mentioned their execution in connexion with their sentence; but it did not take place till the 20th of April, a month after their attainder: and delay of this kind was very unusual in cases of high treason. I have little doubt that their final sentence was in fact pronounced by the pope.

‡ The oaths of a great many are in Rymer, vol. vi. part 2, p. 195, et seq.

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scarcely an exception,—the nation seemed to unite in an unanimous declaration of freedom. In one quarter only, and that a very painful one, was there refusal. It was found solely among the persons who had been implicated in the late conspiracy. Neither Sir Thomas More nor the Bishop of Rochester could expect that their recent conduct would exempt them from an obligation which the people generally accepted with good will. They had connected themselves, perhaps unintentionally, with a body of confessed traitors. An opportunity was offered them of giving evidence of their loyalty, and escaping from the shadow of distrust. More had been treated leniently; Fisher had been treated far more than leniently. It was both fair and natural that they should be called upon to give proof that their lesson had not been learnt in vain; and, in fact, no other persons, if they had been passed over, could have been called upon to swear, for no other persons had laid themselves open to so just suspicion.

A.D. 1534. April.

Sir Thomas More is required to swear.

Their conduct so exactly tallied, that they must have agreed beforehand on the course which they would adopt; and in following the details, we need concern ourselves only with the nobler figure.

The commissioners sate at the archbishop's palace at Lambeth; and at the end of April, Sir Thomas More received a summons to appear before them.* He was at his house at Chelsea, where for

* His great-grandson's history of him (*Life of Sir Thomas More*, by CRESACRE MORE, written about 1620, published

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CH. 7. A.D. 1534. April.

the last two years he had lived in deep retirement, making ready for evil times. Those times at length were come. On the morning on which he was to present himself, he confessed and received the sacrament in Chelsea church; and 'whereas,' says his great-grandson, 'at other times, before he parted from his wife and children, they used to bring him to his boat, and he there kissing them bade them farewell, at this time he suffered none of them to follow him forth of his gate, but pulled the wicket after him, and with a heavy heart he took boat with his son Roper.'* He was leaving his home for the last time, and he knew it. He sat silent for some minutes, and then, with a sudden start, said, 'I thank our Lord, the field is won.' Lambeth Palace was crowded with people who had come on the same errand with himself. More was called in early, and found Cromwell present with the four commissioners, and also the Abbot of Westminster. The oath was read to him. It implied that he should keep the statute of succession in all its parts, and he desired to see the statute itself. He read it through, and at once replied that others might do as they pleased; he would blame no one for taking the oath; but for himself it was impossible. He would swear willingly to the part of it which secured the succes-

He confesses at Chelsea church,

April 25. And goes by boat to Lambeth.

The oath is read to him, and he refuses it.

1627, with a dedication to Henrietta Maria) is incorrect in so many instances that I follow it with hesitation; but the account of the present matter is derived from Mr. Roper, More's son-in-law, who accompanied him to Lambeth, and it is incidentally confirmed in various details by More himself.

* MORE'S *Life of More*, p. 232.

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sion to the children of Queen Anne.* That was a matter on which parliament was competent to decide, and he had no right to make objections. If he might be allowed to take an oath to this portion of the statute in language of his own, he would do it; but as the words stood, he would 'peril his soul' by using them. The Lord Chancellor desired him to re-consider his answer. He retired to the garden, and in his absence others were called in; among them the Bishop of Rochester, who refused in the same terms. More was then recalled. He was asked if he persisted in his resolution; and when he replied that he did, he was requested to state his reasons. He said that he was afraid of increasing the king's displeasure, but if he could be assured that he might explain himself safely he was ready to do so. If his objection could then be answered to his satisfaction, he would swear; in the meantime, he repeated, very explicitly, that he judged no one—he spoke only for himself.

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A.D. 1534. April.

He is desired to retire and re-consider his answer.

Fisher follows his example, and refuses also.

More again refuses.

An opening seemed to be offered in these expressions which was caught at by Cranmer's kind-hearted casuistry. If Sir Thomas More could not condemn others for taking the oath, the archbishop said, Sir Thomas More could not be sure that it was sin to take it; while his duty to his king and to the parliament was open and unquestioned.

Cranmer tries to contrive an escape for him,

More hesitated for an instant, but he speedily

But in vain.

* More held extreme republican opinions on the tenure of kings, holding that they might be deposed by act of parliament.

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Ch. 7. recovered his firmness. He had considered what he ought to do, he said; his conscience was clear about it, and he could say no more than he had said already. They continued to argue with him, but without effect; he had made up his mind; the victory, as he said, had been won.

A.D. 1534. April.

Cromwell was deeply affected. In his passionate regret, he exclaimed, that he had rather his only son had lost his head than that More should have refused the oath. No one knew better than Cromwell that intercession would be of no further use; that he could not himself advise the king to give way. The parliament, after grave consideration, had passed a law which they held necessary to secure the peace of the country; and two persons of high rank refused obedience to it, whose example would tell in every English household. Either, therefore, the act was not worth the parchment on which it was written, or the penalties of it must be enforced: no middle way, no compromise, no acquiescent reservations, could in such a case be admitted. The law must have its way.

More, with Fisher, is committed to the keeping of the Abbot of Westminster.

The recusants were committed for four days to the keeping of the Abbot of Westminster; and the council met to determine on the course to be pursued. Their offence, by the act, was misprision of treason. On the other hand, they had both offered to acknowledge the Princess Elizabeth as the lawful heir to the throne; and the question was raised whether this offer should be accepted. It was equivalent to a demand that the form should be altered, not for them only, but

Debate in the Council.

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for every man. If persons of their rank and notoriety were permitted to swear with a qualification, the same privilege must be conceded to all. But there was so much anxiety to avoid extremities, and so warm a regard was personally felt for Sir Thomas More, that this objection was not allowed to be fatal. It was thought that possibly an exception might be made, yet kept a secret from the world; and the fact that they had sworn under any form might go far to silence objectors and reconcile the better class of the disaffected.* This view was particularly urged by Cranmer, always gentle, hoping, and illogical.† But, in fact, secresy was impossible. If More's discretion could have been relied upon, Fisher's babbling tongue would have trumpeted his victory to all the winds. Nor would the government consent to pass censure on its own conduct by evading the question whether the act was or was not *just*. If it was not just, it ought not to be maintained at all; if it was just, there must be no respect of persons.

Cranmer urges that they may take the oath in a modified form.

The clauses to which the bishop and the ex-chancellor declined to bind themselves were those which declared illegal the marriage of the king with Catherine, and the marriage legal between the king and Queen Anne. To refuse these was to declare Mary legitimate, to declare Elizabeth illegitimate, and would do more to strengthen Mary's claims than could be undone by a thousand oaths. However large might be More's

The government cannot yield.

* MORE'S *Life of More*, p. 237.
† BURNET, vol. i. p. 255.

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CH. 7. A.D. 1534. April.

estimate of the power of parliament, he could have given no clear answer—and far less could Fisher have given a clear answer—if they had been required to say the part which they would take, should the emperor invade the kingdom under the pope's sanction. The emperor would come to execute a sentence which in their consciences they believed to be just; how could they retain their allegiance to Henry, when their convictions must be with the invading army?

What ought to have been done let those say who disapprove of what was actually done. The high character of the prisoners, while it increased the desire, increased the difficulty of sparing them; and to have given way would have been a confession of a doubtful cause, which at such a time would not have been dangerous, but would have been fatal. Anne Boleyn is said to have urged the king to remain peremptory;* but the following letter of Cromwell's explains the ultimate resolution of the council in a very reasonable manner. It was written to Cranmer, in reply to his arguments for concession.

Cromwell explains to Cranmer that concession is impossible,

'My Lord, after mine humble commendation, it may please your Grace to be advertised that I have received your letter, and showed the same to the King's Highness; who, perceiving that your mind and opinion is, that it were good that the Bishop of Rochester and Master More should be sworn to the act of the king's succession, and not to the preamble of the same, thinketh that

* MORE'S *Life of More*, p. 237.

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if their oaths should be taken, it were an occasion to all men to refuse the whole, or at least the like. For, in case they be sworn to the succession, and not to the preamble, it is to be thought that it might be taken not only as a confirmation of the Bishop of Rome's authority, but also as a reprobation of the king's second marriage. Wherefore, to the intent that no such things should be brought into the heads of the people, by the example of the said Bishop of Rochester and Master More, the King's Highness in no wise willeth but that they shall be sworn as well to the preamble as to the act. Wherefore his Grace specially trusteth that ye will in no wise attempt to move him to the contrary; for as his Grace supposeth, that manner of swearing, if it shall be suffered, may be an utter destruction to his whole cause, and also to the effect of the law made for the same.'*

And begs that he will not urge it further.

Thus, therefore, with much regret the council decided—and, in fact, why should they have decided otherwise? They were satisfied that they were right in requiring the oath; and their duty to the English nation obliged them to persevere. They must go their way; and those who thought them wrong must go theirs; and the great God would judge between them. It was a hard thing to suffer for an opinion; but there are times when opinions are as dangerous as acts; and liberty of conscience was a plea which could be urged with a bad grace for men who, while in power, had fed

* Cromwell to the Archbishop of Canterbury: *Rolls House MS.*

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CH. 7. the stake with heretics. They were summoned for a last time, to return the same answer as they had returned before; and nothing remained but to pronounce against them the penalties of the statute, imprisonment at the king's pleasure, and forfeiture. The latter part of the sentence was not enforced. More's family were left in the enjoyment of his property. Fisher's bishoprick was not taken from him. They were sent to the Tower, where for the present we leave them.

A.D. 1534. April. They are examined a last time, and again refusing, are sent to the Tower.

Directions to the clergy to explain in their churches the changes which had taken place.

Meanwhile, in accordance with the resolution taken in council on the 2nd of December,* but which seems to have been suspended till the issue of the trial at Rome was decided, the bishops, who had been examined severally on the nature of the papal authority, and whose answers had been embodied in the last act of parliament, were now required to instruct the clergy throughout their dioceses—and the clergy in turn to instruct the people—in the nature of the changes which had taken place. A bishop was to preach each Sunday at Paul's Cross, on the pope's usurpation. Every secular priest was directed to preach on the same subject week after week, in his parish church. Abbots and priors were to teach their convents; noblemen and gentlemen their families and servants; mayors and aldermen the boroughs. In town and country, in all houses, at all dinner-tables, the conduct of the pope and the causes of the separation from Rome were to be the one subject of conversation; that the whole

Noblemen and gentlemen to teach their servants.

* *State Papers*, vol. i. p. 411, et seq.

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nation might be informed accurately and faithfully of the grounds on which the government had acted. No wiser method could have been adopted. The imperial agents would be busy under the surface; and the mendicant friars, and all the missionaries of insurrection. The machinery of order was set in force to counteract the machinery of sedition.

Bishops sworn to the king as Head of the Church, and the pope's name blotted out of the Mass books.

Further, every bishop, in addition to the oath of allegiance, had sworn obedience to the king as Supreme Head of the Church;* and this was the title under which he was to be spoken of in all churches of the realm. A royal order had been issued, 'that all manner of prayers, rubrics, canons of Mass books, and all other books in the churches wherein the Bishop of Rome was named, or his presumptuous and proud pomp and authority preferred, should utterly be abolished, eradicated, and rased out, and his name and memory should be never more, except to his contumely and reproach, remembered; but perpetually be suppressed and obscured.'†

Nor were these mere idle sounds, like the bellow of unshotted cannon; but words with a sharp, prompt meaning, which the king intended to be obeyed. He had addressed his orders to the clergy, because the clergy were the officials who had possession of the pulpits from which the people were to be taught; but he knew their nature too well to trust them. They were too well schooled in the tricks of reservation;

* Royal Proclamation, June, 1534. † Ibid.

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CH. 7. and, for the nonce, it was necessary to reverse the posture of the priest and of his flock, and to set the honest laymen to overlook their pastors.

A.D. 1534. June 9.

Circular order addressed to the sheriffs to see that the clergy do their duty.

With the instructions to the bishops circulars went round to the sheriffs of the counties, containing a full account of these instructions, and an appeal to their loyalty to see that the royal orders were obeyed. 'We,' the king wrote to them, 'seeing, esteeming, and reputing you to be of such singular and vehement zeal and affection towards the glory of Almighty God, and of so faithful, loving, and obedient heart towards us, as you will accomplish, with all power, diligence, and labour, whatsoever shall be to the preferment and setting forth of God's word, have thought good, not only to signify unto you by these our letters, the particulars of the charge given by us to the bishops, but also to require and straitly charge you, upon pain of your allegiance, and as ye shall avoid our high indignation and displeasure, [that] at your uttermost peril, laying aside all vain affections, respects, and other carnal considerations, and setting only before your eyes the mirrour of the truth, the glory of God, the dignity of your Sovereign Lord and King, and the great concord and unity, and inestimable profit and utility, that shall by the due execution of the premises ensue to yourselves and to all other faithful and loving subjects, ye make or cause to be made diligent search and wait, whether the said bishops do truly and sincerely, without all manner of cloke, colour, or dissimulation, execute and accom-

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plish our will and commandment, as is aforesaid. And in case ye shall hear that the said bishops, or any other ecclesiastical person, do omit and leave undone any part or parcel of the premises, or else in the execution and setting forth of the same, do coldly and feignedly use any manner of sinister addition, wrong interpretation, or painted colour, then we straitly charge and command you that you do make, undelayedly, and with all speed and diligence, declaration and advertisement to us and to our council of the said default.

If they hear of any slackness, they are to report to the Council,

'And forasmuch as we upon the singular trust which we have in you, and for the special love which we suppose you bear towards us, and the weal and tranquillity of this our realm, have specially elected and chosen you among so many for this purpose, and have reputed you such men as unto whose wisdom and fidelity we might commit a matter of such great weight and importance: if ye should, contrary to our expectation and trust which we have in you, and against your duty and allegiance towards us, neglect, or omit to do with all your diligence, whatsoever shall be in your power for the due performance of our pleasure to you declared, or halt or stumble at any part or specialty of the same; Be ye assured that we, like a prince of justice, will so extremely punish you for the same, that all the world beside shall take by you example, and beware contrary to their allegiance to disobey the lawful commandment of their Sovereign Lord and Prince.

And if they themselves fail in this duty, after the confidence which the king has placed in them,

He will make them an example to all the world.

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CH. 7.

A.D. 1534. June.

'Given under our signet, at our Palace of Westminster, the 9th day of June, 1534.'*

So Henry spoke at last. There was no place any more for nice distinctions and care of tender consciences. The general, when the shot is flying, cannot qualify his orders with dainty periods. Swift command and swift obedience can alone be tolerated; and martial law for those who hesitate.

This chapter has brought many things to a close. Before ending it we will leap over three months, to the termination of the career of the pope who has been so far our companion. Not any more was the distracted Clement to twist his handkerchief, or weep, or flatter, or wildly wave his arms in angry impotence; he was to lie down in his long rest, and vex the world no more. He had lived to set England free—an exploit which, in the face of so persevering an anxiety to escape a separation, required a rare genius and a combination of singular qualities. He had finished his work, and now he was allowed to depart.

Death of Clement VII.

His character.

In him, infinite insincerity was accompanied with a grace of manner which regained confidence as rapidly as it was forfeited. Desiring sincerely, so far as he could be sincere in anything, to please every one by turns, and reckless of truth to a degree in which he was without a rival in the world, he sought only to escape his difficulties by inactivity, and he trusted to provide himself

* FOXE, vol. v. p. 70.

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with a refuge against all contingencies by waiting upon time. Even when at length he was compelled to act, and to act in a distinct direction, his plausibility long enabled him to explain away his conduct; and, honest in the excess of his dishonesty, he wore his falsehood with so easy a grace that it assumed the character of truth. He was false, deceitful, treacherous; yet he had the virtue of not pretending to be virtuous. He was a real man, though but an indifferent one; and we can refuse to no one, however grave his faults, a certain ambiguous sympathy, when in his perplexities he shows us features so truly human in their weakness as those of Clement VII.

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CHAPTER VIII.

THE IRISH REBELLION.

Ch. 8. A.D. 1514.

'THE Pander* sheweth, in the first chapter of his book, called *Salus Populi*, that the holy woman, Brigitta, used to inquire of her good angel many questions of secrets divine; and among all other she inquired, 'Of what Christian land was most souls damned?' The angel shewed her a land in the west part of the world. She inquired the cause why? The angel said, for there is most continual war, root of hate and envy, and of vices contrary to charity; and without charity the souls cannot be saved. And the angel did shew to her the lapse of the souls of Christian folk of that land, how they fell down into hell, as thick as any hail showers. And pity thereof moved the Pander to conceive his said book, as in the said chapter plainly doth appear; for after his opinion, this [Ireland] is the land that the angel understood; for there is no land in this world of so continual war within itself; ne

The vision of the Holy Brigitta.

* 'Panderus, or the author of a book, *De Salute Populi*, flourished in the reigns of Edward IV., Edward V., Richard III., and Henry VII.; perhaps also in the reign of Henry VIII.'—Sir James Ware, *Writers of Ireland*, p. 90.

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of so great shedding of Christian blood; ne of so great robbing, spoiling, preying, and burning; ne of so great wrongful extortion continually, as Ireland. Wherefore it cannot be denied by very estimation of man but that the angel did understand the land of Ireland.'*

Nine hundred years had passed away since the vision of the Holy Brigitta, and four hundred since the custody of the unfortunate country had been undertaken by the most orderly nation in the world; yet, at the close of all those centuries, 'it could not be denied by very estimation of man' that poor Irish souls were still descending, thick as hail showers, into the general abyss of worthlessness. The Pander's satire upon the English enterprise was a heavy one.

Rapid success of the first invasion of Ireland.

When the wave of the Norman invasion first rolled across St. George's Channel, the success was as easy and appeared as complete as William's conquest of the Saxons. There was no unity of purpose among the Irish chieftains, no national spirit which could support a sustained resistance. The country was open and undefended,† and after a few feeble struggles the contest ceased. Ireland is a basin, the centre a fertile undulating

The character of the country.

* State of Ireland, and plan for its reformation, 1515: *State Papers*, vol. ii. p. 11.

† Some men have the opinion that this land is harder to be reformed now than it was to be conquered at the first Conquest; considering that Irishmen have more hardiness and policy and war, and more arms and artillery than they had at the Conquest. At that time there was not in all Ireland, out of cities, five Castles ne Piles, and now there be five hundred Castles and Piles.—BARON FINGLAS'S *Breviate of Ireland*, written circa 1535. HARRIS'S *Hibernica*, p. 88.

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CH. 8. A.D. 1515.

plain, the edges a fringe of mountains that form an almost unbroken coast line. Into these highlands the Irish tribes were driven, where they were allowed to retain a partial independence, under condition of paying tribute; the Norman immigrants dividing among themselves the inheritance of the dispossessed inhabitants.* Strongbow and his companions became the feudal sovereigns of the island, holding their estates under the English crown. The common law of England was introduced; the king's writ passed current from the Giant's Causeway to Cape Clear;† and if the leading Norman families had remained on the estates which they had conquered, or if those who did remain had retained the character which they brought with them, the entire country would, in all likelihood, have settled down obediently,

The settlement of it under the Norman leaders.

* In every of the said five portions, Ulster, Connaught, Leinster, South Munster, and West Munster, that was conquered by King Henry Fitz-Empress, [there were] left under tribute certain Irishmen of the principal blood of the Irish nation, that were before the Conquest inhabitants within every of the said portions; as in Leinster, the Cavanaghs of the blood of M'Morough, sometime king of the same; in South Munster, the M'Carties, of the blood of the Carties, sometime kings of Cork; in the other portions of Munster, west of the river Shannon (Clare), where O'Brien is, which was never conquered in obedience to the king's laws, O'Brien and his blood have continued there still, which O'Brien gave tribute to King Henry Fitz-Empress, and to his heirs, by the space of one hundred years. In Connaught was left under tribute certain of the blood of O'Connor, sometime king of the same; certain of the Kellies, and others. In Ulster were left certain of the Neales, of the blood of the O'Neale. In Meath were left certain of the blood of O'Melaghlin, sometime king of the same; and divers others of Irish nations.—BARON FINGLAS'S *Breviate*. HARRIS, p. 83.

† Thomond seems to have been an exception.

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and at length willingly, under a rule which it would have been without power to resist. CH. 8.

A.D. 1515. Two causes of the decline of their authority.

An expectation so natural was defeated by two causes, alike unforeseen and perplexing. The Northern nations, when they overran the Roman Empire, were in search of homes; and they subdued only to colonize. The feudal system bound the noble to the lands which he possessed; and a theory of ownership of estates, as consisting merely in the receipt of rents from other occupants, was alike unheard of in fact, and repugnant to the principles of feudal society. To Ireland belongs, among its other misfortunes, the credit of having first given birth to absentees. The descendants of the first invaders preferred to regard their inheritance, not as a theatre of duty on which they were to reside, but as a possession which they might farm for their individual advantage. They managed their properties by agents, as sources of revenue, leasing them even among the Irish themselves; and the tenantry, deprived of the supporting presence of their lords, and governed only in a merely mercenary spirit, transferred back their allegiance to the exiled chiefs of the old race.* This was one grave cause

Absenteeism.

* See FINGLAS'S *Breviate.* 23 Hen. VI. cap. 9: *Irish Statute Book.* 28 Hen. VIII. cap. 3: Ibid. It seems in many cases to have been the result of accident, Irish lands descending to heiresses who married into English families. In other instances, forfeited estates were granted by the crown to English favourites. The receiving rents, however, even though by unwilling absentees, was treated as a crime by Henry VIII.; and English noblemen, to whom estates in Ireland had fallen, either by marriage or descent, on which they were unable to reside, were expected to grant such estates to other persons who were able

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CH. 8. A.D. 1515.

of the English failure; but serious as it was, it would not have sufficed alone to explain the full extent of the evil. Some most powerful families rooted themselves in the soil, and never forsook it; the Geraldines, of Munster and Kildare; the Butlers, of Kilkenny; the De Burghs, the Birminghams, the De Courcies, and many others. If these had been united among themselves, or had retained their allegiance to England, their influence could not have been long opposed successfully. Their several principalities would have formed separate centres of civilization; and

to reside upon them, and willing. The wording of the Act of Absentees, passed in 1536, is very remarkable. 'Forasmuch as it is notorious and manifest that this the king's land of Ireland, heretofore being inhabited, and in due obedience and subjection unto the king's most noble progenitors, hath principally grown unto ruin, dissolution, rebellion, and decay, by occasion that great dominions, lands, and possessions within the same, as well by the king's grants as by course of inheritance and otherwise have descended to noblemen of the realm of England, who having the same, demouring within the said realm of England . . . . taking the profits of their said lands and possessions for a season, without provision making for any defence or keeping thereof in good order . . . . in their absence, and by their negligence have suffered the wild Irishrie, being mortal and natural enemies to the Kings of England, to enter and hold the same without resistance; the conquest and winning whereof in the beginning not only cost the king's noble progenitors charges inestimable, but also those to whom the land was given, then and many years after abiding within the said land, nobly and valiantly defended the same, and kept such tranquillity and good order, as the Kings of England had due subjection of the inhabitants thereof, and the laws were obeyed . . . . and after the gift or descent of the lands to the persons aforesaid, they and their heirs absented themselves out of the said land of Ireland, not pondering nor regarding the preservation thereof . . . . the King's Majesty that now is, intending the reformation of the said land, to foresee that the like shall not ensue hereafter, with the consent of his parliament,' pronounces FORFEITED the estates of all absentee proprietors, and their right and title gone.

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the strong system of order would have absorbed and superseded the most obstinate resistance which could have been offered by the scattered anarchy of the Celts.

The assimilation of the Norman Irish to the native Celts.

Unfortunately, the materials of good were converted into the worst instruments of evil. If an objection had been raised to the colonization of America, or to the conquest of India, on the ground that the character of Englishmen would be too weak to contend successfully against that of the races with whom they would be brought into contact, and that they would relapse into barbarism, such an alarm would have seemed too preposterous to be entertained; yet, prior to experience, it would have been equally reasonable to expect that the modern Englishman would adopt the habits of the Hindoo or the Mohican, as that the fiery knights of Normandy would have stooped to imitate a race whom they despised as slaves; that they would have flung away their very knightly names to assume a barbarous equivalent;* and would so utterly have cast aside the commanding features of their Northern extraction, that their children's children could be distinguished neither in soul nor body, neither in look, in dress, in

* 'The MacMahons in the north were anciently English, to wit, descended from the Fitz-Ursulas, which was a noble family in England; and the same appeareth by the significance of their Irish names. Likewise the M'Sweenies, now in Ulster, were recently of the Veres in England; but that they themselves, for hatred of the English, so disguised their names.'—SPENSER'S *View of the State of Ireland.* So the De Burghs became Bourkes or Burkes; the Munster Geraldines merged their family names in that of Desmond; and a younger branch of them called themselves M'Shehies.

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language, nor in disposition, from the Celts whom they had subdued. Such, however, was the extraordinary fact. The Irish who had been conquered in the field revenged their defeat on the minds and hearts of their conquerors; and in yielding, yielded only to fling over their new masters the subtle spell of the Celtic disposition. In vain the government attempted to stem the evil. Statute was passed after statute forbidding the 'Englishry' of Ireland to use the Irish language, or intermarry with Irish families, or copy Irish habits.* Penalties were multiplied on penalties; fines, forfeitures, and at last death itself, were threatened for such offences. But all in vain. The stealthy evil crept on irresistibly.† Fresh colonists were sent over to restore the system, but only for themselves or their children to be swept into the stream; and from the century which succeeded the Conquest till the reign of the eighth Henry, the strange phenomenon repeated itself, generation after generation, baffling the wisdom of statesmen, and paralysing every effort at a remedy.

Efforts of the government to repress the growing evil.

Fresh colonists from England follow in the same course.

* *Statutes of Kilkenny.* Printed by the Irish Antiquarian Society. FINGLAS'S *Breviate.*

† The phenomenon must have been observed, and the inevitable consequence of it foreseen, very close upon the Conquest, when the observation digested itself into a prophecy. No story less than three hundred years old could easily have been reported to Baron Finglas as having originated with St. Patrick and St. Columb. The Baron says—'The four Saints, St. Patrick, St. Columb, St. Braghan, and St. Moling, many hundred years agone, made prophecy that Englishmen should conquer Ireland; and said that the said Englishmen should keep the land in prosperity as long as they should keep their own laws; and as soon as they should leave and fall to Irish order, then they should decay.'—HARRIS, p. 88.

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Here was a difficulty which no skill could contend against, and which was increased by the exertions which were made to oppose it. The healthy elements which were introduced to leaven the old became themselves infected, and swelled the mass of evil; and the clearest observers were those who were most disposed to despair. Popery has been the scapegoat which, for the last three centuries, has borne the reproach of Ireland; but before popery had ceased to be the faith of the world, the problem had long presented itself in all its hopelessness. 'Some say' (this is the language of 1515), 'and for the most part every man, that to find the antidotum for this disease is impossible—for what remedy can be had now more than hath been had unto this time? And there was never remedy found in this two hundred year that could prosper; and no medicine can be had now for this infirmity but such as hath been had afore this time. And folk were as wise that time as they be now; and since they could never find remedy, how should remedy be found by us? And the Pander maketh answer and saith, that it is no marvel that our fathers that were of more wit and wisdom than we, could not find remedy in the premises, *for the herbs did never grow.* And also he saith that the wealth and prosperity of every land is the common wealth of the same, and not the private wealth; and all the English noble folk of this land passeth always their private weal; and in regard thereof setteth little or nought by the common weal; insomuch as there is no common folk in all this world

Despair of English statesmen.

The herbs did never grow which could cure the evils of Ireland.

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Ch. 8. A.D. 1515.

so little set by, so greatly despised, so feeble, so poor, so greatly trodden under foot, as the king's poor common folk be of Ireland.'* There was no true care for the common weal—that was the especial peculiarity by which the higher classes in Ireland were unfortunately distinguished. In England, the last consideration of a noble-minded man was his personal advantage; Ireland was a theatre for a universal scramble of selfishness, and the invaders caught the national contagion, and became, as the phrase went, *ipsis Hibernis Hiberniores.*

Causes of the corruption.

The outward circumstances of the chiefs.

The explanation of this disastrous phenomenon lay partly in the circumstances in which they were placed, partly in the inherent tendencies of human nature itself. The Norman nobles entered Ireland as independent adventurers, who, each for himself, carved out his fortune with his sword; and, unsupported as they were from home, or supported only at precarious intervals, divided from one another by large tracts of country, and surrounded by Irish dependents, it was doubtless more convenient for them to govern by humouring the habits and traditions to which their vassals would most readily submit. The English government, occupied with Scotland and France, had no leisure to maintain a powerful central authority; and a central disciplinarian rule enforced by the sword was contrary to the genius of the age. Under the feudal system,

Inability of the English princes to maintain a standing army.

* Report on the State of Ireland, 1515: *State Papers*, vol. ii. pp. 17, 18.

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the kings governed only by the consent and with the support of the nobility; and the maintenance at Dublin of a standing military force would have been regarded with extreme suspicion in England, as well as in Ireland. Hence the affairs of both countries were, for the most part, administered under the same forms, forms which were as ill suited to the waywardness of the Celt, as they met exactly the stronger nature of the Saxon. At intervals, when the government was exasperated by unusual outrages, some prince of the blood was sent across as viceroy; and half a century of acquiescence in disorder would be followed by a spasmodic severity, which irritated without subduing, and forfeited affection, while it failed to terrify. At all other times, Ireland was governed by the Norman Irish, and these, as the years went on, were tempted by their convenience to strengthen themselves by Irish alliances, to identify their interests with those of the native chiefs, in order to conciliate their support; to prefer the position of wild and independent sovereigns, resting on the attachment of a people whose affections they had gained by learning to resemble them, to that of military lords over a hostile population, the representatives of a distant authority, on which they could not rely.

Spasmodic character of their administration.

This is a partial account of the Irish difficulty. We must look deeper, however, for the full interpretation of it; and outward circumstances never alone suffice to explain a moral transformation. The Roman military colonists remained Roman alike on the Rhine and on the

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Euphrates. The Turkish conquerors caught no infection from Greece, or from the provinces on the Danube. The Celts in England were absorbed by the Saxon invaders; and the Mogul and the Anglo-Indian alike have shown no tendency to assimilate with the Hindoo. When a marked type of human character yields before another, the change is owing to some element of power in that other, which coming in contact with elements weaker than itself, subdues and absorbs them. The Irish spirit, which exercised so fatal a fascination, was enabled to triumph over the Norman in virtue of representing certain perennial tendencies of humanity, which are latent in all mankind, and which opportunity may at any moment develope. It was not a national spirit—the clans were never united, except by some common hatred; and the normal relation of the chiefs towards each other was a relation of chronic war and hostility. It was rather an impatience of control, a deliberate preference for disorder, a determination in each individual man to go his own way, whether it was a good way or a bad, and a reckless hatred of industry. The result was the inevitable one—oppression, misery, and wrong. But in detail faults and graces were so interwoven, that the offensiveness of the evil was disguised by the charm of the good; and even the Irish vices were the counterfeit of virtues, contrived so cunningly that it was hard to distinguish their true texture. The fidelity of the clansmen to their leaders was faultlessly beautiful; extravagance appeared like generosity,

Peculiar feature of the Irish temper.

It possesses the counterfeit of every virtue.

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and improvidence like unselfishness; anarchy disguised itself under the name of liberty; and war and plunder were decorated by poetry as the honourable occupation of heroic natures. Such were the Irish with whom the Norman conquerors found themselves in contact; and over them all was thrown a peculiar imaginative grace, a careless atmosphere of humour, sometimes gay, sometimes melancholy, always attractive, which at once disarmed the hand which was raised to strike or punish them. These spirits were dangerous neighbours. Men who first entered the country at mature age might be fortified by experience against their influence, but on the young they must have exerted a charm of fatal potency. The foster-nurse first chanted the spell over the cradle in wild passionate melodies.* It was breathed in the ears of the growing boy by the minstrels who haunted the halls,† and the lawless attractions of disorder proved too strong for the manhood which was trained among so perilous associations.

Their peculiar charm.

The foster-nurses and the minstrels.

For such a country, therefore, but one form of government could succeed—an efficient mili-

A military despotism the only

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* Some sayeth that the English noble folk useth to deliver their children to the king's Irish enemies to foster, and therewith maketh bands.—*State Papers*, vol. ii. p. 13.

† 'Harpers, rhymers, Irish chroniclers, bards, and ishallyn (ballad singers) commonly go with praises to gentlemen in the English pale, praising in rhymes, otherwise called 'danes,' their extortions, robberies, and abuses as valiantness; which rejoiceth them in their evil doings, and procures a talent of Irish disposition and conversation in them.' —Cowley to Cromwell: Ibid. vol. ii. p. 450. There is a remarkable passage to the same effect in SPENSER'S *View of the State of Ireland.*

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CH. 8. tary despotism. The people could be wholesomely controlled only by an English deputy, sustained by an English army, and armed with arbitrary power, till the inveterate turbulence of their tempers had died away under repression, and they had learnt in their improved condition the value of order and rule. This was the opinion of all statesmen who possessed any real knowledge of Ireland, from Lord Talbot under Henry VI. to the latest viceroy who attempted a milder method and found it fail. 'If the king were as wise as Solomon the Sage,' said the report of 1515, 'he shall never subdue the wild Irish to his obedience without dread of the sword and of the might and strength of his power. As long as they may resist and save their lives, they will not obey the king.'* Unfortunately, although English statesmen were able to see the course which ought to be followed, it had been too inconvenient to pursue that course. They had put off the evil day, preferring to close their eyes against the mischief instead of grappling with it resolutely; and thus, at the opening of the sixteenth century, when the hitherto neglected barbarians were about to become a sword in the pope's hands to fight the battle against the Reformation, the 'king's Irish enemies' had recovered all but absolute possession of the island, and nothing remained of Strongbow's conquests save the shadow of a titular sovereignty, and a country

A.D. 1515. government which could have succeeded.

The English statesmen see the necessity, but cannot act upon it.

The island all but completely Irish in the 16th century.

* State of Ireland, and plan for its reformation: *State Papers*, vol. ii. p. 28.

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strengthened in hostility by the means which had been used to subdue it. CH. 8.

A.D. 1515. Division of the country.

The events on which we are about to enter require for their understanding a sketch of the position of the various chiefs, as they were at this time scattered over the island. The English pale, originally comprising 'the four shires,' as they were called, of Dublin, Kildare, Meath, and Uriel, or Louth, had been shorn down to half its old dimensions. The line extended from Dundalk to Ardee; from Ardee by Castletown to Kells; thence through Athboy and Trim to the Castle of Maynooth; from Maynooth it crossed to Claine upon the Liffey, and then followed up the line of the river to Ballimore Eustace, from which place it skirted back at the rear of the Wicklow and Dublin mountains to the forts at Dalkey, seven miles south of Dublin.* This narrow strip alone, some fifty miles long and twenty broad, was in any sense English. Beyond the borders the common law of England was of no authority; the king's writ was but a strip of parchment; and the country was parcelled among a multitude of independent chiefs, who acknowledged no sovereignty but that of strength, who levied tribute on the inhabitants of the pale as a reward for a nominal protection of their rights, and as a compensation for abstaining from the plunder of their farms.† Their swords were their sceptres; their codes of right, the

The English pale.

* Report on the State of Ireland: *State Papers*, vol. ii. p. 22.

† Baron Finglas, in his suggestions for a reformation, urges that 'no black rent be given ne

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Brehon traditions—a convenient system, which was called law, but which in practice was a happy contrivance for the composition of felonies.*

Ireland beyond the pale absolutely governed by the Irish chiefs. Their distribution.

These chiefs, with their dependent clans, were distributed over the four provinces in the following order. The Geraldines, the most powerful of the remaining Normans, were divided into two branches. The Geraldines of the south, under the Earls of Desmond, held Limerick, Cork, and Kerry; the Geraldines of Leinster lay along the frontiers of the English pale; and the heads of the house, the Earls of Kildare, were the feudal

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paid to any Irishman upon any of the four shires from henceforward.'—HARRIS, p. 101. 'Many an Irish captain keepeth and preserveth the king's subjects in peace without hurt of their enemies; inasmuch as some of those hath tribute yearly of English men . . . . not to the intent that they should escape harmless; but to the intent to devour them, as the greedy hound delivereth the sheep from the wolf.'—*State Papers*, vol. ii. pp. 16, 17.

* EUDOXUS—What is that which you call the Brehon Law? It is a word unto us altogether unknown.

IRENÆUS—It is a rule of right, unwritten, but delivered by tradition from one to another, in which oftentimes there appeareth great show of equity in determining the right between parties, but in many things repugning quite both to God's law and man's. As, for example, in the case of murder, the Brehon, that is, their judge, will compound between the murderer and the friends of the party murdered, which prosecute the action, that the malefactor shall give unto them or unto the child or wife of him that is slain, a recompence which they call an Eriarch. By which vile law of theirs many murders are made up and smothered. And this judge being, as he is called, the Lord's Brehon, adjudgeth, for the most part, a better share unto his Lord, that is the Lord of the soil, or the head of that sept, and also unto himself for his judgment, a greater portion than unto the plaintiffs or parties grieved.—SPENSER'S *View of the State of Ireland.* Spenser describes the system as he experienced it in active operation. Ancient written collections of the Brehon laws, however, existed and still exist.

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superiors of the greater portion of the English counties. To the Butlers, Earls of Ormond and Ossory, belonged Kilkenny, Carlow, and Tipperary. The De Burghs, or Bourkes, as they called themselves, were scattered over Galway, Roscommon, and the south of Sligo, occupying the broad plains which lie between the Shannon and the mountains of Connemara and Mayo. This was the relative position into which these clans had settled at the Conquest, and it had been maintained with little variation.

The north, which had fallen to the Lacies and the De Courcies, had been wholly recovered by the Irish. The Lacies had become extinct. The De Courcies, once Earls of Ulster, had migrated to the south, and were reduced to the petty fief of Kinsale, which they held under the Desmonds. The Celtic chieftains had returned from the mountains to which they had been driven, bringing back with them, more intensely than ever, the Irish habits and traditions. Old men, who were alive in 1533, remembered a time when the Norman families attempted to live in something of an English manner,* and when there were towns in the middle of Ireland with decent municipal institutions. The wars of the

* By relation of ancient men in times past within remembrance, all the English lords and gentills within the pale heretofore kept retinues of English yeomen in their houses, after the English fashion, according to the extent of their lands, to the great strength and succour of their neighbours the king's subjects. And now for the most part they keep horsemen and knaves, which live upon the king's subjects; and keep in manner no hospitality, but live upon the poor.—The Council of Ireland to the Master of the Rolls, 1533: *State Papers*, vol. ii. p. 163.

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Recovery of the indigenous Irish.

Roses had destroyed the remnants of English influence by calling away a number of leading nobles, such especially as were least infected by the Irish character; and the native chiefs had reoccupied the lands of their ancestors, unresisted, if not welcomed as allies. The O'Neils and O'Donnells had spread down over Ulster to the frontiers of the pale. The O'Connors and O'Carrolls had recrossed the Shannon, and pushed forwards into Kildare; the O'Connor Don was established in a castle near Portarlington, said to be one of the strongest in Ireland; and the O'Carroll had seized Leap, an ancient Danish fortress, surrounded by bog and forest, a few miles from Parsonstown. O'Brien of Inchiquin, Prince—as he styled himself—of Thomond, no longer contented with his principality of Clare, had thrown a bridge across the Shannon five miles above Limerick, and was thus enabled to enter Munster at his pleasure and spread his authority towards the south; while the M'Carties and O'Sullivans, in Cork and Kerry, were only not dangerous to the Earls of Desmond, because the Desmonds were more Irish than themselves, and were accepted as their natural chiefs.

The Earls of Ormond only continue to hold them in check.

In Tipperary and Kilkenny only the Celtic reaction was held in check. The Earls of Ormond, although they were obliged themselves to live as Irish chieftains, and to govern by the Irish law, yet partly from an inherent nobility of nature, partly through family alliances and a more sustained intercourse with their English kindred, partly perhaps from the inveterate feud

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of their house with the Geraldines of Kildare, remained true to their allegiance, and maintained the English authority so far as their power extended. That power, unfortunately, was incommensurate with their good will, and their situation prevented them from rendering the assistance to the crown which they desired. Wexford, Wicklow, and the mountains of Dublin, were occupied by the Highland tribes of O'Bryne and O'Toole, who, in their wild glens and dangerous gorges, defied attempts to conquer them, and who were able, at all times, issuing down out of the passes of the hills, to cut off communication with the pale. Thus the Butlers had no means of reaching Dublin except through the county of Kildare, the home of their hereditary rivals and foes.

A.D. 1515. The desire of the Ormonds to maintain the English rule greater than their power.

This is a general account of the situation of the various parties in Ireland at the beginning of the sixteenth century. I have spoken only of the leading families; and I have spoken of them as if they possessed some feudal supremacy—yet even this slight thread of order was in many cases without real consistency, and was recognised only when fear, or passion, or interest, prompted. 'There be sixty counties, called regions, in Ireland,' says the report of 1515, 'inhabited with the king's Irish enemies, some regions as big as a shire, some more, some less, where reigneth more than sixty chief captains, whereof some calleth themselves kings, some king's peers in their language, some princes, some dukes, that liveth only by the sword, and

Sixty chief lords in Ireland, who made war and peace for themselves, and obeyed only the sword.

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obeyeth to no other temporal person save only to himself that is strong. And every of the said captains maketh war and peace for himself, and holdeth by the sword, and hath imperial jurisdiction, and obeyeth no other person, English or Irish, except only to such persons as may subdue him by the sword. . . . . Also, in every of the said regions, there be divers petty captains, and every of them maketh war and peace for himself, without licence of his chief captain. . . . . And there be more than thirty of the English noble folk that followeth this same Irish order, and keepeth the same rule.'* Every man, in short, who could raise himself to that dishonourable position, was captain of a troop of banditti, and counted it his chief honour to live upon the plunder of his neighbour.

In each of these sixty districts divers petty captains, who claimed a like independence.

This condition of things might have been expected to work its own cure. The earth will not support human life uncultivated, and men will not labour without some reasonable hope that they will enjoy the fruit of their labour. Anarchy, therefore, is usually shortlived, and perishes of inanition. Unruly persons must either comply with the terms on which alone they are permitted to subsist, and consent to submit to some kind of order, or they must die. The Irish, however, were enabled to escape from this most wholesome provision by the recklessness of the people, who preferred any extremity of suffering to the endurance of the least restraint, and by the tyranny

Why anarchy did not work its own cure.

* *State Papers*, vol. ii. pp. 1, 5, 6.

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under which the labouring poor were oppressed. In England, the same hands were trained to hold the sword and to hold the plough. The labourers and the artisans in peace were the soldiers in war. In Ireland, labour was treated as disgraceful; the chiefs picked out the strongest and fiercest of their subjects, and trained them only to fight; the labourers were driven to the field as beasts of burden, and compelled to work on the chance that the harvest might be secured. By this precarious means, with the addition of the wild cattle which roamed in thousands among the woods and bogs, sufficient sustenance was extracted from the soil to support a scanty population, the majority of whom were supposed to be the most wretched specimens of human nature which could be found upon the globe. 'What common folk in all this world,' the report says, 'is so poor, so feeble, so evil beseen in town and field, so bestial, so greatly oppressed and trodden under foot, fares so evil, with so great misery, and with so wretched life, as the common folk of Ireland? What pity is here, what ruth is to report, there is no tongue that can tell, ne person that can write. It passeth far the orators and muses all to shew the order of the nobles, and how cruel they entreateth the poor common people. What danger it is to the king against God to suffer his land, whereof he bears the charge and the cure temporal, to be in the said misorder so long without remedy. It were more honour to surrender his claim thereto, and to make no longer prosecution thereof, than to suffer his poor subjects always to

Extreme misery of the people.

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be so oppressed, and all the nobles of the land to be at war within themselves, always shedding of Christian blood without remedy. The herd must render account for his fold; and the king for his.'*

Irish and English estimate of the same phenomenon.

The English writer did not exaggerate the picture, for his description is too abundantly confirmed in every page of the Celtic Annalists, with only but a single difference. To the Englishman the perpetual disturbance appeared a dishonour and disgrace; to the Celt it was the normal and natural employment of human beings, in the pursuit of which lay the only glory and the only manly pleasure.

A population of such a character presented in itself a difficulty sufficiently formidable; and this difficulty was increased by the character of the family on whom the circumstances of their position most obliged the English government to rely. There were two methods of maintaining the show of English sovereignty. Either an English deputy might reside in Dublin, supported by a standing army; or it was necessary to place confidence in one or other of the great Irish noblemen, and to govern through him. Either method had its disadvantages. The expense of the first was enormous, for the pay of the common soldier was sixpence or eightpence a-day—an equivalent of six or eight shillings; and as the arrival of an English deputy was the signal for a union throughout Ireland of all

* *State Papers*, vol. ii. p. 14.

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septs and clans against a common enemy, his presence was worse than useless, unless he could maintain a body of efficient troops numerous enough to cope with the coalition. At the same time the cost, great as it would have been, must have fallen wholly on the crown, for the parliaments would make no grants of money for the support of a mercenary army, except on extraordinary emergencies.

On the other hand, to choose an Irish deputy was to acquiesce in disorder, and to lend a kind of official sanction to it. It was inexpensive, however, and therefore convenient; and evils which were not actually felt in perpetual demands for money, and in uncomfortable reports, could for a time be forgotten or ignored. In this direction lay all the temptations. The condition of the country was only made known to the English government through the deputy, who could represent it in such colours as he pleased; and the government could persuade themselves that evils no longer complained of had ceased to exist.

The government of Ireland conducted by Irish noblemen.

This latter method, therefore, found most favour in London. Irish noblemen were glad to accept the office of deputy, and to discharge it at a low salary or none; but it was in order to abuse their authority for their personal advantage. They indemnified themselves for their exertions to keep order, which was not kept, by the extortion which they practised in the name of the government which they represented; and thus deservedly made the English rule more than ever

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CH. 8. detested. Instead of receiving payment, they were allowed while deputies what was called 'coyne and livery;' that is to say, they were allowed to levy military service, and to quarter their followers on the farmers and poor gentlemen of the pale; or else to raise fines in composition, under pretence that they were engaged in the service of the crown. The entire cost of this system was estimated at the enormous sum of a hundred pounds a day.* The exactions might have been tolerated if the people had been repaid by protection; but forced as they were to pay black mail at the same time to the Irish borderers, the double burdens had the effect of driving every energetic settler out of the pale,

A.D. 1515. Coyne and livery extorted by the deputies.

* The deputy useth to make great rodes, journeys, and hostings, now in the north parts of Ulster, now in the south parts of Munster, now in the west parts of Connaught, and taketh the king's subjects with him by compulsion oft times, with victual for three or four weeks, and chargeth the common people with carriage of the same, and giveth licence to all the noble folk to cesse and rear their costs on the common people and on the king's poor subjects; and the end of that journey is commonly no other in effect, but that the deputy useth to receive a reward of one or two hundred kyne to himself, and so depart, without any more hurt to the king's enemies, after that he hath turned the king's subjects and the poor common folk to their charge and costs of two or three thousand pounds. And over that, the deputy, on his progress and regress, oppresseth the king's poor common folk with horse meat and man's meat to all his host. And over that, in summer, when grass is most plenty, they must have oats or malt to their horse at will, or else money therefore.

The premises considered, some saith the king's deputy, by extortion, chargeth the king's poor subjects and common folk, in horse meat and man's meat, by estimation, to the value of a hundred pound every day in the year, one day counted with another, which cometh to the sum of 36,000 pounds yearly.—*State Papers*, vol. ii. p. 13. Finglas says that coyne and livery would destroy hell itself, if it was used there.—FINGLAS'S *Breviate*.

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and his place was filled by some poor Irishman whom use had made acquainted with misery.*

A.D. 1515. The people unprotected even within the pale.

Nor was extortion the only advantage which the Irish deputies obtained from their office. They prosecuted their private feuds with the revenues of the state. They connived at the crimes of any chieftain who would join their faction. Every conceivable abuse in the administration of the government attended the possession of power by the Geraldines of Kildare, and yet by the Geraldines it was almost inevitable that the power should be held. The choice lay between the Kildares and the Ormonds. No other nobleman could pretend to compete with these two. The Earls of Desmond only could take rank as their equals; and the lordships of Desmond were at the opposite extremity of the island. The services of the Earls of Ormond were almost equally unavailable. When an Earl of Ormond was residing at Dublin as deputy, he was separated from his clan by fifty miles of dangerous road. The policy of the Geraldines was to secure the government for themselves by making it impossible for any other person to govern; and the

The Geraldines of Kildare, from their position, the natural deputies.

* The wretchedness of the country drove the Irish to emigrate in multitudes. In 1524, twenty thousand of them had settled themselves in Pembrokeshire; and the majority of these had crossed in a single twelvemonth. They brought with them Irish manners, and caused no little trouble. 'The king's town of Tenby,' wrote a Welsh gentleman to Wolsey, 'is almost clean Irish, as well the head men and rulers as the commons of the said town; and of their high and presumptuous minds [they] do disobey all manner the king's process that cometh to them out of the king's exchequer of Pembroke.'—R. Gryffith to Cardinal Wolsey: ELLIS, first series, vol. i. p. 191, &c.

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CH 8. appointment of their rival was a signal for the revolt of the entire clan, both in Leinster and Munster. The Butlers were too weak to resist this combination; and inasmuch as they were themselves always loyal when a Geraldine was in power, and the Geraldines were disloyal when a Butler was in power, the desire to hush up the difficulty, and to secure a show of quiet, led to the consistent preference of the more convenient chief.

A.D. 1515. The policy of the Geraldines to make the government impossible except to themselves.

There were qualities also in the Kildare family which gave them peculiar influence, not in Ireland only, but at the English court. Living like wild Irish in their castle at Maynooth, they appeared in London with the address of polished courtiers. When the complaints against them became too serious to neglect, they were summoned to give account of their conduct. They had only to present themselves before the council, and it was at once impossible to believe that the frank, humorous, high-minded gentlemen at the bar could be the monsters who were charged with so fearful crimes. Their ever-ready wit and fluent words, their show of bluntness and pretence of simplicity, disarmed anger and dispersed calumny; and they returned on all such occasions to Ireland more trusted than ever, to laugh at the folly which they had duped.

The eighth Earl of Kildare in rebellion against Henry VII.

The farce had already continued through two generations at the opening of the Reformation. Gerald, the eighth earl, was twice in rebellion against Henry VII. He crowned Lambert Simnel with his own hand; when Lambert Simnel fell, he took up Perkin Warbeck; and

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under pretence of supporting a competitor for the crown, carried fire and sword through Ireland. At length, when England was quiet, Sir Edward Poynings was sent to Dublin to put down this new King-maker. He took the earl prisoner, with some difficulty, and despatched him to London, where he appeared at the council-board, hot-handed from murder and treason. The king told him that heavy accusations would be laid to his charge, and that he had better choose some counsel to plead his cause. The earl looked at him with a smile of simplicity. 'I will choose the ablest in England,' he said; 'your Highness I take for my counsel against these false knaves.'* The accusations were proceeded with. Among other enormities, Kildare had burnt the cathedral at Cashel, and the archbishop was present as witness and prosecutor. The earl confessed his offence: 'but by Jasus,' he added, 'I would not have done it if I had not been told that my lord archbishop was inside.'† The insolent wit, and the danger of punishing so popular a nobleman, passed the reply as sufficient. The council laughed. 'All Ireland cannot govern this earl,' said one. 'Then let this earl govern all Ireland,' was the prompt answer of Henry VII.‡ He was sent over a convicted traitor—he returned a knight of the Garter, lord deputy, and the representative of the crown. Rebellion was a successful policy, and a lesson which corresponded

He appears before the council,

Who decide that since Ireland cannot govern him, he must govern Ireland.

* LELAND, vol. ii. p. 110.

† CAMPION'S *History of Ireland*. LELAND, vol. ii. p. 111.

‡ CAMPION. LELAND.

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CH. 8. so closely to the Irish temper was not forgotten.

A.D. 1515. Rebellion prospers with the Geraldines.

'What, thou fool,' said Sir Gerald Shaneson to a younger son of this nobleman, thirty years later, when he found him slow to join the rebellion against Henry VIII. 'What, thou fool, thou shalt be the more esteemed for it. For what hadst thou, if thy father had not done so? What was he until he crowned a king here, took Garth, the king's captain, prisoner, hanged his son, resisted Poynings and all deputies; killed them of Dublin upon Oxmantown Green; would suffer no man to rule here for the king but himself! Then the king regarded him, and made him deputy, and married thy mother to him;* or else thou shouldst never have had a foot of land, where now thou mayest dispend four hundred marks by the year.'†

These scornful words express too truly the position of the Earl of Kildare, which, however, he found it convenient to disguise under a decent exterior. The borders of the pale were partially extended; the O'Tooles were driven further into the Wicklow mountains, and an outlying castle was built to overawe them at Powerscourt. Some shadow of a revenue was occasionally raised; and by this show of service, and because change would involve the crown in expense, he was allowed to go his own way. He

* The earl married Elizabeth, daughter of Oliver St. John, while in London.

† Report to Cromwell, apparently by Allen, Master of the Rolls: *State Papers*, vol. ii. p. 175.

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held his ground till the close of his life, and dying, he left behind him a son trained on his father's model, and who followed with the utmost faithfulness in his father's steps. CH. 8. A.D. 1520.

Gerald, son of Gerald, ninth earl, became deputy, almost it seemed by right of inheritance, in 1513; and things were allowed to continue in their old course for another five years; when at length Henry VIII. awoke to the disgrace which the condition of the country reflected upon him. The report of 1515 was the first step gained; the Earl of Ormond contributed to the effect produced by the report, with representations of the conduct of the deputy, who had been fortifying his own castle with government stores; and the result was a resolution to undertake measures of real vigour. In 1520, the Earl of Kildare was deprived of his office, and sent for to England. His place was taken by the Earl of Surrey, who of all living Englishmen combined in the highest degree the necessary qualities of soldier and statesman. It seemed as if the old weak forbearance was to last no longer, and as if Ireland was now finally to learn the needful lesson of obedience.

Gerald, ninth earl, becomes deputy, 1513.

Is deposed in 1520, and the Earl of Surrey takes his place.

But the first efforts to cure an inveterate evil rarely succeed; and Henry VIII., like every other statesman who has undertaken to reform Ireland, was to purchase experience by failure. The report had declared emphatically that the Irish chiefs would never submit so long as they might resist, and escape with their lives; that conciliation would be only interpreted as weakness; and that the tyrannical lords and

The report had said that the Irish could never be reformed except by force.

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CH. 8. gentlemen must be coerced into equity by the sword freely used.

A.D. 1520. The king will not believe it.

The king, however, was young and sanguine; he was unable to accept so hard a conclusion; he could not believe that any body of human beings were so hopelessly inaccessible to the ordinary means of influence, as the Irish gentlemen were represented to be. He would first try persuasion, and have recourse to extremity only if persuasion failed.

Lord Surrey is to lecture the chiefs on the principles of government.

His directions to the Earl of Surrey, therefore, were that at the earliest opportunity he should call an assembly of so many of the Irish chiefs as he could induce to come to him, and to discourse to them upon the elementary principles of social order and government.

'We think it expedient,' he wrote, 'that when ye shall call the lords and other captains of that our land before you, as of good congruence ye must needs do; ye, after and amongst other overtures by your wisdom then to be made, shall declare unto them the great decay, ruin, and desolation of that commodious and fertile land, for lack of politic governance and good justice; which can never be brought in order unless the unbridled sensualities of insolent folk be brought under the rule of the laws. For realms without justice be but tyrannies and robberies, more consonant to beastly appetites than to the laudable life of reasonable creatures. And whereas wilfulness doth reign by strength without law or justice, there is no distinction of propriety in dominion; ne yet any man may say this is mine,

He is to teach them that realms without justice be but tyrannies.

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A.D. 1520.

but by strength the weaker is subdued and oppressed, which is contrary to all laws, both of God and man. . . . . Howbeit, our mind is, not that ye shall impress on them any opinion by fearful words, that we intend to expel them from their lands and dominions lawfully possessed; ne yet that we be minded to constrain them precisely to obey our laws, ministered by our justices there; but under good manner to show unto them that of necessity it is requisite that every reasonable creature be governed by *a* law. And therefore, if they shall allege that our laws there used be too extreme and rigorous; and that it should be very hard for them to observe the same; then ye may further ensearch of them under what manners, and by what laws, they will be ordered and governed, to the intent that if their laws be good and reasonable, they may be approved; and the rigour of our laws, if they shall think them too hard, be mitigated and brought to such moderation as they may conveniently live under the same. By which means ye shall finally induce them of necessity to conform their order of living to the observance of some reasonable law, and not to live at will as they have used heretofore.'*

He is not, however, to threaten,

But he is to persuade,

And they may obey their own laws if they prefer it, if those laws be good and reasonable, so only that they obey some law, and do not live at will.

So wrote Henry in 1520, being then twenty-eight years old, in his inexperience of human nature, and especially of the Irish form of it. No words could be truer, wiser, or more generous;

* Henry VIII. to the Earl of Surrey: *State Papers*, vol. ii. pp. 52, 53.

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Ch. 8. A.D. 1520.

but those only listen effectively to words of wisdom and generosity, who themselves possess something of the same qualities; and the Irish would not have required that such an address should be made to them if they had been capable of profiting by it. If Surrey was sanguine of any good result, he was soon undeceived. He had no sooner landed than the whole country was in arms against him—O'Neile, O'Carroll, O'Connor, O'Brien, Desmond, broke into simultaneous rebellion, acting, as was proved by intercepted letters,* under instructions which Kildare had sent from England. Surrey saw at a glance the justice of the language of the report. He informed Wolsey briefly of the state of the country, and advised that unless the king was prepared for extreme measures, he should not waste money in partial efforts.† Writing subsequently to Henry himself, he said that the work to be done was a repetition of the conquest of Wales by Edward I., and it would prove at least as tedious and as expensive. Nevertheless, if the king could make up his mind to desire it, there was no

Surrey greeted with instant rebellion,

instigated by Kildare.

Advice of Surrey to do all or nothing.

* This is one of them, and another of similar import was found to have been sent to O'Neile. 'Life and health to O'Carroll, from the Earl of Kildare. There is none Irishman in Ireland that I am better content with than with you; and whenever I come into Ireland, I shall do you good for anything that ye shall do for me; and any displeasure that I have done to you, I shall make you amends therefore, desiring you to keep good peace to Englishmen till an English deputy shall come there; and when an English deputy shall come thither, do your best to make war upon Englishmen then, except such as be toward me, whom you know well yourself.'—*State Papers*, vol. ii. p. 45.

† Ibid. p. 62.

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insuperable difficulty. He would undertake the work himself with six thousand men. The difficulty would be then, however, but half overcome, for the habits of the people were incurable. Strong castles must be built up and down the island, like those at Conway and Carnarvon; and a large immigration would be necessary of English colonists.* Either as much as this should be done, the earl thought, or nothing. Half measures only made bad into worse; and a policy of repression, if not consistently maintained, was unjust and pernicious. It encouraged the better affected of the inhabitants to show their good will to the government; and when the Irish were again in power, these persons were marked for vengeance.

The king persists in a middle way; and Surrey at length desires his recal.

Practical experience was thus laid against Henry's philosophy; and it would have been well if the king could have discerned clearly on which side the truth was likely to lie. For the misfortune of Ireland, this was not the case. It was inconvenient at the moment to undertake a costly conquest. Surrey was maintained with a short retinue, and from want of power could only enter upon a few partial expeditions. He inflicted a heavy defeat upon O'Neile; he stormed a castle of O'Connor's; and showed, with the small means at his disposal, what he might have done with far less support than he had required. He went where he pleased through the country. But his course was 'as the way of a ship through the sea, or as the way of a bird through the air.' The elements yielded

* Surrey to Henry VIII.: *State Papers*, vol. ii. pp. 72, 3, 4.

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CH. 8. A.D. 1522.

without resistance, and closed in behind him; and, after eighteen months of manful exertion, feeling the uselessness of further enterprises conducted on so small a scale, to the sorrow and alarm of the Irish council, he desired and obtained his recal.*

Kildare finds favour.

Meanwhile, in England, the Earl of Kildare had made good use of his opportunities. In spite of his detected letters, he had won his way into favour. He accompanied Henry to the Field of the Cloth of Gold, where he distinguished himself by his brilliant bearing; and instead of punishing him as a traitor, the king allowed him to marry Lady Elizabeth Grey, daughter of the Marquis of Dorset, and nearly related to the blood royal.

Kildare returns to Ireland. Lord Ormond deputy.

He was then permitted to return to Ireland; not, however, immediately as deputy. An intermediate effort was made to govern through Lord Ormond, whose intentions were excellent, but unfortunately

The Geraldines rebel,

the Irish refused to submit to him. The Earl of Desmond remained in rebellion, and invaded Kilkenny from the south; and two years followed of universal insurrection, pillage, and murder. Kildare accused Ormond to the English council as responsible;† Ormond retorted with similar charges against Kildare, and commissioners were sent over to 'investigate,' with instructions, if they saw reason, to replace Kildare in his old office.

The permission was sufficient; in 1524 he was again deputy; and no deliberate purpose of misrule

* Council of Ireland to Wolsey: *State Papers*, vol. ii. pp. 92, 3.

† Campion says Kildare had a friend in the Duke of Suffolk.—*History of Ireland*, by EDWARD CAMPION, p. 161.

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could have led to results more fatal. The earl, made bold by impunity, at once prepared for a revolt from the English crown. Hitherto he had been contented to make himself essential to the maintenance of the English sovereignty; he now launched out into bolder measures, and encouraged by Henry's weakness, resolved to dare the worst extremity.

A.D. 1524. And Kildare is restored.

On the breaking out of the French war of 1523-24, his kinsman, the Earl of Desmond, opened a negotiation with Francis I. for the landing of a French army in Munster.* Kildare, while professing that he was endeavouring to take Desmond prisoner, was holding secret interviews with him to concert plans for a united move,† and was strengthening himself at the same time with alliances among the native chiefs. One of his daughters became the wife of the O'Connor; another married O'Carroll, of Leap Castle; and a third the Baron of Slane;‡ and to leave no doubt of his intentions, he transferred the cannon and military stores from Dublin Castle to his own fortress at Maynooth. Lord Ormond sent information to England of these proceedings, but he could gain no hearing. For three years the Geraldines were allowed to continue their preparations undisturbed; and perhaps they might have matured their plans at leisure, so odious had become the mention of Ireland to the English

Desmond makes a league with Francis I.,

Kildare secretly conniving at it, and preparing for a general insurrection.

* Act of Attainder of the Earl of Kildare: *Irish Statute Book*, 28 Hen. VIII. cap. 1. An account of this negotiation is to be seen in a paper in the British Museum, Titus, B. xi. fol. 352.

† Act of Attainder of the Earl of Kildare: Ibid.

‡ The elder sisters of the 'fair Geraldine' of Lord Surrey.

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CH. 8. statesmen, had not the king's divorce, by embroiling him with the pope and emperor, made the danger serious.

A.D. 1527. The state of Ireland becomes at last dangerous.

The alliance of England and France had disconcerted the first scheme. No sooner was this new opportunity opened than, with Kildare's consent, Desmond applied to Charles V. with similar overtures.* This danger was too serious

Desmond applies to the emperor.

* The emperor's chaplain, Gozalo Fernandez, was the agent through whom the correspondence with Desmond was conducted.—*State Papers*, vol. vii. p. 186. And see *Cotton MS.*, Vespasian, c. iv. fol. 264, 276, 285, 288, 297. —'He sent unto the emperour, provoking and enticing him to send an army into this said land.' —Act of Attainder of the Earl of Kildare. See also LELAND, vol. ii. p. 136.

The account given by Gonzalo Fernandez of his visit to Desmond is among the Archives at Brussels, and supplies a curious picture of the state of the country.

Report of Gonzalo Fernandez.

'April 28, 1529.

'On arriving at the coast of Ireland we touched at a port belonging to the King of England named Cork. Many of the Irish people came on board the ship, and told me that the gentleman of the Earl of Desmond had just returned from Spain with presents from the Emperor to the earl.

'Leaving Cork, we were driven by bad weather into another harbour called Beran,[1] from whence I sent one of my servants to inform the earl of my arrival. In four days the earl's answer came, telling me that I was welcome, and that he was at a place called Dingle, where he hoped to see me. He addressed his letter to me as 'Chaplain of *our* Sovereign Lord the Emperor;' and this, I understand, is his usual mode of expression when speaking of his Majesty. He had also sent to some of the other noblemen of the country, with whom he proposed to form a league, to tell them of my arrival.

'I set out again, and on the way five of the earl's people came to me to say that their master had gone to a harbour a few miles off to capture some French and English vessels there, and would be glad of my assistance. This I declined, and the earl, I understand, was satisfied with my excuses.

'The day after, the 21st of April, we reached the said harbour of Dingle, and were honourably received by the townspeople, and by a party of the earl's attendants. About four o'clock the earl returned himself, attended by fifty horse and as

[1] Beerhaven, perhaps.

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to be neglected; and in 1527, Kildare was a second time summoned to London. He went, so

many halberdiers. He came at once to my quarters, and asked after the welfare of 'our Lord the Emperor.' I replied that, by the grace of God, his Majesty was well, and I had sent his commendations to his lordship.

'We then dined; and afterwards the earl and his council repaired to my chamber, where we presented him with his Majesty's letter. He read it and his council read it. His Majesty, he said, referred him to me. I was commissioned to make known his Majesty's pleasure to him. I at once declared my instructions, first in English to the earl, and afterward in Latin to his council; which I said were to this effect.

'"One Godfrey, a friend of 'their lord, had lately presented 'himself to the Emperor with 'their lord's letter, in which their 'lord, after speaking of the good-'will and affection which he en-'tertained towards the Emperor's 'Majesty, had expressed a desire 'to enter into close alliance with 'his Majesty, as friend to friend 'and enemy to enemy, declaring 'himself ready, in all things and 'at all times, to obey his Ma-'jesty's commands.

'"Further, the said Godfrey 'had requested the Emperor to 'send a confidential person to 'Ireland, to learn more parti-'cularly their lord's intentions 'and his resources and power; 'and further, to negotiate a treaty 'and establish a firm and com-'plete alliance. For these pur-'poses the Emperor commissioned 'myself. I was the bearer to 'them of his Majesty's thanks 'for their proposals, and I said I 'was so far in my master's con-'fidence that I was assured their 'lord might expect all possible 'assistance at the Emperor's 'hands.'

'When I had done, the earl spoke a few words to his council. He then took off his cap, and said he thanked his Majesty for his gracious condescension. He had addressed himself to his Majesty as to his sovereign lord, to entreat his protection. His Majesty was placed in this world in his high position, in order that no one prince might oppress or injure another. He related his descent to me. He said that, between his family and the English, there had ever existed a mortal enmity, and he explained the cause to me.

'I replied that his Majesty never failed to support his allies and his subjects, and should he claim assistance in that capacity, his Majesty would help him as he helped all his other good friends. I advised the earl to put in writing the words which he had used to me. He thought it would be enough if I repeated them; but when I said the story was too long, and my memory might not retain it with accuracy, he said he would do as I desired.

'We then spoke of the support for which he was looking, of his projects and resources, and of the

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Ch. 8. confident was he of the weakness of the government, and again he was found to have cal-

places in which he proposed to serve. He said he wanted from his Majesty four large vessels, two hundred tons each, six pinnaces well provided with artillery, and five hundred Flemings to work them. I said at once and earnestly, that such a demand was out of all reason, before he, on his part, had achieved something in his Majesty's service. I remonstrated fully and largely, although, to avoid being tedious, I omit the details. In the end his council were satisfied that he must reduce his demands till his Majesty had more reason to know what was to be expected from him, and he consented, as will be seen by his own memoir.

'Of all men in the world the earl hates most deeply the Cardinal of York. He told me he had been in alliance with France, and had a relation called De Quindel, now with the French army in Italy. In future, he said he would have no dealings with the French. As your Majesty's enemies, they were his enemies.

'Your Majesty will be pleased to understand that there are in Ireland four principal cities. The city of Dublin is the largest and richest in the island, and neither in the town nor in the neighbourhood has the Earl of Desmond land or subjects. The Earl of Kildare is sovereign in that district, but that earl is a kinsman of the Earl of Desmond, and has married his cousin.

'The Earl of Kildare, however, is at present a prisoner in the Tower of London.

'Of the other three cities, one is called Waterford, the second Cork, the third Limerick; and in all of these the Earl of Desmond has lordships and vassals. He has dominions, also, among the wild tribes; he has lords and knights on his estates who pay him tribute. He has some allies, but not so many, by a great deal, as he has enemies.

'He has ten castles of his own, some of which are strong and well built, especially one named Dungarvan, which the King has often attempted to take without success.

'The earl himself is from thirty to forty years old, and is rather above the middle height. He keeps better justice throughout his dominions than any other chief in Ireland. Robbers and homicides find no mercy, and are executed out of hand. His people are in high order and discipline. They are armed with short bows and swords. The earl's guard are in a mail from neck to heel, and carry halberds. He has also a number of horse, some of whom know how to break a lance. They all ride admirably without saddle or stirrup.

After the report of Gonzalvo Fernandez, Desmond himself continues in Latin.

'Hereunto be added informations addressed to the invincible

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culated justly. He was arraigned before the council, overwhelmed with invectives by Wol- CH. 8.

Kildare again in London,

and most sacred Cæsar, ever august, by the Earl of Desmond, Lord of Ogonyll and the liberties of Kilcrygge.

'I, James Earl of Desmond, am of royal blood, and of the race of the Conqueror who did lawfully subdue Britain, great and small, and did reduce Scotland and Ireland under his yoke.

'The first cause of the enmity between myself and the King of England is an ancient prophecy or prediction, believed by the English nation, and written in their books and chronicles, that all England will be conquered by an Earl of Desmond, which enterprise I have not yet undertaken.

'The second cause is that, through fear of this prophecy, the King of England has committed his powers to my predecessors who have borne rule in Ireland; and when Thomas Earl of Desmond, my grandfather, in peaceable manner attended Parliament in Ireland, no cause being alleged against him, but merely in dread of the prophecy, they struck off his head.

'The third cause is that, when Richard, son of the King of England [*sic*], heard that there were ancient feuds between the English and my predecessors, he came to Ireland with an army and a great fleet in the time of my father; and then did my father make all Ireland to be subdued unto himself, some few towns only excepted.

'The fourth cause is that, by reason of the aforesaid feuds, the King of England did cause Gerald Earl of Kildare, my father's kinsman, to be destroyed in prison [*destrui in carceribus*] until that my father, by might and power, did liberate the said Earl of Kildare, and did obtain his own purposes, and did make his kinsman viceroy of Ireland.

'The fifth cause is that, when peace was hardly begun between my aforesaid father and the King of England, a certain sickness fell upon my father, I myself being then eight years old.

'The King, when he heard this, made a league of Irish and English to kill my father; he being then, as they thought, unable to take the field. They, being banded together, made war against my father for twenty-four years, wherein, by God's grace, they had small success.

'The sixth cause is that, when peace was made at last between the King that now is and myself, I, in faith of the said peace, sent certain of my servants to the parts beyond the seas to Flanders and France, and the attorneys of the King of England did despoil my servants of the sum of 9000*l.*, and threw them into prison, where they now remain.

'Hereon follows my supplication:—

'These things premised, I, the aforesaid earl, do implore and entreat the invincible and most sacred Majesty of Cæsar

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CH. 8. sey,* and sent to the Tower. But he escaped by his old art. No sooner was he committed, than Lady

and committed to the Tower.

Augustus that he will deign to provide me with remedy, and I, with all my horses and people, do devote myself to your Majesty's service, seeing that your Majesty is appointed for the welfare of the oppressed, and to be lord paramount of all the earth.

'To revenge the injuries done to myself and my family by the King of England, I have the following powers; that is to say, 16,500 foot and 1500 horse. Also I have friends, confederate with me, whose names be these—

'1. The Prince O'Brien, who can make	600	horse and	1000	foot.
2. Trobal de Burgh	„	100	„	600	„
3. Sir Richard Poer	„	40	„	200	„
4. Lord Thomas Butler	„	60	„	240	„
5. Sir John Galty	„	80	„	400	„
6. Sir Gerald Fitzgerald	„	40	„	200	„
7. The White Knight	„	400	„	800	„
8. O'Donnell, Prince of Ulster	„	800	„	4000	„
9. The Knight of the Valley	„	40	„	240	„
10. Baron MacMys	„	40	„	500	„
11. Captain Macguire	„	30	„	200	„

'With divers others whose names be here omitted.

'Moreover, I, the aforesaid James Earl of Desmond, do make known to the Majesty of Cæsar august, that there is an alliance between me and the King of Scotland, and, by frequent embassies, we understand each other's purposes and intentions.

'Finally, divine grace permitting, I intend to gather together my own and my friends' powers, and lead them in person against Piers Butler, deputy of the King of England, and against Limerick, Wexford, and Dublin, the cities which the King holds in Ireland.

'For the aid for which I look from your Majesty, I desire especially cannon available for land service and fit for breaching castles. May it please your Majesty, therefore, to send me cannon, that I may be the better able to do your Majesty service.

'And for myself, I promise on my faith to obey your Majesty in all things. I will be friend of your friends; enemy of your enemies; and your Majesty's especial and particular subject. If ever I chance to displease you, I will submit myself to your correction and chastisement.

'Written in my town, this 28th day of April, 1529, in the presence of Gonzalvo Fernandez, Denys Mac D————c, Doctor of Arms and Medicine, Denys Tathe, Maurice Herly.

'JAMES OF DESMOND.'

—*The Pilgrim*, pp. 171–5.

* You remember how the lewd earl your kinsman,' he said to him, 'who passeth not whom

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Elizabeth Fitzgerald, who had accompanied him to England, hurried back across the Channel to the castle of her brother-in-law, O'Connor.* The robber chief instantly rose and attacked the pale. The Marchers opened their lines to give his banditti free passage into the interior;† and he seized and carried off prisoner the Baron of Delvin, who had been made vice-deputy on Kildare's departure. Desmond meanwhile held Ormond in check at Kilkenny, and prevented him from sending assistance to Dublin; and the Irish council were at once prostrate and helpless.

CH. 8.

A.D. 1528.

O'Connor invades the pale, and takes the vice-deputy prisoner.

Henry VIII., on receipt of this intelligence, instead of sending Kildare to the block and equipping an army, condescended to write a letter of remonstrance to O'Connor. 'A letter from the king!' said the insolent chieftain when it was brought to him, 'what king! If I may live one year, I trust to see Ireland in that case that there shall be no more mention here of the King of England than of the King of Spain.'‡ Still, however, it was thought inconvenient to venture

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he serve, might he change his master, sent his confederates with letters of credence to Francis the French King, and to Charles the Emperor, proffering the help of Munster and Connaught towards the conquest of Ireland, if either of them would help to win it from our king. What precepts, what messages have been sent you to apprehend him? and yet not done. Why so? Forsooth I could not catch him. Yea, sir, it will be sworn and deposed to your face, that for fear of meeting him, you have winked, wilfully shunned his sight, altered your course, warned his friends, stopped both eyes and ears against his detection. Surely this juggling and false play little became an honest man called to such honour, or a nobleman put in such trust.'—CAMPION, p. 165.

* *State Papers*, vol. ii. pp. 146–7.

† Norfolk to Wolsey: Ibid. p. 135.

‡ Ibid. p. 146.

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Ch. 8.

extremities. Henry allowed himself to make use of Kildare's assistance to soothe the immediate storm.* An old desire of the Irish had been that some prince of the blood should govern them;† he nominated, therefore, his natural son, the Duke of Richmond, as viceroy; and having no adequate force in Ireland to resist an insurrection, and no immediate means of despatching any such force, he was once more obliged to pardon and restore the traitorous Geraldine; appointing, at the same time, Sir William Skeffington, a moderately able man, though too old for duty, as the Duke of Richmond's deputy, and directing him to govern with the advice and co-operation of the Earl of Kildare.

A.D. 1529. August. The Duke of Richmond viceroy.

Skeffington made deputy to govern with the help of Kildare.

John Allen appointed Archbishop of Dublin.

To this disastrous weakness there was but one counterpoise—that the English party in the council of Ireland was strengthened by the appointment of John Allen to the archbishopric of Dublin and the office of chancellor. Allen was one of the many men of talent who owed their elevation to Wolsey. He was now sent over to keep watch on Kildare, and to supply the government with accurate information which might be relied upon as a ground for action. Till this time (and the fact is one which ought to be borne in mind), the government had been forced to depend for their knowledge of the state of the country either on the representations of the deputy,

* It had been partially subdued by Lord James Butler.—Irish statute, 28 Henry VIII. cap. 1.

† O'Brien of Thomond to Henry VIII.: *State Papers*, vol. ii.

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or the private accusations of his personal enemies; both of them exceedingly untrustworthy sources. Henceforward there runs a clear stream of light through the fog and night of confusion, furnished either by the archbishop or by Allen, Master of the Rolls, who was most likely his kinsman.

The policy of conciliation, if conduct so feeble deserves to be called a policy at all, had now reached its limit; and it amounted to confessed imbecility. Twice deposed from power on clear evidence of high treason, Lord Kildare was once more restored. It cost him but a little time to deliver himself of the presence of Skeffington; and in 1532 he was again sole deputy. All which the Earl of Surrey had foretold came to pass. Archbishop Allen was deprived of the chancellorship, and the Archbishop of Armagh, a creature of the Geraldines, was substituted in his place. Those noblemen and gentlemen who had lent themselves to the interests of the English in the earl's absence were persecuted, imprisoned, or murdered. They had ventured to be loyal from a belief in the assurances which had been made to them; but the government was far off and Kildare was near; and such of them as he condescended to spare 'were now driven in self-defence, maugre their wills, to follow with the rest.'* The wind which filled the sails of the ship in which Kildare returned, blew into flames the fires of insurrection; and in a very Saturnalia of Irish madness the whole people, with no object

Kildare a third time deputy.

Saturnalia of madness.

* Report of 1533: *State Papers*, vol. ii. pp. 163–179.

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Ch. 8. A.D. 1533.

that could be discovered but for very delight in disorder itself, began to tear themselves to pieces. Lord Thomas Butler was murdered by the Geraldines; Kildare himself was shot through the body in a skirmish; Powerscourt was burnt by the O'Tooles; and Dublin Castle was sacked in a sudden foray by O'Brien Oge. O'Neile was out in the north; Desmond in the south; and the English pale was overrun by brigands.* Ireland had found its way into its ideal condition—that condition towards which its instincts perpetually tended, and which at length it had undisputedly reached. The Allens furnished the king with a very plain report of the effect of his leniency. They dwelt boldly on the mistakes which had been made. Re-echoing the words of the Report of 1515, they declared that the only hope for the country was to govern by English deputies; and that to grudge the cost seemed 'consonant to the nature of him that rather than he will depart with fourpence he will jeopard to lose twenty shillings—which fourpence, disbursed in time, might have saved the other.'† They spoke well of the common Irish. 'If well governed,' they said, 'the Irish would be found as civil, politic, and active, as any other nation. But what subjects under any prince in the world,' they asked, 'would love or defend the rights of that prince who, notwithstanding their true hearts and obedience, would afterwards put them

Despatch of the two Allens.

* *State Papers*, vol. ii. p. 180.
† Ibid. vol. ii. p. 177.

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under the governance of such as would persecute and destroy them?' Faith must be kept with those to whom promises had been made, and the habit of rewarding treason with concessions must be brought to an end. 'Till great men suffer for their offences,' they added, significantly, 'your subjects within the English pale shall never live in quietness, nor stand sure of their goods and lives. Therefore, let your deputy have in commandment to do justice upon great thieves and malefactors, and to spare your pardons.'* Till great men suffered there would be no peace in Ireland.

These were but words, and such words had been already spoken too often to deaf ears; but the circumstances of the time were each day growing more perilous, and necessity, the true mother of statesmanship, was doing its work at last.

The winter months passed away, bringing only an increase of wretchedness. At length opened the eventful year of 1534, and Henry learnt that excommunication was hanging over him—that a struggle for life or death had commenced—and that the imperial armies were preparing to strike in the quarrel. From that time onward the King of England became a new man. Hitherto he had hesitated, temporized, delayed—not with Ireland only, but with the manifold labours which were thrust upon him. At last he was awake. And, indeed, it was high time. With a religious war apparently on the eve of explosion, he could ill tolerate a hotbed of sedition at his door; and Irish sedition was about to Henry awakes at last.

* *State Papers*, vol. ii. p. 192.

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CH. 8. A.D. 1534.

receive into itself a new element, which was to make it trebly dangerous.

The religious element is introduced into Irish sedition.

Until that moment the disorders in Ireland had arisen out of a natural preference for anarchy. Every man's hand was against his neighbour, and the clans made war on each other only for revenge and plunder and the wild delight of the game. These private quarrels were now to be merged in a single cause—a cause which was to lend a fresh stimulus to their hatred of England, and was at once to create and consecrate a national Irish spirit.

The Irish were eminently Catholic; not in the high sense of the word—for 'the noble folk' could 'oppress and spoil the prelates of the Church of Christ of their possessions and liberties' without particular scruple*—but the country was covered with churches and monasteries in a proportion to the population far beyond what would have been found in any other country in Europe; and there are forms of superstition which can walk hand in hand with any depth of crime, when that superstition is provided with a talisman which will wash away the stains of guilt. The love of fighting was inherent, at the same time, in the Celtic nature. And such a people, when invited to indulge their humour in the cause of the church, were an army of insurrection ready made to the hands of the popes, the value of which their Holinesses were not slow to learn, as they have not been quick to forget.†

The pope finds in the Irish a ready-made army.

* *State Papers*, vol. iii. p. 10.

† It is remarkable that, as I believe, there is no instance of the act of heresy having been

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A.D. 1534. February.

Henry was aware of the correspondence of Desmond with the emperor. He, perhaps, also expected that the fiction might be retorted upon him (as it actually was) which had been invented to justify the first conquest of the island. If Ireland was a fief of the pope, the same power which had made a present of it to Henry II. might as justly take it away from Henry VIII.; and the peril of his position roused him at length to an effort. It was an effort still clogged by fatality, and less than the emergency required: but it was a beginning, and it was something.

Kildare a third time called to England.

In February, 1534, a month before Clement pronounced his sentence, the Earl of Kildare was required, for the third and last time, to appear and answer for his offences; and a third time he ventured to obey. But England had become a changed world in the four years which had passed since his last presence there, and the brazen face and fluent lips were to serve him no more. On his arrival in London he was sent to the Tower, and discovered that he had overstepped his limits at last.* He was now shrewd enough to see that if a revolt was contemplated no time was to be lost. He must play his last card, or his influence was gone for ever. Lord Thomas Fitzgerald, his eldest son, who in his boyhood

Kildare is sent to the Tower.

Lord Thomas Fitzgerald vice-deputy.

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put in force in Ireland. The Irish Protestant church counts many martyrs; but they were martyrs who fell by murder in the later massacres. So far as I can learn, no Protestant was ever tried and executed there by form of law.

* 28 Hen. VIII. cap. 1. Irish statutes.

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CH. 8. A.D. 1534. had resided in England,* had been left as vice-deputy in his father's absence. The earl before his departure had taken precautions to place the fortresses of the pale, with the arms and ammunition belonging to the government, in the hands of dependents whom he could absolutely trust. No sooner was his arrest known than, in compliance with secret instructions which had been left with them, or were sent from England, his friends determined upon rebellion.†

April. The opportunity was well chosen. The government of Ireland was in disorder. Sketfington was designed for Kildare's successor, but he was not yet appointed; nor was he to cross the Channel till he had collected a strong body of troops, which was necessarily a work of time. The conditional excommunication of the king was then freshly published; and counsels, there is reason to think, were guiding the Irish movement, which had originated in a less distempered brain than that of an Irish chieftain. Rumours were flying in the southern counties in the middle of June that a Spanish invasion might be immediately looked for, and the emperor's chaplain was with the Earl of Desmond. His mission, it was said, was to prepare the way for an imperial army; and Desmond himself was fortifying Dungarvan, the port at which an invading force

The emperor sends an agent to the Earl of Desmond.

* Cowley to Cromwell: *State Papers*, vol. ii. p. 198.

† Act of Attainder of the Earl of Kildare: 28 Hen. VIII. cap. 1. The act is explicit that the rebellion was in consequence of Kildare discovering that the king would not again trust him; and that he had carefully prepared for it before he left Ireland.

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could most conveniently land.* There is, therefore, a strong probability that Charles V., who had undertaken to execute the papal sentence in the course of the summer, was looking for the most vulnerable point at which to strike; and, not venturing to invade England, was encouraging an Irish rebellion, with a view to following up his success if the commencement proved auspicious.† CH. 8. A.D. 1534. June.

* Cork and Waterford continued loyal. The mayor of the latter place wrote, on the 12th of July, to Cromwell as follows: 'This instant day, report is made by the Vicar of Dungarvan, that the emperour hath sent certain letters unto the Earl of Desmond, by the same chaplain or ambassador that was sent to James the late earl. And the common bruit is, that his practice is to win the Geraltynes and the Breenes; and that the emperour intendeth shortly to send an army to invade the cities and towns by the sea coasts of this land. This thing was spoken by a Spaniard more than a month agone to one of the inhabitants of this city; and because I thought it then somewhat incredible, I forbare at that time to write unto your wisdom thereof. The chaplain arrived more than fifteen days past at the Dingle, in the dominion of the said Earl, which Earl hath, for the victualling of his castle of Dungarvan, taken a ship charged with Spanish wines, that was bound to the town of Galway; and albeit that his years requireth quietness and rest, yet intendeth he as much trouble as ever did any of his nation.'—William Wise, Mayor of Waterford, to Cromwell, July 12, 1534: *State Papers*, vol. ii. p. 198.

† On the 21st of July, O'Brien of Thomond wrote the following characteristic letter to Charles:—

Corny O'Brien, Prince of Ireland, to the Emperor Charles V.

'July 21, 1534.

'To the most sacred and most invincible Cæsar, Charles Emperor of the Romans, Most Catholic King of Spain, health with all submission.—Most sacred Cæsar, lord most clement, we give your Majesty to know that our predecessors for a long time quietly and peacefully occupied Ireland, with constancy, force, and courage, and without rebellion. They possessed and governed this country in manner royal, as by our ancient chronicles doth plainly appear. Our said predecessors and ancestry did come from your Majesty's realm of Spain, where they were of the blood of a Spanish prince, and many Kings of that lineage, in long succession, governed all Ireland happily, until it was conquered by the English. The last King of this land was of my blood and name; and ever since that time our ancestors, and we

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CH. 8.

A.D. 1534. June. Lord Thomas Fitzgerald proclaims Henry accursed, and calls on the country to rise.

Simultaneously with the arrival of these unwelcome news, the English government were informed by letters from Dublin, that Lord Thomas Fitzgerald had thrown off his allegiance, and had committed infinite murders, burnings, and robbings in the English pale; making 'his avaunt and boast that he was of the pope's sect and band, and that him he would serve, against the king and all his partakers; that the King of England was accursed, and as many as took his part.'* The signal for the explosion was given with a theatrical bravado suited to the novel dignity of the cause. Never before had an Irish massacre been graced by a papal sanction, and it

ourselves, have ceased not to oppose the English intruders; we have never been subject to English rule, or yielded up our ancient rights and liberties; and there is at this present, and for ever will be, perpetual discord between us, and we will harass them with continual war.

'For this cause, we, who till this present, have sworn fealty to no man, submit ourselves, our lands, our families, our followers, to the protection and defence of your Majesty, and of free will and deliberate purpose we promise to obey your Majesty's orders and commands in all honest behests. We will serve your Majesty with all our force; that is to say, with 1660 horse and 2440 foot, equipped and armed. Further, we will levy and direct for your Majesty's use 13,000 men, well armed with harquebuss, bows, arrows, and swords. We will submit to your Majesty's will and jurisdiction more than a hundred castles, and they and all else shall be at your Majesty's disposition to be employed as you shall direct.

'We can undertake also for the assistance and support of our good brother the Earl of Desmond, whose cousin, the daughter of the late Earl James, your Majesty's friend, is our wife.

'Our further pleasure will be declared to you by our servants and friends, Robert and Dominic de Paul, to whom your Majesty will deign to give credence. May your Majesty be ever prosperous.

'Written at our Castle at Clare, witness, our daughter, July 21, 1534, by your humble servant and unfailing friend,

'CORNY O'BRIEN, Prince of Ireland.'

—MS. Archives at Brussels: *The Pilgrim*, pp. 175–6.

* Cowley to Cromwell: *State Papers*, vol. ii. p. 198.

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was necessary to mark the occasion by unusual form. The young lord, Silken Thomas, as he was called, was twenty-one years old, an accomplished Irish cavalier. He was vice-deputy, or so he considered himself: and unwilling to tarnish the honour of his loyal house by any action which could be interpreted into treachery, he commenced with a formal surrender of his office, and a declaration of war. On the eleventh of June the council were sitting in St. Mary's abbey, when a galloping of horses was heard, and Lord Thomas, at the head of a hundred and forty of the young Geraldines, dashed up to the gate, and springing off his horse, strode into the assembly. The council rose, but he ordered them to sit still, and taking the sword of state in his hand, he spoke in Irish to the following effect:—

June 11. He appears before the council in St. Mary's abbey, and declares formal war.

'However injuriously we be handled, and forced to defend ourselves in arms, when neither our service, nor our good meaning towards our prince's crown availeth, yet say not hereafter, but in this open hostility which we profess here, and proclaim, we have showed ourselves no villains nor churls, but warriors and gentlemen. This sword of state is yours, and not mine; I received it with an oath and have used it to your benefit. I should offend mine honour if I turned the same to your annoyance. Now I have need of mine own sword which I dare trust. As for this common sword, it flattereth me with a golden scabbard; but it hath in it a pestilent edge, and whetteth itself in hope of a destruction. Save yourselves from us, as from open enemies.

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CH. 8. I am none of Henry's deputy; I am his foe; I have more mind to conquer than to govern, to meet him in the field than to serve him in office. If all the hearts of England and Ireland that have cause thereto would join in this quarrel, as I trust they will, then should he be a byword, as I trust he shall, for his heresy, lechery, and tyranny; wherein the age to come may score him among the ancient princes of most abominable and hateful memory.'* 'With that,' says Campion, 'he rendered up his sword, adding to his shameful oration many other slanderous and foul terms.'

A.D. 1534. June.

Cromer, Lord Chancellor and Archbishop of Armagh, a creature of Kildare, 'more like his parish priest or chaplain, than king's chancellor,'† who had been prepared beforehand, rose, and affected remonstrance; but, speaking in English, his words were not understood by the crowd. A bard in the Geraldine train cut short his speech with an Irish battle chant; and the wild troop rushed, shouting, out of the abbey, and galloped from the town.

Pillage and massacre.

In these mock heroics there need not have been anything worse than folly; but Irish heroism, like Irish religion, was unfortunately limited to words and feelings. The generous defiance in the cause of the Catholic faith was followed by pillage and murder, the usual accompaniments of Irish insurrection, as a sort of initial holo-

* CAMPION'S *History of Ireland*, p. 175. LELAND, vol. ii. p. 143

† *State Papers*, vol. ii. p. 168.

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caust to propitiate success. The open country was at the mercy of the rebels. Fitzgerald, joined by O'Connor, proceeded to swear-in all such of the inhabitants of the pale as would unite against England; promising protection if they would consent, but inflicting fire and sword wherever he met refusal. The unfortunate people, warned by experience that no service was worse requited in Ireland than loyalty, had no spirit to resist. The few who were obnoxious were killed; the remainder submitted; and the growing corn was destroyed, and the farms were burnt, up to the gates of Dublin, that when the English army arrived, they might find neither food to maintain, nor houses to shelter them.* The first object of Fitzgerald, however, was to seize Dublin itself, where a portion of the citizens were in his favour. In the last week in July he appeared with his followers under the walls; a small force which had attempted to resist was defeated and driven in; and, under a threat of burning the city, if he was refused, he demanded the surrender of town and castle. The danger was immediate. The provident treachery of Kildare, in stripping the castle of its stores and cannon, had made defence all but impossible. Ormond was far off, and weeks must pass before relief could arrive from England. Sir John White, an English gentleman, with a handful of men-at-arms, had military command of the city; and the Archbishop of Armagh implored him to have pity on the citi-

CH. 8.

A.D. 1534. June.

The people of the pale join the rebels.

He summons Dublin.

Archbishop Cromer implores

* Thomas Finglas to Cromwell: *State Papers*, vol. ii. p. 200.

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Ch. 8. zens, and not to expose them to the consequences of a storm.* White was too stout a soldier to listen to such timid counsels; yet his position was one of extreme difficulty; his little garrison was too weak to defend the lines of the town, without the assistance of the citizens, and the citizens were divided and dispirited. He resolved at length to surrender the city, and defend the castle to the last. Fitzgerald threatened that he would hold the townsmen responsible for the submission of the troops; but, savage as the English commander knew him to be, he calculated, with justice, that he would not ruin his popularity by cutting the throats of an unresisting crowd.

A.D. 1534. Sir John White, the English commander, to surrender.

White surrenders the city, and withdraws into the castle.

Hastily gathering together sufficient stores to enable him to hold out for a few weeks, and such arms and ammunition as could be collected in the emergency, White withdrew into the fortress, taking with him the Master of the Rolls, the Chief Baron, and such other of the council as desired to be his companions. The inhabitants of Dublin were then empowered to make terms with the rebels. The gates were opened on Fitzgerald's promise to respect life and property, the city was occupied, and siege was immediately laid to the castle. This was on the 27th of July. The morning which followed was marked by one of those atrocities which have so often unfortunately distinguished Irish rebellions. Archbishop Allen, to whose exertions the exposure of Kildare's proceedings had been principally due, either

Siege of the castle, July 27.

Archbishop Allen endeavours to escape into England.

* Agard to Cromwell: *State Papers*, vol. ii. p. 245.

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fearing the possible consequences to himself if the castle was taken, as the Irish writers say,* or more probably to hasten in person the arrival of the deputy and his troops, instead of remaining with White, volunteered to cross to England; and before the gates were opened, he went on board a vessel and dropped down the river. He had placed himself unknowingly in the hands of traitors, for the ship was commanded by a Geraldine,† and in the night which followed was run aground at Clontarf, close to the mouth of the Liffey. The country was in possession of the insurgents, the crew were accomplices, and the stranded vessel, on the retreat of the tide, was soon surrounded. The archbishop was partly persuaded, partly compelled to go on shore, and was taken by two dependents of the Earl of Kildare to a farm house in the village of Artayne. Here he was permitted to retire to bed; but if he slept, it was for an early and a cruel wakening. The news of his capture was carried to Fitzgerald, who was then in the city, but a few miles distant, and the young lord, with three of his uncles, was on the spot by daybreak. They entered the house and ordered Allen to be brought before them. The archbishop was dragged from his bed; and in his shirt as he was, bare-legged and bare-headed, he dropt upon his knees, and begged for mercy. As well might the sheep have asked mercy of the famished wolf. He had but time to bequeath

CH. 8.

A.D. 1534. July 27.

The ship is run ashore at Clontarf.

The archbishop is taken to the village of Artayne,

And murdered.

* LELAND, vol. ii. p. 145.

† Ibid.

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Ch. 8. his soul to heaven, and his skull was cloven as he knelt; and, to make clean work, his chaplains, his servants, all of English blood who were with him, were slaughtered over his body.* Such was the pious offering to God and holy church on which the sun looked down as it rose that fair summer's morning over Dublin Bay; and such were the men whose cause the Mores and the Fishers, the saintly monks of the Charterhouse and the holy martyrs of the Catholic faith, believed to be the cause of the Almighty Father of the world.

A.D. 1534. July 28.

Fitzgerald writes to the pope and the emperor to announce his exploit.

The morning's work was still but half-completed. To massacre a heretic archbishop was a meritorious, or at least a venial act; but it was desirable that an opinion in favour of it should be pronounced by authority; or that the guilt, if guilt there was, should be washed off without delay. The Archdeacon of Kells,† therefore, was despatched to the pope and to the emperor, to press the latter to send assistance on this happy success, and to bring back absolution from his Holiness,‡ if the murder required it. The next object was to prevent news from reaching England before the castle should be taken. The river was watched, the timely assistance of an English

Blockade of Dublin Bay.

* Act of Attainder of the Earl of Kildare: 28 Henry VIII. cap. 1. The Prior of Kilmainham to Henry VIII.: *State Papers*, vol. ii. p. 501. Campion, p. 178.

† Call McGravyll, or Charles Reynolds: Act of Attainder, 28 Henry VIII. c. 1. Campion, p. 176.

‡ Such, at least, one of Fitzgerald's attendants, who was present at the murder, understood to be one of the objects of the archdeacon's mission. (*State Papers*, vol. ii. p. 201, note.) The act of attainder says merely that he was sent to beg for assistance.

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pirate enabled Fitzgerald to blockade the bay; and Dublin was effectively sealed. But the report of the murder spread rapidly through Ireland. In three days it was known at Waterford, and the Prior of Kilmainham,* who had taken refuge there, crossed into Wales on the instant, intending to ride post to London.† He was delayed at St. David's by an attack of paralysis; but he sent forward a companion who had left Ireland with him; and the death of the archbishop was made known to Henry in the second week in August.

Ch. 8.

A.D. 1534. July 28.

The Prior of Kilmainham crosses with the news from Waterford.

If Skeffington could set out on the instant, the castle might be saved, and Dublin recovered. Couriers were despatched to urge him to make haste; and others were sent to Ireland to communicate with Ormond, and, if possible, with the party in the castle. But Skeffington, who was too old for his work, had loitered over his preparations, and was not ready; and the delay would have been fatal, except for the Earl of Ormond, the loyalty of whose noble house at that crisis alone saved the English authority in Ireland. On the arrival of Henry's courier, he collected his people and invaded Kildare. The country was unenclosed—not a fence nor a hedge broke the broad surface of moor and meadow, save where at intervals a few small patches were enclosed for corn crops. Infinite herds of cattle grazed at will over the expanse of pasture, and these cattle were the chief dependence of the

Skeffington is unprepared.

Ormond invades Kildare.

* Rawson, one of the Irish Council.

† *State Papers*, vol. ii. p. 201.

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CH. 8. A.D. 1534. August.

people. Ormond, by the suddenness of his inroad, and the absence of the owners, was enabled to sweep clear the whole tract which was occupied by the Geraldines; and Fitzgerald was forced to retire from Dublin to defend or recover his property. He left a detachment in the city, to prevent the troops in the castle from obtaining supplies,* and then hurried off to revenge the foray. Entering Carlow, he took a castle on the Slaney, and murdered the garrison. Thence he turned towards Kilkenny, and was bearing down upon Ormond with a strength which it would have been hard for the Butlers to resist, when he learnt that the citizens of Dublin, encouraged by the news that an English army was actually coming, had répented of their patriotism, and, to earn their pardon from Henry, had closed their gates, and had seized and imprisoned the party who were left before the castle. The prize for which he had played so deeply was slipping from his hands at the moment when it was all but won. He was forced to return in haste; but before he left Kilkenny, he made an effort to induce Ormond to join him. He promised, that if the earl would assist him in driving out the English, he would 'take him as his father,' that he would make a present to his son, Lord James, of half the inheritance of the Kildares, and that they two should together rule Ireland.†

Fitzgerald is forced to retire from Dublin.

He attacks Ormond.

The citizens of Dublin return to their allegiance.

Fitzgerald attempts to gain Ormond.

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* LELAND, vol. ii. p. 146.

† Instructions to Walter Cowley to be declared to the King's Highness in behalf of the Earl of Ossory : *State Papers*, vol. ii. p. 250.

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Promises when extorted by presence of danger from a Geraldine were of indifferent value; but if Fitzgerald's engagements had been as sure as they were false and fleeting, they would have weighed little with this gallant old nobleman. Ormond replied, that if the rebels would lay down their arms and sue for mercy, they might perhaps find it; but for himself, 'if his country were wasted, his castles won or prostrate, and himself exiled, yet would he never shrink to persevere in his duty to the king to the death.'* Failing here, and having at the same time received a check in a skirmish, Fitzgerald next endeavoured to gain time. The Irish clans were gathering, but they were still at a distance, and his own presence was instantly required elsewhere. He offered a truce, therefore; and to this Ormond, being hard pressed by the Earl of Desmond, was ready to consent. But it was only treachery. Ormond broke up his camp, and his people were scattered; and within three days, O'Neile having joined Fitzgerald, he was taken at a disadvantage; his son, Lord James, was severely wounded; and a cordon of Irish being drawn round him, to prevent him from relieving Dublin, the rebel army hastened back to renew the siege.† They had the cannon with them which Kildare had taken from the

Ch. 8.

A.D. 1534. August.

Ormond's reply.

Fitzgerald's treachery.

Dublin is again besieged.

* *State Papers*, vol. ii. p. 250. Campion, pp. 177–8.

† M'Morrough, O'More, O'Connor, O'Brien, in September, with the greatest part of the gentlemen of the county of Kildare, were retained and sat at Carlow, Castledermot, Athye, Kilkea, and thereabout, with victualls during three weeks, to resist the Earl of Ossory from invading of the county of Kildare.—*State Papers*, vol. ii. p. 251.

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CH. 8. castle,* but were happily ill-provided with ammunition, or resistance would have been desperate. The siege opened at the beginning of September. The month passed away, and the place was still untaken. If the deputy would only arrive, there was still time to save it. Each hour he was looked for, yet through these priceless days he was loitering at Beaumaris. From the fatality which has for ever haunted the dealings of English statesmen with Ireland, an old man past work, weak in health, and with all the moral deficiencies of a failing constitution, had been selected to encounter a dangerous rebellion. The insurrection had broken out in June; every moment was precious, the loss of a day might be the loss of the whole country; yet it was now the fourth of October; the ships were loaded; the horses were on board; they had been on board a fortnight, and were sickening from confinement. The wind was fair, at that critical season of the year a matter of incalculable importance. Yet Skeffington was still 'not ready.'† All would

A.D. 1534. September.

Skeffington does not arrive.

Oct. 4.

Ormond again saves Dublin.

* The rebel chiefly trusteth in his ordnance, which he hath of the king's.—Allen to Cromwell: *State Papers*, vol. ii. p. 202.

† Allen, Master of the Rolls, had gone over to quicken his sluggish movements, and wrote from Chester to Cromwell, in despair: 'Please your goodness to be advertised, that as yet the deputy is at Beaumaris, and the Northern men's horses have been on shipboard these twelve days, which is the danger of their destruction. They have lost such a wind and fair weather, as I doubt they shall not have again for this winter season. Mr. Brereton (Sir William Brereton, Skeffington's second in command) lieth here at the sea side in a readiness. If their first appointment to Dublin had been kept, they might have been there; but now they tarry to pass with the deputy. Sir, for the love of God, let some aid be sent to Dublin; for the loss of that city and the castle were the plain subversion of the land.'—Allen

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have been lost but for the Earl of Ormond. The city was at the last extremity, when he contrived to force his way through the Irish into Kildare; he again laid waste the country, and destroyed the newly-gathered harvests.* On the 14th of October Fitzgerald was forced finally to raise the siege, that his followers might save the remnant of their property from destruction. The relief was but just in time, for the resources of Dublin were exhausted. Before retreating, the rebel lord exacted from the corporation an engagement that at the end of six weeks they should either have procured his pardon from the king, with the deputation of Ireland for his life, or else should surrender the city. For the fulfilment of these insolent terms he took as pledges sixteen of the children of the most important families of the city, with three of the corporation themselves.†

CH. 8.

A.D. 1534. October 14.

Siege of Dublin raised, October 14.

And now, at length, on the same 14th of October, the English anchors were finally raised, and the deputy, with Sir William Brereton and Sir John Salisbury, several hundred Northumberland horse trained in the Border wars, and a number not specified, but probably from two to three thousand archers and men-at-arms,‡ were under way. Whether the blame of the delay lay

The English army sails at last.

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to Cromwell, Oct. 4: *State Papers*, vol. ii. p. 202.

* Instructions to Walter Cowley on behalf of the Earl of Ossory: *State Papers*, vol. ii. p. 251.

† Sir William Brereton to Henry VIII.: *State Papers*, vol. ii. p. 204.

‡ Two thousand five hundred was the smallest number which Lord Surrey previously mentioned as sufficient to do good.—Ibid. p. 73.

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Ch. 8. A.D. 1534. October 14.

with the incompetency of Skeffington, or the contempt of the English, which would not allow them to make haste into the presence of an enemy who never dared to encounter them in the field, but carried on war by perjury, and pillage, and midnight murder—whatever the cause was, they were at length on their way, and through the devotion of Ormond, not too late to be of use.

They cross in a single night.

The fleet crossed the Channel in a single night, and the next morning were under Lambay Island,* where they had run in for shelter. Here news was brought them that Dublin Castle was taken. They did not believe it; but a council of war was held, and Skeffington resolved that for himself he might not risk the attempt to land; Brereton and Salisbury might try it, if they could do so 'without casting themselves away;' the deputy would go on to Waterford with the body of the army, and join Sir John St. Loo, who had crossed to that port in the week preceding, from Bristol.

Council of war at Lambay Island.

Sir William Brereton with 500 men enters the Liffey.

Accordingly, on the morning of the 17th of October, Sir William Brereton, with five hundred men, sailed into the mouth of the Liffey; and running up the river, instead of an enemy drawn up to oppose his landing, he found the mayor and corporation waiting at the quay, with drums, and flags, and trumpets to welcome him as a deliverer.†

* Fifteen miles north of Dublin; immediately off Malahide.

† Sir William Brereton and Sir John Salisbury to Henry VIII.; *State Papers*, vol. ii. p. 203.

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Skeffington was less successful; he remained under Lambay waiting for a wind for Waterford, and in the meantime Fitzgerald, hearing of the arrival of the fleet, was in force upon the hills overlooking the anchorage. The English commander, though aware that the insurgents were in the neighbourhood, allowed himself, with extreme imprudence, to land a detachment of troops, with directions to march to Dublin. He himself went with the fleet to the Skerries,* where he conceived, under false information, that a party of the rebels were lying. He found nothing there but a few fishing-boats; and while he was engaged in burning these, Fitzgerald attacked the division which had been sent on shore, and cut them off to a man. Nor was this the only misfortune. The pirate ships which had been watching Dublin Bay hovered round the fleet, cutting off straggling transports; and although one of them was chased and driven on shore, the small success poorly counterbalanced the injury which had been inflicted.†

An English detachment cut off through Skeffington's imprudence.

* A small harbour near Drogheda.

† Skeffington was prudently reserved in his report of these things to Henry. He mentions having set a party on shore, but says nothing of their having been destroyed; and he could not have been ignorant of their fate, for he was writing three weeks after it, from Dublin. He was silent, too, of the injury which he had received from the pirates, though eloquent on the boats which he burnt at the Skerries. —*State Papers*, vol. ii. p. 205. On first reading Skeffington's despatch, I had supposed that the 'brilliant victory' claimed by the Irish historians (see LELAND, vol. ii. p. 148) must have been imaginary. The Irish Statute Book, however, is too explicit to allow of such a hope. 'He [Fitzgerald] not only fortified and manned divers ships at sea, for keeping and letting, destroying and taking the king's deputy, army, and subjects, that they should not land within the said land; but also at the arrival of the said army, the same Thomas,

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CH. 8.

A.D. 1534. October 21. Skeffington lands in Dublin,

After a week of this trifling, Skeffington consented to resign his intention of going to Waterford, and followed Brereton into Dublin. Why he had delayed a day after discovering that the river and the city were open to him, it is impossible to conjecture. But his presence was of little benefit, and only paralysed his abler subordinates. As soon as he had brought his army into the city, he conceived that he had done as much as the lateness of the season would allow. The November weather having set in wild and wet, he gave up all thought of active measures till the return of spring; and he wrote to inform the king, with much self-approbation, that he was busy writing letters to the Irish chiefs, and making arrangements for a better government; that Lord Thomas Fitzgerald had been proclaimed traitor at the market-cross; and that he hoped, as soon as the chancellor and the vicar-general could come to an understanding, the said traitor might be pronounced excommunicated.* All this was very well, and we learn to our comfort that in due time the excommunication was pronounced; but it was not putting down the rebellion—it was not the work for which he was sent to Ireland with three thousand English soldiers.

November. And resolves, the season being late, to do nothing.

Fitzgerald, as soon as the army was landed,

accompanied with his uncles, servants, adherents, &c., falsely and traitorously assembled themselves together upon the sea coast, for keeping and resisting the king's deputy and army; and the same time they shamefully murdered divers of the said army coming to land. And Edward Rowkes, pirate at the sea, captain to the said Thomas, destroyed and took many of them.—Act of Attainder of the Earl of Kildare: 28 Hen. VIII. cap. 1.

* Skeffington to Henry VIII.: *State Papers*, vol. ii. pp. 206–7.

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retired into the interior; but finding that the deputy lay idle within the walls, he recovered heart, and at the head of a party of light horse re-appeared within six miles of Dublin. Trim and Dunboyne, two populous villages, were sacked and burnt, and the blazing ruins must have been seen from the battlements of the Castle. Yet neither the insults of the rebels nor the entreaty of the inhabitants could move the imperturbable Skeffington. He lay still within the city walls;* and Fitzgerald, still further encouraged, despatched a fresh party of ecclesiastics to the pope and the emperor, with offers of allegiance and promises of tribute,† giving out meanwhile in Ireland that he would be supported in the spring or summer by the long talked-of Spanish army. Promises costing Charles V. nothing, he was probably liberal of them, and waited for the issue to decide how far they should be observed.

Fitzgerald burns Trim and Dunboyne, within six miles of Dublin.

He again writes to the emperor.

If this was so, the English deputy seemed to be determined to give the rebellion every chance of

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* Accompanied with the number of sixty or eighty horsemen, and about three hundred kerne and gallowglass, the traitor came to the town of Trim, and there not only robbed the same, but also burnt a great part thereof, and took all the cattle of the country thereabouts; and after that assaulted Dunboyne, within six miles to Dublin; and the inhabitants of the town defending themselves by the space of two days, and sending for succour to Dublin . . . . in default of relief, he utterly destroyed and burnt the whole town.—Allen to Cromwell: *State Papers*, vol. ii. p. 220.

† He hath sent divers muniments and precedents which should prove that the king held this land of the See of Rome; alledging the king and his realm to be heretics digressed from the obedience of the same, and of the faith Catholic. Wherefore his desire is to the emperour and the Bishop of Rome, that they will aid him in defence of the faith Catholic against the king, promising that he will

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Ch. 8. issuing as the emperor desired. The soldiers were eager for employment, but Skeffington refused to give his officers an opportunity for distinction in which he did not share,* and a few ineffectual skirmishes in the neighbourhood were the sole exploits which for five months they were allowed to achieve. One expedition, as far as Drogheda, the deputy indeed ventured, towards the end of November; and in the account of it which he sent to England, he wrote as if it were matter of congratulation that he had brought his army back in safety. Nor were his congratulations, at least to himself, without reason, for he owed that safety to God and to fortune. He had allowed the archers to neglect the old precaution of taking cases for their bows. They were overtaken by a storm, which wetted the strings and loosened the feathers of the arrows; and thus, at disadvantage, they were intercepted in a narrow defile,† and escaped only because the Irish were weak in numbers.

A.D. 1534. November.

Skeffington ventures an expedition to Drogheda, and brings back the army in safety.

He excuses himself on the ground of bad health.

He excused himself for his shortcomings on the plea that he was in bad health—an adequate apology for his own inaction, but none for his appointment on a service so dangerous. Yet perhaps his failure is explained by the scene of it. Elsewhere, Sir William Skeffington may have been a gallant soldier and a reasonable man; but

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hold the said land of them, and pay tribute for the same yearly. —Ibid. p. 222.

* My lord deputy desireth so much his own glory, that he would no man should make an enterprise except he were at it.—Ibid. p. 227.

† Skeffington to Sir Edmund Walsingham: Ibid. p. 233.

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the fatal atmosphere of Ireland seems at all times to have had a power of prostrating English intellect. The Protector Cromwell alone was cased in armour which could defy its enchantments. An active officer might have kept the field without difficulty. The Master of the Rolls, to prove that the country, even in mid-winter, was practicable without danger, rode to Waterford in November with only three hundred horse, through the heart of the disturbed districts, and returned unmolested.* The Earl of Ossory, with Sir John St. Loo, made an appointment to meet Skeffington at Kilcaa,† where, if he brought cannon, they might recover the castles of the government which were held by the Geraldines. He promised to go, and he might have done so without danger or difficulty; but he neither went nor sent; only a rumour came that the deputy was ill;‡ and in these delays and with this ostentation of imbecility, the winter passed away, as if to convince every wavering Irishman that, strong as the English might be in their own land, the sword dropped from their nerveless hands when their feet were on Irish soil. Nor

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* Allen to Cromwell: *State Papers*, vol. ii. p. 220.

† In Kildare county, on the frontiers of the pale.

‡ The captains and I, the Earl (of Ossory) directed letters to the deputy to meet us in the county of Kildare, at Kilcaa, bringing with him ordnance accordingly, when the deputy appointed without fail to meet. At which day and place the said Earl, with the army (of) Waterford failed not to be, and there did abide three days continually for the deputy; where he, neither any of the army, came not, ne any letter or word was had from him; but only that Sir James Fitzgerald told that he heard say he was sick.—Ossory to W. Cowley: *State Papers*, vol. ii. p. 251.

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CH. 8. was this the only or the worst consequence. The army, lying idle in Dublin, grew disorganized; many of the soldiers deserted; and an impression spread abroad that Henry, after all, intended to return to the old policy, to pardon Fitzgerald, and to restore him to power.*

A.D. 1534. November. Consequence of the deputy's inaction.

A.D. 1534-5 Feb. 16. The clear pen of the indefatigable Allen lays the state of affairs before us with the most painful distinctness. 'My lord deputy,' he wrote to Cromwell on the 16th of February, 'now by the space of twelve or thirteen weeks hath continued in sickness, never once going out of his house; he as yet is not recovered. In the meantime the rebel hath burnt much of the country, trusting, if he may be suffered, to waste and desolate the Inglishry, [and thus] to enforce this army to depart. Sirs, as I heretofore advertised you, this rebel had been banished out of all these parts or now, if all men had done their duties. But, to be plain with you, except there be a marshal appointed, which must do strait correction, and the army prohibited from resorting to Dublin

* Allen certainly thought so, or at least was unable to assure himself that it was not so. 'My simple advice shall be,' he wrote, 'that if ever the king intend to show him grace (which himself demandeth not in due manner) and to pardon him, to withdraw his charges and to pardon him out of hand; or else to send hither a proclamation under the Great Seal of England, that the king never intends to pardon him ne any that shall take part with him, but utterly to prosecute both him and them to their utter confusion. For the gentlemen of the country hath said plainly to divers of the council, that until this be done, they dare not be earnest in resisting him, in doubt he should have his pardon hereafter, as his grandfather, his father, and divers his ancestors have had; and then would prosecute them for the same.'—*State Papers*, vol. ii. p. 222.

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(but ordered to keep the field), the king shall never be well served, but his purpose shall long be delayed.'* A.D. 1535. February.

The wages, also, were ill-paid, though money in abundance had been provided. The men were mutinous, and indemnified themselves at the expense of the wretched citizens, whose houses they pillaged at will under pretence that the owners were in league with the rebels.† The arms, also, which had been supplied to the troops, were of the worst kind: they had been furnished out of ordnance which had been long on hand, and were worthless.‡

The wages are ill-paid. The army is mutinous.

The military stores worthless.

The conduct of the king, when the representations of Allen were laid before him, was very unlike what the popular conception of his character would have led us to expect. We imagine him impatient and irritable; and supposing him to have been (as he certainly was) most anxious to see the rebellion crushed, we should have looked for some explosion of temper; or, at least, for some imperious or arbitrary message to the unfortunate deputy. He contented himself, however, with calmly sending some one whom he

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* Allen to Cromwell: *State Papers*, vol. ii. p. 226.

† 'Restraint must be had that this army shall not spoil ne rob any person, but as the deputy and council shall appoint; and that the captains be obedient to their orders, or it shall not be well. Ne it is not meet that every soldier shall make a man a traitor for to have his goods. They be so nusselled in this robbery, that now they almost will not go forth to defend the country, except they may have gain.'—Allen to Cromwell, Feb. 16.

‡ 'The bows which came out of the stores at Ludlow Castle were naught; many of them would not hold the bending.'—*State Papers*, vol. ii. p. 228.

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CH. 8. could trust to make inquiries; and even when the result confirmed the language of the Master of the Rolls, and the deputy's recal was in consequence urged upon him, he still refused to pass an affront upon an old servant. He appointed Lord Leonard Grey, brother-in-law of the Countess of Kildare, chief marshal of the army; but he would not even send Grey over till the summer, and he left Skeffington an opportunity of recovering his reputation in the campaign which was to open with the spring.* The army, however, was ordered to leave Dublin without delay; and the first move, which was made early in February, was followed by immediate fruits. Two of the pirates who had been acting with Fitzgerald were taken, and hanged.† Several other offenders of note were also caught and thrown into prison; and in two instances, as if the human ministers of justice had not been sufficiently prompt, the higher powers thought fit to inflict the necessary punishment. John Teling, one of the archbishop's murderers, died of a foul disorder at Maynooth;‡ and the Earl of Kildare, the contriver of the whole mischief, closed his evil career in the Tower of London 'for thought and pain.'§ He was attainted by the parliament which sat in the autumn, and lay under sentence of death

A.D. 1535. February. The Irish council desire the recal of Skeffington. The king refuses.

The army leave Dublin, and commence work.

* The king, a few months later, wrote to him a letter of warm thanks for his services, and admitted his plea of ill-health with peculiar kindness. —Henry VIII. to Skeffington: *State Papers*, vol. ii. p. 280.

† Brabazon to Cromwell: Ibid. p. 224.

‡ Allen to Cromwell: Ibid. p. 230.

§ CAMPION, p. 179.

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when death came unbidden to spare the executioner his labour. CH. 8.

A.D. 1535. March 14. Death of the Earl of Kildare.

Meantime, the spring opened at last, and affairs further improved. Skeffington's health continued weak; but with the advance of the season he was able to take the field; and on the 14th of March he appeared under the walls of Maynooth. This castle was the strongest in the possession of the Geraldines. Vast labour had been recently expended on its fortifications, for which the king's subjects had been forced to pay. It was defended by the ordnance from Dublin, and held by a small but adequate garrison. It was thought to be impregnable, and in the earlier stages of the science of gunnery it might possibly have defied the ordinary methods of attack. Nay, with a retrospective confidence in the strength of its defences, the Irish historians have been unable to believe that it could have been fairly taken; they insist that it resisted the efforts of the besiegers, and was on the point of being saved by Fitzgerald,* when it was delivered to the English commander by treachery. A despatch to the king, which was written from the spot, and signed by the deputy and all the members of the Irish council, leaves but little remaining of this romance.

March 14. Skeffington takes the field. Siege of Maynooth Castle.

An authentic account of an attack by cannon on a fortified place at that era, will scarcely fail to be interesting. The castle, says this document, was so strongly defended both with men

The walls are bombarded.

* LELAND, COXE, WARE.

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CH. 8. A.D. 1535. and ordnance, 'as the like had not been seen in Ireland since the Conquest.' The garrison consisted of a hundred men, of which sixty were gunners. On the third day of the siege the English batteries opened on the north-west side of the donjon, and destroying the battlements, buried the cannon on that part of the wall under the ruins. The siege lines were then moved 'to the north side of the base court of the castle, at the north-east end whereof there was a new-made, very strong, and fast bulwark, well garrisoned with men and ordnance.' Here a continual fire was sustained for five days, 'on that wise that a breach and entry was made there.'

March 23. The castle is stormed. Whereupon, continues the despatch, 'The twenty-third day, being Tuesday next before Easter day, there was a galiard assault given before five o'clock in the morning, and the base court entered; at which entry there were slain of the ward of the castle about sixty, and of your Grace's army no more but John Griffin, yeoman of your most honourable guard, and six others which were killed with ordnance of the castle at the entry. Howbeit, if it had not pleased God to preserve us, it were to be marvelled that we had no more slain. After the base court was thus won, we assaulted the great castle, which within a while yielded.' Thirty-seven of the remaining garrison were taken prisoners, with two officers, two Irish ecclesiastics who had distinguished themselves in promoting the insurrection, and one of the murderers of the archbishop.

Thirty-seven prisoners taken.

The place was taken by fair fighting, it seems,

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without need of treachery; and the capture by storm of a fortified castle was a phenomenon altogether new to the Irish, who had yet to learn the effect of well-served cannon upon walls.*

The work at length was begun in earnest, and in order to drive the lesson home into the understanding of the people, and to instruct them clearly that rebellion and murder were not any longer to be tolerated, the prisoners were promptly brought up before the provost-marshal, and twenty-six of them there and then, under the ruins of their own den, were hung up for sign to the whole nation.†

A judicial operation of this kind had never before been witnessed in Ireland within the known cycle of its history, and the effect of it was proportionately startling. In the presence

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* Henry VIII. was one of the first men to foresee and value the power of artillery. Sebastiani mentions experiments on the range of guns which were made by him, in Southampton water; and it is likely that the cannon used in the siege of Maynooth were the large-sized brass guns which were first cast in England in the year of its capture.—Stow, p. 572. When the history of artillery is written, Henry VIII.'s labours in this department must not be forgotten. Two foreign engineers whom he tempted into his service, first invented 'shells.' 'One Peter Baud, a Frenchman born,' says Stow, 'and another alien, called Peter Van Collen, a gunsmith, both the king's feed men, conferring together, devised and caused to be made certain mortar pieces, being at the mouth from eleven inches unto nineteen inches wide, for the use whereof they [also] caused to be made certain hollow shot of cast iron, to be stuffed with fire-work or wildfire; whereof the bigger sort for the same had screws of iron to receive a match to carry fire kindled, that the firework might be set on fire for to break in pieces the same hollow shot, whereof the smallest piece hitting any man would kill or spoil him.'—Stow, *Chronicle*, p. 584.

† *State Papers*, vol. ii. p. 237.

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CH. 8.

A.D. 1535. March. The Pardon of Maynooth. The effect of it upon the people.

of this 'Pardon of Maynooth,' as it was called, the phantom of rebellion vanished on the spot. It was the first serious blow which was struck in the war, and there was no occasion for a second. In a moment the noise and bravado which had roared from Donegal to Cork was hushed into a supplication for forgiveness. Fitzgerald was hastening out of Thomond to the relief of his fortress. When they heard of the execution, his army melted from him like a snowdrift. The confederacy of the chiefs was broken up; first one fell away from it, and then another; and before the summer had come, O'Brien of Inchiquin, O'Connor, who had married Fitzgerald's sister, and the few scattered banditti of the Wicklow mountains, were all who remained of the grand association which was to place the Island of Saints at the feet of the Father of Christendom.

The rebellion vanishes.

Sadder history in the compass of the world's great chronicle there is none than the history of the Irish: so courageous, yet so like cowards; so interesting, yet so resolute to forfeit all honourable claims to interest. In thinking of them, we can but shake our heads with Lord Chancellor Audeley, when meditating on this rebellion, and repeat after him, 'they be a people of strange nature, and of much inconstancy.'*

Fitzgerald retreats into Thomond, intending to sail for Spain.

Lord Fitzgerald was now a fugitive, with a price upon his head. He retreated into Thomond, intending to sail for Spain, and to attempt with his

* *State Papers*, vol. i. p. 446.

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own lips to work persuasion with the emperor.* There was an expectation, however, that the Spaniards might be already on their way; and O'Brien persuaded him to remain, to prevent the complete disintegration of his party. Sir James de la Hyde was therefore sent to Charles; and the wretched young nobleman himself wandered from place to place, venturing, while Skeffington still lay at Maynooth, into the neighbourhood of his home, among his own people, yet unable to do more than evade the attempts which were made to capture him. The life of the rebellion was gone from it.

Ch. 8.

A.D. 1535. March.

O'Brien persuades him to remain.

There was no danger that he would be betrayed. The Irish had many faults—we may not refuse them credit for their virtues. However treacherous they were to their enemies, however inconstant in their engagements, uncertain, untrue in ordinary obligations, they were without rivals in the world in their passionate attachments among themselves; and of all the chiefs who fell from Fitzgerald's banner, and hastened with submission to the English deputy, there was perhaps not one who, though steeped in the blood of a hundred murders, would not have been torn limb from limb rather than have listened to a temptation to betray him.

Fidelity of the people.

At length, after a narrow escape from a surprise, from which he rescued himself only by the connivance of the Irish kerne who were with the party sent to take him, the young earl, as he now

* *State Papers*, vol. ii. p. 253.

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Ch. 8. called himself, weary of his wandering life, and when no Spaniards came, seeing that his cause was for the present hopeless, offered to surrender.

A.D. 1535. August.

Arrival of Lord Leonard Grey. Fitzgerald writes to him with an offer of surrender.

It was by this time August, and Lord Leonard Grey, his father's brother-in-law, was present with the army. To him he wrote from O'Connor's Castle, in King's County, apologizing for what he had done, desiring pardon 'for his life and lands,' and begging his kinsman to interest himself in his behalf. If he could obtain his forgiveness, he promised to deserve it. If it was refused, he said that he 'must shift for himself the best that he could.'*

Grey suggests an interview.

In reply to this overture, Grey suggested an interview. The appointment of so near a relative of the Kildares to high office in Ireland, had been determined, we may be sure, by the Geraldine influence in the English council. The marshal was personally acquainted with Fitzgerald, and it is to be observed that the latter in writing to him signed himself his 'loving friend.' That Lord Leonard was anxious to save him does not admit of a doubt; he had been his father's chief advocate with the king, and his natural sympathy with the representative of an ancient and noble house was strengthened by family connexion. He is not to be suspected, therefore, of treachery, at least towards his kinsman. The interview was agreed upon, and on the eighteenth of August, Grey, with Sir Rice Mansell, Chief Justice Aylmer,

August 18.

* Lord Thomas Fitzgerald to Lord Leonard Grey: *State Papers*, vol. ii. p. 273.

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Lord James Butler, and Sir William St. Loo, rode from Maynooth into King's County, where, on the borders of the Bog of Allen, Fitzgerald met them. Here he repeated the conditions upon which he was ready to surrender. Lord Grey said that he had no authority to entertain such conditions; but he encouraged the hope that an unconditional surrender would tell in his favour, and he promised himself to accompany his prisoner to the king's presence. Fitzgerald interpreting expressions confessedly intended 'to allure him to yield,'* in the manner most favourable to himself, placed himself in the hands of the marshal, and rode back with him to the camp.

Ch. 8.

A.D. 1535. August. Fitzgerald meets him,

And surrenders on a dubious promise of pardon.

The deputy wrote immediately to announce the capture. Either the terms on which it had been effected had not been communicated to him, or he thought it prudent to conceal them, for he informed Henry that the traitor had yielded without conditions, either of pardon, life, lands, or goods, 'but only submitting to his Grace's mercy.'† The truth, however, was soon known; and it occasioned the gravest embarrassment. How far a government is bound at any time to respect the unauthorized engagements of its subordinates, is one of those intricate questions

Embarrassment of the government.

* The Lord Leonard repayreth at this season to your Majesty, bringing with him the said Thomas, beseeching your Highness most humbly, that according to the comfort of our words spoken to the same Thomas to allure him to yield him, ye would be merciful to the said Thomas, especially concerning his life.—The Council of Ireland to Henry VIII.: *State Papers*, vol. ii. p. 275.

† Ibid. p. 274.

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Ch. 8. A.D. 1535. August.

which cannot be absolutely answered;* and it was still less easy to decide, where the object of such engagements had run a career so infamous as Lord Thomas Fitzgerald. No pirate who ever swung on a well-earned gallows had committed darker crimes, and the king was called upon to grant a pardon in virtue of certain unpermitted hopes which had been held out in his name. He had resolved to forgive no more noble traitors in Ireland, and if the archbishop's murder was passed over, he had no right to affect authority in a country where he was so unable to exert it. On the other hand, the capture of so considerable a person was of great importance; his escape abroad, if he had desired to leave the country, could not have been prevented; and while the government retained the benefit which they derived from his surrender, their honour seemed to be involved in observing the conditions, however made, by which it had been secured.

If Fitzgerald was spared, the government of Ireland was impossible.

Yet, were the English entitled to reap the benefit of his capture?

It is likely, though it is not certain, that Lord Leonard foresaw the dilemma in which Henry would be placed, and hoped by means of it to secure the escape of his kinsman. His own ultimate treason throws a shadow on his earlier loyalty; and his talent was fully equal to so ingenious a fraud. He had placed the king in a position from which no escape was possible that was not open to grave objection. To pardon

* The conditions promised to Napoleon by the captain of the *Bellerophon* created a similar difficulty. If Nana Sahib had by any chance been connected by marriage with an English officer, and had that officer induced him to surrender by a promise of pardon, would the English Government have respected that promise?

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so heavy an offender was to violate the first duty of government, and to grant a general licence to Irish criminality; to execute him was to throw a shadow indirectly on the king's good faith, and lay his generals open to a charge of treachery. Henry resolved to err on the side on which error was least injurious. The difficulty was submitted to the Duke of Norfolk, as of most experience in Irish matters. The duke advised that execution should be delayed; but added significantly, 'quod defertur non aufertur.'—Pardon was not to be thought of; the example would be fatal.* Immediate punishment would injure the credit of Lord Grey, and would give occasion for slander against the council.† The best course would be to keep 'the traitor' in safe prison, and execute him, should it seem good, at a future time.‡ This advice was followed. Fitzgerald, with his uncles, who had all been implicated in the insurrection, was committed to the Tower; and in the year following they were hanged at Tyburn.

The Duke of Norfolk advises delay of punishment.

Fitzgerald is hanged the following year at Tyburn.

So ended the rebellion in Ireland; significant chiefly because it was the first in which an outbreak against England assumed the features of a war of religion, the first which the pope was especially invited to bless, and the Catholic

* It were the worst example that ever was; and especially for these ungracious people of Ireland.—Norfolk to Cromwell: *State Papers*, vol. ii. p. 276.

† *State Papers*, vol. ii. p. 276.

‡ Ibid. The duke, throughout his letter, takes a remarkably business-like view of the situation. He does not allow the question of 'right' to be raised, or suppose at all that the government could lie under any kind of obligation to a person in the position of Fitzgerald.

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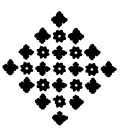
Ch. 8. A.D. 1535.

powers, as such, to assist. The features of it, on a narrow scale, were identical with those of the later risings. Fostered by the hesitation of the home authorities, it commenced in bravado and murder; it vanished before the first blows of substantial resistance. Yet the suppression of the insurrection was attended by the usual Irish fatality—mistake and incompleteness followed the proceedings from the beginning to the end; and the consciousness remained that a wound so closed would not heal, that the moral temper of the country remained unaffected, and that the same evils would again germinate.



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CHAPTER IX.

THE CATHOLIC MARTYRS.

State of England in the summer of 1534.

WHILE the disturbance in Ireland was at its height, affairs in England had been scarcely less critical. The surface indeed remained unbroken. The summer of 1534 passed away, and the threatened invasion had not taken place. The disaffection which had appeared in the preceding year had been smothered for a time; Francis I. held the emperor in check by menacing Flanders, and through French influence the rupture with Scotland had been seemingly healed. In appearance the excommunication had passed off as a *brutum fulmen*, a flash of harmless sheet lightning, serving only to dazzle feeble eyes. The oath of succession, too, had been taken generally through the country; Sir Thomas More and Bishop Fisher having alone ventured to refuse. The pope had been abjured by the universities and by the convocation in both the provinces, and to these collective acts the bishops and the higher clergy had added each their separate consent.

But the government knew too well the temper of the clergy to trust to outward compliance, or to feel assured that they acquiesced at heart either in the separation from Rome, or in the loss of their

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CH. 9.

A.D. 1534. The clergy comply with the revolution, but inwardly have little heart for it.

treasured privileges. The theory of an Anglican Erastianism found favour with some of the higher church dignitaries, and with a section perhaps of the secular priests; but the transfer to the crown of the first-fruits, which in their original zeal for a free Church of England, the ecclesiastics had hoped to preserve for themselves, the abrupt limitation of the powers of convocation, and the termination of so many time-honoured and lucrative abuses, had interfered with the popularity of a view which might have been otherwise broadly welcomed; and while growing vigorously among the country gentlemen and the middle classes in the towns, among the clergy it throve only within the sunshine of the court. The rest were overawed for the moment, and stunned by the suddenness of the blows which had fallen upon them. As far as they thought at all, they believed that the storm would be but of brief duration, that it would pass away as it had risen, and that for the moment they had only to bend. The modern Englishman looks back upon the time with the light of after history. He has been inured by three centuries of division to the spectacle of a divided church, and sees nothing in it either embarrassing or fearful. The ministers of a faith which had been for fifteen centuries as the seamless vesture of Christ, the priests of a church supposed to be founded on the everlasting rock against which no power could prevail, were in a very different position. They obeyed for the time the strong hand which was upon them, trusting to the interference of accident or providence. They comforted

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themselves with the hope that the world would speedily fall back into its old ways, that Christ and the saints would defend the church against sacrilege, and that in the meantime there was no occasion for them to thrust themselves upon voluntary martyrdom.* But this position, natural as it was, became difficult to maintain when they were called upon not only themselves to consent to the changes, but to justify their consent to their congregations, and to explain to the people the grounds on which the government had acted. The kingdom was by implication under an interdict,† yet the services went on as usual; the king was excommunicated; doubt hung over the succession; the facts were imperfectly known; and the never-resting friars mendicant were busy scattering falsehood and misrepresentation. It was of the highest moment that on all these important matters the mind of the nation should if possible be set at rest; and the clergy, whose loyalty was presumed rather than trusted, furnished the only means by which

Ch. 9.

A.D. 1534. March. They bend before the storm, trusting to time.

* 'These be no causes to die for,' was the favourite phrase of the time. It was the expression which the Bishop of London used to the Carthusian monks (*Historia Martyrum Anglorum*), and the Archbishop of York in his diocese generally.—Ellis, third series, vol. ii. p. 375.

† Si Rex Præfatus, vel alii, inhibitioni ac prohibitioni et interdicto hujusmodi contravenerint, Regem ipsum ac alios omnes supradictos, sententias censuras et pœnas prædictas ex nunc prout ex tunc incurrisse declaramus, et ut tales publicari ac publice nunciari et evitari—ac interdictum per totum regnum Angliæ sub dictis pœnis observari debere, volumus atque mandamus.—*First Brief of Clement:* Legrand, vol. iii. pp. 451–52. The Church of Rome, however, draws a distinction between a sentence implied and a sentence directly pronounced.

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CH. 9. A.D. 1534.

The clergy are called upon to explain to the people the changes which have taken place.

the government could generally and simultaneously reach the people. The clergy therefore, as we have seen, were called upon for their services; the pope's name was erased from the mass books; the statute of appeals and the statute of succession were fixed against the doors of every parish church in England, and the rectors and curates were directed every week in their sermons to explain the meaning of these acts. The bishops were held responsible for the obedience of the clergy; the sheriffs and the magistrates had been directed to keep an eye upon the bishops; and all the machinery of centralization was put in force to compel the fulfilment of a duty which was well known to be unwelcome.

That as little latitude as possible might be left for resistance or evasion, books were printed by order of council, and distributed through the hands of the bishops, containing a minute account of the whole proceedings on the divorce, the promises and falsehoods of the pope, the opinions of the European universities, and a general epitome of the course which had been pursued.* These were to be read aloud to the congregations; and an order for preaching was at the same time circulated, in which the minuteness of the directions is as remarkable as the prudence of them. Every preacher was to deliver one sermon at least ('and after at his liberty') on the encroachments and usurpations of the papal power. He was to

The order for preaching. Every preacher to deliver one sermon against the papal usurpation.

* STRYPE'S *Memorials*, vol. i. p. 292. ELLIS, third series, vol. ii. p. 336.

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A.D. 1534.

preach against it, to expose and refute it to the best of his ability, and to declare that it was done away, and might neither be obeyed nor defended further. Again in all places 'where the king's just cause in his matter of matrimony had been detracted, and the incestuous and unjust [matrimony] had been set forth [and extolled],' the clergy were generally directed 'to open and declare the mere verity and justness' of the matter, declaring it 'neither doubtful nor disputable, but to be a thing of mere verity, and so to be allowed of all men's opinions. They were to relate in detail the pope's conduct, his many declarations in the king's favour; the first decretal, which was withheld by Campeggio, in which he had pronounced the marriage with Catherine invalid; his unjust avocation of the cause to Rome; his promises to the King of France; and finally, his engagement at Marseilles to pronounce in the King of England's favour, if only he would acknowledge the papal jurisdiction.* They were therefore to represent the king's conduct as the just and necessary result of the pope's duplicity. These things the clergy were required to teach, not as matters

The archbishop's sentence to be held a thing of mere verity, not to be again called in question.

* It is remarkable that in this paper it seems to be assumed, that the pope would have fulfilled this engagement if Henry had fully submitted. 'He openly confessed,' it says, 'that our master had the right; but because our prince and master would not prejudicate for his jurisdictions, and uphold his usurped power by sending a proctor, ye may evidently here see that this was only the cause why the judgment of the Bishop of Rome was not given in his favour; whereby it may appear that there lacked not any justice in our prince's cause, but that ambition, vain glory, and too much mundanity were the lets thereof.'

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CH. 9. of doubt and question, but as vital certainties on which no difference of opinion could be tolerated. Finally, there were added a few wholesome admonitions on other subjects, which mark the turning of the tide from Catholic orthodoxy. The clergy were interdicted from indulging any longer in the polemics of theology. 'To keep unity and quietness in the realm it' was 'ordained that no preachers' should 'contend openly in the pulpit one against another, nor uncharitably deprave one another in open audience. If any of them' were 'grieved one with another,' they were to 'complain to the King's Highness or the archbishop or bishop of the diocese.' They were 'purely, sincerely, and justly' to 'preach the scripture and words of Christ, and not mix them with men's institutions, or make men believe that the force of God's law and man's law was the like.' On subjects such as purgatory, worship of saints and relics, marriage of the clergy, justification by faith, pilgrimages and miracles, they were to keep silence for one whole year, and not to preach at all.*

A.D. 1534. The clergy are forbidden to preach upon disputed points of doctrine.

These instructions express distinctly the convictions of the government. It would have been well if the clergy could have accepted them as they were given, and submitted their understandings once for all to statesmen who were wiser than themselves. The majority (of the parish clergy at least) were perhaps outwardly obedient; but the surveillance which the magistrates were

* An Order for Preaching: printed in BURNET's *Collectanea*, p. 447.

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directed to exercise proves that the exceptions were expected to be extensive; and in many quarters these precautions themselves were rapidly discovered to be inadequate. Several even of the most trusted among the bishops attempted an obstructive resistance. The clergy of the north were notoriously disobedient. The Archbishop of York was reported to have talked loosely of 'standing against' the king 'unto death.'* The Bishop of Durham fell under suspicion, and was summoned to London. His palace was searched and his papers examined in his absence; and the result, though inconclusive, was unsatisfactory.† The religious orders again (especially the monks of such houses as had been implicated with the Nun of Kent) were openly recusant. At the convent at Sion, near Richmond, a certain Father Ricot preached as he was commanded, 'but he made this addition, that he which commanded him to preach should discharge his conscience: and as soon,' it was said, 'as the said Ricot began to declare the king's title,' 'nine of the brethren departed from the sermon, contrary to the rule of their religion, to the great slander of the audience.'‡ Indeed it soon became evident that among the

Difficulty of securing obedience to the order.

Obstructiveness of the bishops,

And of the regular clergy.

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* ELLIS, third series, vol. ii. p. 373.

† John ap Rice to Secretary Cromwell, with an account of the search of the Bishop of Durham's chamber: *Rolls House MS.*

‡ Bedyll to Cromwell: *State Papers*, vol. i. p. 422. Bedyll had been directed by Cromwell to observe how the injunctions were obeyed. He said that he was 'in much despair of the reformation of the friars by any gentle or favourable means;' and advised, 'that fellows who leave sermons should be put in prison, and made a terrible example of.'

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CH. 9. A.D. 1534.

regular clergy no compliance whatever was to be looked for; and the agents of the government began to contemplate the possible consequences, with a tenderness not indeed for the prospective sufferers, but for the authorities whom they would so cruelly compel to punish them. 'I am right sorry,' wrote Cromwell's secretary to him, 'to see the foolishness and obstinacy of divers religious men, so addict to the Bishop of Rome and his usurped power, that they contemn counsel as careless men and willing to die. If it were not for the opinion which men had, and some yet have, in their apparent holiness, it made no great matter what became of them, so their souls were saved. And for my part, I would that all such obstinate persons of them as be ready to die for the advancement of the Bishop of Rome's authority were dead indeed by God's hand, that no man should run wrongfully into obloquy for their just punishment.'*

Powers of the confessional.

But the open resistance of mistaken honesty was not the danger which the government most feared. Another peril threatened their authority, deeper and more alarming by far. The clergy possessed in the confessional a power of secret influence over the masses of the people, by which they were able at once (if they so pleased) to grant their penitents licences for insincerity, to permit them to perjure themselves under mental reservations, and to encourage them to expiate a venial falsehood by concealed disaffection. The

* *State Papers*, vol. i. p. 422, et seq.

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secrets of confession were inviolable. Anathemas the most fearful forbade their disclosure; and, secured behind this impenetrable shield, the church might defy the most stringent provisions, and baffle every precaution.

A.D. 1534. The clergy in some cases advise their penitents to take the oaths with a mental reservation.

From the nature of the case but little could transpire of the use or the abuse which was made at such a time of so vast a power; but Cromwell, whose especial gift it was to wind himself into the secrets of the clergy, had his sleuth-hounds abroad, whose scent was not easily baffled. The long tyranny of the priesthood produced also its natural retribution in the informations which were too gladly volunteered in the hour of revenge; and more than one singular disclosure remains among the *State Papers*, of language used in this mysterious intercourse. Every man who doubted whether he might lawfully abjure the pope, consulted his priest. Haughton, the Prior of Charterhouse, in all such cases, declared absolutely that the abjuration might not be made.* He himself refused openly; and it is likely that he directed others to be as open as himself. But Haughton's advice was as exceptional as his conduct. Father Forest, of Greenwich, who was a brave man, and afterwards met nobly a cruel death, took the oath to the king as he was required; while he told a penitent that he had abjured the pope in the outward, but not in the inward man, that he 'owed an obedience to the pope which he could not shake off,' and that it

* STRYPE'S *Memorials*, vol. i. p. 305.

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Ch. 9. was 'his use and practice in confession, to induce men to hold and stick to the old fashion of belief.'*

A.D. 1534. Confession of John Staunton.

Here, again, is a conversation which a treacherous penitent revealed to Cromwell; the persons in the dialogue being the informer, John Staunton, and the confessor of Sion Monastery, who had professed the most excessive loyalty to the crown.† The informer, it must be allowed, was a good-for-nothing person. He had gone to the confessor, he said, to be shriven, and had commenced his confession with acknowledging 'the seven deadly sins particularly,' 'and next the misspending of his five wits.' As an instance of the latter, he then in detail had confessed to heresy; he could not persuade himself that the priest had power to forgive him. 'Sir,' he professed to have said to the confessor, 'there is one thing in my stomach which grieveth my conscience very sore; and that is by reason of a sermon I heard yesterday of Master Latimer, saying that no man of himself had authority to forgive sins, and that the pope had no more authority than another bishop; and therefore I am in doubt whether I shall have remission of my sins of you or not, and that the pardon is of no effect.'

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* Confessions of Father Forest: *Rolls House MS.* This seems to have been generally known at the time. Latimer alludes to it in one of his sermons.

† 'The confessor can do no good with them (the monks), and the obstinate persons be not in fear of him; but he in great fear and danger of his life, by reason of their malice, for that he hath consented to the king's title, and hath preached the same.'—Bedyll to Cromwell: *State Papers*, vol. i. p. 424.

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The priest answered, 'That Latimer is a false knave;' and seven or eight times he called him false knave, and said he was an eretycke. 'Marry, this I heard Latimer say,' the confessor continued, 'that if a man come to confession, and be not sorry for his sins, the priest hath no power to forgive him. I say the pope's pardon is as good as ever it was; and he is the Head of the Universal Church, and so I will take him. Here in England the king and his parliament hath put him out; but be of good comfort, and steadfast in your faith; this thing will not last long, I warrant you. You shall see the world change shortly.'

To this the informer said that he had replied, 'You know how that we be sworn unto the King's Grace, and he hath already abjured the pope.'

The confessor thinks that an oath loosely made may be loosely broken.

'As for that,' said the priest, 'an oath loosely made may be loosely broken; and by this example be ye in ease. I had an enemy come unto this church, and one of his friends and mine came unto me and said, 'Sir, I pray you let us go drink with yonder man.' And the said friend maketh such importunate suit unto me to drink with my enemy, that I promise him by my faith that I will go and drink with him; and so indeed doth drink with him. But what then,' said the priest; 'though I go and drink with him upon this promise, trow you that I will forgive him with my heart. Nay, nay, I warrant you. And so in like wise in this oath concerning the abjuration of the pope. I will not abjure him in my heart,' said the priest, 'for these words were not spoken unto Peter for nought—'I will give thee

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CH. 9. A.D. 1534.

Reported advice of Cranmer to the confessor of Sion.

the keys of the kingdom of heaven'—and the pope is Peter's successor. Of this matter,' said the priest, 'I communed once with the Bishop of Canterbury,* and I told the bishop I would pray for the pope as the chief and papal head of Christ's church. And the bishop told me it was the king's pleasure that I should not. I said unto him I would do it; and though I did it not openly, yet would I do it secretly. And he said I might pray for him secretly, but in any wise do it not openly.'†

Trifles of this kind may seem unimportant; but at the time they were of moment, for their weight was cumulative; and we can only now recover but a few out of many. Such as they are, however, they show the spirit in which the injunctions were received by a section at least of the English clergy. Nor was this the worst. We find language reported, which shows that many among the monks were watching for symptoms of the promised imperial invasion, and the progress of the Irish insurgents. A Doctor Maitland, of the order of Black Friars in London, had been 'heard divers times to say, he trusted to see every man's head that was of the new learning, and the maintainers of them, to stand upon a stake, and Cranmer's to be one of them. The king,' he hoped, might suffer 'a violent and shameful death;' and 'the queen, that mischievous

Maitland, the Black Friar, by his science of nigromancy, foretels a counter-revolution.

* Cranmer: but we will hope the story is coloured. It is characteristic, however, of the mild, tender-hearted man who desired to glide round difficulties rather than scale and conquer them.

† A Deposition concerning the popish Conduct of a Priest: *Rolls House MS.*

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whore, might be brent.' 'He said further, that he knew by his science, which was nigromancy, that all men of the new learning should be suppressed and suffer death, and the *people of the old learning should be set up again by the power of the king's enemies from the parts beyond the sea.*'* Ch. 9. A.D. 1534.

In the May weather of 1534, two Middlesex clergy, 'walking to and fro in the cloyster garden at Sion, were there overheard compassing sedition and rebellion.' John Hale, an eager, tumultuous person, was prompting his brother priest, Robert Feron, with matter for a pamphlet, which Feron was to write against the king.† 'Syth the realm of England was first a realm,' said Hale, 'was there never in it so great a robber and piller of the commonwealth read of nor heard of as is our king. . . . . He is the most cruellest capital heretic, defacer and treader under foot of Christ and of his church, continually applying and minding to extinct the same; whose death, I beseech God, may be like to the death of the most wicked John, sometime king of this realm, or rather to be called a great tyran than a king; and that his death may be not much unlike to the end of that manqueller Richard, sometime usurper of this imperial realm. And if thou wilt deeply look upon his life, thou shalt find it more foul and more stinking than a sow wallowing and defiling herself in any filthy place.'

Feron and Hale.

Feron hopes that Henry's death may be like that of the manqueller Richard.

* Information given by John Maydwell, of treasonable Words spoken against Henry VIII. and Anne Boleyn: *Rolls House MS.*

† In this instance we need not doubt that the words were truly reported, for the offenders were tried and pleaded guilty.

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CH. 9.

A.D. 1534.

These words were spoken in English; Feron translated them into Latin, and wrote them down. Hale then continued: 'Until the king and the rulers of this realm be plucked by the pates, and brought, as we say, to the pot, shall we never live merrily in England, which, I pray God, may chance, and now shortly come to pass. Ireland is set against him, which will never shrink in their quarrel to die in it; and what think ye of Wales? The noble and gentle Ap Ryce,* so cruelly put to death, and he innocent, as they say, in the cause. *I think not contrary, but they will join and take part with the Irish, and so invade our realm. If they do so, doubt ye not but they shall have aid and strength enough in England. For this is truth: three parts of England be against the king, as he shall find if he need.* For of truth, they go about to bring this realm into such miserable condition as is France; which the commons see, *and perceive well enough a sufficient cause of rebellion and insurrection in this realm. And truly we of the church shall never live merrily until that day come.*'†

The Irish will persevere in the quarrel, and the Welsh will join them.

Three parts of England be against the king.

* The conspiracy of 'young Ryce,' or Richard ap Griffyth, is one of the most obscure passages in the history of this reign. It was a Welsh plot, conducted at Islington. [Act of Attainder of Richard ap Griffyth, 23 Hen. VIII. cap. 24.] The particulars of it I am unable to discover further, than that it was a desperate undertaking, encouraged by the uncertainty of the succession, and by a faith in prophecies (Confession of Sir William Neville: *Rolls House MS.*), to murder the king. Ryce was tried in Michaelmas term, 1531, and executed. His uncle, who passed under the name of Brancetor, was an active revolutionary agent on the Continent in the later years of Henry's reign.—See *State Papers*, vol. iv. pp. 647, 651, 653; vol. viii. pp. 219, 227, &c.

† Trial and Conviction of John

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A.D. 1534. The persecuting laws against the Catholics.

These informations may assist us in understanding, if we cannot forgive, the severe enactments—severely to be executed—which were passed in the ensuing parliament.

It is a maxim of sound policy, that actions only are a proper subject of punishment—that to treat men as offenders for their words, their intentions, or their opinions, is not justice, but tyranny. But there is no rule which is universally applicable. The policy of a state of war is not the policy of a state of peace. And as a soldier in a campaign is not at liberty to criticise openly the cause for which he is fighting; as no general, on his army going into action, can permit a subordinate to decline from his duty in the moment of danger, on the plea that he is dissatisfied with the grounds of the quarrel, and that his conscience forbids him to take part in it; so there are times when whole nations are in a position analogous to that of an army so circumstanced; when the safety of the State depends upon unity of purpose, and when private persons must be compelled to reserve their opinions to themselves; when they must be compelled neither to express them in words, nor to act upon them in their capacity of citizens, except at their utmost peril. At such times the *salus populi* overrides all other considerations; and the maxims and laws of calmer periods for awhile consent to be suspended.

Effect of circumstances upon policy.

Feron, clerk, and John Hale, clerk: BAGA DE SECRETIS; Appendix II. to the *Third Report of the Deputy Keeper of the Public Records.*

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CH. 9. A.D. 1534. A modern analogy.

The circumstances of the year 1848 will enable us, if we reflect, not upon what those circumstances actually were, but on what they easily might have been, to understand the position of Henry VIII.'s government at the moment of the separation from Rome. If the danger in 1848 had ceased to be imaginary—if Ireland had broken into a real insurrection—if half the population of England had been Socialist, and had been in secret league with the leaders of the Revolution in Paris for a combined attack upon the State by insurrection and invasion—the mere passing of a law, making the use of seditious language an act of treason, would not have been adequate to the danger. Influential persons would have been justly submitted to question on their allegiance, and insufficient answers would have been interpreted as justifying suspicion. Not the expression only, of opinions subversive of society, but the holding such opinions, however discovered, would have been regarded and treated as a crime, with the full consent of what is called the common sense and educated judgment of the nation.*

If for 'opinions subversive of society,' we

* History is never weary of repeating its warnings against narrow judgments. A year ago we believed that the age of arbitrary severity was past. In the interval we have seen the rebellion in India; the forms of law have been suspended, and Hindoo rajahs have been executed for no greater crime than the possession of letters from the insurgents. The evidence of a treasonable animus has been sufficient to ensure condemnation; and in the presence of necessity the principles of the sixteenth century have been instantly revived.—April, 1858.

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substitute allegiance to the papacy, the parallel is complete between the year 1848, as it would then have been, and the time when the penal laws which are considered the reproach of the Tudor governments were passed against the Roman Catholics. I assume that the Reformation was in itself right; that the claims of the pope to an English supremacy were unjust; and that it was good and wise to resist those claims. If this be allowed, those laws will not be found to deserve the reproach of tyranny. We shall see in them but the natural resource of a vigorous government placed in circumstances of extreme peril. The Romanism of the present day is a harmless opinion, no more productive of evil than any other superstition, and without tendency, or shadow of tendency, to impair the allegiance of those who profess it. But we must not confound a phantom with a substance; or gather from modern experience the temper of a time when words implied realities, when Catholics really believed that they owed no allegiance to an heretical sovereign, and that the first duty of their lives was to a foreign potentate. This perilous doctrine was waning, indeed, but it was not dead. By many it was actively professed; and among those by whom it was denied there were few except the Protestants whom it did not in some degree embarrass and perplex.

The Romanism of the sixteenth century not the Romanism of the nineteenth.

The government, therefore, in the close of 1534, having clear evidence before them of intended treason, determined to put it down with a high hand; and with this purpose parliament

Parliament meets, November 3.

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CH. 9. met again on the 3rd of November. The first act of the session was to give the sanction of the legislature to the title which had been conceded by convocation, and to declare the king supreme Head of the Church of England. As affirmed by the legislature, this designation meant something more than when it was granted three years previously by the clergy. It then implied that the spiritual body were no longer to be an *imperium in imperio* within the realm, but should hold their powers subordinate to the crown. It was now an assertion of independence of foreign jurisdiction; it was the complement of the Act of Appeals, rounding off into completeness the constitution in Church and State of the English nation. The act is short, and being of so great importance, I insert it entire.

A.D. 1534. The king is declared supreme Head of the Church.

Act of Supremacy.

'Albeit,' it runs, 'the King's Majesty justly and rightfully is and ought to be the supreme Head of the Church of England, and so is recognised by the clergy of this realm in their convocation, yet nevertheless, for corroboration and confirmation thereof, and for increase of virtue in Christ's religion within this realm of England, and to repress and extirp all errours, heresies, and other enormities and abuses heretofore used in the same: Be it enacted, by authority of this present parliament, that the King our Sovereign Lord, his heirs and successors, kings of this realm, shall be taken, accepted, and reputed the only supreme Head in earth of the Church of England, called *Anglicana Ecclesia*, and shall have and enjoy, annexed and united to the imperial

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crown of this realm, as well the title and style thereof as all the honours, dignities, pre-eminences, jurisdictions, authorities, immunities, profits, and commodities, to the 'said dignity belonging and appertaining; and that our said Sovereign Lord, his heirs and successors, kings of this realm, shall have full power and authority to visit, repress, redress, reform, order, correct, restrain, and amend all such errours, heresies, abuses, contempts, and enormities, whatsoever they be, which by any manner of spiritual authority or jurisdiction ought or may lawfully be reformed—most to the pleasure of Almighty God, the increase of virtue in Christ's religion, and for the conservation of the peace, unity, and tranquillity of this realm—any usage, custom, foreign lawes, foreign authority, prescription, or any other thing or things to the contrary hereof notwithstanding.'*

Considerable sarcasm has been levelled at the assumption by Henry of this title; and on the accession of Elizabeth, the crown, while reclaiming the authority, thought it prudent to retire from the designation. Yet it answered a purpose in marking the nature of the revolution, and the emphasis of the name carried home the change into the mind of the country. It was the epitome of all the measures which had been passed against the encroachments of the spiritual powers within and without the realm; it was at once the symbol of the independence of England, and the declara-

The meaning and value of the title.

* Act of Supremacy, 26 Hen. VIII. cap. 1.

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CH. 9. tion that thenceforth the civil magistrate was supreme within the English dominions over church as well as state.*

A.D. 1534. It becomes the gage of the battle.

* To guard against misconception, an explanatory document was drawn up by the government at the time of the passing of the act, which is highly curious and significant. 'The King's Grace,' says this paper, 'hath no new authority given hereby that he is recognised as supreme Head of the Church of England; for in that recognition is included only that he have such power as to a king of right appertaineth by the law of God; and not that he should take any spiritual power from spiritual ministers that is given to them by the Gospel. So that these words, that the king is supreme Head of the Church, serve rather to declare and make open to the world, that the king hath power to suppress all such extorted powers, as well of the Bishop of Rome as of any other within this realm, whereby his subjects might be grieved; and to correct and remove all things whereby any unquietness might arise amongst the people; rather than to prove that he should pretend thereby to take any powers from the successors of the apostles that was given to them by God. And forasmuch as, in the session of this former parliament holden in the twenty-fifth year of this reign, whereby great exactions done to the king's subjects by a power from Rome was put away, and thereupon the promise was made that nothing should be interpreted and expounded upon that statute, that the King's Grace, his nobles or subjects, intended to decline or vary from the congregation of Christ's church in anything concerning the articles of the Catholic faith, or anything declared by Holy Scripture and the Word of God necessary for his Grace's salvation and his subjects'; it is not, therefore, meet lightly to think that the self-same persons, continuing the self-same parliament, would in the next year following make an act whereby the king, his nobles and subjects, should so vary. And no man may with conscience judge that they did so, except they can prove that the words of the statute, whereby the king is recognised to be the supreme Head of the Church of England, should show expressly that they intended to do so; as it is apparent that they do not.

'There is none authority of Scripture that will prove that any one of the apostles should be head of the universal Church of Christendom. And if any of the doctors of the church or the clergy have, by any of their laws or decrees, declared any Scripture to be of that effect, kings and princes, taking to them their counsellors, and such of their clergy as they shall think most indifferent, ought to be judges whether those declarations and laws be made according to the truth of Scripture or not; because it is said in the Psalms, 'Et nunc Reges intelligite, eru-

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Whether the king was or was not head of the church, became now therefore the rallying point of the struggle; and the denial or acceptance of his title the test of allegiance or disloyalty. To accept it was to go along with the movement heartily and completely; to deny it was to admit the rival sovereignty of the pope, and with his sovereignty the lawfulness of the sentence of excommunication. It was to imply that Henry was not only not head of the church, but that he was no longer lawful King of England, and that the allegiance of the country must be transferred to the Princess Mary when the pope and the emperor should give the word. There might be no intention of treason; the motive of the opposition might be purely religious; but from the nature of the case opposition of any kind would abet the treason of others; and no honesty of meaning could render possible any longer a double loyalty to the crown and to the papacy.

The new Treason Act.

The act conferring the title was in consequence followed by another, declaring the denial of it to be treason. It was necessary to stop the tongues of the noisy mutinous monks, to show them once for all that these high matters were no subjects for trifling. The oath to the succession of the

dimini qui judicatis terram': that is, 'O kings! understand ye, be ye learned that judge the world.' And certain it is that the Scripture is always true; and there is nothing that the doctors and clergy might, through dread and affection, [so well] be deceived in, as in things concerning the honour, dignity, power, liberty, jurisdiction, and riches of the bishops and clergy; and some of them have of likelihood been deceived therein.'—Heads of Arguments concerning the Power of the Pope and the Royal Supremacy: *Rolls House MS.*

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CH. 9. A.D. 1534.

Princess Elizabeth partially answered this purpose; and the obligation to take that oath had been extended to all classes of the king's subjects;* but to refuse to swear to the succession was misprision of treason only, not high treason; and the ecclesiastics (it had been seen) found no difficulty in swearing oaths which they did not mean to observe. The parliament therefore now attached to the statute of supremacy the following imperious corollary:—

For the better security of the realm, it is enacted, That any person who, by words, writing, or otherwise, deprives the king or queen of any one of their just titles, shall be held guilty of high treason.

'Forasmuch as it is most necessary, both for common policy and duty of subjects, above all things to prohibit, provide, restrain, and extinct all manner of shameful slanders, perils, or imminent danger or dangers, which might grow, happen, or arise to their sovereign lord the king, the queen, or their heirs, which, when they be heard, seen, or understood, cannot be but odible and also abhorred of all those sorts that be true and loving subjects, if in any point they may, do, or shall touch the king, the queen, their heirs or successors, upon which dependeth the whole unity and universal weal of this realm; without providing wherefore, too great a scope should be given to all cankered and traitorous hearts, willers and workers of the same; and also the king's loving subjects should not declare unto their sovereign lord now being, which unto them both hath been and is most entirely beloved and esteemed, their undoubted sincerity and truth: Be it therefore enacted, that if any person or persons,

* 26 Hen. VIII. cap. 2.

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after the first day of February next coming, do maliciously wish, will, or desire, by words or writing, or by craft imagine, invent, practise, or attempt any bodily harm to be done or committed to the king's most royal person, the queen's, or their heirs apparent, or to *deprive them or any of them of the dignity, title, or name of their royal estates*, or slanderously and maliciously publish and pronounce by express writing or words that the king our sovereign lord should be heretic, schismatic, tyrant, infidel, or usurper of the crown, &c., &c., that all such persons, their aiders, counsellors, concertors, or abettors, being thereof lawfully convict according to the laws and customs of the realm, shall be adjudged traitors, and that every such offence in any of the premises shall be adjudged high treason.'*

The act made still more comprehensive, in the interpretation of it.

The terrible powers which were thus committed to the government lie on the surface of this language; but comprehensive as the statute appears, it was still further extended by the interpretation of the lawyers. In order to fall under its penalties it was held not to be necessary that positive guilt should be proved in any one of the specified offences; it was enough if a man refused to give satisfactory answers when subjected to official examination.† At the discretion of the king or his ministers the active consent to the supremacy

* 26 Hen. VIII. cap. 13.

† More warned Fisher of this. He 'did send Mr. Fisher word by a letter that Mr. Solicitor had showed him, that it was all one not to answer, and to say against the statute what a man would, as all the learned men in England would justify.'—*State Papers*, vol. i. p. 434.

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might be required of any person on whom they pleased to call, under penalty to the recusant of the dreadful death of a traitor. So extreme a measure can only be regarded as a remedy for an evil which was also extreme; and as on the return of quiet times the parliament made haste to repeal a law which was no longer required, so in the enactment of that law we are bound to believe that they were not betraying English liberties in a spirit of careless complacency; but that they believed truly that the security of the state required unusual precautions. The nation was standing with its sword half drawn in the face of an armed Europe, and it was no time to permit dissensions in the camp.* Toleration is good—but even the best things must abide their opportunity; and although we may regret that in this grand struggle for freedom, success could only be won by the aid of measures which bordered upon oppression, yet here also the even hand of justice was but commending the chalice to the lips of those who had made others drink it to the dregs. They

Retributive justice.

* The act was repealed in 1547, 1 Edw. VI. cap. 12. The explanation which is there given of the causes which led to the enactment of it is temperate and reasonable. Subjects, says that statute, should obey rather for love of their prince than for fear of his laws: 'yet such times at some time cometh in the commonwealth, that it is necessary and expedient for the repressing of the insolence and unruliness of men, and for the foreseeing and providing of remedies against rebellions, insurrections, or such mischiefs as God, sometime with us displeased, doth inflict and lay upon us, or the devil, at God's permission, to assay the good and God's elect, doth sow and set among us,—the which Almighty God and man's policy hath always been content to have stayed—that sharper laws as a harder bridle should be made.'

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only were likely to fall under the Treason Act who for centuries had fed the rack and the stake with sufferers for 'opinion.'

Having thus made provision for public safety, the parliament voted a supply of money for the fortifications on the coast and for the expenses of the Irish war; and after transferring to the crown the firstfruits of church benefices, which had been previously paid to the see of Rome, and passing at the same time a large and liberal measure for the appointment of twenty-six suffragan bishops,* they separated, not to meet again for more than a year.

Appointment of suffragan bishops.

Meanwhile, at Rome a change had taken place which for the moment seemed to promise that the storm after all might pass away. The conclave had elected as a successor to Clement a man who, of all the Italian ecclesiastics, was the most likely to recompose the quarrels in the church; and who, if the genius or the destiny of the papacy had not been too strong for any individual will, would perhaps have succeeded in restoring peace to Christendom. In the debates upon the divorce the Cardinal Farnese had been steadily upon Henry's side. He had maintained from the

Cardinal Farnese is chosen pope.

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* 26 Henry VIII. cap. 14: 'An Act for Nomination and Consecration of Suffragans within the Realm.' I have already stated my impression that the method of nomination to bishopricks by the crown, as fixed by the 20th of the 25th of Henry VIII., was not intended to be perpetual. A further evidence of what I said will be found in the arrangements under the present act for the appointment of suffragans. The king made no attempt to retain the patronage. The bishop of each diocese was to nominate two persons, and between these the crown was bound to choose.

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first the general justice of the king's demands. After the final sentence was passed, he had urged, though vainly, the reconsideration of that fatal step; and though slow and cautious, although he was a person who, as Sir Gregory Cassalis described him, 'would accomplish little, but would make few mistakes,'* he had allowed his opinion upon this, as on other matters connected with the English quarrel, to be generally known. He was elected therefore by French influence† as the person most likely to meet the difficulties of Europe in a catholic and conciliating spirit. He had announced his intention, immediately on Clement's death, of calling a general council at the earliest moment, in the event of his being chosen to fill the papal chair; and as he was the friend rather of Francis I. than of the emperor, and as Francis was actively supporting Henry, and was negotiating at the same moment with the Protestant princes in Germany, it seemed as if a council summoned under such auspices would endeavour to compose the general discords in a temper of wise liberality, and that some terms of compromise would be discovered where by mutual concessions Catholic and Protestant might meet upon a common ground.

He is chosen by French influence, in the hope he will pursue a liberal and conciliating policy.

The moment was propitious for such a hope; for the accession of a moderate pope coincided with the reaction in Germany which followed the scandals at Munster and the excesses of John of

* Parum erraturus sed pauca facturus.—*State Papers*, vol. vii. p. 581.

† Ibid. p. 573.

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Leyden; and Francis pictured to himself a coalition between France, England, and the Lutherans, which, if the papacy was attached to their side, would be strong enough to bear down opposition, and reconstitute the churches of Europe upon the basis of liberality which he seemed to have secured for the church of France. The flattering vision in the autumn of the following year dazzled the German princes. Perhaps in the novelty of hope it was encouraged even by the pope, before he had felt the strong hand of fate which ruled his will. CH. 9. A.D. 1534.

To Charles V. the danger of some such termination of the great question at issue appeared most near and real. Charles, whose resentment at the conduct of England united with a desire to assert his authority over his subjects in Germany, beheld with the utmost alarm a scheme growing to maturity which menaced alike his honour, his desire of revenge, his supremacy in Europe, and perhaps his religious convictions. A liberal coalition would be fatal to order, to policy, to truth; and on the election of Cardinal Farnese, the Count de Nassau was sent on a secret mission to Paris with overtures, the elaborate condescension of which betrays the anxiety that must have dictated them. The emperor, in his self-constituted capacity of the Princess Mary's guardian, offered her hand with the English succession to the Duke of Angoulesme. From the terms on which he was thought to stand with Anne Boleyn, it was thought possible that Henry might consent;* he might

Anxiety and alarm of the emperor.

The mission of the Count of Nassau to Paris with proposals for a league.

* Nota qu'il ne sera pas paraventure si fort malayse à gaigner ce roy.—*Note on the margin of the Comte de Nassau's Instructions.*

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not dare, as d'Inteville before suggested, to oppose the united demands of France and the Empire.* To Margaret de Valois the Count was to propose the splendid temptation of a marriage with Philip.† If Francis would surrender the English alliance, the emperor would make over to him the passionately coveted Duchy of Milan,‡ to be an-

* *Charles V. to his Ambassador at Paris.*

'November, 1534.

'. . . In addition, the Count de Nassau and yourself may go further in sounding the King about the Count's proposal — I mean for the marriage of our cousin the Princess of England with the Duke d'Angoulesme. The Grand Master, I understand, when the Count spoke of it, seemed to enter into the suggestion, and mentioned the displeasure which the King of England had conceived against Anne Boleyn. I am therefore sincerely desirous that the proposal should be well considered, and you will bring it forward as you shall see opportunity. You will make the King and the Grand Master feel the importance of the connexion, the greatness which it would confer on the Duke d'Angoulesme, the release of the English debt, which can be easily arranged, and the assurance of the realm of France.

'Such a marriage will be, beyond comparison, more advantageous to the King, his realm, and his children, than any benefit for which he could hope from Milan; while it can be brought about with no considerable difficulty. But be careful what you say, and how you say it. Speak alone to the King and alone to the Grand Master, letting neither of them know that you have spoken to the other. Observe carefully how the King is inclined, and, at all events, be secret; so that if he does not like the thing, the world need not know that it has been thought of.

'Should it be suggested to you —as it may be—that Anne Boleyn may be driven desperate, and may contrive something against the Princess's life, we answer that we can hardly believe her so utterly abandoned by conscience: or, again, the Duke of Anjou may possibly object to the exaltation of his brother; in which case we shall consent willingly to have our cousin marry the Duke of Anjou; and, in that case, beyond the right which appertains to the Duke and Princess from their fathers and mothers, they and either of them shall have the kingdom of Denmark, and we will exert ourselves to compose any difficulties with our Holy Father the Pope.'—*MS. Archives at Brussels.*

† *State Papers*, vol. vii. pp. 584–5.

‡ Ibid.

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nexed to France on the death of the reigning Duke. In the meantime he would pay to the French king, as 'tribute for Milan,' a hundred thousand crowns a year, as an acknowledgment of the right of the house of Valois. Offers such as these might well have tempted the light ambition of Francis. If sincere, they were equivalent to a surrender of the prize for which the emperor's life had been spent in contending, and perilous indeed it would have been for England if this intrigue had been permitted to succeed. But whether it was that Francis too deeply distrusted Charles, that he preferred the more hazardous scheme of the German alliance, or that he supposed he could gain his object more surely with the help of England, the Count de Nassau left Paris with a decisive rejection of the emperor's advances; and in the beginning of January, De Bryon, the High Admiral of France, was sent to England, to inform Henry of what had passed, and to propose for Elizabeth the marriage which Charles had desired for the Princess Mary.

The emperor's offers are rejected by Francis.

De Bryon's instructions were remarkable. To consolidate the alliance of the two nations, he was to entreat Henry at length to surrender the claim to the crown of France, which had been the cause of so many centuries of war. In return for this concession, Francis would make over to England, Gravelines, Newport, Dunkirk, a province of Flanders, and 'the title of the Duke of Lorrayne to the town of Antwerp, with sufficient assistance for the recovery of the same.' Henry was not to press Francis to part from the papacy; and De

De Bryon sent to England.

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Bryon seems to have indicated a hope that the English king might retrace his own steps. The weight of French influence, meanwhile, was to be pressed, to induce the pope to revoke and denounce, voyd and frustrate the unjust and slanderous sentence* given by his predecessor; and the terms of this new league were to be completed by the betrothal of the Princess Elizabeth to the Duke of Angoulesme.†

There had been a time when these proposals would have answered all which Henry desired. In the early days of his reign he had indulged himself in visions of empire, and of repeating the old glories of the Plantagenet kings. But in the peace which was concluded after the defeat of Pavia, he showed that he had resigned himself to a wiser policy,‡ and the surrender of a barren designation would cost him little. In his quarrel with the pope, also, he had professed an extreme reluctance to impair the unity of the church; and the sacrifices which he had made, and the years of persevering struggle which he had endured, had proved that in those professions he had not been insincere. But Henry's character was not what it had been when he won his title of Defender of the Faith. In the experience of the last few years he had learnt to conceive some broader sense of the meaning of the Reformation; and he

Change in Henry's character.

* This is Cromwell's paraphrase. Francis is not responsible for the language.

† *State Papers*, vol. vii. pp. 584—590.

‡ See the long and curious correspondence between the English and Spanish courts in the *State Papers*, vol. vi.

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had gathered from Cromwell and Latimer a more noble conception of the Protestant doctrines. He had entered upon an active course of legislation for the putting away the injustices, the falsehoods, the oppressions of a degenerate establishment; and in the strong sense that he had done right, and nothing else but right, in these measures, he was not now disposed to submit to a compromise, or to consent to undo anything which he was satisfied had been justly done, in consideration of any supposed benefit which he could receive from the pope. He was anxious to remain in communion with the see of Rome. He was willing to acknowledge in some innocuous form the Roman supremacy. But it could be only on his own terms. The pope must come to him; he could not go to the pope. And the papal precedency should only again be admitted in England on conditions which should leave untouched the Act of Appeals, and should preserve the sovereignty of the crown unimpaired.

Henry's reply to the overtures of the French king.

He replied, therefore, to the overtures of Francis, that he was ready to enter into negotiations for the resignation of his title to the crown of France, and for the proposed marriage.* Before any other step was taken, however, he desired his good brother to insist that 'the Bishop of Rome' should revoke the sentence, and 'declare his pretended marriage with the Lady Catherine naught;' 'which to do,' Henry wrote (and this portion of his reply is written by his own hand),

The pope must make the first move towards a reconciliation.

* *State Papers*, vol. vii. pp. 587–8.

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'we think it very facile for our good brother; since we do perceive by letters [from Rome] both the opinions of the learned men there to be of that opinion that we be of; and also a somewhat disposition to that purpose in the Bishop of Rome's self, according to equity, reason, and the laws both positive and divine.' If there was to be a reconciliation with the Holy See, the first advance must be made on the Bishop of Rome's side; and Cromwell, in a simultaneous despatch, warned Francis not 'to move or desire his Grace to the violation of any laws recently passed, as a thing whereunto he would in no wise condescend or agree.'*

Henry distrusts Francis.

Henry, however, felt no confidence either in the sincerity of the pope, or in the sincerity of the French king, as he haughtily showed. He did not even trust De Bryon's account of the rejection of the overtures of the emperor. 'If it happeneth,' he wrote, 'that the said Bishop will obstinately follow the steps of his predecessor, and be more inclined to the maintenance of the actions and sentences of his see than to equity and justice, then we trust that our good brother—perceiving the right to stand on our side, and that not only the universities of his whole realm and dominions hath so defined, but also the most part of the rest of Christendom, and also the best learned men of the Bishop of Rome's own council, now being called for that purpose—will fully and wholly, both he and his

* *State Papers*, vol. vii. p. 587.

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whole realm, adhere and cleave to us and our doings in this behalf; and we herein desire shortly to have answer, which we would be right loth should be such as whereupon we might take any occasion of suspicion; trusting, further, that our said good brother will both promise unto us upon his word, and indeed perform, that in the meantime, before the meeting of our deputies,* he nor directly nor indirectly shall practise or set forth any mean or intelligence of marriage, or of other practices with the emperour.'†

The pope makes indirect advances, which are received also with coldness.

So cold an answer could have arisen only from deep distrust; it is difficult to say whether the distrust was wholly deserved. Analogous advances made indirectly from the pope were met with the same reserve. Sir Gregory Cassalis wrote to Cromwell, that Farnese, or Paul III., as he was now called, had expressed the greatest desire to please the king. He had sent for lawyers out of Tuscany, on whose judgment he had great reliance, and these lawyers had given an opinion that the pope might *ex officio* annul the first marriage as Henry desired, and pronounce the second valid.‡ This was well, but it did not go beyond words; and of these there had been too many. The English government had fed upon 'the cameleon's dish,' 'eating the air promise crammed,' till they were weary of so weak a diet, and they desired something more substantial. If the pope, replied Cromwell,

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* Who were to arrange the betrothal of Elizabeth to the Duke of Angoulesme.

† Henry VIII. to De Bryon: *State Papers*, vol. vii. p. 589.

‡ Ibid. p. 591.

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be really well disposed, let him show his disposition in some public manner, 'of his own accord, with a desire only for the truth, and without waiting till the King's Majesty entreat him.'* It would have been more courteous, and perhaps it would have been more just, if the French overtures had been met in a warmer spirit; for the policy of Francis required for the time a cordial understanding with England; and his conduct seems to prove that he was sincerely anxious to win the pope to complacency.† But Henry's experience guided him wisely with the Roman Bishop; and if he had been entangled into confidence in Farnese, he would have been entangled to his ruin.

The language of the papacy had been inconsistent, but its conduct had been uniform.

The spring of 1535 was consumed in promises, negotiations, and a repetition of the profitless story of the preceding years. Suddenly, in the midst of the unreality, it became clear that one man at least was serious. Henry, with an insurgent Ireland and a mutinous England upon his hands, had no leisure for diplomatic finesse; he had learnt his lesson with Clement, and was not to be again deceived. The language of the Roman see had been inconsistent, but the actions of it had been always uniform. From the first beginning of the dispute to the final break and excom-

* 'Suâ sponte solius veritatis propagandæ studio; nullâ regiæ Majestatis intercessione expectatâ.'—Cromwell to Cassalis: *State Papers*, vol. vii. p. 592.

† Language can scarcely be stronger than that which he directed his ambassador at Rome to use—short, at least, of absolute menace.—*State Papers*, vol. vii. pp. 593-4.

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munication, in the teeth of his promises, his flatteries, his acknowledgments, Clement had been the partisan of Catherine. When the English agents were collecting the opinions of the Italian universities, they were thwarted by his emissaries. He had intrigued against Henry in Scotland; he had tampered with Henry's English and Irish subjects; he had maintained a secret correspondence with Catherine herself. And so well had his true feelings and the true position of the question been understood by the papal party in England, that at the very time when at Marseilles and elsewhere the pope himself was admitting the justice of the king's demand, the religious orders who were most unwavering in their allegiance to the papacy, were pressing their opposition to the divorce into rebellion.

Until the pope, therefore, shows some change in action, the penal laws may not be arrested.

When, therefore, the Chair of St. Peter was filled by a new occupant, and language of the same smooth kind began again to issue from it, the English government could not for so light a cause consent to arrest their measures, or suspend the action of laws which had been passed from a conviction of their necessity. Whatever might become of French marriages, or of the cession of a corner of the Netherlands and a few towns upon the coast in exchange for a gaudy title; the English Reformation must continue its way; the nation must be steered clear among the reefs and shoals of treason. The late statutes had not been passed without a cause; and when occasion came to enforce them, were not to pass off,

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Ch. 9. like the thunders of the Vatican, in impotent noise.

A.D. 1535. The martyrdoms of Catholics and Protestants analogous to deaths in battle.

Here, therefore, we are to enter upon one of the grand scenes of history; a solemn battle fought out to the death, yet fought without ferocity, by the champions of rival principles. Heroic men had fallen, and were still fast falling, for what was called heresy; and now those who had inflicted death on others were called upon to bear the same witness to their own sincerity. England became the theatre of a war between two armies of martyrs, to be waged, not upon the open field, in open action, but on the stake and on the scaffold, with the nobler weapons of passive endurance. Each party were ready to give their blood; each party were ready to shed the blood of their antagonists; and the sword was to single out its victims in the rival ranks, not as in peace among those whose crimes made them dangerous to society, but, as on the field of battle, where the most conspicuous courage most challenges the aim of the enemy. It was war, though under the form of peace; and if we would understand the true spirit of the time, we must regard Catholics and Protestants as gallant soldiers, whose deaths, when they fall, are not painful, but glorious; and whose devotion we are equally able to admire, even where we cannot equally approve their cause. Courage and self-sacrifice are beautiful alike in an enemy and in a friend. And while we exult in that chivalry with which the Smithfield martyrs bought England's freedom with their blood, so we will not refuse our admiration to those other

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gallant men whose high forms, in the sunset of the old faith, stand transfigured on the horizon, tinged with the light of its dying glory. CH. 9. A.D. 1535.

Secretary Bedyll, as we saw above, complained to Cromwell of the obstinacy of certain friars and monks, who, he thought, would confer a service on the country by dying quietly, lest honest men should incur unmerited obloquy in putting them to death. Among these, the brethren of the London Charterhouse were especially mentioned as recalcitrant, and they were said at the same time to bear a high reputation for holiness. In a narrative written by a member of this body, we are brought face to face, at their time of trial, with one of the few religious establishments in England which continued to deserve the name; and we may see, in the scenes which are there described, the highest representation of struggles which graduated variously according to character and temper, and, without the tragical result, may have been witnessed in very many of the monastic houses. The writer was a certain Maurice Channey, probably an Irishman. He went through the same sufferings with the rest of the brethren, and was one of the small fraction who finally gave way under the trial. He was set at liberty, and escaped abroad; and in penance for his weakness, he left on record the touching story of his fall, and of the triumph of his bolder companions. The monks of the London Charterhouse.

He commences with his own confession. He had fallen when others stood. He was, as he says, an unworthy brother, a Saul among the prophets, Story of Maurice Channey.

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a Judas among the apostles, a child of Ephraim turning himself back in the day of battle—for which his cowardice, while his brother monks were saints in heaven, he was doing penance in sorrow, tossing on the waves of the wide world. The early chapters contain a loving lingering picture of his cloister life—to him the perfection of earthly happiness. It is placed before us, in all its superstition, its devotion, and its simplicity, the counterpart, even in minute details, of the stories of the Saxon recluses when monasticism was in the young vigour of its life. St. Bede or St. Cuthbert might have found himself in the house of the London Carthusians, and he would have had few questions to ask, and no duties to learn or to unlearn. The form of the buildings would have seemed more elaborate; the notes of the organ would have added richer solemnity to the services; but the salient features of the scene would have been all familiar. He would have lived in a cell of the same shape, he would have thought the same thoughts, spoken the same words in the same language. The prayers, the daily life, almost the very faces with which he was surrounded, would have seemed all unaltered. A thousand years of the world's history had rolled by, and these lonely islands of prayer had remained still anchored in the stream; the strands of the ropes which held them, wearing now to a thread, and very near their last parting, but still unbroken. What they had been they were; and, if Maurice Channey's description had

Unity of the monastic life.

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come down to us as the account of the monastery in which Offa of Mercia did penance for his crimes, we could have detected no internal symptoms of a later age.

Channey's description of it.

His pages are filled with the old familiar stories of visions and miracles; of strange adventures befalling the chalices and holy wafers;* of angels with wax candles; innocent phantoms which flitted round brains and minds fevered by asceticism. There are accounts of certain *fratres reprobi et eorum terribilis punitio*—frail brethren and the frightful catastrophes which ensued to them.† Brother Thomas, who told stories out of doors, *apud sæculares*, was attacked one night by the devil; and the fiend would have strangled him but for the prayers of a companion. Brother George, who craved after the fleshpots of Egypt, was walking one day about the cloister when he ought to have been at chapel, and the great figure upon the cross at the end of the gallery turned its back upon him as it hung, and drove him all but mad. Brother John Daly found fault with his dinner, and said that he would as soon eat toads—*Mira res! Justus Deus non fraudavit eum desiderio suo*—his cell was for three months filled with toads. If he threw them into the fire, they hopped back to him unscorched; if he killed them, others came to take their place.

But these bad brothers were rare exceptions.

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* *Historia Martyrum Anglorum*, cap. 2.

† Ibid. cap. 8.

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Ch. 9. A.D. 1535.

In general the house was perhaps the best ordered in England. The hospitality was well sustained, the charities were profuse, and whatever we may think of the intellect which could busy itself with fancies seemingly so childish, the monks were true to their vows, and true to their duty as far as they comprehended what duty meant.

Character of Haughton, the prior.

Among many good, the prior John Haughton was the best. He was of an old English family, and had been educated at Cambridge, where he must have been the contemporary of Latimer. At the age of twenty-eight he took the vows as a monk, and had been twenty years a Carthusian at the opening of the troubles of the Reformation. He is described as 'small in stature, in figure graceful, in countenance dignified.' 'In manner he was most modest; in eloquence most sweet; in chastity without stain.' We may readily imagine his appearance; with that feminine austerity of expression which, as has been well said, belongs so peculiarly to the features of the mediæval ecclesiastics.

Such was the society of the monks of the Charterhouse, who, in an era too late for their continuance, and guilty of being unable to read the signs of the times, were summoned to wage unequal battle with the world. From the commencement of the divorce cause they had espoused instinctively the queen's side; they had probably, in common with their affiliated house at Sion, believed unwisely in the Nun of Kent; and, as pious Catholics, they regarded the reforming measures of the parliament with dismay and conster-

The monks espouse the side of Queen Catherine.

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nation. The year 1533, says Maurice,* was ushered in with signs in heaven and prodigies upon earth, as if the end of the world was at hand; as indeed of the monks and the monks' world the end was truly at hand. And then came the spring of 1534, when the act was passed cutting off the Princess Mary from the succession, and requiring of all subjects of the realm an oath of allegiance to Elizabeth, and a recognition of the king's marriage with Queen Anne. Sir Thomas More and Bishop Fisher went to the Tower, as we saw, rather than swear; and about the same time the royal commissioners appeared at the Charterhouse to require the submission of the brethren. The regular clergy through the kingdom had bent to the storm. The conscience of the London Carthusians was less elastic; they were the first and, with the exception of More and Fisher, the only recusants. 'The prior did answer to the commissioners,' Maurice tells us, 'that he knew nothing of such matters, and could not meddle with them; and they continuing to insist, and the prior being still unable to give other answer, he was sent with Father Humphrey, our proctor, to the Tower.' There he remained for a month; and at the end of it he was persuaded by 'certain good and learned men'† that the cause was not one for which it was lawful to suffer. He undertook to comply, *sub conditione*, with some necessary reservations, and was sent home to the cloister. As

They are required to take the oath of allegiance, and refuse.

The prior is persuaded to submit, *sub conditione.*

* *Historia Martyrum*, cap. 9.

† Stokesley, Bishop of London, among others: *State Papers*, vol. i. pp. 423–4.

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Ch. 9. A.D. 1535.

soon as he returned the brethren assembled in their chapter-house 'in confusion and great perplexity,' and Haughton told them what he had promised. He would submit, he said, and yet his misgivings foretold to him that a submission so made could not long avail. 'Our hour, dear brethren,' he continued, 'is not yet come. In the same night in which we were set free I had a dream that I should not escape thus. Within a year I shall be brought again to that place, and then I shall finish my course.' If martyrdom was so near and so inevitable, the remainder of the monks were at first reluctant to purchase a useless delay at the price of their convictions. The commissioners came with the lord mayor for the oath, and it was refused. They came again, with the threat of instant imprisonment for the whole fraternity; 'and then,' says Maurice, 'they prevailed with us. We all swore as we were required, making one condition, that we submitted only so far as it was lawful for us so to do. Thus, like Jonah, we were delivered from the belly of this monster, this immanis ceta, and began again to rejoice like him, under the shadow of the gourd of our home. But it is better to trust in the Lord than in princes, in whom is no salvation; God had prepared a worm that smote our gourd and made it to perish.'*

The prior's dream.

The monks hesitate,

But at last yield.

This worm, as may be supposed, was the act of supremacy, with the statute of treasons which was attached to it. It was ruled, as I have said,

* *Historia Martyrum*, cap. 9.

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that inadequate answers to official inquiry formed sufficient ground for prosecution under these acts. But this interpretation was not generally known; nor among those who knew it was it certain whether the crown would avail itself of the powers which it thus possessed, or whether it would proceed only against such offenders as had voluntarily committed themselves to opposition. In the opening of the following year [1535] the first uncertainty was at an end; it was publicly understood that persons who had previously given cause for suspicion might be submitted to question. When this bitter news was no longer doubtful, the prior called the convent together, and gave them notice to prepare for what was coming. They lay already under the shadow of treason; and he anticipated, among other evil consequences of disobedience, the immediate dissolution of the house. Even he, with all his forebodings, was unprepared for the course which would really be taken with them. 'When we were all in great consternation,' writes our author, 'he said to us:—

Ch. 9.

A.D. 1535.

The convent hears of the Treason Act.

'"Very sorry am I, and my heart is heavy, especially for you, my younger friends, of whom I see so many round me. Here you are living in your innocence. The yoke will not be laid on your necks, nor the rod of persecution. But if you are taken hence, and mingle among the Gentiles, you may learn the works of them, and having begun in the spirit you may be consumed in the flesh. And there may be others among us whose hearts are still infirm. If these mix again with the world, I fear how it may be with

The prior's address.

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Ch. 9. A.D. 1535.

them; and what shall I say, and what shall I do, if I cannot save those whom God has trusted to my charge?'

'Then all who were present,' says Channey, 'burst into tears, and cried with one voice, Let us die together in our integrity, and heaven and earth shall witness for us how unjustly we are cut off.'

'The prior answered, sadly—'Would, indeed, that it might be so; that so dying we might live, as living we die—but they will not do to us so great a kindness, nor to themselves so great an injury. Many of you are of noble blood; and what I think they will do is this: Me and the elder brethren they will kill; and they will dismiss you that are young into a world which is not for you. *If, therefore, it depend on me alone—if my oath will suffice for the house—I will throw myself for your sakes on the mercy of God. I will make myself anathema; and to preserve you from these dangers, I will consent to the king's will.* If, however, they have determined otherwise—if they choose to have the consent of us all—the will of God be done. If one death will not avail, we will die all.'

If it may be so, the prior will make himself anathema for his brethren.

'So then, bidding us prepare for the worst, that the Lord when he knocked might find us ready, he desired us to choose each our confessor, and to confess our sins one to another, giving us power to grant each other absolution.

'The day after he preached a sermon in the chapel on the 59th Psalm,—'O God, Thou hast cast us off, Thou hast destroyed us;'* concluding

* The 60th in the English version.

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with the words, 'It is better that we should suffer here a short penance for our faults, than be reserved for the eternal pains of hell hereafter;'—and so ending, he turned to us and bade us all do as we saw him do. Then rising from his place he went direct to the eldest of the brethren, who was sitting nearest to himself, and kneeling before him, begged his forgiveness for any offence which in heart, word, or deed, he might have committed against him. Thence he proceeded to the next, and said the same; and so to the next, through us all, we following him and saying as he did, each from each imploring pardon.'

CH. 9.

A.D. 1535. The brethren make their preparations.

Thus, with unobtrusive nobleness, did these poor men prepare themselves for their end; not less beautiful in their resolution, not less deserving the everlasting remembrance of mankind, than those three hundred who in the summer morning sate combing their golden hair in the passes of Thermopylæ. We will not regret their cause; there is no cause for which any man can more nobly suffer than to witness that it is better for him to die than to speak words which he does not mean. Nor, in this their hour of trial, were they left without higher comfort.

'The third day after,' the story goes on, 'was the mass of the Holy Ghost, and God made known his presence among us. For when the host was lifted up, there came as it were a whisper of air, which breathed upon our faces as we knelt. Some perceived it with the bodily senses; all felt it as it thrilled into their hearts. And

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Ch. 9. A.D. 1535.

then followed a sweet, soft sound of music, at which our venerable father was so moved, God being thus abundantly manifest among us, that he sank down in tears, and for a long time could not continue the service—we all remaining stupified, hearing the melody, and feeling the marvellous effects of it upon our spirits, but knowing neither whence it came nor whither it went. Only our hearts rejoiced as we perceived that God was with us indeed.'

The government are in no haste to enforce the statutes.

Comforted and resolute, the brotherhood awaited patiently the approach of the commissioners; and they waited long, for the crown was in no haste to be severe. The statutes had been passed in no spirit of cruelty; they were weapons to be used in case of extremity; and there was no attempt to enforce them until forbearance was misconstrued into fear. Sir Thomas More and the Bishop of Rochester remained unquestioned in the Tower, and were allowed free intercourse with their friends. The Carthusian monks were left undisturbed, although the attitude which they had assumed was notorious, and although the prior was known to forbid his penitents in confession to acknowledge the king's supremacy. If the government was at length driven to severity, it was because the clergy forced them to it in spite of themselves.

Conduct of the clergy.

The clergy had taken the oath, but they held themselves under no obligation to observe it; or if they observed the orders of the crown in the letter, they thwarted those orders in the spirit. The Treason Act had for awhile overawed them;

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but finding that its threats were confined to language, that months passed away, and that no person had as yet been prosecuted, they fell back into open opposition, either careless of the consequences, or believing that the government did not dare to exert its powers. The details of their conduct during the spring months of this year I am unable to discover; but it was such as at length, on the 17th of April, provoked the following circular to the lords-lieutenant of the various counties:*— CH. 9. A.D. 1535.

'Right trusty and well-beloved cousin, we greet you well; and whereas it has come to our knowledge that sundry persons, as well religious as secular priests and curates in their parishes and in divers places within this our realm, do daily, as much as in them is, set forth and extol the jurisdiction of the Bishop of Rome, otherwise called the Pope; sowing their seditious, pestilent, and false doctrines; praying for him in the pulpit and making him a god; to the great deceit of our subjects, bringing them into errours and evil opinions; more preferring the power, laws, and jurisdiction of the said Bishop of Rome than the most holy laws and precepts of Almighty God: We therefore, minding not only to proceed for an unity and quietness among our said subjects, but also greatly coveting and desiring them to be brought to a knowledge of the mere verity and truth, and no longer to be seduced with any such superstitious and false doctrines of any

Circular of the 17th of April.

The clergy in divers places continue to pray for the pope.

* Printed in STRYPE'S *Memorials*, vol. i. Appendix, p. 208.

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Ch. 9.

A.D. 1535. The king commands that all persons so doing shall be arrested.

earthly usurper of God's laws—will, therefore, and command you, that whensoever ye shall hear of any such seditious persons, ye indelayedly do take and apprehend them, or cause them to be apprehended and taken, and so committed to ward, there to remain without bail or mainprize, until, upon your advertisement thereof to us and to our council, ye shall know our further pleasure.

'Henry R.'

The Carthusians are called upon to acknowledge the royal supremacy.

In obvious connexion with the issue of this publication, the monks of the Charterhouse were at length informed that they would be questioned on the supremacy. The great body of the religious houses had volunteered an outward submission. The London Carthusians, with other affiliated establishments, had remained passive, and had thus furnished an open encouragement to disobedience. We are instinctively inclined to censure an interference with persons who at worst were but dreamers of the cloister; and whose innocence of outward offences we imagine might have served them for a shield. Unhappily, behind the screenwork of these poor saints a whole Irish insurrection was blazing in madness and fury; and in the northern English counties were some sixty thousand persons ready to rise in arms. In these great struggles men are formidable in proportion to their virtues. The noblest Protestants were chosen by the Catholics for the stake. The fagots were already growing which were to burn Tyndal, the translator of the Bible. It was the habit of the time, as it is the habit of all times of real

The reason for the conduct of the government.

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danger, to spare the multitude but to strike the leaders, to make responsibility the shadow of power, to choose for punishment the most efficacious representatives of the spirit which it was necessary to subdue. CH. 9. A.D. 1535.

The influence of the Carthusians, with that of the two great men who were following the same road to the same goal, determined multitudes in the attitude which they would assume, and in the duty which they would choose. The Carthusians, therefore, were to be made to bend; or if they could not be bent, to be made examples in their punishment, as they had made themselves examples in their resistance. They were noble and good; but there were others in England good and noble as they, who were not of their fold; and whose virtues, thenceforward more required by England than cloistered asceticisms, had been blighted under the shadow of the papacy. The Catholics had chosen the alternative, either to crush the free thought which was bursting from the soil, or else to be crushed by it; and the future of the world could not be sacrificed to preserve the exotic graces of mediæval saints. They fell, gloriously and not unprofitably. They were not allowed to stay the course of the Reformation; but their sufferings, nobly borne, sufficed to recover the sympathy of after ages for the faith which they professed. Ten righteous men were found in the midst of the corruption to purchase for Romanism a few more centuries of tolerated endurance.

To return to the narrative of Maurice Channey. Notice of the intention of the government

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CH. 9. A.D. 1535. having been signified to the order, Father Webster and Father Lawrence, the priors of the two daughter houses of Axholm and Belville, came up to London three weeks after Easter, and, with Haughton, presented themselves before Cromwell with an entreaty to be excused the submission. The prior with three others are sent to the Tower, For answer to their petition they were sent to the Tower, where they were soon after joined by Father Reynolds, one of the recalcitrant monks of Sion. These four were brought on the 26th of April before a committee of the privy council, of which Cromwell was one. The act of supremacy was laid before them, and they were required to And brought to trial, April 28. signify their acceptance of it. They refused, and two days after they were brought to trial before a special commission. They pleaded all 'not guilty.' They had of course broken the act; but they would not acknowledge that guilt could be involved in disobedience to a law which was itself unlawful. Their words in the Tower to the privy council formed the matter of the charge against them. It appears from the record that on their examination, 'they, treacherously machinating and desiring to deprive the king our sovereign lord of his title of supreme Head of the Church of England, did openly declare and say, the king our sovereign lord is not supreme Head on earth of the Church of England.'*

Wednesday, April 28. But their conduct on the trial, or at least the conduct of Haughton, spared all difficulty in

* BAGA DE SECRETIS; Appendix II. to the *Third Report of the Deputy Keeper of the Public Records.*

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securing a conviction. The judges pressed the prior 'not to shew so little wisdom as to maintain his own opinion against the consent of the realm.' He replied, that he had resolved originally to imitate the example of his Master before Herod, and say nothing. 'But since you urge me,' he continued, 'that I may satisfy my own conscience and the consciences of these who are present, I will say that our opinion, if it might go by the suffrages of men, would have more witnesses than yours. You can produce on your side but the parliament of a single kingdom; I, on mine, have the whole Christian world except that kingdom. Nor have you all even of your own people. The lesser part is with you. The majority, who seem to be with you, do but dissemble, to gain favour with the king, or for fear they should lose their honours and their dignities.'

CH. 9.

A.D. 1535. Haughton's language at the bar.

Cromwell asked him of whom he was speaking. 'Of all the good men in the realm,' he replied; 'and when his Majesty knows the truth, I know well he will be beyond measure offended with those of his bishops who have given him the counsel which he now follows.'

'Why,' said another of the judges, 'have you, contrary to the king's authority within the realm, persuaded so many persons as you have done to disobey the king and parliament?'

'I have declared my opinion,' he answered, 'to no man living but to those who came to me in confession, which in discharge of my conscience I could not refuse. But if I did not declare it then, I will declare it now, because I am thereto

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CH. 9. obliged to God.'* He neither looked for mercy nor desired it. A writ was issued for the return of a petty jury the following day. The prisoners were taken back to the Tower, and the next morning were brought again to the bar. Feron and Hale, the two priests whose conversation had been overheard at Sion, were placed on their trial at the same time. The two latter threw themselves on the mercy of the court. A verdict of guilty was returned against the other four. The sentence was for the usual punishment of high treason. Feron was pardoned; I do not find on what account. Hale and the Carthusians were to suffer together. When Haughton heard the sentence, he merely said, 'This is the judgment of the world.'†

A.D. 1535. Thursday, April 29.

The prisoners are condemned.

An interval of five days was allowed after the trial. On the 4th of May, the execution took place at Tyburn, under circumstances which marked the occasion with peculiar meaning. The punishment in cases of high treason was very terrible. I need not dwell upon the form of it.

May 4. The execution.

* STRYPE'S *Memorials*, vol. i. p. 305; *Historia Martyrum Anglorum.*

† Father Maurice says that the jury desired to acquit; and after debating for a night, were preparing a verdict of Not Guilty; when Cromwell, hearing of their intention, went in person to the room where they were assembled, and threatened them with death unless they did what he called their duty. The story is internally improbable. The conditions of the case did not admit of an acquittal; and the conduct attributed to Cromwell is inconsistent with his character. Any doubt which might remain, in the absence of opposing testimony, is removed by the record of the trial, from which it appears clearly that the jury were not returned until the 29th of April, and *that the verdict was given in on the same day.*—BAGA DE SECRETIS; Appendix to the *Third Report of the Deputy Keeper of the Public Records.*

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The English were a hard, fierce people; and with these poor sufferers the law of the land took its course without alleviation or interference. But another feature distinguished the present execution. For the first time in English history, ecclesiastics were brought out to suffer in their habits, without undergoing the previous ceremony of degradation. Thenceforward the world were to know, that as no sanctuary any more should protect traitors, so the sacred office should avail as little; and the hardest blow which it had yet received was thus dealt to superstition, shaking from its place in the minds of all men the key-stone of the whole system.

Ch. 9. A.D. 1535.

They are brought to the scaffold in their habits.

To the last moment escape was left open, if the prisoners would submit. Several members of the council attended them to the closing scene, for a last effort of kindness; but they had chosen their course, and were not to be moved from it. Haughton, as first in rank, had the privilege of first dying. When on the scaffold, in compliance with the usual custom, he spoke a few touching and simple words to the people. 'I call to witness Almighty God,' he said, 'and all good people, and I beseech you all here present to bear witness for me in the day of judgment, that being here to die, I declare that it is from no obstinate rebellious spirit that I do not obey the king, but because I fear to offend the Majesty of God. Our holy mother the church has decreed otherwise than the king and the parliament have decreed, and therefore, rather than disobey the church, I am ready to suffer.

Haughton dies first.

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CH. 9. A.D. 1535.

Pray for me, and have mercy on my brethren, of whom I have been the unworthy prior.' He then knelt down, repeating the first few verses of the 31st Psalm,* and after a few moments delivered himself to the executioner. The others followed, undaunted. As one by one they went to their death, the council, at each fresh horrible spectacle, urged the survivors to have pity on themselves; but they urged them in vain. The faces of these men did not grow pale; their voices did not shake; they declared themselves liege subjects of the king, and obedient children of holy church; 'giving God thanks that they were held worthy to suffer for the truth.'† All died without a murmur. The stern work was ended with quartering the bodies; and the arm of Haughton was hung up as a bloody sign over the archway of the Charterhouse, to awe the remaining brothers into submission.

The council urges the rest to submit, but in vain.

But the spirit of the old martyrs was in these friars. One of them, like the Theban sister, bore away the honoured relic and buried it; and all resolved to persist in their resigned opposition. Six weeks were allowed them to consider. At the end of that time three more were taken,

June 10. Three more Carthusians tried and executed.

* 'In thee, O Lord, have I put my trust: let me never be put to confusion: deliver me in thy righteousness. Bow down thine ear to me; make haste to deliver me. And be thou my strong rock and house of defence, that thou mayest save me. For thou art my strong rock, and my castle; be thou also my guide, and lead me for thy name's sake. Draw me out of the net that they have laid privily for me: for thou art my strength. Into thy hands I commend my spirit, for thou hast redeemed me, O Lord, thou God of truth!'

† *Historia Martyrum Anglorum.*

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tried, and hanged;* and this still proving ineffectual, Cromwell hesitated to proceed. CH. 9.

A.D. 1535. Cromwell hesitates.

The end of the story is very touching and may be told briefly, that I may not have occasion to return to it. Maurice's account is probably exaggerated, and is written in a tone of strong emotion; but it has all the substantial features of truth. The remaining monks were left in the house; and two secular priests were sent to take charge of the establishment, who starved and ill-used them; and were themselves, according to Maurice, sensual and profligate. From time to time they were called before the privy council. Their friends and relatives were ordered to work upon them. No effort either of severity or kindness was spared to induce them to submit; as if their attitude, so long as it was maintained, was felt as a reproach by the government. At last, four were carried down to Westminster Abbey, to hear the Bishop of Durham deliver his famous sermon against the pope; and when this rhetorical inanity had also failed, and as they were thought to confirm one another in their obstinacy, they were dispersed among other houses the temper of which could be depended upon. Some were sent to the north; others to Sion, where a new prior had been appointed, of zealous loyalty; others were left at home to be disciplined by the questionable seculars. But nothing answered. Two found their way into active rebellion, and being

Close of the story of the Carthusians.

* On the 19th of June. Hall says they were insolent to Cromwell on their trial.

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Ch. 9.

concerned in the Pilgrimage of Grace, were hung in chains at York. Ten were sent to Newgate, where nine died miserably of prison fever and filth;* the tenth survivor was executed. The remainder, of whom Maurice was one, went through a form of submission, with a mental reservation, and escaped abroad.

A.D. 1535. They will not yield, and are crushed.

So fell the monks of the London Charterhouse, splintered to pieces—for so only could their resistance be overcome—by the iron sceptre and the iron hand which held it. They were, however, alone of their kind. There were many perhaps who wished to resemble them, who would have imitated their example had they dared. But all bent except these. If it had been otherwise, the Reformation would have been impossible, and perhaps it would not have been needed. Their story claims from us that sympathy which is the due of their exalted courage. But we cannot blame the government. Those who know what the condition of the country really was, must feel their inability to suggest, with any tolerable reasonableness, what else could have been done. They may regret so hard a necessity, but they will

The necessity was a cruel one, but the government are not to be blamed.

* 'By the hand of God,' according to Mr. Secretary Bedyll. 'My very good Lord, after my most hearty commendations, it shall please your lordship to understand that the monks of the Charterhouse here in London which were committed to Newgate for their traitorous behaviour, long time continued against the King's Grace, be almost dispatched by the hand of God, as may appear to you by this bill enclosed; whereof, considering their behaviour and the whole matter, I am not sorry, but would that all such as love not the King's Highness and his worldly honour were in like case.' —Bedyll to Cromwell: *Suppression of the Monasteries*, p. 162.

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regret in silence. The king, too, was not without feeling. It was no matter of indifference to him that he found himself driven to such stern courses with his subjects; and as the golden splendour of his manhood was thus sullenly clouding, 'he commanded all about his court to poll their heads,' in public token of mourning; 'and to give them example, he caused his own head to be polled; and from thenceforth his beard to be knotted, and to be no more shaven.'*

A.D. 1535. May 8.

The king orders the court into mourning.

The friars of Charterhouse suffered for the Catholic faith, as Protestants had suffered, and were still to suffer, for a faith fairer than theirs. In this same month of May, in the same year, the English annals contain another entry of no less sad significance. The bishops, as each day they parted further from their old allegiance, and were called in consequence by the hateful name of heretics, were increasingly anxious to prove by evident tokens their zeal for the true faith; and although the late act of heresy had moderated their powers, yet power enough remained to enable them to work their will upon all extreme offenders. Henry, also, it is likely, was not sorry of an opportunity of showing that his justice was even-handed, and that a schism from the papacy was not a lapse into heterodoxy. His mind was moving. Latimer and Shaxton, who three years before had been on trial for their lives, were soon to be upon the bench; and in the late injunctions,

Other martyrs who were not Catholics.

* Stow, p. 571. And see the Diary of Richard Hilles, merchant, of London, *MS.*, Balliol College, Oxford.

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CH. 9. A.D. 1535.

the Bible, and not the decrees of the church, had been held up as the canon of truth. But heresy, though the definition of it was changing, remained a crime; and although the limits of permitted belief were imperceptibly enlarging, to transgress the recognised boundaries was an offence enormous as ever.

If we can conceive the temper with which the reasonable and practical English at present regard the Socialists of the continent, deepened by an intensity of conviction, of which these later ages have had but little experience, we can then imagine the light in which the Anabaptists of the Netherlands appeared in the eyes of orthodox Europe. If some opinions, once thought heretical, were regarded with less agitated repugnance, the heresy of these enemies of mankind was patent to the world. On them the laws of the country might take their natural course, and no voice was raised to speak for them.

Popular estimate of the Anabaptists.

May 25.

We find, therefore, in Stow's *Chronicle*, the following brief entry: 'The five and twentieth day of May were, in St. Paul's church, London, examined nineteen men and six women, born in Holland, whose opinions were—first, that in Christ is not two natures, God and man; secondly, that Christ took neither flesh nor blood of the Virgin Mary; thirdly, that children born of infidels may be saved; fourthly, that baptism of children is of none effect; fifthly, that the sacrament of Christ's body is but bread only; sixthly, that he who after baptism sinneth wittingly, sinneth deadly, and cannot be saved.

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Fourteen of them were condemned: a man and a woman were burnt at Smithfield. The remaining twelve were scattered among other towns, there to be burnt.'* The details are gone† — the names are gone. Poor Hollanders they were, and that is all. Scarcely the fact seemed worth the mention, so shortly it is told in a passing paragraph. For them no Europe was agitated, no courts were ordered into mourning, no papal hearts trembled with indignation. At their deaths the world looked on complacent, indifferent, or exulting. Yet here, too, out of twenty-five common men and women were found fourteen who, by no terror of stake or torture, could be tempted to say that they believed what they did not believe. History for them has no word of praise; yet they, too, were not giving their blood in vain. Their lives might have been as useless as the lives of most of us. In their deaths they assisted to pay the purchase-money for England's freedom.

CH. 9.

A.D. 1535. Fourteen of them are executed.

They too did not die in vain.

After the execution of the Carthusians, it

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* STOW'S *Chronicle*, p. 571.

† Latimer alludes to the story with no disapproval of the execution of these men—as we should not have disapproved of it, if we had lived then, unless we had been Anabaptists ourselves. A brave death, Latimer says, is no proof of a good cause. 'This is no good argument, my friends; this is a deceivable argument: he went to his death boldly—ergo, he standeth in a just quarrel. The Anabaptists that were burnt here in divers towns in England (as I heard of credible men—I saw them not myself), went to their death intrepide, as you will say; without any fear in the world—cheerfully: well, let them go. There was in the old times another kind of poisoned heretics that were called Donatists; and these heretics went to their execution as they should have gone to some jolly recreation or banquet.'—LATIMER'S *Sermons*, p. 160.

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CH. 9. A.D. 1535. Fisher and More.

became a question what should be done with the Bishop of Rochester and Sir Thomas More. They had remained for a year in the Tower, undisturbed; and there is no reason to think that they would have been further troubled, except for the fault of one, if not of both. It appeared, however, on the trial of Father Reynolds, that Fisher's imprudence or zeal had tempted him again to meddle with dangerous matters. A correspondence had passed between the bishop and the king,* on the Act of Supremacy, or on some subject connected with it. The king had taken no public notice of Fisher's words, but he had required a promise that the letter should not be shown to any other person. The unwise old man gave his word, but he did not observe it; he sent copies both of what he had himself written and of the king's answer to the Sion monks,† furnishing them at the same time with a copy of the book which he had written against the

Fisher's dangerous imprudence.

* He wrote to the king on the 14th of June, in consequence of an examination at the Tower; but that letter could not have been spoken of on the trial of the Carthusians.—See *State Papers*, vol. i. p. 431.

† 'I had the confessor alone in very secret communication concerning certain letters of Mr. Fisher's, of which Father Reynolds made mention in his examination; which the said Fisher promised the King's Grace that he never showed to any other man, neither would. The said confessor hath confessed to me that the said Fisher sent to him, to the said Reynolds, and to one other brother of them, the copy of his said letters directed to the King's Grace, and the copy of the king's answer also. He hath knowledged to me also that the said Fisher sent unto them with the said copies a book of his, made in defence of the King's Grace's first marriage, and also Abel's book, and one other book made by the emperour's ambassador, as I suppose.'—Bedyll to Cromwell: *Suppression of the Monasteries*, pp. 45, 46.

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divorce, and two other books, written by Abel, the queen's confessor, and the Spanish ambassador. Whether he was discovered to have held any other correspondence, or whether anything of an analogous kind was proved against More, I am unable to discover. Both he and Fisher had been treated with greater indulgence than was usual with prisoners.* Their own attendants had waited on them; they were allowed to receive visits from their relatives within the Tower walls, and to correspond with their families and friends.† As a matter of course, under such circumstances, they must have expressed their opinions on the great subject of the day; and those opinions were made known throughout England, and, indeed, throughout Europe. Whether they did more than this, or whether they had only indirectly allowed their influence to be used against the government, must be left to conjecture. But the language of a document

Treatment and conduct of Fisher and of More in the Tower.

* The accounts are consistent on this subject with a single exception. A letter is extant from Fisher, in which he complained of suffering from the cold and from want of clothes. This must have been an accident. More was evidently treated well (see More's *Life of More*); and all the circumstances imply that they were allowed to communicate freely with their friends, and to receive whatever comforts their friends were pleased to send them. The official statements on this subject are too positive and too minute to admit of a doubt. Cromwell writes thus to Cassalis: 'Carceribus mancipati tractabantur humanius atque mitius quam par fuisset pro eorum demeritis; per Regem illis licebat proximorum colloquio et consuetudine frui. Ii fuerant illis appositi præscriptique ministri quos a vinclis immunes antea fidos charosque habebant; id cibi genus eaque condimenta et vestitus eis concedebantur quæ eorum habitudini ac tuendæ sanitati, ipsi consanguinei, nepotes atque affines et amici judicabant esse magis accommoda.'—*State Papers*, vol. vii. p. 634.

† More's *Life of More*.

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Ch. 9, under the king's hand speaks of their having given some cause of provocation, of no common kind; and this is confirmed by Cromwell, who was once deeply attached to More. 'When they were in strait keeping,' say the instructions to the Bishop of Hereford, 'having nevertheless the prison at their liberties, they ceased not both to practise an insurrection within the realm, and also to use all the devices to them possible in outward parts, as well to defame and slander his Majesty, and his most virtuous doings and proceedings, as also to procure the impeachment and other destruction of his most royal person.'* Cromwell speaks also of their having been engaged in definite schemes, the object of which was rebellion;† and although we have here the *ex parte* statement of the government, and although such a charge would have been held to be justified by a proof that they had spoken generally against the Act of Supremacy, it may be allowed to prove that so far they were really guilty; and it is equally certain that for these two men to have spoken against the act was to have lent encouragement to the party of insurrection, the most powerful which that party could have received.

A.D. 1535. Cromwell's charges against them.

Thus, by another necessity, Fisher and More, at the beginning of May, were called upon for their submission. It was a hard case, for the bishop was sinking into the grave with age and sick-

* 'Instructions given by the King's Majesty to the Right Reverend Father in God, his right trusty and well-beloved counsellor the Bishop of Hereford, whom his Majesty at this time sendeth unto the Princes of Germany.'—*Rolls House MS.*

† *State Papers*, vol. vii. p. 635.

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ness, and More had the highest reputation of any living man. But they had chosen to make themselves conspicuous as confessors for Catholic truth; though prisoners in the Tower, they were in fact the most effectual champions of the papal claims; and if their disobedience had been passed over, the statute could have been enforced against no one.

May 7. A deputation of the council waits upon them in the Tower. They refuse to admit the supremacy.

The same course was followed as with the Carthusian monks. On the 7th of May a deputation of the council waited on the prisoners in the Tower, for an acknowledgment of the supremacy. They refused: Fisher, after a brief hesitation, peremptorily; More declining to answer, but also giving an indirect denial. After repeated efforts had been made to move them, and made in vain, their own language, as in the preceding trials, furnished material for their indictment; and the law officers of the crown who were to conduct the prosecution were the witnesses under whose evidence they were to be tried. It was a strange proceeding, to be excused only, if excused at all, by the pressure of the times.*

Either the king or his ministers, however,

* Compare *State Papers*, vol. i. pp. 431–36, with the Reports of the trials in the Baga de Secretis. Burnet has hastily stated that no Catholic was ever punished for merely denying the supremacy in official examinations. He has gone so far, indeed, as to call the assertions of Catholic writers to this effect 'impudent falsehoods.' Whether any Catholic was prosecuted who had not given other cause for suspicion, I do not know; but it is quite certain that Haughton and Fisher were condemned solely on the ground of their answers on these occasions, and that no other evidence was brought against them. The government clearly preferred this evidence as the most direct and unanswerable, for in both those cases they might have produced other witnesses had they cared to do so.

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CH. 9. A.D. 1535. June.

were slow in making up their minds. With the Carthusians, nine days only were allowed to elapse between the first examination and the final close at Tyburn. The case against More and Fisher was no less clear than against the monks; yet five weeks elapsed and the government still hesitated. Perhaps they were influenced by the high position of the greater offenders—perhaps there was some fear of the world's opinion, which, though it might be indifferent to the sacrifice of a few obscure ecclesiastics, yet would surely not pass over lightly the execution of men who stood out with so marked pre-eminence. The council board was unevenly composed. Cromwell, who divides with the king the responsibility of these prosecutions, had succeeded, not to the authority only of Wolsey, but to the hatred with which the ignoble plebeian was regarded by the patricians who were compelled to stoop before him. Lord Exeter was already looking with a cold eye on the revolution; and Norfolk and Suffolk, though zealous as the king himself for the independence of England, yet had all the instincts of aristocratic conservatism. Even Cromwell may have desired the triumph of winning over converts so distinguished, or may have shrunk from the odium which their deaths would bring upon him. Whatever was the cause of the delay, the privy council, who had been contented with a single examination of Haughton and his companions, struggled with their present difficulty week after week; and it is possible that, except from an extraneous impulse, some mode of escape

The government delay their trial.

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might have been discovered. But as the sentence of Clement sealed the fate of the Nun of Kent, so the unwisdom of his successor bore similarly fatal fruits. CH. 9. A.D. 1535. June.

Paul III. had throughout the spring flattered Henry with expressions of sympathy, and had held out hopes of an approaching change of policy. He chose the present unfortunate juncture to expose the vanity of these professions; and as an intimation of the course which he intended to follow, he named the Bishop of Rochester, the one bishop who remained attached to Catherine's cause, a cardinal. Henry had appealed to a council, which the pope had promised to call; and Fisher, of all Englishmen, was chosen as the person whom the pope desired to represent the nation on its assembly. Even the very conclave at Rome were taken by surprise, and expressed themselves in no measured terms at the impolicy of this most foolish action. Cassalis, aware of the effect which the news would produce in England, hurried to such friends as he possessed in the conclave to protest against the appointment. The king, he said, would inevitably regard it as injurious to the realm and insulting to himself;* and it was madness at such a moment to trifle with Henry's displeasure. The pope names Fisher a cardinal.

* 'Omnes Cardinales amicos nostros adivi; eisque demonstravi quam temere ac stulte fecerint in Roffensi in Cardinalem eligendo unde et potentissimum Regem et universum Regnum Angliæ mirum in modum lædunt et injuriâ afficiunt; Roffensem enim virum esse gloriosum ut propter vanam gloriam in suâ opinione contra Regem adhuc sit permansurus; quâ etiam de causâ in carcere est et morti condemnatus.'—Cassalis to Cromwell: *State Papers*, vol. vii. p. 604.

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Ch. 9.

A.D. 1535. June. Cassalis protests, and the pope condescends to falsehood.

The pope, alarmed at the expressions which he was told that Cassalis had used, sent in haste to urge him, if possible, to allay the storm. He was not ashamed to stoop to falsehood—but falsehood too awkward to deceive even the most willing credulity. He had thought, he said, of nothing but to please Henry. He had been urged by the King of France to seek a reconciliation with England, and in sending a hat to an English bishop he had meant nothing but a compliment. The general council would be held immediately; and it was desirable, according to the constitution of the church, that a cardinal of every nation should be present. He had no especial reason for choosing the Bishop of Rochester, except that he had a high reputation for learning, and he imagined, therefore, that the king would be gratified.* 'He implored me,' Cassalis wrote, 'to make his excuses to his Majesty, and to assure him how deeply he regretted his mistake, especially when I assured him that the step was of a kind which admitted of no excuse.'†

Cassalis himself was afterwards disposed to believe that the appointment was made in thoughtlessness, and that the pope at the moment had really forgotten Fisher's position.‡ But this could gain no credit in England. The news reached the government in the middle of June,

* *State Papers*, vol. vii. p. 604.

† Pontifex me vehementer rogavit, ut vias omnes tentare velim, quibus apud Regiam Majestatem excusatam hanc rem faciam, unde se plurimum dolere dixit, cum præsertim ego affirmaverim rem esse ejusmodi ut excusationem non recipiat.—Cassalis to Cromwell: Ibid.

‡ Ibid. p. 616.

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and determined the fate of the unfortunate bishop; and with it the fate, also, of his nobler companion. To the king, the pope's conduct appeared a defiance; and as a defiance he accepted it. In vain Fisher declared that he had not sought his ill-timed honours, and would not accept them. Neither his ignorance nor his refusal could avail him. Once more he was called upon to submit, with the intimation, that if he refused he must bear the consequences. His reply remained what it had been; and on the 17th of June he was taken* down in a boat to Westminster Hall, where the special commission was sitting. The proceedings at his trial are thus briefly summed up in the official record:—'Thursday after the feast of St. Barnabas, John Fisher was brought to the bar by Sir William Kingston, Constable of the Tower. Pleads not guilty. Venire awarded. Verdict—guilty. Judgment as usual in cases of treason.'†

CH. 9.

A.D. 1535. June. The appointment seals Fisher's fate.

June 17. He is tried at Westminster,

And is condemned.

It was a swift sentence, and swiftly to be executed. Five days were allowed him to prepare himself; and the more austere features of the penalty were remitted with some show of pity. He was to die by the axe.

Mercy was not to be hoped for. It does not seem to have been sought. He was past eighty. The earth on the edge of the grave was already crumbling under his feet; and death had little to

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* *Historia Martyrum Anglorum.*

† Report of the Trial of John Fisher: BAGA DE SECRETIS; Appendix to the *Third Report of the Deputy Keeper of the Records.*

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CH. 9. make it fearful. When the last morning dawned, he dressed himself carefully—as he said, for his marriage-day. The distance to Tower Hill was short. He was able to walk; and he tottered out of the prison-gates, holding in his hand a closed volume of the New Testament. The crowd flocked about him, and he was heard to pray that, as this book had been his best comfort and companion, so in that hour it might give him some special strength, and speak to him as from his Lord. Then opening it at a venture, he read: 'This is life eternal, to know Thee, the only true God, and Jesus Christ, whom Thou hast sent.' It was the answer to his prayer; and he continued to repeat the words as he was led forward. On the scaffold he chanted the *Te Deum*, and then, after a few prayers, knelt down, and meekly laid his head upon a pillow where neither care nor fear nor sickness would ever vex it more. Many a spectacle of sorrow had been witnessed on that tragic spot, but never one more sad than this; never one more painful to think or speak of. When a nation is in the throes of revolution, wild spirits are abroad in the storm; and poor human nature presses blindly forward with the burden which is laid upon it, tossing aside the obstacles in its path with a recklessness which, in calmer hours, it would fear to contemplate.

A.D. 1535. June. June 22. He is beheaded on Tower Hill.

Sir Thomas More followed, his fortunes linked in death as in life to those of his friend. He was left to the last—in the hope, perhaps, that the example might produce an effect which persuasion could not. But the example, if that was the

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object, worked to far other purpose. From More's high-tempered nature, such terrors fell harmless, as from enchanted armour. Death to him was but a passing from one country to another; and he had all along anticipated that his prison was the antechamber of the scaffold. He had, indeed, taken no pains to avoid it. The king, according to the unsuspicious evidence of his daughter, Margaret Roper, had not accused him without cause of exciting a spirit of resistance. He had spent his time in encouraging Catholics to persevere to martyrdom for their faith. In his many conversations with herself, he had expressed himself with all freedom, and to others he had doubtless spoken as plainly as to her.*

Ch. 9. A.D. 1535. June.

On the 7th of May he was examined by the same persons who examined Fisher; and he was interrogated again and again in subsequent interviews. His humour did not allow him to answer questions directly: he played with his catechists, and did not readily furnish them with

* If his opinions had been insufficient for his destruction, there was an influence at court which left no hope to him; the influence of one whose ways and doings were better known then than they have been known to her modern admirers. 'On a time,' writes his grandson, 'when he had questioned my aunt Roper of his wife and children, and the state of his house in his absence, he asked her at last how Queen Anne did. 'In faith, father,' said she, 'never better. There is nothing else at the court but dancing and sporting.' 'Never better?' said he; 'alas, Meg, alas, it pitieth me to remember unto what misery she will shortly come. These dances of hers will prove such dances that she will spurn our heads off like footballs, but it will not be long ere her head will dance the like dance.' '—More's *Life of More*, p. 244.

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Ch. 9. materials for a charge. He had corresponded with Fisher in prison, on the conduct which he meant to pursue. Some of these letters had been burnt; but others were in the hands of the government, and would have been sufficient to sustain the prosecution, but they preferred his own words from his own lips. At length sufficient evidence was obtained. On the 26th of June, a true bill was found against him by the Grand Jury of Middlesex; and on the 1st of July the High Commission sat again in Westminster Hall, to try the most illustrious prisoner who ever listened to his sentence there.* He walked from the Tower—feebly, however, and with a stick, for he was weak from long confinement. On appearing at the bar, a chair was brought for him, and he was allowed to sit. The indictment was then read by the attorney-general. It set forth that Sir Thomas More, traitorously imagining and attempting to deprive the king of his title as supreme Head of the Church, did, on the 7th of May, when examined before Thomas Cromwell, the king's principal secretary, and divers other persons, whether he would accept the king as Head on earth of the Church of England, pursuant to the statute, refuse to give a direct answer, but replied, 'I will not meddle with any such matters,

A.D. 1535. June 26.

A true bill found against Sir Thomas More.

July 1. He is brought to the bar.

* The composition of the commission is remarkable. When Fisher was tried, Lord Exeter sate upon it. On the trial of More, Lord Exeter was absent, but his place was taken by his cousin, Lord Montague, Reginald Pole's eldest brother, and Lady Salisbury's son. Willingly or unwillingly, the opposition nobles were made *participes criminis* in both these executions.

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for I am fully determined to serve God and to think upon His passion, and my passage out of this world.'* He was then charged with having written to Fisher that 'The act of parliament was like a sword with two edges; for if a man answered one way it would confound his soul, and if the other way it would confound his body.'† Finally and chiefly, he had spoken treasonable words in the Tower to Rich, the solicitor-general. Rich had endeavoured to persuade him, as Cranmer had endeavoured in his previous difficulty at Lambeth, that it was his duty as a subject to obey the law of the land. 'Supposing it was enacted by act of parliament,' the solicitor-general had said, 'that I, Richard Rich, should be king, and that it should be treason to deny it, what would be the offence if you, Sir Thomas More, were to say that I was king?' More had answered that, in his conscience, he would be bound by the act of parliament, and would be obliged to accept Rich as king. He would put another case, however. 'Suppose it should be enacted by parliament, *quod Deus non esset Deus*, and that opposing the act should be treason, if it were asked of him, Richard Rich, whether he would say *Quod Deus non erat Deus*, according to this statute, and if he were to say No, would he

Ch. 9.

A.D. 1535. July. Substance of the indictment.

* I take my account of the indictment from the government record. It is, therefore, their own statement of their own case.—Trial of Sir Thomas More: Baga de Secretis, pouch 7, bundle 3.

† Fisher had unhappily used these words on his own examination; and the identity of language was held a proof of traitorous confederacy.

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CH. 9. A.D. 1535. July.

not offend?' Rich had replied, 'Certainly, because it is impossible, *quod Deus non esset Deus;* but why, Master More, can you not accept the king as chief Head of the Church of England, just as you would that I should be made king, in which case you agree that you would be obliged to acknowledge me as king?' 'To which More, persevering in his treasons, had answered to Rich, that the cases were not similar, because the king could be made by parliament and deprived by parliament;* but in the first case the subject could not be obliged, because his consent could not be given for that in parliament.'

The chancellor urges him to submit.

This was the substance of the indictment. As soon as it was read, the lord chancellor rose, and told the prisoner that he saw how grievously he had offended the king; it was not too late to ask for mercy, however, which his Majesty desired to show.

He trusts, however, to remain in his opinion till death.

'My lord,' More replied, 'I have great cause to thank your honour for your courtesy, but I beseech Almighty God that I may continue in the mind that I am in through His grace unto death.' To the charges against him he pleaded 'not guilty,' and answered them at length. He could not say indeed that the facts were not true; for although he denied that he had 'practised' against the supremacy, he could not say that he had consented to it, or that he ever would consent; but like the Prior of the Charterhouse, he could not admit himself guilty when he had only obeyed

* If this was the constitutional theory, 'divine right' was a Stuart fiction.

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his conscience. The jury retired to consider, and in a quarter of an hour returned with their verdict. The chancellor, after receiving it, put the usual question, what the prisoner could say in arrest of judgment. More replied, but replied with a plea which it was impossible to recognise, by denouncing the statute under which he was tried, and insisting on the obligation of obedience to the see of Rome. Thus the sentence was inevitable. It was pronounced in the ordinary form; but the usual punishment for treason was commuted, as it had been with Fisher, to death upon the scaffold; and this last favour was communicated as a special instance of the royal clemency. More's wit was always ready. 'God forbid,' he answered, 'that the king should show any more such mercy unto any of my friends; and God bless all my posterity from such pardons.'*

CH. 9.

A.D. 1535. July. The jury find a verdict of guilty.

The pageant was over, for such a trial was little more. As the procession formed to lead back the 'condemned traitor' to the Tower, the commissioners once more adjured him to have pity on himself, and offered to re-open the court if he would reconsider his resolution. More smiled, and replied only a few words of graceful farewell.

'My lords,' he said, 'I have but to say that, like as the blessed Apostle St. Paul was present at the death of the martyr Stephen, keeping their clothes that stoned him, and yet they be now both saints in heaven, and there shall continue friends

His last words to the commission.

* More's *Life of More*, p. 271.

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Ch. 9. for ever, so I trust, and shall therefore pray, that
A.D. 1535. July. though your lordships have been on earth my judges, yet we may hereafter meet in heaven together to our everlasting salvation; and God preserve you all, especially my sovereign lord the king, and grant him faithful councillors.'

He returns to the Tower. He then left the hall, and to spare him the exertion of the walk he was allowed to return by water. At the Tower stairs one of those scenes occurred which have cast so rich a pathos round the closing story of this illustrious man. 'When Sir Thomas,' writes the grandson, 'was now come to the Tower wharf, his best beloved child, my aunt Roper, desirous to see her father, whom she feared she should never see in this world after, to have his last blessing, gave there attendance to meet him; whom as soon as she had espied she ran hastily unto him, and without consideration or care for herself, passing through the midst of the throng and guard of men, who with bills and halberts compassed him round, there openly in the sight of them all embraced him, and took him about the neck and kissed him, not able to say any word but 'Oh, my father! oh, my father!' He, liking well her most natural and dear affection towards him, gave her his fatherly blessing; telling her that whatsoever he should suffer, though he were innocent, yet it was not without the will of God; and that He knew well enough all the secrets of her heart, counselling her to accommodate her will to God's blessed pleasure, and to be patient for his loss.

Margaret Roper.

'She was no sooner parted from him, and had

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gone scarce ten steps, when she, not satisfied with the former farewell, like one who had forgot herself, ravished with the entire love of so worthy a father, having neither respect to herself nor to the press of people about him, suddenly turned back, and ran hastily to him, and took him about the neck and divers times together kissed him; whereat he spoke not a word, but carrying still his gravity, tears fell also from his eyes; yea, there were very few in all the troop who could refrain hereat from weeping, no, not the guard themselves. Yet at last with a full heart she was severed from him, at which time another of our women embraced him; and my aunt's maid Dorothy Collis did the like, of whom he said after, it was homely but very lovingly done. All these and also my grandfather witnessed that they smelt a most odoriferous smell to come from him, according to that of Isaac, 'The scent of my son is as the scent of a field which the Lord has blessed.'"* CH. 9. A.D. 1535. July.

The last days in the Tower.

More's relation with this daughter forms the most beautiful feature in his history. His letters to her in early life are of unequalled grace, and she was perhaps the only person whom he very deeply loved. He never saw her again. The four days which remained to him he spent in prayer and in severe bodily discipline. On the night of the 5th of July, although he did not know the time which had been fixed for his execution, yet with an instinctive feeling that it was near, he sent her his hair shirt and whip, as having no more need for them, with a parting blessing of affection.

* MORE'S *Life of More*, pp. 276–7.

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Ch. 9.

A.D. 1535. July.

He then lay down and slept quietly. At daybreak he was awoke by the entrance of Sir Thomas Pope, who had come to confirm his anticipations, and to tell him it was the king's pleasure that he should suffer at nine o'clock that morning. He received the news with utter composure. 'I am much bounden to the king,' he said, 'for the benefits and honours he has bestowed upon me; and so help me God, most of all am I bounden to him that it pleaseth his Majesty to rid me so shortly out of the miseries of this present world.'

Pope told him the king desired that he would not 'use many words on the scaffold.' 'Mr. Pope,' he answered, 'you do well to give me warning, for otherwise I had purposed somewhat to have spoken; but no matter wherewith his Grace should have cause to be offended. Howbeit, whatever I intended, I shall obey his Highness's command.'

He afterwards discussed the arrangements for his funeral, at which he begged that his family might be present; and when all was settled, Pope rose to leave him. He was an old friend. He took More's hand and wrung it, and quite overcome, burst into tears.

'Quiet yourself, Mr. Pope,' More said, 'and be not discomforted, for I trust we shall once see each other full merrily, when we shall live and love together in eternal bliss.'*

* 'And, further to put him from his melancholy, Sir Thomas More did take his urinal, and cast his water, saying merrily, 'I see no danger but the man that owns this water may live longer, if it please the king.' '—More's *Life*, p. 283. I cannot allow myself to suppress a trait so eminently characteristic.

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As soon as he was alone he dressed in his most elaborate costume. It was for the benefit, he said, of the executioner who was to do him so great a service. Sir William Kingston remonstrated, and with some difficulty induced him to put on a plainer suit; but that his intended liberality should not fail, he sent the man a gold angel in compensation, 'as a token that he maliced him nothing, but rather loved him extremely.' CH. 9 A.D. 1535. July.

'So about nine of the clock he was brought by the Lieutenant out of the Tower, his beard being long, which fashion he had never before used, his face pale and lean, carrying in his hands a red cross, casting his eyes often towards heaven.' He had been unpopular as a judge, and one or two persons in the crowd were insolent to him; but the distance was short and soon over, as all else was nearly over now. He leaves the Tower.

The scaffold had been awkwardly erected, and shook as he placed his foot upon the ladder. 'See me safe up,' he said to Kingston. 'For my coming down I can shift for myself.' He began to speak to the people, but the sheriff begged him not to proceed, and he contented himself with asking for their prayers, and desiring them to bear witness for him that he died in the faith of the holy Catholic church, and a faithful servant of God and the king. He then repeated the Miserere psalm on his knees; and when he had ended and had risen, the executioner, with an emotion which promised ill for the manner in which his part in the tragedy would be accomplished, begged his forgiveness. More kissed him. 'Thou On the scaffold.

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Ch. 9.

A.D. 1535. July.

art to do me the greatest benefit that I can receive,' he said. 'Pluck up thy spirit, man, and be not afraid to do thine office. My neck is very short. Take heed therefore that thou strike not awry for saving of thine honesty.' The executioner offered to tie his eyes. 'I will cover them myself,' he said; and binding them in a cloth which he had brought with him, he knelt and laid his head upon the block. The fatal stroke was about to fall, when he signed for a moment's delay while he moved aside his beard. 'Pity that should be cut,' he murmured, 'that has not committed treason.' With which strange words, the strangest perhaps ever uttered at such a time, the lips most famous through Europe for eloquence and wisdom closed for ever.

Death.

'So,' concludes his biographer, 'with alacrity and spiritual joy he received the fatal axe, which no sooner had severed the head from the body, but his soul was carried by angels into everlasting glory, where a crown of martyrdom was placed upon him which can never fade nor decay; and then he found those words true which he had often spoken, that a man may lose his head and have no harm.'*

This was the execution of Sir Thomas More, an act which was sounded out into the far corners of the earth, and was the world's wonder as well for the circumstances under which it was perpetrated, as for the preternatural composure with which it was borne. Something of his calmness

* More's *Life of More*, p. 287.

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may have been due to his natural temperament, something to an unaffected weariness of a world which in his eyes was plunging into the ruin of the latter days. But those fair hues of sunny cheerfulness caught their colour from the simplicity of his faith; and never was there a Christian's victory over death more grandly evidenced than in that last scene lighted with its lambent humour.

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History will rather dwell upon the incidents of the execution than attempt a sentence upon those who willed that it should be. It was at once most piteous and most inevitable. The hour of retribution had come at length, when at the hands of the Roman church was to be required all the righteous blood which it had shed, from the blood of Raymond of Toulouse to the blood of the last victim who had blackened into ashes at Smithfield. The voices crying underneath the altar had been heard upon the throne of the Most High, and woe to the generation of which the dark account had been demanded.

In whatever light, however, we may now think of these things, the effect in Europe was instantaneous and electrical. The irritation which had accompanied the excommunication by Clement had died away in the difficulty of executing the censures. The papal party had endeavoured to persuade themselves that the king was acting under a passing caprice. They had believed that the body of the people remained essentially Catholic; and they had trusted to time, to discontent, to mutiny, to the consequences of what they chose to regard as the mere

The effect of these executions in Europe.

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indulgence of criminal passion, to bring Henry to his senses. To threats and anathemas, therefore, had again succeeded fair words and promises, and intrigues and flatteries; and the pope and his advisers, so long accustomed themselves to promise and to mean nothing, to fulminate censures in form, and to treat human life as a foolish farce upon the stage, had dreamed that others were like themselves. In the rough awakening out of their delusion, as with a stroke of lightning, popes, cardinals, kings, emperors, ambassadors, were startled into seriousness; and, the diplomatic meshwork all rent and broken, they fell at once each into their places, with a sense suddenly forced upon them that it was no child's play any longer. The King of England was in earnest, it seemed. The assumption of the supremacy was a fixed purpose, which he was prepared to make a question of life and death; and with this resolution they must thenceforward make their account.

The news arrives at Rome of the deaths of the Carthusians.

On the 1st of June, Cassalis wrote* from Rome that the French ambassador had received a letter concerning certain friars who had been put to death in England for denying the king to be Head of the Church. The letter had been read in the consistory, and was reported to be written in a tone of the deepest commiseration. There had been much conversation about it, the French bishops having been louder than any in their denunciations; and the form of the execution was

* *State Papers*, vol. vii. p. 606.

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described as having been most barbarous. Some of the cardinals had said that they envied the monks their deaths in such a cause, and wished that they had been with them. 'I desired my informant,' Cassalis said, 'to suggest to these cardinals, that if they were so anxious on the subject, they had better pay a visit to England.' And he concluded, in cipher, 'I cannot tell very well what to think of the French. An Italian told me he had heard the Most Christian king himself say, that although he was obliged to press upon the pope the requests of the king of England, yet that these requests were preposterous, and could not be granted.'

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The deaths of a few poor monks would soon have been forgiven; the execution of Fisher first really revealed the truth. No sooner was the terrible reply of Henry to his promotion to the cardinalate made known than the conclave was instantly summoned. Cardinal Tournon described the scene upon the scaffold in language which moved all his audience to tears.* The pope, in a paroxysm of anger, declared that if he had seen his own nephews murdered in his presence, it would not have so much affected him; and Cassalis said he heard, from good authority, that they would do their worst, and intended to make the Bishop of Rochester's death of more account than that of the martyr St. Thomas.†

And of Fisher, which the pope will make of more account than the martyrdom of Becket.

Nor was the anger or the surprise confined

All Europe unites in amazed displeasure.

* Cassalis to Cromwell: *State Papers*, vol. vii. pp. 620–21.
† Ibid.

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to Rome. Through England, through France, through Flanders, even among the Protestants of Germany, there rose a simultaneous outcry of astonishment. Rumour flew to and fro with a thousand falsehoods; and the unfortunate leaven of the Anne Boleyn marriage told fatally to destroy that appearance of probity of motive so indispensable to the defence of the government. Even Francis I. forgot his caution, and dared to remonstrate. He wrote to entreat his good brother to content himself for the future with banishing such offenders, and sparing the extremity of his penalties.

Francis remonstrates, and recommends that in future political offenders should be banished.

Unfortunately, the question which was at issue was European as well as English; and every exile who was driven from England would have become, like Reginald Pole, a missionary of a holy war against the infidel king. Whatever else might have been possible, banishment was more perilous than pardon.

Henry condescends to explanation.

But the indignation was so general and so serious, that Henry thought it well to offer an explanation of his conduct, both at home and abroad. With his own people, he communicated through the lay authorities, not choosing to trust himself on this occasion to the clergy. The magistrates at the quarter sessions were directed 'to declare to the people the treasons committed by the late Bishop of Rochester and Sir Thomas More; who thereby, and by divers secret practices, of their malicious minds intended to seminate, engender, and breed a most mischievous and seditious opinion, not only to their

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own confusion, but also of divers others, who have lately suffered execution according to their demerits.'* To Francis, Cromwell instructed Gardiner, who was ambassador in Paris, to reply very haughtily. The English government, he said, had acted on clear proof of treason; treason so manifest, and tending so clearly to the total destruction of the commonwealth of the realm, that the condemned persons 'were well worthy, if they had a thousand lives, to have suffered ten times a more terrible death and execution than any of them did suffer.' The laws which the king had made were 'not without substantial grounds;' but had been passed 'by great and mature advice, counsel, and deliberation of the whole policy of the realm, and' were 'indeed no new laws, but of great antiquity, now renovate and renewed in respect to the common weal of the same realm.'

His message to Francis.

He had made his laws on good and substantial grounds,

With respect to the letter of the King of France, Gardiner was to say, it was 'not a little to his Highness's marvel that the French king would ever counsel or advise him, if in case hereafter any such like offenders should happen to be in the realm, that he should rather banish them, than in such wise execute them, . . . supposing it to be neither the office of a friend nor a brother, that he would counsel the King's Highness to banish his traitors into strange parts, where they

And is much surprised that he should be advised to banish his traitors, giving them increased opportunity to injure him.

* STRYPE'S *Memor. Eccles.*, vol. i., Appendix, p. 211. These words are curious as directly attributing the conduct of the monks to the influence of More and Fisher.

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might have good occasion, time, place, and opportunity to work their feats of treason and conspiracy the better against the king and this his realm. In which part,' concluded Cromwell, 'ye shall somewhat engrieve the matter, after such sort that it may well appear to the French king that the King's Highness may take those his counsels both strangely and unkindly.'*

His elaborate despatch to Cassalis intended for the pope.

With the German princes Henry was scarcely less imperious;† and it is noteworthy, that the most elaborate defence which he condescended to make, is that which was sent to Sir Gregory

* Cromwell to Gardiner: BURNET'S *Collectanea*, pp. 460-1.

† 'If the Duke of Saxe, or any of the other princes, shall in their conference with him, expostulate or show themselves displeased with such information as they may percase have had, touching the attainder and execution of the late Bishop of Rochester and Sir Thomas More, the said Bishop shall thereunto answer and say, that the same were by order of his laws found to be false traitors and rebels to his Highness and his crown. The order of whose attainder with the causes thereof, he may declare unto them, saying that in case the King's Highness should know that they would conceive any sinister opinion of his Grace, for the doing of any act within his realm, his Grace should not only have cause to think they used not with him the office of friendship, which would not by any report conceive other opinion of so noble a prince as he is than were both just and honourable; but also to note in them less constancy of judgment than he verily thinketh they have. And hereupon the said Bishop shall dissuade them from giving credit to any such report, as whereby they shall offend God in the judgment of evil upon their neighbour; and cause his Majesty to muse that they would of him, being a prince of honour, conceive any other opinion than his honour and friendship towards them doth require. Setting this forth with such a stomach and courage as they may not only perceive the false traitorous dealings of the said persons; but consider what folly it were in them upon light report to judge of another prince's proceedings otherwise than they would a foreign prince should judge of them.' — Instructions to the Bishop of Hereford by the King's Highness: ***Rolls House MS.***

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Cassalis, to be laid before the pope. He chose that the Roman court should understand distinctly the grounds on which he had acted; and this despatch (which was written by Cromwell) shows more clearly than any other state paper which remains to us, the light in which the reforming party desired their conduct to be regarded. CH. 9. A.D. 1535.

It was written in reply to the letter in which Cassalis reported the irritation of the Roman court, and enters into the whole ground of complaint against More and Fisher.

'I have signified,' wrote Cromwell, 'to the King's Highness the purport of your late letters, and as they contained many things which were very welcome to his Majesty, so he could not sufficiently marvel that the pope should have conceived so great offence at the deaths of the Bishop of Rochester and Sir Thomas More. And albeit his Majesty is not bound to render account of his actions except to God, whom in thought and deed he is ever desirous to obey; nevertheless that his royal name may not be evil spoken of by malicious tongues, from want of knowledge of the truth, I will tell you briefly what has been done in this matter. He cannot sufficiently marvel at the pope's displeasure.

'After that his Majesty, with the favour and assistance of Almighty God, had brought his cause to an end, by the consent and authority of unprejudiced persons of the most approved learning in Christendom,—and after he had confirmed it by the very rule of truth, these men, who had looked to see a far different conclusion, finding

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now no hopes of disturbing the settlement thus made, began to meditate other purposes. And when our good king, according to his princely duty, was devising measures for the quiet and good order of the realm, and for the correction of manners now largely fallen to decay, this, so great a benefit to the commonweal, they did, so far as in them lay, endeavour, though without effect, under pretence of dissembled honesty, to obstruct and oppose. Manifest proofs of their wicked designs were in the hands of the King's Grace; but his Majesty consented rather to pass over their offence without notice, hoping to recall them to a better mind, as having before been in some good estimation with him.

A.D. 1535. Fisher and More had obstructed the reforms which had been introduced into the realm.

'But they in whom ambition, love of self, and a peculiar conceit of wisdom had bred another persuasion, obstinately abused this kindness of their most noble prince. And when on a certain day there was order issued for the assembly of the great council of the realm, they made secret inquiry to learn the measures which would there be treated of. Whatsoever they discovered or conjectured, forthwith they debated in private council among themselves, arriving upon each point at conclusions other than those which the interests of the realm did require; and they fortified those conclusions with such array of arguments and reasons, that with no great labour the ignorant people might have been dangerously deceived.

They had thwarted the measures in progress through parliament,

'At length knowing that they had incurred the king's displeasure, and fearing lest they

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might fail of accomplishing their purposes, they chose out persons on whose courage, readiness, and devotion to themselves they could depend; and taking these men into their councils, they fed them with the poison which they had conceived, forgetting their allegiance to their king, and their duty to their country.* Thus were their seditious opinions scattered over the country. And when his Highness began to trace this impious conspiracy to its source, Sir Thomas More and the Bishop of Rochester were found to be the undoubted authors of the same; and their guilt was proved against them by the evidence of their own handwrit, and the confessions of their own lips. For these causes, therefore, and for many others of like kind, our most gracious sovereign was compelled to imprison them as rebellious subjects, as disturbers of the public peace, and as movers of sedition and tumult. Nor was it possible for him to do other than punish them, unless, after their crimes had been detected, he had so far forgotten his duty as to leave the contagion to spread unchecked, to the utter destruction of the nation. They were in consequence thrown into the Tower, where, however, their treatment was far different from what their demerits had deserved; they were allowed the society of their friends; their own servants were admitted to attend upon them, and they received all such indulgences in food and dress as their families desired. Clemency, however, pro-

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And had organized seditious opposition in the country.

They had in consequence been committed to the Tower, where they were treated with the utmost kindness.

* It will be observed that many important facts are alluded to in this letter of which we have no other knowledge.

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A.D. 1535. Kindness had, however, produced no effect; they had continued to obstruct the government; and had therefore been tried and condemned by the ordinary laws of the realm.

duced no effect on persons in whom duty and allegiance had given place to treason and malice. They chose rather to persist in their wicked courses than to make trial by repentance of the king's goodness. For after that certain laws had been decreed by authority of parliament, and had been by the whole nation admitted and accepted as expedient for the realm, and agreeable to true religion, they alone refused their consent to these laws, hoping that something might occur to sustain them in their impiety; and while professing to have left all care and thought for human things, they were considering by what arguments, in furtherance of their seditious purposes, they might, to the common hurt, elude, refute, and disturb the said laws.

'Of this their treason there are proofs extant —letters written, when ink failed them, with chalk or charcoal, and passed secretly from one to the other. Our most merciful king could therefore no longer tolerate their grievous faults. He allowed them to be tried by process of ordinary law. They were found guilty of high treason, and sentenced to death. Their punishment was milder than that which the law prescribed, or which their crimes had deserved; and many persons have by this example been brought to a better mind.'*

To Cromwell evidently the case appeared so clear as to require no apology. To modern writers it has appeared so clear as to admit of

* Cromwell to Cassalis: *State Papers*, vol. vii. p. 633.

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none. The value of the defence turns upon the point of the actual danger to the state, and the extent to which the conduct of the sufferers imperilled the progress of the Reformation. As written for the eyes of the pope and cardinals, however, such a letter could be understood only as daring them to do their worst. It ignored the very existence of such rules of judgment as the heads of the Roman church would alone acknowledge, and represented the story as it appeared from the position which England had assumed on its revolt from its old allegiance.

The reply of the pope.

There were no more false efforts at conciliation, and open war thenceforth appeared to be the only possible relation between the papacy and Henry VIII. Paul III. replied, or designed to reply, with his far-famed bull of interdict and deposition, which, though reserved at the moment in deference to Francis of France, and not issued till three years later, was composed in the first burst of his displeasure.* The substance of his voluminous anathemas may be thus briefly epitomized.

The pope, quoting and applying to himself

* Paul himself said that it was reserved at the intercession of the Princes of Europe. Intercession is too mild a word for the species of interference which was exerted. The pope sent a draft of the intended bull to France; and the king having no disposition to countenance exaggerated views of papal authority, spoke of it as *impudentissimum quoddam breve;* and said that he must send the Cardinal of Lorraine to Rome, to warn his Holiness that his pretence of setting himself above princes could by no means be allowed; by such impotent threats he might not only do no good, but he would make himself a laughing-stock to all the world. — Christopher Mount to Henry VIII.: *State Papers*, vol. vii. p. 628.

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CH. 9. the words of Jeremiah, 'Behold, I have set thee over nations and kingdoms, that thou mayest root out and destroy, and that thou mayest plant and build again,' addressed Henry as a disobedient vassal. Already lying under the censures of the church, he had gone on to heap crime on crime; and therefore, a specific number of days being allowed him to repent and make his submission, at the expiration of this period of respite the following sentence was to take effect.

A.D. 1535. The bull of interdict and deposition.

The king, with all who abetted him in his crimes, was pronounced accursed—cut off from the body of Christ, to perish. When he died, his body should lie without burial; his soul, blasted with anathema, should be cast into hell for ever. The lands of his subjects who remained faithful to him were laid under an interdict: their children were disinherited, their marriages illegal, their wills invalid; only by one condition could they escape their fate—by instant rebellion against the apostate prince. All officers of the crown were absolved from their oaths; all subjects, secular or ecclesiastic, from their allegiance. The entire nation, under penalty of excommunication, was commanded no longer to acknowledge Henry as their sovereign.* No true son of the church should hold intercourse with him or his adherents. They must neither trade with them,

* His sub excommunicationis pœnâ mandamus ut ab ejusdem Henrici regis, suorumque officialium judicium et magistratuum quorumcunque obedientiâ, penitus et omnino recedant, nec illos in superiores recognoscant neque illorum mandatis obtemperent. — Bull of Pope Paul against Henry VIII.

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speak with them, nor give them food. The clergy, leaving behind a few of their number to baptize the new-born infants, were to withdraw from the accursed land, and return no more till it had submitted. If the king, trusting to force, persevered in his iniquity, the lords and commons of England, dukes, marquises, earls, and all other persons, were required, under the same penalty of excommunication, to expel him from the throne; and the Christian princes of Europe were called on to show their fidelity to the Holy See, by aiding in so godly a work. CH. 9. A.D. 1535.

In conclusion, as the king had commanded his clergy to preach against the pope in their churches, so the pope commanded them to retaliate upon the king, and with bell, book, and candle declare him cursed.

This was loud thunder; nor, when abetted by Irish massacres and English treasons, was it altogether impotent. If Henry's conceptions of the royal supremacy were something imperious, the papal supremacy was not more modest in its self-assertion; and the language of Paul III. went far to justify the rough measures by which his menaces were parried. If any misgiving had remained in the king's mind on the legitimacy of the course which he had pursued, the last trace of it must have been obliterated by the perusal of this preposterous bombast.

For the moment, as I said, the bull was suspended through the interference of Francis. But Francis remained in communion with the See of Rome: Francis was at that moment labouring to Peril of Henry's position

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persuade the Lutheran states in Germany to return to communion with it: and Henry knew that, although in their hearts the European powers might estimate the pope's pretences at their true value, yet the bull of excommunication might furnish a convenient and dangerous pretext against him in the event of a Catholic combination. His position was full of peril; and in spite of himself, he was driven once more to seek for an alliance among the foreign Protestants, before the French intrigues should finally anticipate him.

Intrigues of the French in Germany.

That he really might be too late appeared an immediate likelihood. The quarrel between the Lutherans and the followers of Zwingle, the Anabaptist anarchy and the increasing confusion throughout the Protestant states, had so weighed on Luther's spirit that he was looking for the end of all things and the coming of Christ; and although Luther himself never quailed, too many 'murmurers in the wilderness' were looking wistfully back into Egypt. The French king, availing himself skilfully of the turning tide, had sent the Bishop of Paris to the courts of Saxony and Bavaria, in the beginning of August, to feel his way towards a reconciliation; and his efforts had been attended with remarkable success.

Probability of a reconciliation of the Lutherans with the See of Rome,

The bishop had been in communication with Melancthon and many of the leading Lutheran theologians upon the terms on which they would return to the church. The Protestant divines had drawn up a series of articles, the first of which was a profession of readiness to recognise the authority

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of the pope;* accompanying this statement with a declaration that they would accept any terms not plainly unjust and impious. These articles were transmitted to Paris, and again re-transmitted to Germany, with every prospect of a mutually satisfactory result; and Melancthon was waiting only till the bishop could accompany him, to go in person to Paris, and consult with the Sorbonne.†

Of which Henry is partly the cause.

This momentary (for it was only momentary) weakness of the German Protestants was in part owing to their want of confidence in Henry VIII.‡ The king had learnt to entertain a respect for the foreign Reformers, far unlike the repugnance of earlier years; but the prospect of an alliance with them had hitherto been too much used by him

* The Venetian Ambassador told Mount that the first article stood thus, 'Admittitur Protestas Pontificis Maximi absolute;' to which Mount says he answered, 'Hoc Latinum magis sapit Sorbonam Parisiensem quam Witenbergensem Minervam.' Du Bellay afterwards said that the saving clause was attached to it, 'Modo secundum verbum Dei omnia judicet;' and that this had been added at the desire of the French king; which Mount did not believe—and indeed found great difficulty in discovering any credible account of what was really taking place, beyond the fact that the Lutherans were so anxious for an agreement, that they were walking with open eyes into a net which would strangle them.—See *State Papers*, vol. vii. p. 630, &c.

† Ibid.

‡ Ego colendissime Patrone (si scribere licet quod sentio) non nihil nocere puto amicitiæ ineundæ et confirmandæ inter serenissimum Regem nostrum et Principes Germanos, nimiam serenissimi Regis nostri prudentiam. Germanorum animi tales sunt ut apertam et simplicem amicitiam colant et expetant. Ego quoque Germanos Principes super hâc causâ sæpius expostulantes audivi, ut qui suspensam hanc et causariam amicitiam not satis probarent. Dixerunt enim hâc re fieri ut plerique alii fœdus secum inire detrectarent et refugerunt qui id ultro factum fuerant si serenissimum Angliæ Regem aperte stare cernerent. — Mount to Cromwell: *State Papers*, vol. vii. p. 625.

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as a weapon with which to menace the Catholic powers, whose friendship he had not concealed that he would prefer. The Protestant princes had shrunk therefore, and wisely, from allowing themselves to be made the instruments of worldly policy; and the efforts at a combination had hitherto been illusive and ineffectual. Danger now compelled the king to change his hesitation into more honest advances. If Germany accepted the mediation of Francis, and returned to communion with Rome; and if, under the circumstances of a re-union, a general council were assembled; there could be little doubt of the attitude in which a council, called together under such auspices, would place itself towards the movement in England. To escape so imminent a peril, Henry was obliged (as Elizabeth after him) to seek the support of a party from which he had shrunk: he was forced, in spite of himself, to identify his cause with the true cause of freedom, and consequently to admit an enlarged toleration of the Reformed doctrines in his own dominions. There could be little doubt of the support of the Germans, if they could be once assured that they would not again be trifled with; and a Protestant league, the steady object of Cromwell's efforts, seemed likely at length to be realized.

Henry is driven to conciliate the German princes.

Different indeed would have been the future, both of England and for Germany, if such a league had been possible, if the pressure which compelled this most natural alliance had continued till it had cemented into rock. But the

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Tudors, representatives in this, as in so many other features of their character, of the people whom they governed, could never cordially unite themselves with a form of thought which permitted resistance to authority, and which they regarded as anarchic and revolutionary. They consented, when no alternative was left them, to endure for short periods a state of doubtful cordiality; but the connexion was terminated at the earliest moment which safety permitted; in their hatred of disorder (for this feeling is the key alike to the strength and to the weakness of the Tudor family), they preferred the incongruities of Anglicanism to a complete reformation; and a 'midge-madge'* of contradictory formularies to the simplicity of the Protestant faith. In essentials, the English movement was political rather than spiritual. What was gained for the faith, we owe first to Providence, and then to those accidents, one of which had now arisen, which compelled at intervals a deeper and a broader policy. To counteract the French emissaries, Christopher Mount, in August, and in September, Fox, Bishop of Hereford, were despatched to warn the Lutheran princes against their intrigues, and to point out the course which the interests of Northern Europe in the existing conjuncture required. The bishop's instructions were drawn by the king. He was to proceed direct to the court of Saxony, and, after presenting his letters of credit, was to address the elector to the following effect:

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A.D. 1535. August. Nature of the relations of the Tudors to the German Protestants.

Mission of the Bishop of Hereford to counteract the French.

* This was Lord Burleigh's word for the constitution of the English Church.

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A.D. 1535. August. Henry's message to the Elector of Saxony.

'Besides and beyond the love, amity, and friendship which noble blood and progeny had carnally caused and continued in the heart of the King's Highness towards the said duke and his progenitors, and besides that kindness also which of late by mutual communication of gratuities had been not a little augmented and increased between them, there was also stirred up in the heart of the King's Highness a spiritual love and favour towards the said duke and his virtuous intents and proceedings; for that the said duke persisted and continued in his most virtuous mind to set forth, maintain, and defend the sincere teaching of the gospel and the perfect true understanding of the word of God. In that matter the King's Highness, also illuminated with the same spirit of truth, and wholly addict and dedicate to the advancement thereof, had employed great pain and travail to bring the same to the knowledge of his people and subjects, intending also further and further to proceed therein, as his Grace by good consultation should perceive might tend to the augmentation of the glory of God and the true knowledge of his word. His said Majesty was of such sincere meaning in the advancing [hereof] as his Grace would neither headily, without good advisement, and consultation, and conference with his friends, go in any part beyond the said truth, ne for any respect tarry or stay on this side the truth, but would proceed in the right straight mean way assuredly agreed upon He had known of certainty divers who by their immoderate zeal or the excessive appetite to novel-

He desires, in connexion with other princes who have the same cause at heart, to maintain the middle way of truth, according to God's word.

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ties had from darkness proceeded to much more darkness, wherein the Anabaptists and sacramentarians were guilty; so by secret report he had been advertised, that upon private communications and conferences, the learned men there [in Germany] had in certain points and articles yielded and relented from their first asseveration; by reason whereof it was much doubted whether by other degrees they might be dissuaded in some of the rest. The King's Highness therefore, being very desirous to know the truth therein, and to be ascertained in what points and articles the learned men there were so assuredly and constantly resolved as by no persuasion of man they could be turned from the same, had sent the Bishop of Hereford to the said duke, desiring and praying him in respect of the premises to entertain the said bishop friendly and familiarly concerning the matter aforesaid, as the mutual love carnally, and the zeal of both princes to the increase of the glory of God spiritually, did require.'*

A.D. 1535. September. He has heard that the Lutherans are again inclining to Rome; and he desires to know their true intentions.

The bishop was then to speak of the council, the assembling of which he understood that the German princes so much desired. He was to dissuade them from pressing it, to the extent of his ability. They would find themselves opposed inevitably in all essential matters by the pope, the emperor, and the French king, whose factions united would outnumber and outvote them; and in the existing state of Europe, a general council would only compromise their position and em-

He dissuades a council.

* Instructions to the Bishop of Hereford: *Rolls House MS.*

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Ch. 9. barrass their movements. If, however, notwithstanding his remonstrances, the princes persisted in their wish, then the bishop was to urge them to come to some understanding with England on the resolutions which they desired to maintain. Let them communicate to the English bishops such points 'as they would stick to without relenting;' and the two countries, 'standing together, would be so much stronger to withstand their adversaries.' Without definitely promising to sign the Confession of Augsburg, Henry held out strong hopes that he might sign that Confession, if they would send representatives to London to discuss the articles of it with himself.* The bishop was to apologize for any previous slackness on the king's part in his communications with the elector, and to express his hopes, that for the future their relations might be those of cordial unanimity. He was especially to warn the elector to beware of re-admitting the papal supremacy under any pretext. The English had shaken off the pope, 'provoked thereunto in such wise as would have provoked them rather to

A.D. 1535. September.

But if a council is to meet, let them come to a common understanding with England.

The bishop was to apologize for all past coolness,

* In case they shall require that the King's Majesty shall receive the whole confession of Germany as it is imprinted, the bishop shall say that when the King's Highness shall have seen and perused the articles of the league, and shall perceive that there is in it contained none other articles but such as may be agreeable with the Gospel, and such as his Highness ought and conveniently may maintain, it is not to be doubted, and also, 'I durst boldly affirm,' the said bishop shall say, 'that the King's Highness will enter the same [league].' But it shall be necessary for the said duke and the princes confederate to send to the King's Highness such personages as might devise, conclude, and condescend in every article. — Instructions to the Bishop of Hereford: *Rolls House MS.*

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A.D. 1535. September. And to conclude with fresh warnings against the pope.

have expelled him from them by wrong, than to suffer him so to oppress them with injuries.' If in Germany they 'opened the great gate' to let him in again, he would rebuild 'the fortresses that were thrown down, and by little and little bring all to the former estate again.' Finally, with respect to the council—if a council there was to be—they must take care that it was held in a place indifferent, where truth might be heard or spoken; 'considering that else in a council, were not the remedy that all good men sought, but the mischief that all good men did abhor.'

These advances, consented to by Henry, were the act of Cromwell, and were designed as the commencement of a *Fœdus Evangelicum*—a league of the great Reforming nations of Europe. It was a grand scheme, and history can never cease to regret that it was grasped at with too faint a hand. The bishop succeeded in neutralizing partially the scheming of the French, partially in attracting the sympathies of the German powers towards England; but the two great streams of the Teutonic race, though separated by but a narrow ridge of difference, were unable to reach a common channel. Their genius drove them into courses which were to run side by side for centuries, yet ever to remain divided. And if the lines in which their minds have flowed seem to be converging at last, and if hereafter Germans and English are again to unite in a single faith, the remote meeting point is still invisible, and the terms of possible agreement can be but faintly conjectured.

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CHAPTER X.

THE VISITATION OF THE MONASTERIES.

CH. 10.

A.D. 1535.

MANY high interests in England had been injured by the papal jurisdiction; but none had suffered more vitally than those of the monastic establishments. These establishments had been injured, not by fines and exactions—for oppression of this kind had been terminated by the statutes of provisors,—but because, except at rare and remote intervals, they had been left to themselves, without interference and without surveillance. They were deprived of those salutary checks which all human institutions require if they are to be saved from sliding into corruption.

Exemption of the religious houses from control.

The religious houses, almost without exception, were not amenable to the authority of the bishops. The several societies acknowledged obedience only to the heads of their order, who resided abroad; or to the pope, or to some papal delegate. Thus any regularly conducted visitation was all but impossible. The foreign superiors, who were forbidden by statute to receive for their services more than certain limited and reasonable fees, would not undertake a gratuitous labour; and the visitations, attempted with imperfect powers* by the

* The English archbishops were embarrassed by the statutes of provisors in applying for plenary powers to Rome. If they accepted commissions they accepted them at their peril, and were compelled to caution in their manner of proceeding.

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English archbishops, could be resisted successfully under pleas of exemption and obedience to the rules of the orders.* Thus the abbeys had gone their own way, careless of the gathering indignation with which they were regarded by the people, and believing that in their position they held a sacred shield which would protect them for ever. In them, as throughout the Catholic system, the sadness of the condition into which they had fallen, was enhanced by the contrast between the theory and the degenerate reality. Originally, and for many hundred years after their foundation, the regular clergy were the finest body of men of which mankind in their chequered history can boast. They lived to illustrate, in systematic simplicity, the universal law of sacrifice. In their three chief vows of poverty, chastity, and obedience, they surrendered everything which makes life delightful. Their business on earth was to labour and to pray: to labour for other men's bodies, to pray for other men's souls. Wealth flowed in upon them; the world, in its instinctive loyalty to greatness, laid its lands and its possessions at their feet; and for a time was seen the notable spectacle of property administered as a trust, from which the owners reaped no benefit, except increase of toil. The genius of the age expended its highest efforts to provide fitting tabernacles for the divine spirit which they enshrined; and alike in village and

Contrast in the monasteries between theory and fact.

The original intention.

* 27 Hen. VIII. cap. 28. The statute says that many visitations had been made in the two hundred years preceding the Reformation, but had failed wholly of success.

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CH. 10. A.D. 1535.

city, the majestic houses of the Father of mankind and his especial servants towered up in sovereign beauty, symbols of the civil supremacy of the church, and of the moral sublimity of life and character which had won the homage and the admiration of the Christian nations. Ever at the sacred gates sate Mercy, pouring out relief from a never-failing store to the poor and the suffering; ever within the sacred aisles the voices of holy men were pealing heavenwards, in intercession for the sins of mankind; and influences so blessed were thought to exhale around those mysterious precincts, that the outcasts of society—the debtor, the felon, and the outlaw—gathered round the walls, as the sick men sought the shadow of the apostle, and lay there sheltered from the avenging hand till their sins were washed from off their souls. Through the storms of war and conquest the abbeys of the middle ages floated, like the ark upon the waves of the flood, inviolate in the midst of violence, through the awful reverence which surrounded them.

The life of 'religion left it in the 14th century.

The soul of 'religion,'* however, had died out of it for many generations before the Reformation. At the close of the fourteenth century, Wycliffe had cried that the rotting trunk cumbered the ground, and should be cut down. It had not been cut down; it had been allowed to stand for a hundred and fifty more years; and now it was indeed plain that it could remain no

* To enter 'religion' was the technical expression for taking the vows.

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longer. The boughs were bare, the stem was withered, the veins were choked with corruption; the ancient life-tree of monasticism would blossom and bear fruit no more. Faith had sunk into superstition; duty had died into routine; and the monks, whose technical discipline was forgotten, and who were set free by their position from the discipline of ordinary duty, had travelled swiftly on the downhill road of human corruption.

The darker scandals not to be touched upon.

Only light reference will be made in this place to the darker scandals by which the abbeys were dishonoured. Such things there really were, to an extent which it may be painful to believe, but which evidence too abundantly proves. It is better, however, to bury the recollection of the more odious forms of human depravity; and so soon as those who condemn the Reformation have ceased to deny what the painfulness of the subject only has allowed to remain disputed, the sins of the last English monks will sleep with them in their tombs. Here, in spite of such denials, the most offensive pictures shall continue to be left in the shade; and persons who wish to gratify their curiosity, or satisfy their unbelief, may consult the authorities for themselves.* I shall confine my own efforts rather to the explanation of

Political and administrative abuses.

* A summary of the condition of the Religious Houses, in the Cotton Library, Cleopatra, E 4; MS. Letters of the Visitors, in the same collection; three volumes of the correspondence of Richard Layton with Cromwell, in the State Paper Office; and the reports of the Visitations of 1489 and 1511, in the *Registers* of Archbishops Morton and Warham. For printed authorities, see *Suppression of the Monasteries*, published by the Camden Society; STRYPE'S *Memorials*, vol. i., Appendix; FULLER'S *Ecclesiastical History*; and WILKINS'S *Concilia*, vol. iii.

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CH. 10. A.D. 1535.

the practical, and, in the highest sense of the word, political abuses, which, on the whole, perhaps, told most weightily on the serious judgment of the age.

The abbeys intended for the benefit of the poor.

The abbeys, then, as the State regarded them, existed for the benefit of the poor. The occupants for the time being were themselves under vows of poverty; they might appropriate to their personal use no portion of the revenues of their estates; they were to labour with their own hands, and administer their property for the public advantage. The surplus proceeds of the lands, when their own modest requirements had been supplied, were to be devoted to the maintenance of learning, to the exercise of a liberal hospitality, and to the relief of the aged, the impotent, and the helpless. The popular clamour of the day declared that these duties were systematically neglected; that two-thirds, at least, of the religious bodies abused their opportunities unfairly for their own advantage; and this at a time when the obligations of all property were defined as strictly as its rights, and negligent lay owners were promptly corrected by the State whenever occasion required. The monks, it was believed, lived in idleness, keeping vast retinues of servants to do the work which they ought to have done themselves.* They were accused of sharing divi-

Fraudulent neglect of duty.

Illegal division of profits.

* At Tewkesbury, where there was an abbot and thirty-two monks, I find payment made to a hundred and forty-four servants in livery, who were wholly engaged in the service of the abbey.— Particulars relating to the Dissolution of the Monasteries, section 5: BURNET'S *Collectanea*, p. 86.

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dends by mutual connivance, although they were forbidden by their rule to possess any private property whatever, and of wandering about the country in the disguise of laymen in pursuit of forbidden indulgences.* They were bound by their statutes to keep their houses full, and if their means were enlarged, to increase their numbers; they were supposed to have allowed their complement to fall to half, and sometimes to a third, of the original foundation, fraudulently reserving the enlarged profits to themselves. It was thought, too, that they had racked their estates; that having a life-interest only, they had encumbered them with debts, mortgages, and fines; that in some cases they had wholly alienated lands, of which they had less right to dispose than a modern rector of his glebe.† In the meantime, it was said that the poor were not fed, that hospitality was neglected, that the buildings and houses were falling to waste, that fraud and Simony prevailed among them from the highest to the lowest, that the abbots sold the presentations to the benefices which were in their gift, or dishonestly retained the cures of souls in their own hands, careless whether the duties of the parishes could or could not be discharged; and that, finally, the vast majority of the monks themselves were ignorant, self-indulgent, profligate, worthless, dissolute.

Dishonest administration of the lands.

Neglect of hospitality.

Neglect of the poor.

Simony and profligacy.

These, in addition to the heavier accusations,

* See the Directions to the Visitors: BURNET'S *Collectanea*, p. 74.

† See, for instance, *Suppression of the Monasteries*, p. 86.

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Ch. 10. A.D. 1535.

were the charges which the popular voice had for more than a century brought against the monasteries, which had led Wycliffe to denounce their existence as intolerable, the House of Commons to petition Henry IV. for the secularization of their property, and Henry V. to appease the outcry, by the suppression of more than a hundred, as an ineffectual warning to the rest.* At length, in the year 1489, at the instigation of Cardinal Morton, then Archbishop of Canterbury, a commission was issued by Innocent VIII. for a general investigation throughout England into the behaviour of the regular clergy. The pope said that he had heard, from persons worthy of credit, that abbots and monks in many places were systematically faithless to their vows; he conferred on the archbishop a special power of visitation, and directed him to admonish, to correct, to punish, as might seem to him to be desirable.† On the receipt of these instructions, Morton addressed the following letter to the superior of an abbey within a few miles of London—a peer of the realm, living in the full glare of notoriety—a person whose offences, such as they were, had been committed openly, palpably, and conspicuously in the face of the world:—

A hundred houses suppressed by Henry V.

Visitation of 1489.

* 'In a parliament held at Leicester, in 1414, the priories alien in England were given to the king; all their possessions to remain to the king and to his heirs for ever. And these priories were suppressed, to the number of more than a hundred houses.' — Stow's *Chronicle*, p. 345.

† The commission is in Morton's *Register*, MS., Lambeth Library.

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'John, by Divine permission, Archbishop of Canterbury, Primate of all England, Legate of the Apostolic See, to William, Abbot of the Monastery of St. Alban's, greeting. CH. 10. A.D. 1489. Archbishop Morton visits the Abbey of St. Alban's.

'We have received certain letters under lead, the copies whereof we herewith send you, from our most holy Lord and Father in Christ, Innocent, by Divine Providence Pope, the eighth of that name. We therefore, John, the archbishop, the visitor, reformer, inquisitor, and judge therein mentioned, in reverence for the Apostolic See, have taken upon ourselves the burden of enforcing the said commission; and have determined that we will proceed by, and according to, the full force, tenour, and effect of the same.

'And it has come to our ears, being at once publicly notorious and brought before us upon the testimony of many witnesses worthy of credit, that you, the abbot aforementioned, have been of long time noted and diffamed, and do yet continue so noted, of Simony, of usury, of dilapidation and waste of the goods, revenues, and possessions of the said monastery, and of certain other enormous crimes and excesses hereafter written. In the rule, custody, and administration of the goods, spiritual and temporal, of the said monastery, you are so remiss, so negligent, so prodigal, that whereas the said monastery was of old times founded and endowed by the pious devotion of illustrious princes of famous memory, heretofore kings of this land, the most noble progenitors of our most serene Lord and King that now is, in order that true religion might flourish

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Ch. 10. there, that the name of the Most High, in whose honour and glory it was instituted, might be duly celebrated there;

A.D. 1489. Delinquencies of the abbot.

'And whereas, in days heretofore the regular observance of the said rule was greatly regarded, and hospitality was diligently kept;

'Nevertheless, for no little time, during which you have presided in the same monastery, you and certain of your fellow monks and brethren (whose blood, it is feared, through your neglect, a severe Judge will require at your hand) have relaxed the measure and form of religious life; you have laid aside the pleasant yoke of contemplation, and all regular observances; hospitality, alms, and those other offices of piety which of old time were exercised and ministered therein have decreased, and by your faults, your carelessness, your neglect and deed, do daily decrease more and more, and cease to be regarded—the pious vows of the founders are defrauded of their just intent; the antient rule of your order is deserted; and not a few of your fellow monks and brethren, as we most deeply grieve to learn, giving themselves over to a reprobate mind, laying aside the fear of God, do lead only a life of lasciviousness—nay, as is horrible to relate, be not afraid to defile the holy places, even the very churches of God, by infamous intercourse with nuns.

'You yourself, moreover, among other grave enormities and abominable crimes whereof you are guilty, and for which you are noted and diffamed, have, in the first place, admitted a certain

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married woman, named Elena Germyn, who has separated herself without just cause from her husband, and for some time past has lived in adultery with another man, to be a nun or sister in the house or Priory of Bray, lying, as you pretend, within your jurisdiction. You have next appointed the same woman to be prioress of the said house, notwithstanding that her said husband was living at the time, and is still alive. And finally, Father Thomas Sudbury, one of your brother monks, publicly, notoriously, and without interference or punishment from you, has associated, and still associates, with this woman as an adulterer with his harlot.

A.D. 1489. Delinquencies of the abbot and the monks.

'Moreover, divers other of your brethren and fellow monks have resorted, and do resort, continually to her and other women at the same place, as to a public brothel or receiving house, and have received no correction therefor.

'Nor is Bray the only house into which you have introduced disorder. At the nunnery of Sapwell, which you also contend to be under your jurisdiction, you change the prioresses and superiors again and again at your own will and caprice. Here, as well as at Bray, you depose those who are good and religious; you promote to the highest dignities the worthless and the vicious. The duties of the order are cast aside; virtue is neglected; and by these means so much cost and extravagance has been caused, that to provide means for your indulgence you have introduced certain of your brethren to preside in their houses under the name of guardians, when

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CH. 10.

A.D. 1489. Delinquencies of the abbot and the monks.

in fact they are no guardians, but thieves and notorious villains; and with their help you have caused and permitted the goods of the same priories to be dispensed, or to speak more truly to be dissipated, in the above-described corruptions and other enormous and accursed offences. Those places once religious are rendered and reputed as it were profane and impious; and by your own and your creatures' conduct are so impoverished as to be reduced to the verge of ruin.

'In like manner, also, you have dealt with certain other cells of monks, which you say are subject to you, even within the monastery of the glorious proto-martyr, Alban himself. You have dilapidated the common property; you have made away with the jewels; the copses, the woods, the underwood, almost all the oaks and other forest trees, to the value of eight thousand marks and more, you have made to be cut down without distinction, and they have by you been sold and alienated. The brethren of the abbey, some of whom, as is reported, are given over to all the evil things of the world, neglect the service of God altogether. They live with harlots and mistresses publicly and continuously, within the precincts of the monastery and without. Some of them, who are covetous of honour and promotion, and desirous therefore of pleasing your cupidity, have stolen and made away with the chalices and other jewels of the church. They have even sacrilegiously extracted the precious stones from the very shrine of St. Alban; and you have not punished these men, but have rather knowingly supported and maintained

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them. If any of your brethren be living justly and religiously, if any be wise and virtuous, these you straightway depress and hold in hatred. . . . . You . . . . '

But this overwhelming document need not be transcribed further. It pursues its way through mire and filth to its most lame and impotent conclusion. The abbot was not deposed; he was invited merely to reconsider his conduct, and, if possible, amend it.

Offences similar in kind and scarcely less gross were exposed at Waltham, at St. Andrew's, Northampton, at Calais, and at other places.* Again, a reprimand was considered to be an adequate punishment.

Evils so deep and so abominable would not yield to languid treatment; the visitation had been feeble in its execution and limited in extent. In 1511 a second was attempted by Archbishop Warham.† This inquiry was more partial than the first, yet similar practices were brought to light: women introduced to religious houses; nuns and abbesses accusing one another of incontinency; the alms collected in the chapels squandered by the monks in licentiousness. Once more, no cure was attempted beyond a paternal admonition.‡ A third effort was made by Wolsey twelve years later: again exposure followed, and again no remedy was found.

Visitation of Archbishop Warham in 1511.

If the condition of the abbeys had appeared intolerable before investigation, still less could it

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* Morton's *Register*, MS., Lambeth.
† Warham's *Register*, MS., Lambeth. ‡ Ibid.

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Ch. 10. A.D. 1535.

be endured when the justice of the accusations against them had been ascertained. But the church was unequal to the work of self-reformation. Parliament alone could decide on the measures which the emergency made necessary; and preparatory to legislation, the true circumstances and present character of the religious bodies throughout the whole country were to be ascertained accurately and completely.

Issue of a commission for a general visitation.

Accordingly, in the summer of 1535, directly after Sir Thomas More's execution, Cromwell, now 'vicegerent of the king in all his ecclesiastical jurisdiction within the realm,'* issued a commission for a general visitation of the religious houses, the universities, and other spiritual corporations. The persons appointed to conduct the inquiry were Doctors Legh, Leyton, and Ap Rice, ecclesiastical lawyers in holy orders, with various subordinates. Legh and Leyton, the two principal commissioners, were young, impetuous men, likely to execute their work rather thoroughly than delicately; but, to judge by the surviving evidence, they were as upright and plain-dealing as they were assuredly able and efficient. It is pretended by some writers that the inquiry was set on foot with a preconceived purpose of spoliation; that the duty of the visitors was rather to defame roundly than to report truly; and that the object of the commission was merely to justify an act of appropriation which had been already determined. The commission of Pope Innocent, with the previous inquiries,

Character of the commissioners.

* See Injunctions to the Clergy: Foxe, vol. v. p. 165.

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puts to silence so gratuitous a supposition; while it is certain that antecedent to the presentation of the report, an extensive measure of suppression was not so much as contemplated. The directions to the visitors,* the injunctions which they were to carry with them to the various houses, the private letters to the superiors, which were written by the king and by Cromwell,† show plainly that the first object was to reform and not to destroy; and it was only when reformation was found to be conclusively hopeless, that the harder alternative was resolved upon. The report itself is no longer extant. Bonner was directed by Queen Mary to destroy all discoverable copies of it, and his work was fatally well executed. We are able, however, to replace its contents to some extent, out of the despatches of the commissioners.

A.D. 1535. First intention of the crown to reform and not to destroy.

Their discretionary powers were unusually large, as appears from the first act with which the visitors commenced operations. On their own responsibility, they issued an inhibition against the bishops, forbidding them to exercise any portion of their jurisdiction while the visitation was in progress. The sees themselves were to be inspected; and they desired to make the ground clear before they moved. When the amazed bishops exclaimed against so unheard-of an innovation, Doctor Legh justified the order by saying, that it was well to compel the prelates to know and feel their new position; and in the fact of their suspension by a royal commission, to

The commissioners issue an inhibition against the bishops.

* BURNET'S *Collectanea*, p. 74.
† STRYPE'S *Ecclesiastical Memorials*, vol. i. Appendix, p. 214.

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Ch. 10. 'agnize' the king as the source of episcopal authority.*

A.D. 1535. And commence work at Oxford, Sept. 12.

Truly it was an altered world since the bishops sent in their answer to the complaints of the House of Commons. The visitors, in this haughty style, having established their powers, began work with the university of Oxford. Their time was short, for parliament was to meet early in the spring, when their report was to be submitted to it; and their business meanwhile was not only to observe and inquire, but any reforms which were plainly useful and good, they were themselves to execute. They had no time for hesitation, therefore; and they laid their hands to the task before them with a promptitude at which we can only wonder. The heads of houses, as may be supposed, saw little around them which was in need of reform. A few students of high genius and high purposes had been introduced into the university, as we have seen, by Wolsey; and these had been assiduously exiled or imprisoned. All suspected books had been hunted out. There had been fagot processions in High-street, and bonfires of New Testaments at Carfax. The daily chapels, we suppose, had gone forward as usual, and the drowsy lectures on the Schoolmen; while 'towardly young men' who were venturing stealthily into the perilous heresy of Greek, were eyed askance by the authorities, and taught to tremble at their temerity. All this we might have looked

Condition of the University.

Efforts of the heads of houses.

* Legh to Cromwell, Sept. 24th: Strype's *Ecclesiastical Memorials*, vol. i. Appendix, p. 216.—*Cotton. MS.* Cleopatra, E 4, fol. 225.

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A.D. 1535. September. Parish clergy idling at the colleges under pretence of study.

for; and among the authorities themselves, also, the world went forward in a very natural manner. There was comfortable living in the colleges; so comfortable, that many of the country clergy preferred Oxford and Cambridge to the monotony of their parishes, and took advantage of a clause in a late act of parliament, which recognised a residence at either of the universities as an excuse for absence from tedious duties. 'Divers and many persons,' it was found, 'beneficed with cure of souls, and being not apt to study by reason of their age or otherwise, ne never intending before the making of the said act to travel in study, but rather minding their own ease and pleasure, colourably to defraud the same good statute, did daily and commonly resort to the said universities, where, under pretence of study, they continued and abode, living dissolutely; nothing profiting themselves in learning, but consumed the time in idleness and pastimes and insolent pleasures, giving occasion and evil example thereby to the young men and students within the universities, and occupying such rooms and commodities as were instituted for the maintenance and relief of poor scholars.'* These persons were not driven away by the heads of houses as the Christian Brothers had been; they were welcomed rather as pleasant companions. In comfortable conservatism they had no tendencies to heresy, but only to a reasonable indulgence of their five bodily senses. Doubtless, therefore, the visitors found Oxford a pleasant

* 28 Hen. VIII. cap. 13.

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CH. 10. place, and cruelly they marred the enjoyments of it. Like a sudden storm of rain, they dropt down into its quiet precincts. Heedless of rights of fellows and founders' bequests, of sleepy dignities and established indolences, they re-established long dormant lectures in the colleges. In a few little days (for so long only they remained) they poured new life into education. They founded fresh professorships — professorships of Polite Latin, Professorships of Philosophy, Divinity, Canon Law, Natural Sciences—above all of the dreaded Greek; confiscating funds to support them. For the old threadbare text-books, some real teaching was swiftly substituted. The idle residents were noted down, soon to be sent home by parliament to their benefices, under pain of being compelled, like all other students, to attend lectures, and, in their proper persons, 'keep sophisms, problems, disputations, and all other exercises of learning.'*

A.D. 1535. September. The disturbers of order and quiet.

Revolution of studies.

Revolution of discipline.

The discipline was not neglected: 'we have enjoined the religious students,'† Leyton wrote to Cromwell, 'that none of them, for no manner of cause, shall come within any tavern, inn, or alehouse, or any other house, whatsoever it be, within the town and suburbs. [Each offender] once so taken, to be sent home to his cloyster. Without doubt, this act is greatly lamented of all honest women of the town; and especially of their laundresses, that may not now

* 28 Hen. VIII. cap. 13.

† That is, the exhibitioners sent up to the university from the monasteries.

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once enter within the gates, much less within the chambers, whereunto they were right well accustomed. I doubt not, but for this thing, only the honest matrons will sue to you for redress.'* These were sharp measures; we lose our breath at their rapidity and violence. The saddest vicissitude was that which befell the famous Duns — Duns Scotus, the greatest of the Schoolmen, the constructor of the *memoria technica* of ignorance, the ancient text-book of *à priori* knowledge, established for centuries the supreme despot in the Oxford lecture-rooms. 'We have set Duns in Bocardo,' says Leyton. He was thrown down from his high estate, and from being lord of the Oxford intellect, was 'made the common servant of all men;' condemned by official sentence to the lowest degradation to which book can be submitted.† Some copies escaped this worst fate; but for changed uses thenceforward. The second occasion on which the visitors came to New College, they 'found the great Quadrant Court full of the leaves of Duns, the wind blowing them into every corner; and one Mr. Greenfield, a gentleman of Buckinghamshire, gathering up part of the same book leaves, as he said, to make him sewers or blawnsheres, to keep the deer within his wood, thereby to have the better cry with his hounds.'‡

Memorable fate of Duns Scotus.

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* STRYPE, *Memorials*, vol. i. p. 323. Leyton to Cromwell: *Suppression of the Monasteries*, p. 71, et seq.

† Id quod meis oculis vidi, Leyton writes: Ibid.

‡ Leyton to Cromwell: Ib.: p. 71, et seq.

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Ch. 10. A.D. 1535. September.

To such base uses all things return at last; dust unto dust, when the life has died out of them, and the living world needs their companionship no longer.

Progress of the visitors.

On leaving Oxford, the visitors spread over England, north, south, east, and west. We trace Legh in rapid progress through Bedfordshire, Cambridgeshire, Lincoln, Yorkshire, and Northumberland; Leyton through Middlesex, Kent, Sussex, Hants, Somersetshire, and Devon. They appeared at monastery after monastery, with prompt, decisive questions; and if the truth was concealed, with expedients for discovering it, in which practice soon made them skilful. All but everywhere the result was the same. At intervals a light breaks through, and symptoms appear of some efforts after decency; but in the vast majority of the smaller houses, the previous results were repeated, the popular suspicions were more than confirmed. Wolsey, when writing to the pope of his intended reformation, had spoken of the *animus improbus*, and the frightful symptoms which existed of it. He was accused, in his attempted impeachment, of having defamed the character of the English clergy. Yet Wolsey had written no more than the truth, as was too plainly discovered. I do not know what to say on this matter, or what to leave unsaid. If I am to relate the suppression of the monasteries, I should relate also why they were suppressed. If I were to tell the truth, I should have first to warn all modest eyes to close the book, and read no further. It will perhaps

Uniformity of result.

The *animus improbus*.

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be sufficient if I introduce a few superficial stories, suggestive rather than illustrative of the dark matter which remains in the shade. CH. 10. A.D. 1535.

I have spoken more than once of the monastery of Sion. It was the scene of the Nun of Kent's intrigues. It furnished more than one martyr for the Catholic cause; and the order was Carthusian—one of the strictest in England. There were two houses attached to the same establishment—one of monks, another of nuns. The confessors of the women were chosen from the friars, and they were found to have abused their opportunities in the most infamous manner. With a hateful mixture of sensuality and superstition, the offence and the absolution went hand-in-hand. One of these confessors, so zealous for the pope that he professed himself ready to die for the Roman cause, was in the habit of using language so filthy to his penitents, that it was necessary to 'sequester him from hearing ladies' confessions.' The nuns petitioned the visitors, on the exposure of the seduction of a sister, that he and his companion might come to them no more ; and the friar was told that his abominable conduct might be the occasion that 'shrift should be laid down in England.'* Sion Monastery. The confessional, and the fruits of it.

This is one instance of an evil found fatally prevalent.

Again, the clergy were suspected of obtain-

* Leyton to Cromwell: *Suppression of the Monasteries*, p. 48. Let it not be thought that the papal party were worse than the other. The second confessor, if anything the more profligate of the two, gave his services to the king.

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Ch. 10.

A.D. 1535. Forged licences for profligacy.

ing dispensations from their superiors indulging them in a breach of their vows. The laxity of the church courts in dealing with clerical delinquents had perhaps given rise to this belief; but the accusation was confirmed by a discovery at Maiden Bradley, in Wiltshire. The prior of this house had a family of illegitimate children, whom he brought up and provided for in a very comfortable manner;* and the visitor wrote that '*the pope, considering his fragility*,' had granted him a licence in this little matter; that he had, in fact, 'a good writing *sub plumbo*, to discharge his conscience.' I do not easily believe that *authentic* dispensations of such a kind were obtained from Rome, or were obtainable from it; but of forged dispensations, invented by reverend offenders or fraudulently issued by the local ecclesiastical authorities, to keep appearances smooth, there were probably enough, and too many.†

Visit to Langden Abbey, Oct. 22.

The more ordinary experiences of the commissioners may be described by Leyton himself, in an account which he wrote of his visit to Langden Abbey, near Dover. The style is graphic, and the picture of the scene one of the most complete which remains. The letter is to Cromwell.

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* The prior is an holy man, and hath but six children; and but one daughter married yet of the goods of the monastery. His sons be tall men, waiting upon him. — Leyton to Cromwell: *Suppression of the Monasteries*, p. 58.

† I leave this passage as it stands. The acquittal of the papal courts of actual complicity becomes, however, increasingly difficult to me. I discovered among the MSS. in the Rolls House a list of eighteen clergy and laymen in one diocese who had, or professed to have, dispensations to keep concubines.— Note to Second Edition.

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'Please it your goodness to understand that on Friday, the 22nd of October, I rode back with speed to take an inventory of Folkstone, and from thence I went to Langden. Whereat immediately descending from my horse, I sent Bartlett, your servant, with all my servants, to circumspect the abbey, and surely to keep all back-doors and starting-holes. I myself went alone to the abbot's lodging, joining upon the fields and wood, even like a cony clapper, full of starting-holes. [I was] a good space knocking at the abbot's door; *nec vox nec sensus apparuit*, saving the abbot's little dog that within his door fast locked bayed and barked. I found a short poleaxe standing behind the door, and with it I dashed the abbot's door in pieces, *ictu oculi*, and set one of my men to keep that door; and about the house I go, with that poleaxe in my hand, *ne forte*, for the abbot is a dangerous desperate knave, and a hardy. But for a conclusion, his gentlewoman bestirred her stumps towards her starting-holes; and then Bartlett, watching the pursuit, took the tender damoisel; and, after I had examined her, [brought her] to Dover to the mayor, to set her in some cage or prison for eight days; and I brought holy father abbot to Canterbury, and here in Christchurch I will leave him in prison. In this sudden doing *ex tempore*, to circumspect the house, and to search, your servant John Antony's men marvelled what fellow I was, and so did the rest of the abbey, for I was unknown there of all men. I found her apparel in the abbot's coffer. To tell you all this comedy (but

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Ch. 10. A.D. 1535. October.

for the abbot a tragedy), it were too long. Now it shall appear to gentlemen of this country, and other the commons, that ye shall not deprive or visit, but upon substantial grounds. The rest of all this knavery I shall defer till my coming unto you, which shall be with as much speed as I can possible.'*

Towards the close of the year, Leyton went north to join Legh; and together they visited a nunnery at Lichfield. The religious orders were bound by oaths similar to those which have recently created difficulty in Oxford. They were sworn to divulge nothing which might prejudice the interests of the houses. The superior at Lichfield availed herself of this plea. When questioned as to the state of the convent, she and the sisterhood refused to allow that there was any disorder, or any irregularity, which could give occasion for inquiry. Her assertions were not implicitly credited; the inspection proceeded, and at length two of the sisters were discovered to be 'not barren;' a priest in one instance having been the occasion of the misfortune, and a serving-man in the other. No confession could be obtained either from the offenders themselves, or from the society. The secret was betrayed by an 'old beldame;' 'and when,' says Leyton, 'I objected against the prioresses, that if they could not show me a cause reasonable of their concealment, I must needs, and would, punish them for their manifest perjury,—their answer was, that

Nunnery of Lichfield.

Two of the sisterhood found 'not barren.'

* Leyton to Cromwell: *Suppression of the Monasteries*, pp. 75-6.

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they were bound by their religion never to confess the secret faults done amongst them, but only to a visitor of their own religion, and to that they were sworn, every one of them, on their first admission.'* CH. 10. A.D. 1535. October.

A little later the commissioners were at Fountains Abbey; and tourists, who in their day-dreams among those fair ruins are inclined to complain of the sacrilege which wasted the houses of prayer, may study with advantage the following account of that house in the year which preceded its dissolution. The outward beautiful ruin was but the symbol and consequence of a moral ruin not so beautiful. 'The Abbot of Fountains,' we read in a joint letter of Legh and Leyton, had 'greatly dilapidated his house, [and] wasted the woods, notoriously keeping six women. [He is] defamed here,' they say, '*a toto populo*, one day denying these articles, with many more, the next day confessing the same, thus manifestly incurring perjury.' Six days before the visitors' access to his monastery 'he committed theft and sacrilege, confessing the same. At midnight he caused his chaplain to seize the sexton's keys, and took out a jewel, a cross of gold with stones. One Warren, a goldsmith in the Chepe, was with him in his chamber at that hour, and there they stole out a great emerald, with a ruby. The said Warren made the abbot believe the ruby to be but a garnet, so that for this he paid nothing. For the emerald he paid but twenty pounds. He sold him also

Abbey of Fountains.

Theft and sacrilege committed by the abbot.

* Leyton to Cromwell: *Suppression of the Monasteries*, p. 91.

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Ch. 10. A.D. 1535.

the plate without weight or ounces; how much the abbot was deceived therein he cannot tell, for he is a very fool and miserable idiot.'*

The visitors instructed to make inventories of the property, and to bring away the superfluous plate.

Under an impression that frauds of this description were becoming frequent, the government had instructed the commissioners to take inventories of the plate and jewels; and where they saw occasion for suspicion, to bring away whatever seemed superfluous, after leaving a supply sufficient for the services of the house and chapel. The misdemeanour of the Abbot of Fountains was not the only justification of these directions. Sometimes the plate was secreted.

False returns made by the abbots.

The Prior of Christ Church, Canterbury, was accused of having sent in a false return,† keeping back gold and precious stones valued at a thousand pounds. Information was given by some of the brethren, who professed to fear that the prior would poison them in revenge.

Occasionally the monks ventured on rougher methods to defend themselves. Here is a small spark of English life while the investigation was in progress, lighted by a stray letter from an English gentleman of Cheshire. The lord chancellor was informed by Sir Piers Dutton, justice of the peace, that the visitors had been at Norton Abbey. They had concluded their inspection, had packed up such jewels and plate as they purposed to remove, and were going away;

Scene at Norton Abbey, in Cheshire.

* Leyton and Legh to Cromwell: *Suppression of the Monasteries*, p. 100.

† Christopher Levyns to Cromwell: Ibid. p. 90. But in this instance I doubt the truth of the charge.

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when, the day being late and the weather foul, they changed their minds, and resolved to spend the night where they were. In the evening, 'the abbot,' says Sir Piers, 'gathered together a great company, to the number of two or three hundred persons, so that the commissioners were in fear of their lives, and were fain to take a tower there; and therefrom sent a letter unto me, ascertaining me what danger they were in, and desiring me to come and assist them, or they were never likely to come thence. Which letter came to me about nine of the clock, and about two o'clock on the same night I came thither with such of my tenants as I had near about me, and found divers fires made, as well within the gates as without; and the said abbot had caused an ox to be killed, with other victuals, and prepared for such of his company as he had there. I used some policy, and came suddenly upon them. Some of them took to the pools and water, and it was so dark that I could not find them. Howbeit I took the abbot and three of his canons, and brought them to the king's castle of Hatton.'*

If, however, the appropriation of the jewels led to occasional resistance, another duty which the commissioners were to discharge, secured them as often a warm and eager welcome. It was believed that the monastic institutions had furnished an opportunity, in many quarters, for the disposal of inconvenient members of families. Children of both sexes, it was thought, had been

* Sir Piers Dutton to the Lord Chancellor: ELLIS, third series, vol. iii. p. 42.

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A.D. 1535. Monks under 24, and nuns under 21, set free from their vows.

forced into abbeys and convents, at an age too young to have allowed them a free choice in the sacrifice of their lives. To all such, therefore, the doors of their prison house were thrown open. On the day of visitation, when the brethren, or the sisterhood, were assembled, the visitors informed everywhere such monks as were under twenty-four, and such nuns as were under twenty-one, that they might go where they pleased. To those among them who preferred to return to the world, a secular dress was given, and forty shillings in money, and they were restored to the full privileges of the laity.

The opportunity so justly offered was passionately embraced. It was attended only with this misfortune, that the line was arbitrarily drawn, and many poor wretches who found themselves condemned by the accident of a few more days or months of life to perpetual imprisonment, made piteous entreaties for an extension of the terms of freedom. At Fordham, in Cambridgeshire, Dr. Legh wrote to Cromwell, 'the religious persons kneeling on their knees, instantly with humble petition desire of God and the king and you, to be dismissed from their religion, saying they live in it contrary to God's law and their consciences; trusting that the king, of his gracious goodness, and you, will set them at liberty out of their bondage, which they are not able to endure, but should fall into desperation, or else run away.' 'It were a deed of charity,' he continued, fresh from the scene where he had witnessed the full misery of their condition, 'that they might live in that kind of living which might be most to

The monks at Fordham petition for release.

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the glory of God, the quietness of their consciences, and most to the commonwealth, *whosoever hath informed you to the contrary.*'* Similar expressions of sympathy are frequent in the visitors' letters. Sometimes the poor monks sued directly to the vicar-general, and Cromwell must have received many petitions as strange, as helpless, and as graphic, as this which follows. The writer was a certain Brother Beerley, a Benedictine monk of Pershore, in Worcestershire. It is amusing to find him addressing the vicar-general as his 'most reverend lord in God.' I preserve the spelling, which, however, will with some difficulty be found intelligible.

Letter of a monk of Pershore to Cromwell.

'We do nothing seyrch,' says this good brother, 'for the doctryn of Chryst, but all fowloys owr owne sensyaly and plesure. Also most gracyus Lord, there is a secrett thynge in my conchons whych doth move mee to go owt of the relygyon, an yt were never so perfytt, whych no man may know but my gostly fader; the wych I supposs yf a man mothe guge [is] yn other yong persons as in me selfe. But Chryst saye *nolite judicare et non judicabimini*, therefore y wyll guge my nowne conschons fyrst—the wych fault ye shall know of me heyrafter more largyously—and many other fowll vycys done amonckst relygyus men—not relygyus men, as y thynck they owt not to be cald, but dyssemblars wyth God.

* Legh to Cromwell: *Suppression of the Monasteries*, p. 82. The last words are curious, as implying that Cromwell, who is always supposed to have urged upon the king the dissolution of the abbeys and the marriage of the clergy, at this time inclined the other way.

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'Now, most gracyus Lord and most worthyst vycytar that ever cam amonckes us, help me owt of thys vayne relygyon, and macke me your servant handmayd and beydman, and save my sowlle, wych shold be lost yf ye helpe yt not—the wych ye may save wyth one word speking—and mayck me wych am nowe nawtt to cum unto grace and goodness.

'Now y wyll ynstrux your Grace sumwatt of relygyus men, and how the Kyng's Gracis commandment is keyp yn puttyng forth of bockys the Beyschatt of Rome's userpt pour. Monckes drynke an bowll after collatyon tyll ten or twelve of the clok, and cum to matyns as dronck as myss—and sum at cardys, sum at dycys, and at tabulles; sum cum to mattyns begenying at the mydes, and sum wen yt ys almost dun, and wold not cum there so only for boddly punyshment, nothyng for Goddis sayck. Also abbettes, monckes, prests, dun lyttyl or nothyng to put owtte of bockys the Beyschatt of Rome's name—for y myself do know yn dyvers bockys where ys name ys, and hys userpt powor upon us.'*

In reply to these and similar evidences of the state of the monasteries, it will be easy to say, that in the best ages there were monks impatient of their vows, and abbots negligent of their duties; that human weakness and human wickedness may throw a stain over the noblest institutions; that nothing is proved by collecting in-

* Richard Beerley to Cromwell: *Suppression of the Monasteries*, p. 132.

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stances which may be merely exceptions, and that no evidence is more fallacious than that which rests upon isolated facts.

It is true; and the difficulty is felt as keenly by the accuser who brings forward charges which it is discreditable to have urged, if they cannot be substantiated, as by those who would avail themselves of the easy opening to evade the weight of the indictment. I have to say only, that if the extracts which I have made lead persons disposed to differ with me to examine the documents which are extant upon the subject, they will learn what I have concealed as well as what I have alleged; and I believe that, if they begin the inquiry (as I began it myself) with believing that the religious orders had been overhardly judged, they will close it with but one desire—that the subject shall never more be mentioned.

New regulations enforced by the commissioners.

Leaving, then, the moral condition in which the visitors found these houses, we will now turn to the regulations which they were directed to enforce for the future. When the investigation at each of the houses had been completed, when the young monks and nuns had been dismissed, the accounts audited, the property examined, and the necessary inquiries had been made into the manners and habits of the establishment; the remaining fraternity were then assembled in the chapter-house, and the commissioners delivered to them their closing directions. No differences were made between the orders. The same language was used everywhere. The statute of

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CH. 10. A.D. 1535.

supremacy was first touched upon; and the injunction was repeated for the detailed observance of it. Certain broad rules of moral obedience were then laid down, to which all 'religious' men without exception, were expected to submit.*

The monks confined within walls.

No monks, thenceforward, were to leave the precincts of the monastery to which they belonged, under any pretext; they were to confine themselves within the walls, to the house, the gardens, and the grounds.

No women to be admitted within the precincts.

No women were to come within the walls, without licence from the king or the visitor; and, to prevent all unpermitted ingress or egress, private doors and posterns were to be walled up. There was, in future, to be but one entrance only, by the great foregate; and this was to be diligently watched by a porter.

The brethren to dine together in hall, gravely and decently.

The 'brethren' were to take their meals decently in the common hall. They were not to clamour, as they had been in the habit of doing, 'for any certain, usual, or accustomed portion of meat;' but were to be content with what was set before them, giving thanks to God.

To ensure gravity and decency, one of the brethren, at every refection, was to read aloud a chapter of the Old or New Testament.

The abbot was 'to keep an honest and hospitable table;' and an almoner was to be appointed in each house, to collect the broken meats, and to distribute them among the deserving poor.

* These rules must be remembered. The impossibility of enforcing obedience to them was the cause of the ultimate resolution to break up the system.

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Special care was to be taken in this last article, and '*by no means should such alms be given to valiant, mighty, and idle beggars and vagabonds, such as commonly use to resort to such places; which rather as drove beasts and mychers should be driven away and compelled to labour, than in their idleness and lewdness be cherished and maintained, to the great hindrance and damage of the commonweal.*' CH. 10. A.D. 1535. Valiant, mighty, and idle beggars no longer to be supported.

All other alms and distributions, either prescribed by the statutes of the foundations, or established by the customs of the abbeys, were to be made and given as largely as at any past time.

The abbots were to make no waste of the woods or lands. They were to keep their accounts with an annual audit, faithfully and truly.

No fairs nor markets were any more to be held within the precincts.* Fairs and markets not to be held within the precincts.

Every monk was to have a separate bed, and not to have any child or boy lying with him, or otherwise haunting unto him.

The 'brethren' were to occupy themselves in daily reading or other honest and laudable exercises. Especially there was to be every day one general lesson in Holy Scripture, at which every member of the house was bound to be present.

Finally, that they might all understand the meaning of their position in the world, and the intention, which they had so miserably forgotten, of the foundations to which they belonged, the

* At one time fairs and markets were held in churchyards.—Stat. Wynton., 13 Ed. I. cap. 6.

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CH. 10. abbot, prior, or president, was every day to explain in English some portion of the rule which they had professed; 'applying the same always to the doctrine of Christ.' The language of the injunctions is either Cromwell's or the king's; and the passage upon this subject is exceedingly beautiful.

A.D. 1535. Some portion of the rule which the monks have professed shall every day be read to them.

'The abbot shall teach them that the said rule, and other their principles of religion (so far as they be laudable), be taken out of Holy Scripture: and he shall shew them the places from whence they be derived: and that their ceremonies and other observances be none other things than as the first letters or principles, and certain introductions to true Christianity: and that true religion is not contained in apparel, manner of going, shaven heads, and such other marks; nor in silence, fasting, uprising in the night, singing, and such other kind of ceremonies; but in cleanness of mind, pureness of living, Christ's faith not feigned, and brotherly charity, and true honouring of God in spirit and verity: and that those abovesaid things were instituted and begun, that they being first exercised in these, in process of time might ascend to those as by certain steps—that is to say, to the chief point and end of religion. And therefore, let them be exhorted that they do not continually stick and surcease in such ceremonies and observances, as though they had perfectly fulfilled the chief and outmost of the whole of true religion; but that when they have once passed such things, they should endeavour themselves after higher

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things, and convert their minds from such external matters to more inward and deeper considerations, as the law of God and Christian religion doth teach and shew: and that they assure not themselves of any reward or commodity by reason of such ceremonies and observances, except they refer all such to Christ, and for his sake observe them.'*

Certainly, no government which intended to make the irregularities of an institution an excuse for destroying it, ever laboured more assiduously to defeat its own objects. Those who most warmly disapprove of the treatment of the monasteries, have so far no reason to complain; and except in the one point of the papal supremacy, under which, be it remembered, the religious orders had luxuriated in corruption, Becket or Hildebrand would scarcely have done less or more than what had as yet been attempted by Henry.

But the time had now arrived when the results of the investigation were to be submitted to the nation. The parliament—the same old parliament of 1529, which had commenced the struggle with the bishops—was now meeting for its last session, to deal with this its greatest and concluding difficulty. It assembled on the 4th of February, and the preliminaries of the great question being not yet completed, the Houses were first occupied with simplifying justice and

1536. Parliament meets for its last session.

* General Injunctions to be given on the King's Highness's behalf, in all Monasteries and other houses of whatsoever order or religion they be: BURNET'S *Collectanea*, p. 77.

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CH. 10.

A.D. 1536. February. Preliminary measures.

abolishing the obsolete privileges of the Northern palatinates.* Other minor matters were also disposed of. Certain questionable people, who were taking advantage of the confusion of the times to 'withhold tythes,' were animadverted upon.† The treason law was further extended to comprehend the forging of the king's sign-manual, signet, and privy seal, 'divers light and evil-disposed persons having of late had the courage to commit such offences.' The scale of fees at the courts of law was fixed by statute;‡ and felons having protection of sanctuary were no longer to be permitted to leave the precincts, and return at their pleasure. When they went abroad, they were to wear badges, declaring who and what they were; and they were to be within bounds after sunset. In these and similar regulations the early weeks of the session were consumed.

The commissioners present their report.

At length the visitors had finished their work, and the famous *Black Book* of the monasteries was laid on the table of the House of Commons.

This book, I have said, unhappily no longer exists. Persons however who read it have left on record emphatic descriptions of its contents; and the preamble of the act of parliament of which it formed the foundation, dwells upon its character with much distinctness. I cannot discuss the insoluble question whether the stories which it contained were true. History is ill occupied with discussing probabilities on *à priori* grounds, when the scale of likelihood is graduated by antecedent

* 27–8 Hen. VIII. cap. 24. † Ibid. cap. 20.
‡ Ibid. cap. 9.

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prejudice. It is enough that the report was drawn up by men who had the means of knowing the truth, and who were apparently under no temptation to misrepresent what they had seen; that the description coincides with the authentic letters of the visitors; and that the account was generally accepted as true by the English parliament.

Two-thirds of the monks living in habits which may not be described.

It appeared, then, on this authority, that two-thirds of the monks in England were living in habits which may not be described. The facts were related in great detail. The confessions of parties implicated were produced, signed by their own hands.* The vows were not observed. The lands were wasted, sold, and mortgaged. The foundations were incomplete. The houses were falling to waste; within and without, the monastic system was in ruins. In the smaller abbeys especially, where, from the limitation of numbers, the members were able to connive securely at each other's misdemeanours, they were saturated with profligacy, with Simony, with drunkenness.† The case against the monasteries was complete; and there is no occasion either to be surprised or peculiarly horrified at the discovery. The demoralization which was exposed was nothing less and nothing more than the condition into which men of average nature compelled to celibacy, and living as the exponents of a system which they disbelieved, were certain to fall.

* STRYPE'S *Memorials*, vol. i. p. 387; *Suppression of the Monasteries*, p. 114.

† When their enormities were first read in the parliament house, they were so great and abominable that there was nothing but 'Down with them!'—LATIMER'S *Sermons*, p. 123.

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A.D. 1536. March.

There were exceptions. In the great monasteries, or in many of them, there was decency and honourable management; but when all the establishments, large and small, had been examined, a third only could claim to be exempted from the darkest schedule. This was the burden of the report which was submitted to the legislature. So long as the extent of the evil was unknown, it could be tolerated; when it had been exposed to the world, honour and justice alike required a stronger remedy than an archiepiscopal remonstrance. A 'great debate' followed.* The journals of the session are lost, and we cannot replace the various arguments; but there was not a member of either House who was not connected, either by personal interest, or by sacred associations, with one or other of the religious houses; there was not one whose own experience could not test in some degree the accuracy of the *Black Book;* and there was no disposition to trifle with institutions which were the cherished dependencies of the great English families.

A great debate in the House.

Difficulty of arriving at a resolution.

The instincts of conservatism, association, sympathy, respect for ancient bequests, and a sense of the sacredness of property set apart for holy uses, and guarded by anathemas, all must have been against a dissolution; yet, so far as we can supply the loss of the journals from other accounts of the feeling of the time, there seems to have been neither hope nor desire of preserving the old system—of preserving the houses, that is, collectively under their existing statutes as foun-

*27 Hen. VIII. cap. 28.

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dations in themselves inviolate. The visitation had been commenced with a hope that extremities might still be avoided. But all expectation of this kind vanished before the fatal evidence which had been produced. The House of Commons had for a century and a half been familiar with the thought of suppression as a possible necessity. The time was come when, if not suppression, yet some analogous measure had become imperative. The smaller establishments, at least, could not and might not continue. Yet while, so far, there was general agreement, it was no easy matter to resolve upon a satisfactory remedy. The representatives of the founders considered that, if houses were suppressed which had been established out of estates which had belonged to their forefathers, those estates should revert to the heirs; or at least, that the heirs should recover them upon moderate terms.* In the Reforming party there was difference of opinion on the legality of secularizing property which had been given to God. Latimer, and partially Cromwell, inherited the designs of Wolsey; instead of taking away from the church the lands of the abbeys, they were desirous of seeing those lands transferred to the high and true interests of religion. They wished to convert the houses into places of education, and to reform, wherever possible, the ecclesiastical bodies themselves.† This, too, was the dream, the 'devout imagination,' as it

Conflicting interests. The representatives of the founders.

Divided opinion of the Reformers.

* Many letters from country gentlemen to this effect are in the collection made by Sir Henry Ellis.

† Latimer at first even objected to monks leaving their profession. Speaking of racking Scripture, he says, 'I myself

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A.D. 1536. March. Latimer, and Knox after him, desired to preserve and reform.

Cranmer opposed to ecclesiastical corporations under any form.

was called, of Knox, in Scotland, as it has been since the dream of many other good men who have not rightly understood why the moment at which the church was washed clean from its stains, and came out fresh robed in the wedding-garment of purity, should have been chosen to strip it of its resources, and depose it from power and pre-eminence. Cranmer, on the other hand, less imaginative but more practical, was reluctant that clerical corporations should be continued under any pretext—even under the mild form of cathedral chapters. Cranmer desired to see the secular system of the church made as efficient as possible; the religious system, in its technical sense, he believed to have become a nursery of idleness, and believed that no measures of reform could restore the old tone to institutions which the world had outgrown.* In the present age it will per-

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have been one of them that hath racked it; and the text, 'He that putteth his hand to the plough, and looketh back,' I have believed and expounded against religious persons that would forsake their order, and would go out of their cloyster.'—*Sermons*, p. 60. We find him entreating Cromwell to prevent the suppression of Great Malvern, and begging that it may be allowed to remain—'Not in monkery, but any other ways as should seem good to the King's Majesty, as to maintain teaching, preaching, study, with praying and good housekeeping.'—*Suppression of the Monasteries*, p. 149. Late in his life, under Edw. VI. he alluded bitterly to the decay of education, and the misuse of the appropriated abbey lands. —*Sermons*, p. 291.

* 'This is my consideration; for having experience, both in times past and also in our days, how the sect of prebendaries have not only spent their time in much idleness, and their substance in superfluous belly cheer, I think it not to be a convenient state or degree to be maintained and established: considering that commonly a prebendary is neither a learner nor teacher, but a good viander.'—Cranmer to Cromwell, on the New Foundation at Canterbury: BURNET'S *Collectanea*, p. 498.

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haps be considered that Cranmer's sagacity was more right than Latimer's enthusiasm, however at the moment men's warmer instincts might seem to have pleaded for the latter. The subsequent history both of the Scotch and English church permits the belief that neither would have been benefited by the possession of larger wealth than was left to them. A purer doctrine has not corrected those careless and questionable habits in the management of property which were exposed by the visitors of 1535. Whether the cause of the phenomenon lies in an indifference to the things of the world, or in the more dubious palliation, that successive incumbents have only a life-interest in their incomes, the experience of three centuries has proved the singular unfitness of spiritual persons for the administration of secular trusts; and the friends of the establishment may be grateful that the judgment of the English laity ultimately guided them to this conclusion. They were influenced, it is likely, by a principle which they showed rather in their deeds than in their words. They would not recognise any longer the distinction on which the claims of the abbeys were rested. Property given to God, it was urged, might not be again taken from God, but must remain for ever in his service. It was replied in substance that God's service was not divided, but one; that all duties honestly done were religious duties; that the person of the layman was as sacred as the person of the priest; and the liturgy of obedience as acceptable as the liturgy of words.

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A.D. 1536. March. Cranmer more right than Latimer, as experience has proved.

The instincts of the laity guide them truly.

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CH. 10.

A.D. 1536. March. Necessity of caution.

Yet if, in the end, men found their way clearly, they moved towards it with slow steps; and the first resolution at which they arrived, embodied partially the schemes of each of the honest reformers. In touching institutions with which the feelings of the nation were deeply connected, prudence and principle alike dictated caution. However bitterly the people might exclaim against the abbeys while they continued to stand, their faults, if they were destroyed, would soon be forgotten. Institutions which had been rooted in the country for so many centuries, retained a hold too deep to be torn away without wounding a thousand associations; and a reaction of regret would inevitably follow among men so conservative as the English, so possessed with reverence for the old traditions of their fathers. This was to be considered; or rather the parliament, the crown, and the council felt as the people felt. Vast as the changes were which had been effected, there had been as yet no sweeping measures. At each successive step, Henry had never moved without reluctance. He hated anarchy; he hated change: in the true spirit of an Englishman, he never surrendered an institution or a doctrine till every means had been exhausted of retaining it, consistently with allegiance to truth. The larger monasteries, therefore, with many of the rest, had yet four years allowed them to demonstrate the hopelessness of their amendment, the impossibility of their renovation. The remainder were to reap the consequences of their iniquities; and the judicial sentence was pronounced at last in a

A version of English statesmen to sweeping measures.

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spirit as rational as ever animated the English legislature. CH. 10.

A.D. 1536. March. Act for the Dissolution of the smaller houses.

'Forasmuch,' says the preamble of the Act of Dissolution, 'as manifest sin, vicious, carnal, and abominable living, is daily used and committed among the little and small abbeys, priories, and other religious houses of monks, canons, and nuns, where the congregation of such religious persons is under the number of twelve, whereby the governors of such religious houses and their convents, spoil, consume, destroy, and utterly waste their churches, monasteries, principal houses, farms, and granges, to the high displeasure of Almighty God, the slander of true religion, and to the great infamy of the King's Highness and of the realm, if redress should not be had thereof; and albeit that many continual visitations hath been heretofore had by the space of two hundred years and more, for an honest and charitable reformation of such unthrifty, carnal, and abominable living; yet nevertheless, little or none amendment is hitherto had, but their vicious living shamelessly increaseth and augmenteth, and by a cursed custom is so rooted and infested, that a great multitude of the religious persons in such small houses do rather choose to rove abroad in apostacy than to conform them to the observation of true religion; so that without such small houses be utterly suppressed, and the religious persons therein committed to great and honourable monasteries of religion in this realm, where they may be compelled to live religiously for the reformation of their lives,

Forasmuch as religious persons in the little abbeys are living in manifest sin,

To the displeasure of God and the great infamy of the realm;

And forasmuch as reformation is seen to be hopeless,

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CH. 10. A.D. 1536. March.

there can be no reformation in this behalf: in consideration hereof the King's most royal Majesty, being supreme head on earth, under God, of the Church of England, daily finding and devising the increase, advancement, and exaltation of true doctrine and virtue in the said Church, to the only glory of God, and the total extirping and destruction of vice and sin; having knowledge that the premises be true, as well by accounts of his late visitation as by sundry credible informations; considering also that divers great monasteries of this realm, wherein, thanks be to God, religion is right well kept and observed, be destitute of such full number of religious persons as they ought and may keep; hath thought good that a plain declaration should be made of the premises, as well to the Lords Spiritual and Temporal as to other his loving subjects the Commons in this present parliament assembled. Whereupon, the said Lords and Commons, by a great deliberation, finally be resolved that it is and shall be much more to the pleasure of Almighty God, and for the honour of this His realm, that the possessions of such spiritual houses, now spent, and spoiled, and wasted for increase and maintenance of sin, should be converted to better uses; and the unthrifty religious persons so spending the same be compelled to reform their lives.'*

It is believed that God will be better pleased to see the possessions of such houses, now wasted in evil living, applied to better purpose.

The parliament went on to declare, that the lands of all monasteries the incomes of which were less than two hundred pounds a-year, should be

The lands of all having less than 200*l.* a-year to be given to the king.

* 27 Hen. VIII. cap. 28.

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'given to the king.'* The monks were either to be distributed in the great abbeys, 'or to be dismissed with a permission,' if they desired it, 'to live honestly and virtuously abroad.' 'Some convenient charity' was to be allowed them for their living; and the chief head or governor was to have 'such pension as should be commensurate with his degree or quality.'† All debts, whether of the houses or of the brothers individually, were to be carefully paid; and finally, one more clause was added, sufficient in itself to show the temper in which the suppression had been resolved upon. The visitors had reported a few of the smaller abbeys as free from stain. The king was empowered, at his discretion, to permit them to survive; and under this permission thirty-two houses were refounded *in perpetuam eleemosynam.*‡

Ch. 10.

A.D. 1536. March. The monks either to be distributed among the larger houses, or to be pensioned off, to live honestly abroad.

The few houses reputed clear may be re-established by the Crown.

This is the history of the first suppression of the monasteries under Henry VIII. We regret the depravity by which it was occasioned; but the measure itself, in the absence of any preferable alternative, was bravely and wisely resolved. In the general imperfection of human things, no measure affecting the interests of large bodies of men was ever yet devised which has not pressed unequally, and is not in some respects open to objection. We can but choose the best

* Either to be held under the Crown itself for purposes of State, or to be granted out as fiefs among the nobles and gentlemen of England, under such conditions as should secure the discharge of those duties which by the laws were attached to landed tenures.

† The monks generally were allowed from four to eight pounds a-year, being the income of an ordinary parish priest. The principals in many cases had from seventy to eighty pounds a-year.

‡ Burnet's *Collect.*, p. 80.

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CH. 10. among many doubtful courses, when we would be gladly spared, if we might be spared, from choosing at all.

A.D. 1536. March.

The laity only see their way clearly.

In this great transaction, it is well to observe that the laity alone saw their way clearly. The majority of the bishops, writhing under the inhibitions, looked on in sullen acquiescence, submitting in a forced conformity, and believing, not without cause, that a tide which flowed so hotly would before long turn and ebb back again. Among the Reforming clergy there was neither union nor prudence; and the Protestants, in the sudden sunshine, were becoming unmanageable and extravagant. On the bench there were but four prelates who were on the moving side—Cranmer, Latimer, Shaxton, and Barlow*—and among these Cranmer only approved the policy of the government. Shaxton was an arrogant braggart, and Barlow a feeble enthusiast. Shaxton, who had flinched from the stake when Bilney was burnt, Shaxton, who subsequently relapsed under Mary, and became himself a Romanist persecutor, was now strutting in his new authority, and punishing, suspending, and inhibiting in behalf of Protestant doctrines which were not yet tolerated by the law.† Barlow had been openly preaching that purgatory was a delusion; that a layman might be a bishop; that where two or three, it might be, 'cobblers or weavers,' 'were in company in the name of God, there was the

Unwisdom of the Protestant bishops.

* In the autumn of 1535 Latimer had been made Bishop of Worcester, Shaxton of Salisbury, and Barlow of St. David's.

† STRYPE'S *Memorials*, vol. i. Appendix, p. 222; BURNET'S *Collectanea*, p. 92.

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church of God.'* Such ill-judged precipitancy was of darker omen to the Reformation than papal excommunications or imperial menaces, and would soon be dearly paid for in fresh martyr-fires. Latimer, too, notwithstanding his clear perception and gallant heart, looked with bitterness on the confiscation of establishments which his mind had pictured to him as garrisoned with a Reforming army, as nurseries of apostles of the truth. Like most fiery-natured men, he was ill-pleased to see the stream flowing in a channel other than that which he had marked for it; and the state of his feeling, and the state of the English world, with all its confused imaginings, in these months, is described with some distinctness in a letter written by a London curate to the Mayor of Plymouth, on the 13th of March, 1535-6, while the bill for the suppression of the abbeys was in progress through parliament.

Ch. 10. A.D. 1536.

Letter of a London curate to the Mayor of Plymouth.

'Right Worshipful,—On the morrow after that Master Hawkins departed from hence, I, having nothing to do, as an idler went to Lambeth to the bishop's palace, to see what news; and I took a wherry at Paul's Wharf, wherein also was already a doctor named Crewkhorne, which was sent for to come to the Bishop of Canterbury. And he, before the three Bishops of Canterbury, Worcester, and Salisbury, confessed that he was rapt into heaven, where he saw the Trinity sitting in a pall or mantle or cope of blew colour; and from the middle upward they were

Vision of the Trinity by Dr. Crewkhorne.

* Strype's *Memorials*, vol. i. Appendix, p. 273.

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Ch. 10. three bodies, and from the middle downward were they closed all three into one body. And he spake with Our Lady, and she took him by the hand, and bade him serve her as he had done in time past; and bade him preach abroad that she would be honoured at Ipswich and Willesdon as she hath been in old times.

A.D. 1536. March.

March 13. 'On Tuesday in Ember week, the Bishop of Rochester* came to Crutched Friars, and inhibited a doctor and three or four more to hear confession; and so in Cardmaker and other places. Then the Bishop of London's apparitor came and railed on the other bishops, and said that he, nor no such as he, shall have jurisdiction within his Lord's precincts. Then was the Bishop of London sent for to make answer; but he was sick and might not come. On Friday, the clergy sat on it in Convocation House a long time, and left off till another day; and in the meantime, all men that have taken loss or wrong at his hands, must bring in their bills, and shall have recompence.

Latimer preaches at Paul's Cross, and is disrespectful to persons in authority.

'On Sunday last, the Bishop of Worcester preached at Paul's Cross, and he said that bishops, abbots, priors, parsons, canons, resident priests, and all, were strong thieves; yea, dukes, lords, and all. The king, quoth he, made a marvellous good act of parliament, that certain men should sow every of them two acres of hemp; but it were all too little, even if so much more, to hang the thieves that be in England. Bishops,

* John Hilsey.

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abbots, with such others, should not have so many servants, nor so many dishes; but to go to their first foundation; and keep hospitality to feed the needy people—not jolly fellows, with golden chains and velvet gowns; ne let these not once come into houses of religion for repast. Let them call knave bishop, knave abbot, knave prior, yet feed none of them all, nor their horses, nor their dogs. Also, to eat flesh and white meat in Lent, so it be done without hurting weak consciences, and without sedition; and likewise on Fridays and all days. Ch. 10. A.D. 1536. March 13.

'The Bishop of Canterbury saith that the King's Grace is at full point for friars and chauntry priests, that they shall away all, saving them that can preach. Then one said to the bishop, that they had good trust that they should serve forth their life-times; and he said they should serve it out at a cart, then, for any other service they should have by that.' What Cranmer will do with the unpreaching friars.

The concluding paragraph of this letter is of still greater interest. It refers to the famous Vagrant Act, of which I have spoken in the first chapter of this work.*

'On Saturday in the Ember week, the King's Grace came in among the burgesses of the parliament, and delivered them a bill, and bade them look upon it, and weigh it in conscience; for he would not, he said, have them pass either it or any other thing because his Grace giveth in the bill; but they to see if it be for the commonweal The Vagrant Act the firstfruits of the suppression.

* 27 Hen. VIII. cap. 25.

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Ch. 10. A.D. 1536. March.

of his subjects, and have an eye thitherwards; and on Wednesday next he will be there again to hear their minds. There shall be a proviso made for the poor people. The gaols shall be rid; the faulty shall die; and the others shall be rid by proclamation or by jury, and shall be set at liberty, and pay no fees. Sturdy beggars and such prisoners as cannot be set at work, shall be set at work at the king's charge; some at Dover, and some at places where the water hath broken over the lands. Then, if they fall to idleness, the idler shall be had before a justice of the peace, and his fault written. If he be taken idle again in another place, he shall be known where his dwelling is; and so at the second mention he shall be burned in the hand; and if he fail the third time, he shall die for it.'*

The king, as it appeared, had now the means at his disposal to find work for the unemployed; and the lands bequeathed for the benefit of the poor were re-applied, under altered forms, to their real intention. The antithesis which we sometimes hear between the charity of the monasteries—which relieved poverty for the love of God—and the worldly harshness of a poor-law, will not endure inspection. The monasteries, which had been the support of 'valiant beggary,' had long before transferred to the nation the maintenance of the impotent and the deserving; and the resumption of an abused trust was no more than the natural consequence of their dis-

* Letter of Thomas Dorset to the Mayor of Plymouth: *Suppression of the Monasteries*, p. 36.

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honesty. I have already discussed* the penal clauses of this act, and I need not enter again upon that much-questioned subject. Never, however, at any period, were the labouring classes in England more generously protected than in the reign of Henry VIII.; never did any government strain the power of legislation more resolutely in their favour; and, I suppose, they would not themselves object to the re-enactment of Henry's penalties against dishonesty, if they might have with them the shelter of Henry's laws.

Ch. 10.

A.D. 1536. March. The penal clauses of this statute.

The session was drawing to an end. At the close of it, the government gave one more proof of their goodwill toward any portion of the church establishment which showed signs of being alive. Duns Scotus being disposed of in Bocardo, the idle residents being driven away, or compelled to employ themselves, and the professors' lectures having recovered their energy, there were hopes of good from Oxford and Cambridge; and the king conceded for them what the pope had never conceded, when the power rested with the See of Rome; he remitted formally by statute the tenths and firstfruits, which the colleges had paid in common with all other church corporations. 'His Majesty is conscious,' says the act which was passed on this occasion,† that the enforcing of the payment of firstfruits against the universities, 'may prejudice learning, and cause the students to give their minds to other things, which might not be acceptable to God;'

Payment of firstfruits remitted to the Universities.

* Vol. i. chap. 1.

† 27 Hen. VIII. cap. 42.

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Ch. 10. and 'he has conceived such hearty love and tender affection to the continuance of honest and virtuous living, and of the arts and sciences (wherewith it hath pleased Almighty God abundantly to endow his Highness), as that his Grace cannot compare the same to any law, constitution, or statute; nor tolerate any such ordinance, though the commodity and benefit thereof should never so much redound to his own profit or pleasure, if it may hinder the advancement and setting forth of the lively word of God, wherewith his people must be fed; or if it may imperil the knowledge of such other good letters as in Christian realms is expedient to be learned. He has therefore,—(for that the students should the more gladly bend their wits to the attaining of learning, and, before all things, the learning of the wholesome doctrines of Almighty God, and the three tongues, Latin, Greek, and Hebrew, which be requisite for the understanding of Scripture,)—thought it convenient' to exonerate the universities from the payment of firstfruits for ever.

A.D. 1536. March.

Dissolution of the parliament, and summary of its labours.

So closed the first great parliament of the Reformation, which was now dissolved. The Lower House is known to us only as an abstraction. The debates are lost; and the details of its proceedings are visible only in faint transient gleams. We have an epitome of two sessions in the Lords' journals; but even this partial assistance fails us with the Commons; and the Lords in this matter were a body of secondary moment. The Lords had ceased to be the leaders of the English people; they existed as an orna-

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ment rather than a power; and under the direction of the council they followed as the stream drew them, when individually, if they had so dared, they would have chosen a far other course. The work was done by the Commons; by them the first move was made; by them and the king the campaign was carried through to victory. And this one body of men, dim as they now seem to us, who assembled on the wreck of the administration of Wolsey, had commenced and had concluded a revolution which had reversed the foundations of the State. They found England in dependency upon a foreign power; they left it a free nation. They found it under the despotism of a church establishment saturated with disease; and they had bound the hands of that establishment; they had laid it down under the knife, and carved away its putrid members; and stripping off its Nessus robe of splendour and power, they had awakened in it some forced remembrance of its higher calling. The elements of a far deeper change were seething; a change, not in the disposition of outward authority, but in the beliefs and convictions which touched the life of the soul. This was yet to come; and the work so far was but the initial step or prelude leading up to the more solemn struggle. Yet where the enemy who is to be conquered is strong, not in vital force, but in the prestige of authority, and in the enchanted defences of superstition, those truly win the battle who strike the first blow, who deprive the idol of its terrors by daring to defy it.

Ch. 10. A.D. 1536. April 4.

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CHAPTER XI.

TRIAL AND DEATH OF ANNE BOLEYN.

CH. II. THE first act of the great drama appeared to have closed. No further changes were for the present in contemplation. The church was re-established under its altered constitution; and the parliament had been dissolved under the impression that it would be unnecessary to summon another for an indefinite time.* Within four weeks of the dissolution, writs were issued for a fresh election, under the pressure of a misfortune which is alike calamitous, under whatever aspect we regard it; and which blotted the Reformation with a black and frightful stain. The guilt must rest where it is due; but under any hypothesis, guilt there was, dark, mysterious, and most miserable.

Death of Queen Catherine. The fate of Queen Catherine had by this time completed itself. She had taken her leave of a world which she had small cause to thank for the entertainment which it had provided for her; and she died, as she had lived, resolute, haughty, and unbending. In the preceding October (1535), she was in bad health; her house, she imagined,

* Speech of the Lord Chancellor: *Lords' Journals*, p. 84.

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disagreed with her, and at her own desire she was removed to Kimbolton. But there were no symptoms of immediate danger. She revived under the change, and was in better spirits than she had shown for many previous months, especially after she heard of the new pope's resolution to maintain her cause. 'Much resort of people came daily to her.'* The vexatious dispute upon her title had been dropped, from an inability to press it; and it seemed as if life had become at least endurable to her, if it never could be more. But the repose was but the stillness of evening as night is hastening down. The royal officers of the household were not admitted into her presence; the queen lived wholly among her own friends and her own people; she sank unperceived; and so effectually had she withdrawn from the observation of those whom she desired to exclude, that the king was left to learn from the Spanish ambassador that she was at the point of death, before her chamberlain was aware that she was more than indisposed.† In the last week of December Henry learnt that she was in danger. On the 2nd of January the ambassador went down from London to Kimbolton, and spent the day with her.‡ On the 5th Sir Edmund Bedingfield wrote that she was very ill, and that the issue was doubtful. On the morning of the 7th she received the last sacrament, and at two o'clock

Ch. 11. A.D. 1536.

Jan. 7.

* Strype's *Memorials*, vol. i. p. 370.

† Sir Edmund Bedingfield to Cromwell: *State Papers*, vol. i. p. 451.

‡ Strype's *Memorials*, vol. i. and see Appendix, p. 241, et seq.

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CH. 11. on that day she died.* On her deathbed she dictated the following letter of farewell to him whom she still called, her most dear lord and husband.

A.D. 1536. January.

Her last letter to Henry.

'The hour of my death now approaching, I cannot choose but, out of the love I bear you, advise you of your soul's health, which you ought to prefer before all considerations of the world or flesh whatsoever; for which yet you have cast me into many calamities, and yourself into many troubles. But I forgive you all, and pray God to do so likewise. For the rest I commend unto you Mary our daughter, beseeching you to be a good father to her, as I have heretofore desired. I must entreat you also to respect my maids, and give them in marriage, which is not much, they being but three; and to all my other servants a year's pay besides their due, lest otherwise they should be unprovided for. Lastly, I make this vow, that mine eyes desire you above all things. Farewell.'†

This letter reached Henry with the intimation that she was gone. He was much affected, and is said to have shed tears.‡

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* *State Papers*, vol. i. p. 452.

† LORD HERBERT, p. 188.

‡ LORD HERBERT, p. 188. It will have been observed, that neither in this letter, nor in the other authentic papers connected with her death, is there any allusion to Cardinal Pole's famous story, that being on her deathbed, Queen Catherine prayed the king to allow her to see her daughter for the last time, and that the request was refused. Pole was not in England at the time. He drew his information from Catholic rumour, as vindictive as it was credulous; and in the many letters from members of the privy council to him which we possess, his narrative is treated as throughout a mere wild collection of fables. I require some better evidence to persuade me that this story is any truer than the rest, when we know that

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The court was ordered into mourning—a command which Anne Boleyn distinguished herself by imperfectly obeying.* Catherine was buried at Peterborough, with the estate of Princess Royal;† and shortly after, on the foundation of the new bishoprics, the See of Peterborough was established in her memory. We may welcome, however late, these acts of tardy respect.‡ Henry, in the few last years, had grown wiser in the ways of women; and had learnt to prize more deeply the austerity of virtue, even in its unloveliest aspect.

CH. II.

A.D. 1536. January. She is buried at Peterborough, and the See of Peterborough is founded as a memorial of her.

Catherine allowed the king to hear that she was dying, not from herself, but from a foreign ambassador; and that such a request could have been made in the few days which intervened between this intimation and her death, without some traces of it appearing in the close account which we possess of her language and actions during those days, is in a high degree unlikely.

* See LINGARD, vol. v. p. 30. HALL says—'Queen Anne wore yellow for mourning.'

† The directions for the funeral are printed in LINGARD, vol. v. Appendix, p. 267.

‡ It ought not to be necessary to say that her will was respected—LORD HERBERT, p. 188; but the king's conduct to Catherine of Arragon has provoked suspicion even where suspicion is unjust; and much mistaken declamation has been wasted in connexion with this matter upon an offence wholly imaginary.

In making her bequests, Catherine continued to regard herself as the king's wife, in which capacity she professed to have no power to dispose of her property. She left her legacies in the form of a petition to her husband. She had named no executors; and being in the eyes of the law 'a sole woman,' the administration lapsed in consequence to the nearest of kin, the emperor. Some embarrassment was thus created, and the attorney-general was obliged to evade the difficulty by a legal artifice, before the king could take possession, and give effect to the bequests. —See STRYPE'S *Memor.* vol. i. Appendix, pp. 252–5. Miss Strickland's valuable volumes are so generally read, that I venture to ask her to reconsider the passage which she has written on this subject. The king's offences against Catherine require no unnecessary exaggeration.

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Ch. 11.

A.D. 1536. Fall of Anne Boleyn.

The death of Catherine was followed, four months later, by the tragedy which I have now to relate. The ground on which I am about to tread is so critical, and the issues at stake affect so deeply the honour of many of our most eminent English statesmen, that I must be pardoned if I cannot here step boldly out with a flowing narrative, but must pick my way slowly as I can: and I, on my part, must ask my readers to move slowly also, and be content to allow their judgment, for a few pages, to remain in suspense.

And first, I have to say that, as with all the great events of Henry's reign, so especially with this, we must trust to no evidence which is not strictly contemporary. During periods of revolution, years do the work of centuries in colouring actions and disturbing forms; and events are transferred swiftly from the deliberation of the judgment to the precipitate arrogance of party spirit. When the great powers of Europe were united against Elizabeth, and when Elizabeth's own character was vilely and wantonly assailed, the Catholic writers dipped their pens in the stains which blotted her mother's name; and, more careless of truth than even theological passion can excuse, they poured out over both alike a stream of indiscriminate calumny. On the other hand, as Elizabeth's lordly nature was the pride of all true-hearted Englishmen, so the Reformers laboured to reflect her virtues backwards. Like the Catholics, they linked the daughter with the parent; and became no less extravagant in their pane-

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gyrics than their antagonists in their gratuitous invective. But the Anne Boleyn, as she appears in contemporary letters, is not the Anne Boleyn of Foxe, or Wyatt, or the other champions of Protestantism, who saw in her the counterpart of her child. These writers, though living so near to the events which they described, yet were divided from the preceding generation by an impassable gulf. They were surrounded with the heat and flame of a controversy, in which public and private questions were wrapped inseparably together; and the more closely we scrutinize their narratives, the graver occasion there appears for doing so.

Rules to be observed in judging this question.

While, therefore, in following out this miserable subject, I decline so much as to entertain the stories of Sanders, who has represented Queen Anne as steeped in profligacy from her childhood; so I may not any more accept those late memorials of her saintliness, which are alike unsupported by the evidence of those who knew her. If Protestant legends are admitted as of authority, the Catholic legends must enter with them, and we shall only deepen the confusion. I cannot follow Burnet, in reporting out of Meteren a version of Anne Boleyn's trial, unknown in England. The subject is one on which rhetoric and rumour are alike unprofitable. We must confine ourselves to accounts written at the time by persons to whom not the outline of the facts only was known, but the circumstances which surrounded them; by persons who had seen the evidence upon the alleged offences, which, though now lost

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CH. II. irrecoverably, can be proved to have once existed.

A.D. 1536. Difficulty of ascertaining Anne Boleyn's early character.

We are unable, as I early observed, to form any trustworthy judgment of Anne Boleyn before her marriage. Her education had been in the worst school in Europe. On her return from the French court to England, we have seen her entangled in an unintelligible connexion with Lord Percy; and if the account sent to the Emperor was true, she was Lord Percy's actual wife; and her conduct was so criminal as to make any after charges against her credible.*

If the Protestants, again, found in her a friend and supporter, she was capable, as Wolsey experienced, of inveterate hatred; and although among the Reformers she had a reputation for generosity, which is widely confirmed,† yet it was exercised always in the direction in which her interests pointed; and kindness of feeling is not incompatible, happily, with seriously melancholy faults.

Cranmer's evidence in her favour.

The strongest general evidence in her favour is that of Cranmer, who must have known her intimately, and who, at the crisis of her life, declared that he 'never had better opinion in woman than he had in her.'‡ Yet there had been circumstances in her conduct, as by her own after confessions was amply evident, which justified Sir Thomas More in foretelling a stormy end to

* See vol. i. p. 185.

† FOXE speaks very strongly on this point. In ELLIS's Letters we find many detailed instances, and indeed in all contemporary authorities.

‡ Cranmer's Letter to the King: BURNET, vol. i. p. 323.

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her splendour;* and her relations with the king, whether the fault rested with him, or rested with her, grew rapidly cool when she was his wife. In 1534, perhaps sooner, both she herself, her brother, and her relations had made themselves odious by their insolence; her overbearing manners had caused a decline in the king's affection for her; and on one side it was reported that he was likely to return to Catherine,† on the other that he had transferred his attention to some other lady, and that the court encouraged his inconstancy to separate him from Anne's influence.‡ D'Inteville confirms the account of a new love affair, particularising nothing, but saying merely that Anne was falling out of favour; and that the person alluded to as taking her place was Jane Seymour, appears from a letter written after Anne's execution, by the Regent Mary to the Emperor of Austria, and from the letter written (supposing it genuine) by Anne herself to the king before her trial.§

A.D. 1536. Early coolness between her and Henry.

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* MORE'S *Life of More*, and see chap. ix.

† Il Re de Inghilterra haveva fatto venire in la Corte sua il majordomo de la Regina et mostrava esserse mitigato alquanto. La causa della mitigation procede del buon negotiar ha fatto et fa la Catolica Ma^ta^ con lo Ambaxiatore del Re de Inghilterra con persuadirle con buoni paroli et pregeri che debbia restituir la Regina in la antigua dignita.

Dicano anchore che la Anna e mal voluta degli S^i^ di Inghilterra si per la sua superbia, si anche per l' insolentia et mali portementi che fanno nel regno li fratelli e parenti di Anna e che per questo il Re non la porta la affezione que soleva.—'Nuevas de Inglaterra': *MS. Archives of Simancas.*

‡ Il Re festeggia una altra donna della quale se mostra esser inamorato; e molti S^i^ di Inghilterra lo ajutano nel seguir el preditto amore per desviar questo Re de la pratica di Anna.—*Ibid.*

§ BURNET'S *Collectanea*, p. 87.

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CH. II. A.D. 1536.

On the other hand, it is equally clear that whether provoked or not by infidelity on the part of Henry, her own conduct had been singularly questionable. We know very little, but waiving for the present the exposures at her trial, we know, by her own confession, that arrogance and vanity had not been her only faults, and that she had permitted the gentlemen who were the supposed partners of her guilt, to speak to her of their passion for herself.*

In January, 1535, Henry's mind had been filled with 'doubts and strange suspicions' about his wife. There had been a misunderstanding, in which she had implored the intercession of Francis I.†

The probable cause of that coolness.

In February, 1536, she miscarried, with a dead boy, which later rumour dwelt on as the cause of Henry's displeasure. But conversations such as those which she described with her supposed paramours, lay bare far deeper wounds of domestic unhappiness; and assure us, that if we could look behind the scenes, we should see there estrangements, quarrels, jealousies, the thousand dreary incidents that, if we knew them, would break the suddenness with which at present the catastrophe bursts upon us. It is the want of preparation, the blank ignorance in which we are left of the daily life and daily occurrences of the court, which places us at such disadvantage for recovering the truth. We are unable to form any estimate

* *Pilgrim*, p. 117.

† *Le Laboureur*, i. 405 : quoted in LINGARD, vol. v. p. 30.

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whatever of those antecedent likelihoods which, in the events of our own ordinary lives, guide our judgment so imperceptibly, yet so surely. Henry is said to have been inconstant, but those who most suspected Henry's motives charge Anne at the same time with a long notorious profligacy.* We cannot say what is probable or what is improbable; except, indeed, that the guilt of every person is improbable antecedent to evidence; and in the present instance, since, either on the side of the queen or of the king, there was and must have been most terrible guilt, these opposite presumptions neutralize each other.

A.D. 1536. The antecedent probabilities amount to nothing.

To proceed with the story. Towards the middle of April, 1536, certain members of the privy council were engaged secretly in receiving evidence which implicated the queen in adultery. Nothing is known of the quarter from which the information came which led to the inquiry.† Something, however, there was to call for inquiry, or something there was thought to be; and on the 24th of April the case was considered sufficiently complete to make necessary a public trial. On that day an order was issued for a special commission. The members of the tribunal were selected with a care proportioned to the solemnity

April. Secret investigation by a committee of the privy council.

* Quoy qu'il en soit l'on me luy peult faire grand tort quand cires l'on a reputé pour meschante. Car ce a este des longtemps son stile.—The Regent Mary to Ferdinand: *MS. Brussels.*

† Later writers point to the ladies of the court, but report could not agree upon any single person: and *nothing* is really known.

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CH. 11. A.D. 1536.

of the occasion.* It was composed of the lord chancellor, the first noblemen of the realm, and of the judges. The investigation had, however, been conducted so far with profound secrecy; and the object for which it was to assemble was unknown even to Cranmer, himself a member of the privy council.† With the same mysterious silence on the cause of so unexpected a measure, the writs were issued for a general election, and parliament was required to assemble as soon as possible.‡ On Thursday, the 27th, the first arrest was made. Sir William Brereton,§ a gentleman of the king's household, was sent suddenly to the Tower; and on the Sunday after, Mark Smeton, of whom we know only that he was a musician high in favour at the court, apparently a spoilt favourite of royal bounty.‖ The day following was the 1st of May. It was the day on which the annual festival was held at Greenwich, and the queen appeared as usual, with her husband and the court at the tournament. Lord Rochfort, the queen's brother,

April 27. Writs issued for a parliament.

Thursday, April 27; arrest of Sir William Brereton; and on Sunday, April 30, of Mark Smeton.

May 1. Tournament at Greenwich.

* BAGA DE SECRETIS, pouch 8: Appendix II. to the *Third Report of the Deputy Keeper of the Public Records.*

† Cranmer to the King: BURNET, vol. i. p. 322.

‡ I must draw particular attention to this. Parliament had been just dissolved, and a fresh body of untried men were called together for no other purpose than to take cognizance of the supposed discovery.—See the Speech of the Lord Chancellor: *Lords' Journals*, p. 84. If the accusations were intentionally forged by the king, to go out of the way to court so needless publicity was an act most strange and most incomprehensible.

§ Constantyne says, Smeton was arrested first on Saturday evening, at Stepney; but he seems inconsistent with himself. See his Memorial, *Archæologia*, vol. xxiii. p. 63.

‖ His name repeatedly occurs in 'the Privy Purse Expenses of Henry VIII.'

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and Sir Henry Norris, both of them implicated in the fatal charge, were defender and challenger. The tilting had commenced, when the king rose suddenly with signs of disturbance in his manner, left the court, and rode off with a small company to London. Rumour, which delights in dramatic explanations of great occurrences, has discovered that a handkerchief dropped by the queen, and caught by Norris, roused Henry's jealousy; and that his after conduct was the result of a momentary anger. The incidents of the preceding week are a sufficient reply to this romantic story. The mine was already laid, the match was ready for the fire.

The king goes to London.

The king did not return: he passed the night in London, and Anne remained at Greenwich. On the morning of Tuesday the privy council assembled in the palace under the presidency of the Duke of Norfolk, and she was summoned to appear before it. The Duke of Norfolk, her uncle, was anxious, as Burnet insinuates, on political grounds that his niece should be made away with. Such accusations are easily brought, especially when unsupported by evidence. She was unpopular from her manner. The London merchants looked on her with no favour as having caused a breach in the alliance with Flanders, and the duke was an imperialist and at heart a friend of Queen Catherine; but he had grown old in the service of the state with an unblemished reputation; and he felt too keenly the disgrace which Anne's conduct had brought upon her family, to have contrived a scheme for her removal at once so awk-

Tuesday, May 2; arrest of the queen. The privy council sit at Greenwich.

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CH. II. ward and so ignominious.* On her examination she declared herself innocent; the details of what passed are unknown; only she told Sir William Kingston that she was cruelly handled at Greenwich with the king's council; 'and that the Duke of Norfolk, in answer to her defence, had said, 'Tut, tut, tut,' shaking his head three or four times.'† The other prisoners were then examined; not Brereton, it would seem, but Smeton, who must have been brought down from the Tower, and Sir Henry Norris, and Sir Francis Weston, two young courtiers, who had both of them been the trusted friends of the king. Each day the shadow was stretching further. The worst was yet to come.

A.D. 1536. She declares her innocence.

Norris, Weston, and Smeton examined.

On being first questioned, these three made general admissions, but denied resolutely that any actual offence had been committed. On being pressed further and cross-examined, Smeton confessed to actual adultery.‡ Norris hesitated: being pressed, however, by Sir William Fitzwilliam to speak the truth, he also made a similar acknowledgment, although he afterwards with-

Smeton confesses,

And Norris, who afterwards, however,

* Five years later, after the shameful behaviour of Catherine Howard, the duke wrote to the king of *'the abominable deeds done by two of my nieces against your Highness;'* which he said have 'brought me into the greatest perplexity that ever poor wretch was in, fearing that your Majesty, having so often and by so many of my kyn been thus falsely and traitorously handled, might not only conceive a displeasure in your heart against me and all other of that kyn, but also in manner abhor to hear speak of any of the same.'—Norfolk to Henry VIII.: *State Papers*, vol. i. p. 721.

† Kingston to Cromwell: SINGER'S CAVENDISH, p. 456 et seq., in STRYPE'S *Memorials*, vol. i.

‡ Sir Edward Baynton to the Lord Treasurer, from Greenwich: SINGER'S CAVENDISH, p. 458.

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drew from what he had said.* Weston persisted in declaring himself innocent. The result was unsatisfactory, and it was thought that it would 'much touch the king's honour' if the guilt of the accused was not proved more clearly. 'Only Mark,' Sir Edward Baynton said, would confess 'of any actual thing;'† although he had no doubt 'the other two' were 'as fully culpable as ever was he.' They were, however, for the present, recommitted to the Tower; whither also in the afternoon the council conducted the queen, and left her in the custody of Sir William Kingston.

CH. II.

A.D. 1536. May 2. Tuesday. withdraws from what he has said.

She was brought up the river; the same river along which she sailed in splendour only three short years before. She landed at the same Tower Stairs; and, as if to complete the bitter misery of the change, she was taken 'to her own lodgings in which she lay at her coronation.' She had feared that she was to go to a dungeon. When Kingston told her that these rooms had been prepared for her, 'It is too good for me,' she said, 'Jesu have mercy on me;' 'and kneeled down, weeping a great space; and in the same sorrow

The queen, in the afternoon, is taken to the Tower.

* See LINGARD, vol. v. p. 33. It is not certain whether the examination of the prisoners was at Greenwich or at the Tower. Baynton's letter is dated from Greenwich, but that is not conclusive. CONSTANTYNE says (*Archæologia*, vol. xxiii. p. 63) that the king took Norris with him to London, and, as he heard say, urged him all the way to confess, with promises of pardon if he would be honest with him. Norris persisted in his denial, however, and was committed to the Tower. Afterwards, before the council, he confessed. On his trial his confession was read to him, and he said he was deceived into making it by Sir W. Fitzwilliam; an accusation against this gentleman very difficult to believe.

† Letter to the Lord Treasurer.

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CH. II. fell into a great laughing.'* She then begged that she might have the sacrament in the closet by her chamber, that she might pray for mercy, declaring 'that she was free from the company of man as for sin,' and was 'the king's true wedded wife.'

A.D. 1536. She protests her innocence, and begs to have the sacrament in her closet.

She was aware that the other prisoners were in the Tower, or, at least, that Smeton, Weston, and Norris were there. Whether she knew at that time of the further dreadful accusation which was hanging over her, does not appear; but she asked anxiously for her brother; and, if she had suspected anything, her fears must have been confirmed by Kingston's evasive replies. It is so painful to dwell upon the words and actions of a poor woman in her moments of misery, that Kingston may describe his conversation with her in his own words. Lord Rochfort had returned to London at liberty; he seems to have been arrested the same Tuesday afternoon. 'I pray you,' she said, 'to tell me where my Lord Rochfort is?' 'I told her,' Kingston wrote, that 'I saw him afore dinner, in the court.' 'Oh, where is my sweet brother?' she went on. 'I said I left him at York-place; and so I did. 'I hear say,' said she, 'that I should be accused with three men; and I can say no more but nay, without I should open my body,'—and therewith she opened her gown, saying, 'Oh, Norris, hast thou accused me? Thou art in the Tower with me, and thou and I shall die together. And, Mark, thou art here too. Oh, my mother, thou wilt die for sorrow.' And much

* Kingston to Cromwell: SINGER'S CAVENDISH, p. 451.

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she lamented my Lady of Worcester, for because her child did not stir in her body. And my wife said, 'What should be the cause?' She said, 'For the sorrow she took for me.' And then she said, 'Mr. Kingston, shall I die without justice?' And I said, 'The poorest subject the king hath, had justice;' and therewith she laughed.'* CH. II. A.D. 1536.

Lady Boleyn, her aunt, had been sent for, with a Mrs. Cousins, and two other ladies, selected by the king.† They were ordered to attend upon the queen, but to observe a strict silence; and to hold no communication with her, except in the presence of Lady Kingston. This regulation, it was found, could not be insisted on. Lady Boleyn and Mrs. Cousins slept in the queen's room, and conversation could not be prevented. Mrs. Cousins undertook, on her part, to inform Kingston if anything was said which 'it was meet that he should know.'‡ Lady Boleyn and three other ladies sent to attend upon her.

In compliance with this promise, she told him, the next morning, that the queen had been speaking to her about Norris. On the preceding Sunday, she said that Norris had offered to 'swear for the queen, that she was a good woman.' 'But how,' asked Mrs. Cousins, very naturally, 'how came any such things to be spoken of at all?' 'Marry,' the queen said, 'I bade him do so: for I asked him why he went not through with his marriage; and he made answer, that he Wednesday, May 3. Reported conversation of the queen with Norris,

* Kingston to Cromwell: SINGER'S CAVENDISH, p. 451.

† She said, 'I think it much unkindness in the king to put such about me as I never loved.' I shewed her that the king took them to be honest and good women. 'But I would have had of mine own privy chamber,' she said, 'which I favour most.' —Kingston to Cromwell: Ibid. p. 457.

‡ Ibid. p. 453.

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CH. II. A.D. 1536.

would tarry a time. Then, I said, You look for dead men's shoes; for if aught came to the king but good, you would look to have me.* And he said, if he should have any such thought, he would his head were off. And then she said she could undo him, if she would. And therewith they fell out.' 'But she said she more feared Weston; for on Whitsun Tuesday last, Weston told her that Norris came more unto her chamber for her than for Mage.'† Afterwards, 'The queen spake of Weston, that she had spoken to him, because he did love her kinswoman, Mrs. Skelton, and that she said he loved not his wife; and he made answer to her again, that he loved one in her house better than them both. She asked him who is that? to which he answered, that it is yourself. 'And then,' she said, 'she defied him.''‡

And with Sir Francis Weston.

So passed Wednesday at the Tower. Let us

* The disorder of which the king ultimately died—ulceration in the legs—had already begun to show itself.

† The lady, perhaps, to whom Norris was to have been married. Sir Edward Baynton makes an allusion to a Mistress Margery. The passage is so injured as to be almost unintelligible: — 'I have mused much et . . . . of Mistress Margery, which hath used her . . . . strangely towards me of late, being her friend as I have been. But no doubt it cannot be but she must be of councell therewith. There hath been great friendship between the queen and her of late.' —Sir E. Baynton to the Lord Treasurer: SINGER, p. 458.

‡ Kingston to Cromwell: SINGER, pp. 452-3. Of Smeton she said—'He was never in my chamber but at Winchester;' she had sent for him 'to play on the virginals,' for there her lodging was above the king's. . . . . 'I never spoke with him since,' she added, 'but upon Saturday before May day, and then I found him standing in the round window in my chamber of presence, and I asked why he was so sad, and he answered and said it was no matter; and then she said, 'You may not look to have me speak to you as I should to a nobleman, because you be an inferior person.' 'No, no, madam; a look sufficeth me [he said], and thus fare you well.''— Ibid. p. 455.

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feel our very utmost commiseration for this unhappy woman; if she was guilty, it is the more reason that we should pity her; but I am obliged to say, that conversations of this kind, admitted by herself, disentitle her to plead her character in answer to the charges against her. Young men do not speak of love to young and beautiful married women, still less to ladies of so high rank, unless something more than levity has encouraged them; and although to have permitted such language is no proof of guilt, yet it is a proof of the absence of innocence.

The news reaches Cranmer. He is ordered to Lambeth till he hears further.

Meanwhile, on the Tuesday morning, a rumour of the queen's arrest was rife in London; and the news for the first time reached the ears of Cranmer. The archbishop was absent from home, but in the course of the day he received an order, through Cromwell, to repair to his palace, and remain there till he heard further. With what thoughts he obeyed this command may be gathered from the letter which, on the following morning, he wrote to Henry. The fortunes of the Reformation had been so closely linked to those of the queen, that he trembled for the consequences to the church of the king's too just indignation. If the barren womb of Catherine had seemed a judgment against the first marriage, the shameful issue of the second might be regarded too probably as a witness against that and against every act which had been connected with it. Full of these forebodings, yet not too wholly occupied with them to forget the unhappy queen, he addressed the king, early on Wednesday, in the following language:—

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CH. 11.

A.D. 1536. Wednesday. He writes to the king. He implores Henry to bear his misfortune like a man,

'Please it your most noble Grace to be advertised, that at your Grace's commandment, by Mr. Secretary's letter, written in your Grace's name, I came to Lambeth yesterday, and there I do remain to know your Grace's further pleasure. And forasmuch as without your Grace's commandment, I dare not, contrary to the contents of the said letter, presume to come unto your Grace's presence; nevertheless, of my most bounden duty, I can do no less than most humbly to desire your Grace, by your great wisdom, and by the assistance of God's help, somewhat to suppress the deep sorrows of your Grace's heart, and to take all adversities of God's hands both patiently and thankfully. I cannot deny but your Grace hath good cause many ways of lamentable heaviness; and also, that in the wrongful estimation of the world, your Grace's honour of every part is so highly touched (whether the things that commonly be spoken of be true or not), that I remember not that ever Almighty God sent unto your Grace any like occasion to try your Grace's constancy throughout, whether your Highness can be content to take of God's hands as well things displeasant as pleasant. And if He find in your most noble heart such an obedience unto his will, that your Grace, without murmuration and over-much heaviness, do accept all adversities, not less thanking Him than when all things succeed after your Grace's will and pleasure, then I suppose your Grace did never thing more acceptable unto Him since your first governance of this

And to accept submissively the trial which God has sent upon him.

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your realm. And moreover, your Grace shall give unto Him occasion to multiply and increase his graces and benefits unto your Highness, as He did unto his most faithful servant Job; unto whom, after his great calamities and heaviness, for his obedient heart, and willing acceptation of God's scourge and rod, addidit Dominus cuncta duplicia. And if it be true that is openly reported of the Queen's Grace, if men had a right estimation of things, they should not esteem any part of your Grace's honour to be touched thereby; but her honour to be clean disparaged. And I am in such perplexity, that my mind is clean amazed; for I never had better opinion in woman than I had in her; which maketh me to think that she should not be culpable. And again, I think your Highness would not have gone so far, except she had been surely culpable.

CH. II. A.D. 1536. Wednesday, May 3.

'Now I think that your Grace best knoweth that, next unto your Grace, I was most bound unto her of all creatures living. Wherefore, I most humbly beseech your Grace to suffer me in that which both God's law, nature, and also her kindness bindeth me unto: that is, that I may with your Grace's favour wish and pray for her that she may declare herself inculpable and innocent. And if she be found culpable, considering your Grace's goodness to her, and from what condition your Grace of your only mere goodness took her, and set the crown upon her head, I repute him not your Grace's faithful servant and subject, nor true unto the realm, that would not desire the offence without mercy to be punished,

Of the queen's guilt, he knows not what to believe.

He will pray that she may be found innocent

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Ch. 11. to the example of all other. And as I loved her not a little for the love which I judged her to bear towards God and his gospel; so if she be proved culpable, there is not one that loveth God and his gospel that will ever favour her, but must hate her above all other; and the more they favour the gospel, the more they will hate her; for there never was creature in our time that so much slandered the gospel. And God hath sent her this punishment for that she feignedly hath professed his gospel in her mouth, and not in heart and deed. And though she hath offended so that she hath deserved never to be reconciled to your Grace's favour, yet Almighty God hath manifoldly declared his goodness towards your Grace, and never offended you. But your Grace, I am sure, acknowledgeth that you have offended Him. Wherefore, I trust that your Grace will bear no less entire favour unto the truth of the gospel than you did before; forasmuch as your Grace's favour to the gospel was not led by affection unto her, but by zeal unto the truth. And thus I beseech Almighty God, whose gospel he hath ordained your Grace to be defender of, ever to preserve your Grace from all evil, and give you at the end the promise of his gospel. From Lambeth, the third of May.'

A.D. 1536. But if she be guilty, let her be punished with all extremity, for the dishonour which she has brought upon the gospel.

He trusts that the king will still continue to favour the gospel, however, as before.

He is sent for to the Star Chamber.

The letter was written; it was not, however, sent upon the instant; and in the course of the morning the archbishop was requested to meet the Lord Chancellor, Lord Oxford, Lord Sussex, and the Lord Chamberlain, in the Star Chamber. He went, and on his return to Lambeth he added a

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few words in a postscript. In the interview from which he had at the moment returned, those noblemen, he said, had declared unto him such things as his Grace's pleasure was they should make him privy unto; for the which he was most bounden unto his Grace. 'What communications we had together,' he added, 'I doubt not but they will make the true report thereof unto your Grace. *I am exceedingly sorry that such faults can be proved by the queen, as I heard of their relation.*'* CH. II. A.D. 1536. The postscript of his letter.

If we may believe, as I suppose we may, that Cranmer was a man of sound understanding, and of not less than ordinary probity, this letter is of the greatest value; it shows the impression which was made upon a sensible person by the first rumours of the discovery; it shows also the archbishop's opinion of the king's character, with the effect upon his own mind of the evidence which the chancellor, at the king's command, had laid before him.

We return to the prisoners in the Tower. Mark Smeton, who had confessed his guilt, was ironed.† The other gentlemen, not in consideration of their silence, but of their rank, were treated more leniently. To the queen, with an object which may be variously interpreted, Henry

* Printed in BURNET, vol. i. p. 322, et seq.

† 'Mark is the worst cherished of any man in the house, for he wears irons.'—Kingston to Cromwell. Later writers have assured themselves that Smeton's confession was extorted from him by promises of pardon. Why, then, was the government so impolitic as to treat him with especial harshness so early in the transaction? When he found himself 'ironed,' he must have been assured that faith would not be kept with him; and he had abundant time to withdraw what he had said.

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CH. II.

A.D. 1536. Friday, May 5. Henry writes to the queen with a promise of pardon if she will confess.

wrote the Friday succeeding her arrest, holding out hopes of forgiveness if she would be honest and open with him. Persons who assume that the whole transaction was the scheme of a wicked husband to dispose of a wife of whom he was weary, will believe that he was practising upon her terror to obtain his freedom by a lighter crime than murder. Those who consider that he possessed the ordinary qualities of humanity, and that he was really convinced of her guilt, may explain his offer as the result of natural feeling. But in whatever motive his conduct originated, it was ineffectual. Anne, either knowing that she was innocent, or trusting that her guilt could not be proved, trusting, as Sir Edmund Baynton thought, to the constancy of Weston and Norris,* declined to confess anything. '*If any man accuse me*,' she said to Kingston, '*I can but say nay; and they can bring no witness.*'† Instead of acknowledging any guilt in herself, she perhaps retaliated upon the king in the celebrated letter which has been thought a proof both of her own innocence, and of the conspiracy by which she was destroyed.‡ This letter also, although at

She persists in maintaining her innocence,

Being satisfied that there was no witness of her guilt.

* The sentence is mutilated, but the meaning seems intelligible: 'The queen standeth stiffly in her opinion that she wo . . . . which I think is in the trust that she [hath in the] other two' — i.e. Norris and Weston.—Baynton to the Lord Treasurer. The government seems to have been aware of some secret communication between her and Norris.—Ibid: SINGER, p. 458.

† Kingston to Cromwell: SINGER, p. 457.

‡ My first impression of this letter was strongly in favour of its authenticity. I still allow it to stand in the text because it exists, and because there is no evidence, external or internal, to prove it to be a forgery. The more carefully I have examined the MS., however, the greater uncertainty I have felt about it. It is not an original. It

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once so well known and of so dubious authority, it is fair to give entire. CH. II.

A.D. 1536. Saturday, May 6. Her letter to the king.

'Sir,—Your Grace's displeasure and my imprisonment are things so strange unto me, as what to write, or what to excuse, I am altogether ignorant. Whereas you send unto me (willing [me] to confess a truth, and to obtain your favour) by such an one whom you know to be mine antient professed enemy, I no sooner conceived this message by him, than I rightly conceived your meaning; and if, as you say, confessing a truth indeed may procure my safety, I shall with all willingness and duty perform your command.

'But let not your Grace ever imagine that your poor wife will ever be brought to acknowledge a fault where not so much as a thought thereof proceeded. And to speak a truth, never prince had wife more loyal in all duty, and in all true affection, than you have ever found in Anne Boleyn; with which name and place I could willingly have contented myself, if God and your Grace's pleasure had been so pleased. Neither did I at any time so far forget myself in my exaltation or received queenship, but that I always looked for such an alteration as now I find: for the ground of my preferment being on no surer foundation than your Grace's fancy, the least alteration I knew was fit and sufficient to draw that fancy to some other subject. You

Never prince had more loyal wife.

She, however, always looked for what now she finds.

is not an official copy. It does not appear, though here I cannot speak conclusively, to be even a contemporary copy. The only guide to the date is the watermark on the paper, and in this instance the evidence is indecisive.—Note to the 2nd edition.

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CH. II. A.D. 1536.

have chosen me from a low estate to be your queen and companion, far beyond my desert or desire. If then you found me worthy of such honour, good your Grace, let not any light fancy or bad counsel of mine enemies withdraw your princely favour from me; neither let that stain, that unworthy stain, of a disloyal heart towards your good Grace, ever cast so foul a blot on your most dutiful wife, and the infant princess, your daughter.

She begs for a fair trial,

'Try me, good king, but let me have a lawful trial; and let not my sworn enemies sit as my accusers and my judges; yea, let me receive an open trial, for my truth shall fear no open shame. Then shall you see either mine innocency cleared, your suspicions and conscience satisfied, the ignominy and slander of the world stopped, or my guilt openly declared; so that, whatsoever God or you may determine of me, your Grace may be freed from an open censure; and mine offence being so lawfully proved, your Grace is at liberty, both before God and man, not only to execute worthy punishment on me, as an unlawful wife, but to follow your affection already settled on that party for whose sake I am now as I am, whose name I could some good while since have pointed unto; your Grace not being ignorant of my suspicion therein.

And if she is condemned, Henry may lawfully follow his new fancy.

If her fate is already decided, she prays God will pardon his great sin,

'But if you have already determined of me; and that not only my death, but an infamous slander, must bring you the enjoying of your desired happiness; then I desire of God that he will pardon your great sin therein, and likewise

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my enemies the instruments thereof; and that He will not call you to a strict account for your unprincely and cruel usage of me, at his general judgment-seat, where both you and myself must shortly appear; and in whose judgment, I doubt not, whatsoever the world may think of me, mine innocence shall be openly known and sufficiently cleared. CH. 11. A.D. 1536.

'My last and only request shall be, that myself may only bear the burden of your Grace's displeasure, and that it may not touch the innocent souls of those poor gentlemen who, as I understand, are likewise in strait imprisonment for my sake. If ever I have found favour in your sight, if ever the name of Anne Boleyn hath been pleasing in your ears, then let me obtain this request; and I will so leave to trouble your Grace any further; with mine earnest prayers to the Trinity, to have your Grace in his good keeping, and to direct you in all your actions. From my doleful prison in the Tower, this 6th of May. Your most loyal and ever faithful wife,

'ANNE BOLEYN.'* And also that her own death may suffice, and the poor gentlemen be spared.

This letter is most affecting; and although it is better calculated to plead the queen's cause with posterity than with the king, whom it could only exasperate, yet if it is genuine it tells (so far as such a composition can tell at all) powerfully in her favour. On the same page of the manuscript, carrying the same authority, and subject to the

* BURNET'S *Collectanea*, p. 87; *Cotton. MS.*

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CH. II.

A.D. 1536. Saturday, May 6.

A second requisition to confess from the king, and a second refusal.

same doubt, is a fragment of another letter, supposed to have been written subsequently, and therefore in answer to a second invitation to confess. In this she replied again, that she could confess no more than she had already spoken; that she might conceal nothing from the king, to whom she did acknowledge herself so much bound for so many favours; for raising her first from a mean woman to be a marchioness; next to be his queen; and now, seeing he could bestow no further honours upon her on earth, for purposing by martyrdom to make her a saint in heaven.* This answer also was unwise in point of worldly prudence; and I am obliged to add, that the tone which was assumed, both in this and in her first letter, was unbecoming (even if she was innocent of actual sin) in a wife who, on her own showing, was so gravely to blame. It is to be remembered that she had betrayed from the first the king's confidence; and, as she knew at the moment at which she was writing, she had never been legally married to him.

The tone of the queen's answers not what it ought to have been, even on her own showing.

Her spirits meanwhile had something rallied, though still violently fluctuating. 'One hour,' wrote Kingston,† 'she is determined to die, and the next hour much contrary to that.' Sometimes she talked in a wild, wandering way, wondering whether any one made the prisoners' beds, with other of those light trifles which women's minds

Her wild words in the Tower.

* STRYPE'S *Eccles. Memorials*, vol. i. Lord Bacon speaks of these words as a message sent by the queen on the morning of the execution.

† Kingston to Cromwell: SINGER, p. 456.

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dwell upon so strangely, when strained beyond their strength. 'There would be no rain,' she said, 'till she was out of the Tower; and if she died, they would see the greatest punishment for her that ever came to England.' 'And then,' she added, 'I shall be a saint in heaven, for I have done many good deeds in my days; but I think it much unkindness in the king to put such about me as I never loved.'* Kingston was a hard chronicler, too convinced of the queen's guilt to feel compassion for her; and yet these rambling fancies are as touching as Ophelia's; and, unlike hers, are no creation of a poet's imagination, but words once truly uttered by a poor human being in her hour of agony. Yet they prove nothing. And if her wanderings seem to breathe of innocence, they are yet compatible with the absence of it. We must remind ourselves, that two of the prisoners had already confessed both their own guilt and hers.

Ch. II.

A.D. 1536. Saturday, May 6.

The queen demanded a trial; it was not necessary to ask for it. Both she and her supposed accomplices were tried with a scrupulousness without a parallel, so far as I am aware, in the criminal records of the time. The substance of the proceedings is preserved in an official summary;† and distressing as it is to read of such sad matters, the importance of arriving at a fair judgment must excuse the details which will be entered into. The crime was alike hideous, whether it

Preparations for the trial.

Necessity of entering into offensive details.

* Kingston to Cromwell: SINGER, p. 457.

† BAGA DE SECRETIS, pouches 8 and 9: Appendix II. to the *Third Report of the Deputy Keeper of the Public Records.*

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CH. II. A.D. 1536.

was the crime of the queen or of Henry; we may not attempt to hide from ourselves the full deformity of it.

On the 24th of April, then, a special commission was appointed, to try certain persons for offences committed at London, at Hampton Court, and at the palace at Greenwich. The offences in question having been committed in Middlesex and in Kent, bills were first to be returned by the grand juries of both counties.

Men are apt to pass vaguely over the words 'a commission' or 'a jury,' regarding them rather as mechanical abstractions than as bodies of responsible men. I shall therefore give the list of the persons who, in these or any other capacities, were engaged upon the trials. The special commission consisted of Sir Thomas Audeley, the lord chancellor; the Duke of Norfolk, uncle of the queen and of Lord Rochfort; the Duke of Suffolk, the king's brother-in-law; the Earl of Wiltshire, the queen's father; the Earls of Oxford, Westmoreland, and Sussex; Lord Sandys; Thomas Cromwell; Sir William Fitzwilliam the Lord High Admiral, an old man whose career had been of the most distinguished brilliancy; Sir William Paulet, lord treasurer, afterwards Marquis of Winchester; and, finally, the nine judges of the Courts of Westminster, Sir John Fitzjames, Sir John Baldewyn, Sir Richard Lister, Sir John Porte, Sir John Spelman, Sir Walter Luke, Sir Anthony Fitzherbert, Sir Thomas Englefield, and Sir William Shelley. The duty of this tribunal was to try the four commoners

The names of the commissioners appointed to try the queen's accomplices.

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accused of adultery with the queen. She herself, with her brother, would be tried by the House of Lords. Of the seven peers, three were her own nearest connexions; the remaining commissioners were those who, individually and professionally, might have been considered competent for the conduct of the cause above all other persons in the realm. Antecedently to experience, we should not have expected that a commission so constituted would have lent itself to a conspiracy; and if foul play had been intended, we should have looked to see some baser instruments selected for so iniquitous a purpose.

CH. II.

A.D. 1536. The queen and her brother to be tried by the House of Lords.

In the middle of the second week in May, the grand juries had completed their work. On the 10th, a true bill was found at Westminster, by the oaths of Giles Heron, Esq.; Roger More, Esq.; Richard Awnsham, Esq.; Thomas Byllyngton, Esq.; Gregory Lovel, Esq.; John Worsop, Esq.; William Goddard, gentleman; William Blakwall, gentleman; John Wylford, gentleman; William Berd, gentleman; Henry Hubbylthorne, gentleman; William Huning, gentleman; Robert Walys, gentleman; John Englond, gentleman; Henry Lodysman, gentleman; and John Averey, gentleman.

Wednesday, May 10. True bill found by the grand jury of Middlesex.

On the 11th a true bill was found at Deptford by the oaths of Sir Richard Clement, Sir William Fynche, Sir Edward Boughton, Anthony St. Leger, Esq.;* John Cromer, Esq.; John

Thursday, May 11. True bill found by the grand jury of Kent.

* We shall meet him again in Ireland: he was the queen's cousin, and a man of the very highest character and ability. The grand jury of Kent were nominated by Sir Thomas Wyatt,

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CH. 11. A.D. 1536. Thursday, May 11.

Fogg, Esq.; Thomas Wylleford, Esq.; John Norton, Esq.; Humphrey Style, Esq.; Robert Fisher, gentleman; Thomas Sybbell, gentleman; John Lovelace, gentleman; Walter Harrington, gentleman; Edmund Page, gentleman; Thomas Fereby, gentleman; and Lionel Ansty, gentleman.

I am thus particular in recording the names of these jurors, before I relate the indictment which was found by them, because, if that indictment was unjust, it stamps their memory with eternal infamy; and with the judges, the commissioners, the privy council, the king, with every living person who was a party, active or passive, to so enormous a calumny, they must be remembered with shame for ever.

The indictment.

The indictment, then, found by the grand jury of Middlesex was to the following effect:*—

'1. That the Lady Anne, Queen of England, having been the wife of the king for the space of three years and more, she, the said Lady Anne, contemning the marriage so solemnized between her and the king, and bearing malice in her heart against the king, and following her frail and carnal lust, did falsely and traitorously procure, by means of indecent language, gifts, and other acts therein stated, divers of the king's daily and familiar servants to be her adulterers and concubines; so that several of the king's

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who was sheriff for that year. This is not unimportant, for Wyatt in past times had been Anne's intimate friend, if not her lover.

* The indictment found at Deptford was exactly similar; referring to other acts of the same kind, committed by the same persons at Greenwich.

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servants, by the said queen's most vile provocation and invitation, became given and inclined to the said queen. CH. 11. A.D. 1536. Thursday, May 11.

'2. That the queen [on the] 6th of October, 25 Hen. VIII. [1533], at Westminster, by words, &c., procured and incited one Henry Norris, Esq., one of the gentlemen of the king's privy chamber, to have illicit intercourse with her; and that the act was committed at Westminster, 12th October, 25 Hen. VIII.

'3. That the queen, 2nd of November, 27 Hen. VIII. [1535], by the means therein stated, procured and incited George Boleyn, knight, Lord Rochfort, her own natural brother, to have illicit intercourse with her; and that the act was committed 5th of November in the same year, at Westminster, against the commands of Almighty God, and all laws human and divine.

'4. That the queen, 3rd December, 25 Hen. VIII., procured and incited William Brereton, Esq., one of the gentlemen of the king's privy chamber, to have illicit intercourse with her; and that the act was committed at Hampton Court, 25th December, 25 Hen. VIII.

'5. That the queen, 8th of May, 26 Hen. VIII., procured and incited Francis Weston, one of the gentlemen of the king's privy chamber, to have illicit intercourse with her; and that the act was committed at Westminster, 20th May, 26 Hen. VIII.

'6. That the queen, 12th of April, 26 Hen. VIII., procured and incited Mark Smeton, Esq., one of the grometers of the king's chamber, to

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CH. II. A.D. 1536.

have illicit intercourse with her; and that the act was committed at Westminster, 26th April, 26 Henry VIII.

'7. Furthermore, that the said George, Lord Rochfort, Henry Norris, William Brereton, Sir Francis Weston, and Mark Smeton, being thus inflamed by carnal love of the queen, and having become very jealous of each other, did, in order to secure her affections, satisfy her inordinate desires; and that the queen was equally jealous of the Lord Rochfort and other the before-mentioned traitors; and she would not allow them to show any familiarity with any other woman, without her exceeding displeasure and indignation; and that on the 27th day of November, 27 Hen. VIII., and other days, at Westminster, she gave them gifts and great rewards, to inveigle them to her will.

'8. Furthermore, that the queen, and other the said traitors, jointly and severally, 31st of October, 27 Hen. VIII., and at various times before and after, compassed and imagined the king's death; and that the queen had frequently promised to marry some one of the traitors, whenever the king should depart this life, affirming she never would love the king in her heart.

'9. Furthermore, that the king, having within a short time before become acquainted with the before-mentioned crimes, vices, and treasons, had been so grieved that certain harms and dangers had happened to his royal body.'*

* BAGA DE SECRETIS, pouch 9.

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I suppose that persons who have made up their minds conclusively, and are resolved to abide by the popular verdict of English historians, will turn with disgust from these hideous charges; seeming, as they do, to overstep all ordinary bounds of credibility. On one side or the other there was indeed no common guilt. The colours deepen at every step. But it is to be remembered that if the improbability of crimes so revolting is becoming greater, the opposite improbability increases with equal strength—that English noblemen and gentlemen could have made themselves a party to the invention of the story. For invention is unfortunately the only word; would indeed that any other were admissible! The discovery of the indictment disposes at once of Burnet's legend, that the queen was condemned on hearsay evidence; or that her guilt was conjectured from an exaggerated report of foolish conversations. It cuts off all hope, too, of possible mistake. I have heard the name of Leontes mentioned as a parallel to Henry; and if the question lay only between the king and his wife, we would gladly welcome the alternative. Charity would persuade us that a husband had been madly blind, sooner far than that a queen had been madly wicked. But this road for escape is closed. The mistake of Leontes was transparent to every eye but his own. The charges against Anne Boleyn were presented by two grand juries before the highest judicial tribunal in the realm. There was nothing vague, nothing conjectural. The detail was given of

The improbability of the queen's guilt and the improbability of a conspiracy against her increase in the same ratio.

There is no room for the hypothesis of mistake.

The parallel of Leontes suggested, but not admissible.

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CH. II. A.D. 1536.

acts and conversations stretching over a period of two years and more; and either there was evidence for these things, or there was none. If there was evidence, it must have been close, elaborate, and minute; if there was none, these judges, these juries and noblemen, were the accomplices of the king in a murder perhaps the most revolting which was ever committed.

The difficulties in the way of supposing the accusations forged.

It may be thought that the evidence was pieced together in the secrets of the cabinet; that the juries found their bills on a case presented to them by the council. This would transfer the infamy to a higher stage; but if we try to imagine how the council proceeded in such a business, we shall not find it an easy task. The council, at least, could not have been deceived. The evidence, whatever it was, must have been examined by them; and though we stretch our belief in the complacency of statesmen to the furthest limit of credulity, can we believe that Cromwell would have invented that dark indictment,—Cromwell who was, and who remained till his death, the dearest friend of Latimer? Or the Duke of Norfolk, the veteran who had won his spurs at Flodden? Or the Duke of Suffolk and Sir William Fitzwilliam, the Wellington and the Nelson of the sixteenth century? Scarcely among the picked scoundrels of Newgate could men be found for such work; and shall we believe it of men like these? It is to me impossible. Yet, if it was done at all, it was done by those four ministers.

Even if we could believe that they forged the

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A.D. 1536. To what purpose the multiplication of offences, and the number of offenders?

accusations, yet they would at least limit the dimensions of them. The most audacious villain will not extend his crimes beyond what he requires for his object; and if the king desired only to rid himself of his wife, to what purpose the multiplication of offenders, and the long list of acts of guilt, when a single offence with the one accomplice who was ready to abide by a confession, would have sufficed? The four gentlemen gratuitously, on this hypothesis, entangled in the indictment, were nobly connected: one of them, Lord Rochfort, was himself a peer; they had lived, all four, several years at the court, and were personally known to every member of the council. Are we to suppose that evidence was invented with no imaginable purpose, for wanton and needless murders?—that the council risked the success of their scheme, by multiplying charges which only increased difficulty of proof, and provoked the interference of the powerful relations of the accused?*

* Sir Francis Bryan, the queen's cousin, was at first suspected. He was absent from the court, and received a message from Cromwell to appear instantly on his allegiance. The following extract is from the Deposition of the Abbot of Woburn—*MS. Cotton.* Cleopatra, E iv.:

'The said abbot remembereth that at the fall of Queen Anne, whom God pardon, Master Bryan, being in the country, was suddenly sent for by the Lord Privy Seal, as the said Master Bryan afterwards shewed me, charging him upon his allegiance to come to him wheresoever he was within this realm upon the sight of his letter, and so he did with all speed. And at his next repair to Ampthill, I came to visit him there, at what time the Lord Grey of Wilton, with many other men of worship, was with him in the great court at Ampthill aforesaid. And at my coming in at the outer gate Master Bryan perceived me, and of his much gentleness came towards meeting me; to whom I said,

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CH. 11.

A.D. 1536.

Such are the difficulties in which, at this early stage of the transaction, we are already implicated. They will not diminish as we proceed.

Friday, May 12. The court opens.

Friday, the 12th of May, was fixed for the opening of the court. On that day, a petty jury was returned at Westminster, for the trial of Sir

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'Now welcome home and never so welcome.' He, astonished, said unto me, 'Why so?' The said abbot said, 'Sir, I shall shew you that at leisure,' and walked up into the great chamber with the men of worship. And after a pause it pleased him to sit down upon a bench and willed me to sit by him, and after that demanded of me what I meant when I said, 'Never so welcome as then;' to whom I said thus: 'Sir, Almighty God in his first creation made an order of angels, and among all made one principal, which was the ——, who would not be content with his estate, but affected the celsitude and rule of Creator, for the which he was divested from the altitude of heaven into the profundity of hell into everlasting darkness, without repair or return, with those that consented unto his pride. So it now lately befell in this our worldly hierarchy of the court by the fall of Queen Anne as a worldly Lucifer, not content with her estate to be true unto her creator, making her his queen, but affected unlawful concupiscence, fell suddenly out of that felicity wherein she was set, irrecoverably with all those that consented unto her lust, whereof I am glad that ye were never; and, therefore, now welcome and never so welcome, here is the end of my tale.' And then he said unto me: 'Sir, indeed, as you say, I was suddenly sent for, marvelling thereof and debating the matter in my mind why this should be; at the last I considered and knew myself true and clear in conscience unto my prince, and with all speed and without fear [hastily set] me forward and came to my Lord Privy Seal, and after that to the King's Grace, and nothing found in me, nor never shall be, but just and true to my master the King's Grace.' And then I said 'Benedictus, but this was a marvellous peremptory commandment,' said I, 'and would have astonished the wisest man in this realm.' And he said, 'What then, he must needs do his master's commandment, and I assure you there never was a man wiser to order the king's causes than he is; I pray God save his life.'"

The language both of Sir Francis Bryan and the abbot is irreconcileable with any other supposition, except that they at least were satisfied of the queen's guilt.

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Henry Norris, Sir Francis Weston, Sir William Brereton, and Mark Smeton. The commission sat—the Earl of Wiltshire sitting with them*—and the four prisoners were brought to the bar. On their arraignment, Mark Smeton, we are told, pleaded guilty of adultery with the queen; not guilty of the other charges. Norris, Weston, and Brereton severally pleaded not guilty. Verdict, guilty. The king's sergeant and attorney pray judgment. Judgment upon Smeton, Norris, Weston, and Brereton as usual in cases of high treason. This is all which the record contains. The nature of the evidence is not mentioned. But again there was a jury; and if we have not the evidence which convinced that jury, we have the evidence that they were, or professed to be, convinced.

Ch. II.

A.D. 1536. Friday, May 12. The four commoners are brought to the bar.

A petty jury return a verdict of guilty.

The queen and her brother were to be tried on the following Monday. Their crime was not adultery only, but was coloured with the deeper stain of incest. On the Friday, while the other prisoners were at the bar, 'Letters patent were addressed to Thomas, Duke of Norfolk, Treasurer and Earl Marshal of England, setting forth that the Lady Anne, Queen of England, and Sir George Boleyn, knight, Lord Rochfort, had been indicted of certain capital crimes; and that the king, considering that justice was a most excellent virtue, and pleasing to the Most Highest;

* Baga de Secretis, pouch 8. The discovery of these papers sets at rest the controversy whether the Earl of Wiltshire took part in the trial. He was absent at the trial of his children; he was present at the trial of the other prisoners.

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CH. II. A.D. 1536. The Duke of Norfolk is named Lord High Steward.

and inasmuch as the office of High Steward of England, whose presence for the administration of the law in this case is required, was vacant, the king therefore appointed the said duke Lord High Steward of England, with full powers to receive the indictments found against Queen Anne and the Lord Rochfort, and calling them before him, for the purpose of hearing and examining them, and compelling them to answer thereto.' The duke was to collect also 'such and so many lords, peers, and magnates of the kingdom of England, peers of the said Queen Anne and Lord Rochfort, by whom the truth could be better known; and the truth being known, to give judgment according to the laws and customs of England, and to give sentence and judgment, and to direct execution, with the other usual powers.'* As a certain number only of the peers were summoned, it may be imagined that some fraud was practised in the selection, and that those only were admitted whose subserviency could be relied upon. I will therefore give the names as before.

List of peers summoned to try the queen and her brother.

The two English Dukes, of Norfolk and Suffolk.† The one English Marquis, of Exeter. The Earls of Arundel, Oxford, Northumberland (the queen's early lover), Westmoreland, Derby, Worcester, Rutland, Sussex, and Huntingdon; all the earls in the peerage except four—those of Shrewsbury, Essex, Cumberland, and Wiltshire.

* BAGA DE SECRETIS, pouch 9.
† The Duke of Richmond was under age.

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Why the first three were omitted I do not know. Lord Wiltshire had already fulfilled his share of the miserable duty; he was not compelled to play the part of Brutus, and condemn, in person, his two children. The remaining peers were the Lords Audeley, De la Ware, Montague, Morley, Dacre, Cobham, Maltravers, Powis, Mounteagle, Clinton, Sandys, Windsor, Wentworth, Burgh, and Mordaunt: twenty-seven in all: men hitherto of unblemished honour—the noblest blood in the realm. CH. II. A.D. 1536. Monday, May 15.

These noblemen assembled in the Tower on the 15th of May. The queen was brought before them; and the record in the Baga de Secretis relates the proceedings as follows:— Account of the trial in the Baga de Secretis.

'Before the Lord High Steward at the Tower, Anne, Queen of England, comes in the custody of Sir William Kingston, Constable of the Tower, and is brought to the bar. Being arraigned of the before-mentioned treasons, she pleads not guilty, and puts herself upon her peers; whereupon the Duke of Suffolk, Marquis of Exeter, and others the before-mentioned earls and barons, peers of the said queen, being charged by the said Lord High Steward to say the truth, and afterwards being examined severally by the Lord High Steward, from the lowest peer to the highest, each of them severally saith that she is guilty. The queen is found guilty, and sentenced to be burned or beheaded at the king's pleasure.

'Judgment—that the queen be taken by the said Constable back to the king's prison within the Tower; and then, as the king shall command, be brought to the green within the said Tower,

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CH. II. A.D. 1536.

and there burned or beheaded, as shall please the king.'*

In such cold lines is the story of this tragedy unrolling itself to its close. The course which it followed, however, was less hard in the actual life; and men's hearts, even in those stern times, could beat with human emotions. The Duke of Norfolk was in tears as he passed sentence.† The Earl of Northumberland 'was obliged by a sudden illness to leave the court.'‡ The sight of the woman whom he had once loved, and to whom he was perhaps married, in that dreadful position, had been more than he could bear; and the remainder of the work of the day went forward without him.

Lord Rochfort found guilty also.

The queen withdrew. Her brother took his place at the bar. Like Anne, he declared himself innocent. Like Anne, he was found guilty, and sentenced to die.§

* BAGA DE SECRETIS, pouch 9.

† CONSTANTYNE, *Archæologia*, vol. xxiii. p. 66.

‡ BAGA DE SECRETIS. When the Pilgrimage of Grace broke out four months later, Northumberland was the only nobleman in the power of the insurgents who refused to join in the rebellion. They threatened to kill him; but 'at that and all times the earl was very earnest against the commons in the king's behalf and the Lord Privy Seal's.' —Confession of William Stapleton: *Rolls House MS.* A 2, 2. See vol. iii. of this work, chap. xiii.

§ I know not whether I should here add the details which Meteren gives of these trials. His authority, a Flemish gentleman, was in London at the time, but was not present in the court. The Lord of Milherve (that was this gentleman's name) was persuaded that the queen was unjustly accused, and he worked out of the rumours which he heard an interesting picture, touched with natural sympathy. It has been often repeated, however. It may be read elsewhere; and as an authority it is but of faint importance. If we allow it its fullest weight, it proves that a foreigner then in England believed the queen innocent, and that she defended herself with an elo-

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We can form no estimate of the evidence; for we do not know what it was. We cannot especially accuse the form of the trial; for it was the form which was always observed. But the fact remains to us, that these twenty-seven peers, who were not ignorant, as we are, but were fully acquainted with the grounds of the prosecution, did deliberately, after hearing the queen's defence, pronounce against her a unanimous verdict. If there was foul play, they had advantages infinitely greater than any to which we can pretend for detecting it. The Boleyns were unpopular, and Anne herself was obnoxious to the imperialists and Catholics; but all parties, Catholic and Protestant alike, united in the sentence.

Looking at the case, then, as it now stands, we have the report for some time current, that the queen was out of favour, and that the king's affection was turned in another direction, a report, be it observed, which had arisen before the catastrophe, and was not, therefore, an afterthought, or legend; we have also the antecedent improbability, which is very great, that a lady in the queen's position could have been guilty of the offences with which the indictment charges her. We have also the improbability, which is great, that the

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quence which deeply touched her hearers. His further assertion, that 'Smeton's confession was all which was alleged' against her, is certainly inaccurate; and his complaint, which has been so often echoed, of the absence of witnesses, implies only a want of knowledge of the forms which were observed in trials for high treason. The witnesses were not brought into court and confronted with the prisoner: their depositions were taken on oath before the grand juries and the privy council, and on the trial were read out for the accused to answer as they could.

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CH. II. A.D. 1536.

king, now forty-four years old, who in his earlier years had been distinguished for the absence of those vices in which contemporary princes indulged themselves, in wanton weariness of a woman for whom he had revolutionized the kingdom, and quarrelled with half Christendom, suddenly resolved to murder her; that, instead of resorting to poison, or to the less obtrusive methods of criminality, he invented, and persuaded his council to assist him in inventing, a series of accusations which reflected dishonour on himself, and which involved the gratuitous death of five persons, with whom he had no quarrel, who were attached to his court and person. To maintain these accusations, he would have to overawe into an active participation in his crime, judges, juries, peers, the dearest relations of those whom he was destroying, and this with no standing army, no prætorians or janissaries at his back, with no force but the yeomen of the guard, who could be scattered by a rising of the apprentices. He had gone out of his way, moreover, to call a parliament; and the summons had been so hasty that no time was left to control the elections; while again to fail was ruin; and the generation of Englishmen to whom we owe the Reformation were not so wholly lost to all principles of honour, that Henry could have counted beforehand upon success in so desperate a scheme with that absolute certainty without which he would scarcely have risked the experiment. I think that there is some improbability here. Unlikely as it is that queens should disgrace themselves, history

The popular interpretation is not credible.

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contains unfortunately more than one instance that it is not impossible. That queens in that very age were capable of profligacy was proved, but a few years later, by the confessions of Catherine Howard. I believe history will be ransacked vainly to find a parallel for conduct at once so dastardly, so audacious, and so foolishly wicked as that which the popular hypothesis attributes to Henry VIII.

This is a fair statement of the probabilities; not, I believe, exaggerated on either side. Turning to the positive facts which are known to us, we have amongst those which make for the queen her own denial of her guilt; her supposed letter to the king, which wears the complexion of innocence; the assertions of three out of the five other persons who were accused, up to the moment of their execution; and the sympathizing story of a Flemish gentleman who believed her innocent, and who says that many other people in England believed the same. On the other side, we have the judicial verdict of more than seventy noblemen and gentlemen,* no one of whom had any interest in the deaths of the accused, and some of whom had interests the most tender in their acquittal; we have the assent of the judges who sat on the commission, and who passed sentence, after full opportunities of examination, with all the evidence before their eyes; the partial confession of one of the prisoners, though afterwards withdrawn; and the complete

The facts in favour of the queen.

The facts against her.

* Two grand juries, the petty jury, and the twenty-seven peers.

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CH. II. A.D. 1536.

confession of another, maintained till the end, and not withdrawn upon the scaffold. Mr. Hallam must pardon me for saying that this is not a matter in which doubt is unpermitted.

Wednesday, May 17. The execution of the five gentlemen.

A brief interval only was allowed between the judgment and the final close. On Wednesday, the 17th, the five gentlemen were taken to execution. Smeton was hanged; the others were beheaded. Smeton and Brereton acknowledged the justice of their sentence. Brereton said that if he had to die a thousand deaths, he deserved them all; and Brereton was the only one of the five whose guilt at the time was doubted.* Norris died silent; Weston with a few general lamentations on the wickedness of his past life. None denied the crime for which they suffered; all but one were considered by the spectators to have confessed. Rochfort had shown some feeling while in the Tower. Kingston on one occasion found him weeping bitterly. The day of the trial he sent a petition to the king, to what effect I do not learn; and on the Tuesday he begged to see Cromwell, having something on his conscience, as he said, which he wished to tell him.† His desire, however, does not seem to have been complied

* CONSTANTYNE'S *Memor., Archæol.*, vol. xxiii. pp. 63–66. Constantyne was an attendant of Sir Henry Norris at this time, and a friend and schoolfellow of Sir W. Brereton. He was a resolute Protestant, and he says that at first he and all other friends of the gospel were unable to believe that the queen had behaved so abominably. 'As I may be saved before God,' he says, 'I could not believe it, afore I heard them speak at their death.' . . . . But on the scaffold, he adds, 'In a manner all confessed but Mr. Norris, who said almost nothing at all.'

† Kingston to Cromwell: SINGER, p. 459.

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with; he spoke sorrowfully on the scaffold of the shame which he had brought upon the gospel, and died with words which appeared to the spectators, if not a confession, yet something very nearly resembling it. 'This said lord,' wrote a spectator to the court at Brussels, 'made a good Catholic address to the people. He said that he had not come there to preach to them, but rather to serve as a mirror and an example. He acknowledged the crimes which he had committed against God, and against the king his sovereign; there was no occasion for him, he said, to repeat the cause for which he was condemned; they would have little pleasure in hearing him tell it. He prayed God, and he prayed the king, to pardon his offences; and all others whom he might have injured he also prayed to forgive him as heartily as he forgave every one. He bade his hearers avoid the vanities of the world, and the flatteries of the court which had brought him to the shameful end which had overtaken him. Had he obeyed the lessons of that gospel which he had so often read, he said he should not have fallen so far; it was worth more to be a good doer than a good reader. Finally, he forgave those who had adjudged him to die, and he desired them to pray God for his soul.'* CH. 11. A.D. 1536.

Anne Boleyn confesses to Cranmer that she has never

The queen was left till a further mystery had perplexed yet deeper the disgraceful exposure. Henry had desired Cranmer to be her confessor. The archbishop was with her on the day after her

* *The Pilgrim*: Appendix, p. 116.

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CH. 11. trial,* and she then made an extraordinary avowal,† either that she had been married or contracted in early life, or had been entangled in some connexion which invalidated her marriage with the king. The letter to the emperor which I have already quoted,‡ furnishes the solitary explanation of the mystery which remains. Some one, apparently the imperial ambassador, informed Charles that she was discovered to have been nine years before married to Lord Percy, not formally only, but really and completely. If this be true, her fate need scarcely excite further sympathy.

A.D. 1536. been lawfully married to the king.

On Wednesday she was taken to Lambeth, where she made her confession in form, and the archbishop, sitting judicially, pronounced her marriage with the king to have been null and void. The supposition, that this business was a freak of caprice or passion, is too puerile to be considered. It is certain that she acknowledged something; and it is certain also that Lord Northumberland was examined upon the subject before the archbishop. In person upon oath indeed, and also in a letter to Cromwell, Northumberland denied that he had ever been legally connected with her; but perhaps Northumberland was afraid to make an

* Kingston to Cromwell; and see CONSTANTYNE'S *Memorial.*

† 'Now of late, God, of his infinite goodness, from whom no secret things can be hid, hath caused to be brought to light, evident and open knowledge of certain just, true, and lawful impediments, unknown at the making of the said acts [by which the marriage had been declared legitimate], and since that time confessed by the Lady Anne, by the which it plainly appeareth that the said marriage was never good nor consonant to the laws.'—28 Henry VIII. cap. 7. See also the appendix to the fourth volume of this work.

‡ Vol. i. p. 185.

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admission so dangerous to himself, or perhaps the confession itself was a vague effort which she made to save her life.* But whatever she said, and whether she spoke truth or falsehood, she was pronounced divorced, and the divorce did not save her.† Friday, the 19th, was fixed for her death; and when she found that there was no hope she recovered her spirits. The last scene was to be on the green inside the Tower. The public were to be admitted; but Kingston suggested that to avoid a crowd it was desirable not to fix the hour, since it was supposed that she would make no further confession.

The queen is pronounced divorced.

'This morning she sent for me,' he added, 'that I might be with her at such time as she received the good Lord, to the intent that I should hear her speak as touching her innocency always to be clear. 'Mr. Kingston,' she said, 'I hear say I shall not die afore noon, and I am very sorry therefore, for I thought to be dead by this time, and past my pain.' I told her it should be no pain, it was so subtle; and then she said, 'I heard say the executioner was very good, and I have a little neck,' and put her hands about it, laughing heartily. I have seen many men, and also women, executed, and they have been in

Thursday, May 18. Kingston's tribute to her conduct in the Tower.

* On the day on which she first saw the archbishop, she said, at dinner, that she expected to be spared, and that she would retire to Antwerp.—Kingston to Cromwell: SINGER, p. 460.

† Burnet raises a dilemma here. If, he says, the queen was not married to the king, there was no adultery; and the sentence of death and the sentence of divorce mutually neutralize each other. It is possible that in the general horror at so complicated a delinquency, the technical defence was overlooked.

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CH. II. great sorrow; and to my knowledge, this lady hath much joy and pleasure in death.'*

A.D. 1536. Friday, May 19. Tower Green at noon.

We are very near the termination of the tragedy. A little before noon on the 19th of May, Anne Boleyn, Queen of England, was led down to the green. A single cannon stood loaded on the battlements; the motionless cannoneer was ready, with smoking linstock to tell London that all was over. The yeomen of the guard were there, and a crowd of citizens; the lord mayor in his robes, the deputies of the guilds, the sheriffs, and the aldermen; they were come to see a spectacle which England had never seen before—a head which had worn the crown falling under the sword of an executioner.

The scaffold, and the persons present upon it.

On the scaffold, by the king's desire, there were present Cromwell, the Lord Chancellor, the Duke of Suffolk, and lastly, the Duke of Richmond, who might now, when both his sisters were illegitimized, be considered heir presumptive to the throne. As in the choice of the commission, as in the conduct of the trial, as in the summons of parliament, as in every detail through which the cause was passed, Henry had shown outwardly but one desire to do all which the most strict equity prescribed; so around this last scene he had placed those who were nearest in blood to himself, and nearest in rank to the crown. If she who was to suffer was falling under a forged charge, he acted his part with horrible completeness.

* Kingston to Cromwell: SINGER, 461.

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CH. II.

A.D. 1536.

The queen's last words.

The queen appeared walking feebly, supported by the Lieutenant of the Tower. She seemed half stupified, and looked back from time to time at the ladies by whom she was followed. On reaching the platform, she asked if she might say a few words,* and permission being granted she turned to the spectators and said: 'Christian people, I am come to die. And according to law, and by law, I am judged to death; and therefore I will speak nothing against it. I am come hither to accuse no man, nor to speak anything of that whereof I am accused and condemned to die. But I pray God save the king, and send him long to reign over you; for a gentler and more merciful prince was there never; and to me he was ever a good, a gentle, and sovereign lord. If any person will meddle of my cause, I require him to judge the best. And thus I take my leave of the world and of you; and I heartily desire you all to pray for me. Oh, Lord, have mercy on me. To God I commend my soul.'† 'These words,' says Stow, 'she spoke with a smiling countenance.' She wore an ermine cloak which was then taken off. She herself removed her headdress, and one of her attendants gave her a cap into which she gathered her hair. She then knelt, and breathing faintly a commendation of her soul to Christ, the executioner with a single blow struck off her head. A white hand-

* Letter of —— to ——: *The Pilgrim*, p. 116.

† WYATT'S *Memoirs*, HALL, STOW, CONSTANTYNE'S *Memorial*. There is some little variation in the different accounts, but none of importance.

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CH. II. kerchief was thrown over it as it fell, and one of the ladies took it up and carried it away. The other women lifted the body and bore it into the Chapel of the Tower, where it was buried in the choir.*

A.D. 1536. Friday, May 19.

Thus she too died without denying the crime for which she suffered. Smeton confessed from the first. Brereton, Weston, Rochfort, virtually confessed on the scaffold. Norris said nothing. Of all the sufferers not one ventured to declare that he or she was innocent—and that six human beings should leave the world with the undeserved stain of so odious a charge on them, without attempting to clear themselves, is credible only to those who form opinions by their wills, and believe or disbelieve as they choose.

To this end the queen had come at last, and silence is the best comment which charity has to offer upon it. Better far it would have been if the dust had been allowed to settle down over the grave of Anne Boleyn, and her remembrance buried in forgetfulness. Strange it is that a spot which ought to have been sacred to pity, should have been made the arena for the blind wrestling of controversial duellists. Blind, I call it; for there has been little clearness of judgment, little even of common prudence in the choice of sides. If the Catholics could have fastened the stain of murder on the king and the statesmen of England, they would have struck the faith of the establishment a harder blow, than

* *Pilgrim*, p. 116.

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by a poor tale of scandal against a weak, erring, suffering woman: and the Protestants, in mistaken generosity, have courted an infamy for the names of those to whom they owe their being, which, staining the fountain, must stain for ever the stream which flows from it. It has been no pleasure to me to rake among the evil memories of the past, to prove a human being sinful whom the world has ruled to have been innocent. Let the blame rest with those who have forced upon our history the alternative of a re-assertion of the truth, or the shame of noble names which have not deserved it at our hands.

CH. II. A.D. 1536. May.

No sooner had the result of the trial appeared to be certain, than the prospects of the succession to the throne were seen to be more perplexed than ever. The prince so earnestly longed for had not been born. The disgrace of Anne Boleyn, even before her last confession, strengthened the friends of the Princess Mary. Elizabeth, the child of a doubtful marriage which had terminated in adultery and incest, would have had slight chance of being maintained, even if her birth had suffered no further stain; and by the Lambeth sentence she was literally and legally illegitimate. The King of Scotland was now the nearest heir; and next to him stood Lady Margaret Douglas, his sister, who had been born in England, and was therefore looked upon with better favour by the people. As if to make confusion worse confounded, in the midst of the uncertainty Lord Thomas Howard, taking advantage of the moment, and, as the act of his attainder

Fresh perplexity in the succession.

Elizabeth now illegitimate.

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CH. II. says,* 'being seduced by the devil, and not having the fear of God before his eyes,' persuaded this lady into a contract of marriage with him; 'The presumption being,' says the same act, 'that he aspired to the crown by reason of so high a marriage; or, at least, to the making division for the same; having a firm hope and trust *that the subjects of this realm*† *would incline and bear affection to the said Lady Margaret, being born in this realm; and not to the King of Scots, her brother, to whom this realm hath not, nor ever had, any affection; but would resist his attempt to the crown of this realm to the uttermost of their powers.*'‡

A.D. 1536. May. Lord Thomas Howard and Lady Margaret Douglas.

Before the discovery of this proceeding, but in anticipation of inevitable intrigues of the kind, the privy council and the peers, on the same grounds which had before led them to favour the divorce from Catherine, petitioned the king to save the country from the perils which menaced it, and to take a fresh wife without an hour's delay. Henry's experience of matrimony had been so discouraging, that they feared he might be reluctant to venture upon it again. Nevertheless, for his country's sake, they trusted that he would not refuse.§

The council and the peers urge the king to an instant remarriage.

* 28 Hen. VIII. cap. 24.

† This paragraph is of great importance: it throws a light on many of the most perplexing passages in this and the succeeding reigns.

‡ 28 Hen. VIII. cap. 24.

§ Speech of the Lord Chancellor: *Lords' Journals*, p. 84. Statutes of the Realm; 28 Henry VIII. cap. 7. Similarly, on the death of Jane Seymour, the council urged immediate remarriage on the king, considering a single prince an insufficient security for the future. In a letter of Cromwell's to the English ambassador at Paris, *on the day of Jane Seymour's death*, there is the following passage:

'And forasmuch as, though

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A.D. 1536. May 20. He marries Jane Seymour.

Henry, professedly in obedience to this request, was married, immediately after the execution, to Jane, daughter of Sir John Seymour. The indecent haste is usually considered a proof entirely conclusive of the cause of Anne Boleyn's ruin.* Under any aspect it was an extraordinary step, which requires to be gravely considered. Henry, who waited seven years for Anne Boleyn, to whom he was violently attached, was not without control over his passions; and if appetite had been the moving influence with him, he would scarcely, with the eyes of all the world upon him, have passed so extravagant an insult upon the nation of which he was the sovereign. If Jane Seymour had really been the object of a previous unlawful attachment, her conduct in accepting so instantly a position so frightfully made vacant, can scarcely be painted in too revolting colours. Yet Jane Seymour's name, at home and abroad, by Catholic and Protestant, was alike honoured and respected. Among all Henry's wives she stands out distinguished by a stainless name, untarnished with the breath of reproach.

his Majesty is not anything disposed to marry again—albeit his Highness, God be thanked, taketh this chance as a man that by reason with force overcometh his affections may take such an extreme adventure—yet as sundry of his Grace's council here have thought it meet for us to be most humble suitors to his Majesty to consider the state of his realm, and to enter eftsoons into another matrimony: so his tender zeal to us his subjects hath already so much overcome his Grace's said disposition, and framed his mind both to be indifferent to the thing and to the election of any person from any part that, with deliberation, shall be thought meet for him, that we live in hope that his Grace will again couple himself to our comforts.'—*State Papers*, vol. viii. p. 1.

* BURNET, HUME, STRICKLAND, &c. There is an absolute consensus of authorities.

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CH. II. A.D. 1536.

If we could conceive the English nation so tongue-tied that they dared not whisper their feelings, there were Brussels, Paris, Rome, where the truth could be told; yet, with the exception of a single passage in a letter of Mary of Hungary,* there is no hint in the correspondence, either in Paris, Simancas, or Brussels, that there was a suspicion of foul play. If Charles or Francis had believed Henry really capable of so deep atrocity, no political temptation would have induced either of them to commit their cousins or nieces to the embrace of a monster, yet no sooner was Jane Seymour dead, than we shall find them competing eagerly with each other to secure his hand.

It is quite possible that when Anne Boleyn was growing licentious the king may have distinguished a lady of acknowledged excellence by some in no way improper preference, and that when desired by the council to choose a wife immediately, he should have taken a person as unlike as possible to the one who had disgraced him. This was the in-

* 'The king has, I understand, already married another woman, who, they say, is a good Imperialist. I know not whether she will so continue. He had shown an inclination for her before the other's death; and as neither that other herself, nor any of the rest who were put to death, confessed their guilt, except one who was a musician, some people think he invented the charge to get rid of her. However it be, no great wrong can have been done to the woman herself. She is known to have been a worthless person. It has been her character for a long time.

'I suppose, if one may speak so lightly of such things, that when he is tired of his new wife he will find some occasion to quit himself of her also. Our sex will not be too well satisfied if these practices come into vogue; and, though I have no fancy to expose myself to danger, yet, being a woman, I will pray with the rest that God will have mercy on us.'—*The Pilgrim*, p. 117.

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terpretation which was given to his conduct by the Lords and Commons of England. In the absence of any evidence, or shadow of evidence, that among contemporaries who had means of knowing the truth, another judgment was passed upon it, the deliberate assertion of an act of parliament must be considered a safer guide than modern unsupported conjecture.*

June 8. Parliament meets.

This matter having been accomplished, the king returned to London to meet parliament. The Houses assembled on the 8th of June; the peers had hastened up in unusual numbers, as if sensible of the greatness of the occasion. The Commons were untried and unknown; and if Anne Boleyn was an innocent victim, no king of England was ever in so terrible a position as Henry VIII. when he entered the Great Chamber fresh from his new bridal. He took his seat upon the throne; and then Audeley, the Lord Chancellor, rose and spoke:†

The Lord Chancellor's speech at the opening.

'At the dissolution of the late parliament, the King's Highness had not thought so soon to meet you here again. He has called you together now, being moved thereunto by causes of grave moment, affecting both his own person and the interests of the commonwealth. You will have again to consider the succession to the crown of

The succession must be reconsidered,

* Within four months the northern counties were in arms. Castle and cottage and village pulpit rang with outcries against the government. Yet, in the countless reports of the complaints of the insurgents, there is no hint of a suspicion of foul play in the late tragedy. If the criminality of the king is self-evident to us, how could it have been less than evident to Aske and Lord Darcy?

† *Lords' Journals*, p. 84.

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CH. II. A.D. 1536.

this realm. His Highness knows himself to be but mortal, liable to fall sick, and to die.* At present he perceives the peace and welfare of the kingdom to depend upon his single life; and he is anxious to leave it, at his death, free from peril. He desires you therefore to nominate some person as his heir apparent, who, should it so befall him (which God forbid!) to depart out of this world without children lawfully begotten, may rule in peace over this land, with the consent and the goodwill of the inhabitants thereof.

And the king desires the parliament to name an heir apparent.

'You will also deliberate upon the repeal of a certain act passed in the late parliament, by which the realm is bound to obedience to the Lady Anne Boleyn, late wife of the king, and the heirs lawfully begotten of them twain, and which declares all persons who shall, by word or deed, have offended against this lady or her offspring, to have incurred the penalties of treason.

The Lord Chancellor's advice to the Houses.

'These are the causes for which you are assembled; and if you will be advised by me, you will act in these matters according to the words of Solomon, with whom our most gracious king may deservedly be compared. The 'wise man' counsels us to bear in mind such things as be past, to weigh well such things as be present, and provide prudently for the things which be to come. And you I would bid to remember, first, those sorrows and those burdens which the King's Highness did endure on the occasion of his first unlawful marriage—a marriage not only judged unlawful by

June 8.

* He had been very ill.

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the most famous universities in Christendom, but so determined by the consent of this realm; and to remember further the great perils which have threatened his most royal Majesty from the time when he entered on his second marriage.

'Then, turning to the present, you will consider in what state the realm now standeth with respect to the oath by which we be bound to the Lady Anne and to her offspring; the which Lady Anne, with her accomplices, has been found guilty of high treason, and has met the due reward of her conspiracies. And then you will ask yourselves, what man of common condition would not have been deterred by such calamities from venturing a third time into the state of matrimony. Nevertheless, our most excellent prince, not in any carnal concupiscence, but at the humble entreaty of his nobility, hath consented once more to accept that condition, and has taken to himself a wife who in age and form is deemed to be meet and apt for the procreation of children.

The gratitude due to the king for his third adventure into marriage.

'Lastly, according to the third injunction, let us now do our part in providing for things to come. According to the desire of his most gracious Highness, let us name some person to be his heir; who, in case (*quod absit*) that he depart this life leaving no offspring lawfully begotten, may be our lawful sovereign. But let us pray Almighty God that He will graciously not leave our prince thus childless; and let us give Him thanks for that He hath preserved his Highness to us out of so many dangers; seeing

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CH. II. A.D. 1536.

that his Grace's care and efforts be directed only to the ruling his subjects in peace and charity so long as his life endures, and to the leaving us, when he shall come to die, in sure possession of these blessings.'

Three weeks after Anne Boleyn's death and the king's third marriage, the chancellor dared to address the English legislature in these terms: and either he spoke like a reasonable man, which he may have done, or else he was making an exhibition of effrontery to be paralleled only by Seneca's letter to the Roman Senate after the murder of Agrippina. The legislature adopted the first interpretation, and the heads of the speech were embodied in an act of parliament. While the statute was in preparation, they made use of the interval in continuing the business of the Reformation. They abolished finally the protection of sanctuary in cases of felony, extending the new provisions even to persons in holy orders:* they calmed the alarms of Cranmer and the Protestants by re-asserting the extinction of the authority of the pope;† and they passed various other laws of economic and social moment.

The speech digested into a statute.

July 1. Re-assertion of the independence of the realm.

At length, on the 1st of July, in a crowded house, composed of fourteen bishops,‡ eighteen abbots, and thirty-nine lay peers,§ a bill was read a first time of such importance that I must quote at length its own most noticeable words.

The preamble commenced with reciting those

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* 26 Hen. VIII. cap. 1. † 26 Hen. VIII. cap. 10.
‡ Including Latimer and Cranmer. § *Lords' Journals.*

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provisions of the late acts which were no longer to remain in force. It then proceeded, in the form of an address to the king, to adopt and endorse the divorce and the execution. 'Albeit,' it ran, 'most dread Sovereign Lord, that these acts were made, as it was then thought, upon a pure, perfect, and clear foundation; your Majesty's nobles and commons, thinking the said marriage then had between your Highness and the Lady Anne in their consciences to have been pure, sincere, perfect, and good, and so was reputed and taken in the realm; [yet] now of late God, of his infinite goodness, from whom no secret things can be hid, hath caused to be brought to light evident and open knowledge of certain just, true, and lawful impediments, unknown at the making of the said acts; and since that time confessed by the Lady Anne, before the Most Reverend Father in God, Thomas, Archbishop of Canterbury, sitting judicially for the same; by the which it plainly appeareth that the said marriage was never good, nor consonant to the laws, but utterly void and of none effect; by reason whereof your Highness was and is lawfully divorced from the bonds of the said marriage in the life of the said Lady Anne:

Ch. II.

A.D. 1536. Second great Act of Succession. The parliament endorse all the proceedings in the late trials.

'And over this, most dread Lord, albeit that your Majesty, not knowing of any lawful impediments, entered into the bonds of the said unlawful marriage, and advanced the same Lady Anne to the honour of the sovereign estate of the queen of this realm; yet she, nevertheless, inflamed with pride and carnal desires of her body, putting apart the

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CH. II. A.D. 1536.

dread of God and excellent benefits received of your Highness, confederated herself with George Boleyn, late Lord Rochfort, her natural brother, Henry Norris, Esq., Francis Weston, Esq., William Brereton, Esq., gentlemen of your privy chamber, and Mark Smeton, groom of your said privy chamber; and so being confederate, she and they most traitorously committed and perpetrated divers detestable and abominable treasons, to the fearful peril and danger of your royal person, and to the utter loss, disherison, and desolation of this realm, if God of his goodness had not in due time brought their said treasons to light; for the which, being plainly and manifestly proved, they were convict and attainted by due course and order of your common law of this realm, and have suffered according to the merits:'

The late queen declared attainted.

In consequence of these treasons, and to lend, if possible, further weight to the sentence against her, the late queen was declared attainted by authority of parliament, as she already was by the common law. The Act then proceeded:

Opinion of parliament upon the king's third marriage.

'And forasmuch, most gracious Sovereign, as it hath pleased your royal Majesty—(notwithstanding the great intolerable perils and occasions which your Highness hath suffered and sustained, as well by occasion of your first unlawful marriage, as by occasion of your second); at the most humble petition and intercession of us your nobles of this realm, for the ardent love and fervent affection which your Highness beareth to the conservation of the peace and amity of the

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same, and of the good and quiet governance thereof, of your most excellent goodness to enter into marriage again; and [forasmuch as you] have chosen and taken a right noble, virtuous, and excellent lady, Queen Jane, to your true and lawful wife; who, for her convenient years, excellent beauty, and pureness of flesh and blood, is apt to conceive issue by your Highness; which marriage is so pure and sincere, without spot, doubt, or impediment, that the issue presented under the same, when it shall please Almighty God to send it, cannot be truly, lawfully, nor justly interrupted or disturbed of the right and title in the succession of your crown: May it now please your Majesty, for the extinguishment of all doubts, and for the pure and perfect unity of us your subjects, and all our posterities, that inasmuch as the marriage with the Lady Catherine having been invalid, the issue of that marriage is therefore illegitimate; and the marriage with the Lady Anne Boleyn having been upon true and just causes deemed of no value nor effect, the issue of this marriage is also illegitimate; the succession to the throne be now therefore determined to the issue of the marriage with Queen Jane.'*

Ch. II. A.D. 1536.

Thus was every step which had been taken in this great matter deliberately sanctioned† by parliament. The criminality of the queen was con-

July 1. The succession determined to the issue of the king by Queen Jane.

* 28 Henry VIII. cap. 7. The three last paragraphs, I need scarcely say, are a very brief epitome of very copious language.

† The archbishop's sentence of divorce was at the same time submitted to Convocation and approved by it.

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CH. II. A.D. 1536.

sidered to have been proved; the sentence upon her to have been just. The king was thanked in the name of the nation for having made haste with the marriage which has been regarded as the temptation to his crime. It is wholly impossible to dismiss facts like these with a few contemptuous phrases; and when I remember that the purity of Elizabeth is an open question among our historians, although the foulest kennels must be swept to find the filth with which to defile it; while Anne Boleyn is ruled to have been a saint, notwithstanding the solemn verdict of the Lords and Commons, the clergy, the council, judges, and juries, pronounced against her,—I feel that with such a judgment caprice has had more to do than a just appreciation of evidence.

A reason for demurring to the popular judgment in this matter.

The contingency to be provided for, of the last marriage proving unfruitful.

The parliament had not yet, however, completed their work. It was possible, as the lord chancellor had said, that the last marriage might prove unfruitful, and this contingency was still unprovided for. The king had desired the Lords and Commons to name his successor; they replied with an act which showed the highest confidence in his patriotism; they conferred a privilege upon him unknown to the constitution, yet a power which, if honestly exercised, offered by far the happiest solution of the difficulty.

Henry had three children. The Duke of Richmond was illegitimate in the strictest sense, but he had been bred as a prince; and I have shown that, in default of a legitimate heir, the king had thought of him as his possible successor. Mary and Elizabeth were illegitimate also, ac-

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cording to law and form; but the illegitimacy of neither the one nor the other could be pressed to its literal consequences. They were the children, each of them, of connexions which were held legal at the period of their birth. They had each received the rank of a princess; and the instincts of justice demanded that they should be allowed a place in the line of inheritance. Yet, while this feeling was distinctly entertained, it was difficult to give effect to it by statute, without a further complication of questions already too complicated, and without provoking intrigue and jealousy in other quarters. The Princess Mary also had not yet receded from the defiant attitude which she had assumed. She had lent herself to conspiracy, she had broken her allegiance, and had as yet made no submission. To her no favour could be shown while she remained in this position; and it was equally undesirable to give Elizabeth, under the altered circumstances, a permanent preference to her sister.

The parliament grant the king a power to bequeath the crown by will.

The parliament, therefore, with as much boldness as good sense, cut the knot, by granting Henry the power to bequeath the crown by will. He could thus advance the Duke of Richmond, if Richmond's character as a man fulfilled the promise of his youth; and he could rescue his daughters from the consequences of their mother's misfortunes or their mother's faults. It was an expression of confidence, as honourable to the country as to the king; and if we may believe, as the records say, that the tragedy of the past month had indeed grieved and saddened Henry, the generous lan-

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CH. 11. guage in which the legislature committed the future of the nation into his hands, may have something soothed his wounds.

A.D. 1536. July 1.

'Forasmuch as it standeth,' they said, 'in the only pleasure and will of Almighty God, whether your Majesty shall have heirs begotten and procreated from this (late) marriage, or else any lawful heirs or issues hereafter of your own body, begotten by any other lawful wife; and if such heirs should fail (as God defend), and no provision be made in your life who should rule and govern this realm, then this realm, after your transitory life, shall be destitute of a governor, or else percase [be] encumbered with a person that would count to aspire to the same, whom the subjects of this realm shall not find in their hearts to love, dread, and obediently serve* as their sovereign lord; and if your Grace, before it be certainly known whether ye shall have heirs or not, should suddenly name and declare any person or persons to succeed after your decease, then it is to be doubted that such person so named might happen to take great heart and courage, and by presumption fall to inobedience and rebellion; by occasion of which premises, divisions and dissensions are likely to arise and spring in this realm, to the great peril and destruction of us, your most humble and obedient servants, and all our posterities: For reformation and remedy hereof, we, your most bounden and

The reasons alleged for this measure.

* The King of Scots: 28 Hen. VIII. c. 24.

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loving subjects, most obediently acknowledging that your Majesty, prudently, victoriously, politicly, and indifferently, hath maintained this realm in peace and quietness during all the time of your most gracious reign, putting our trust and confidence in your Highness, and nothing doubting but that your Majesty, if you should fail of heirs lawfully begotten, for the love and affection that ye bear to this realm, and for avoiding all the occasions of divisions afore rehearsed, so earnestly mindeth the wealth of the same, that ye can best and most prudently provide such a governour for us and this your realm, as will succeed and follow in the just and right tract of all your proceedings, and maintain, keep, and defend the same and all the laws and ordinances established in your Grace's time for the wealth of the realm, which we all desire, do therefore most humbly beseech your Highness, that it may be enacted, for avoiding all ambiguities, doubts, and divisions, that your Highness shall have full and plenary power and authority to dispose, by your letters patent under your great seal, or else by your last will made in writing, and signed with your hand, the imperial crown of this realm, and all other the premises thereunto belonging, to such person or persons as shall please your Highness.

'And we, your humble and obedient subjects, do faithfully promise to your Majesty, by one common assent, that after your decease, we, our heirs and successors, shall accept and take, love,

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CH. 11. A.D. 1536.

dread, and only obey such person or persons, male or female, as your Majesty shall give your imperial crown unto; and wholly to stick to them as true and faithful subjects ought to do.'*

* 28 Hen. VIII. cap. 7.

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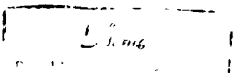

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