CHAPTER XIII.

James proclaimed king of England.—Question of the Succession.—Sir Robert Carey's ride to Edinburgh.—James quits Scotland.—His progress to London.—His system of punishments and rewards.—Cecil's influence.—The coronation.—Raleigh, Cobham, Grey, and others arrested on charges of conspiracy.—The two plots.—Trial of Raleigh.—His conviction and long imprisonment.—Conferences at Hampton Court.—Meeting of Parliament.—Contest between the King and the House of Commons upon a question of Privilege.—Statutes of this session.—Wardship.—Purveyance.—Temper of the Commons.—Peace with Spain.—James proclaimed king of Great Britain.—Character of James.

QUEEN Elizabeth died at Richmond at three o'clock in the morning of the 24th of March. Before ten o'clock of that day James, king of Scotland, was proclaimed as her successor. Cecil, and others of the Council who were favourable to the claim of James to the English throne, were about the queen during her last illness, and lost not a moment in taking the important step of proclaiming him to the people. It was a wise decision; for, although the title of the descendants of Margaret, queen of Scots, was clear, according to the principle of hereditary succession, the statute of the 35th of Henry VIII., gave that king power to dispose of the succession to the crown by will, and in his will he passed over the descendants of Margaret. The parlimentary title was thus placed in opposition to the hereditary claim. There were descendants in existence of Mary, duchess of Suffolk, the younger sister of Henry VIII. To lord Beauchamp, one of these, it may be supposed that Elizabeth alluded, in the speech ascribed to her that she would have no "rascal" as her successor. Other titles to the throne were talked of, however remote, amongst which that of Arabella Stuart was most prominent. The queen's political sagacity would naturally have pointed out the king of Scotland as the successor whose claim would have been recognised with the least confusion; and she probably would not have hesitated, in her dying hour, however she might have unwillingly entertained the question at previous seasons, had she not had sufficient reason to think meanly of the character of James. He was weak and untruthful. Their natures were essentially opposite. There was no love between them.

Sir Robert Carey, at the moment of Elizabeth's death, received a token from lady Scrope, his sister, that the great queen had passed away after a placid sleep. With the ring that this lady took from the finger of her mistress, Carey posted for Scotland. On Saturday night, after an extraordinary ride of three days and two nights, the alert courtier was on his knees before James to salute him as king of England, with the royal ring as his credential. Carey had obtained the start of the slow messenger of the Privy Council, who arrived in Edinburgh on the following Tuesday. On the 3rd of April, James, having attended the service in the High Church of St. Giles, delivered a farewell harangue to the congregation; and on the 5th he took his departure from Edinburgh. His queen, Anne of Denmark, and his children were left behind. Curious was his progress towards London, and very characteristic of his coarse and self-sufficient nature. Men saw the respect for law which was at the foundation of English liberty and order, despised by the man who was coming to rule over them. A cut-purse was taken at Newark, who had followed the court from Berwick; upon which the king sent a warrant to the recorder of Newark to have the thief hanged. The wise perceived the approach of an ignorant despotism in this contempt of the ordinary course of justice: "I hear our new king," writes Harrington, "hath hanged one man before he was tried; 'tis strangely done; now if the wind bloweth thus, why may not a man be tried before he hath offended?" But James's notion of kingly rewards was as absurd as his notion of kingly punishments. During his journey of thirty-two days from Edinburgh to London, he showered the honour of knighthood on two hundred and thirty-seven gentlemen who were presented to him. Elizabeth bestowed such honours sparingly upon her statesmen and soldiers. James made the noblest title of the old chivalry ridiculous.

During his progress to London James feasted at many houses, where he beheld the tokens of wealth and luxury to which he was little used. He at last rested at Theobalds, where the adroit Cecil made his arrangements for a long tenure of power. The king entered London on the 7th of May. Meanwhile Elizabeth had been followed to her grave at Westminster by fifteen hundred gentlemen in mourning. Many of her late subjects were looking to her successor for relief from the penal laws, which obstructed Puritan as well as Papist in the exercise of their religion. Before James reached London a petition was presented to him, signed by eight hundred and twenty-five ministers from various counties,

desiring the redress of ecclesiastical abuses. In the State Paper Office there is an address to him from the Catholics of England, imploring "the free exercise of their religion, in private if not in public, by sufferance if not with approbation." * Some of the Romanists, however, expected more from the new king than toleration. In a letter dated from Rome, May 14th, of Robert Parsons, the Jesuit, he hopes the king may become a Catholic; says there are prayers for him in the seminaries; and states that the pope is delighted with the king's book, "Basilicon Doron." † There can be no doubt that, before the death of Elizabeth, James had promised that the Roman Catholics should be tolerated. Within three months of his arrival in London, some of the leading recusants were assured that the fines for recusancy should no longer be enforced; and in the following year the sum paid as fines was very small. That the king had no large views of toleration was soon evident. He bestowed some honours and lucrative places on a few, upon a principle which he avowed when objection was made to lord Henry Howard, a Catholic, having a seat in the Council; James saying that by this tame duck he hoped to take many wild ones.

In June, the queen of James, and his eldest son prince Henry arrived in England. The coronation took place on the 25th of July, amidst the gloom and consternation of the people of London, for the plague was making the most fearful ravages in the city. The sight of the pageant was confined to the nobility and the court. On this account, as alleged, a parliament was not summoned, according to the usual course upon the accession of a new sovereign. Ambassadors came from the United Provinces, from the archduke of Austria, and from Henry IV., to congratulate the new king of England. To all of them James made professions of peace. Sully, the minister of France, was there to sustain the influence of his master. He did so by the power of gold, and not by the sympathies of friendship, as in the time of the great queen. Sully wore mourning for Elizabeth when he first appeared at James's court; but he was soon told that such a tribute of respect was disagreeable, and that at Whitehall her name must no longer be mentioned.

At the death of Elizabeth, the rivalry which had sprung up between Robert Cecil and Raleigh was to have its triumph, in the confirmed favour of James to the minister with whom he had for some time been in secret communication. The wily Secretary of State was far too strong for the bold Captain of the Guard. The

* "Calendar of State Papers," edited by Mrs. Green, p. 5. † *Ibid.* p. 8.

adroit politician, weak of body but close and circumspect, would be secure of his advantage over the accomplished soldier and navigator, even if James had not manifested a personal dislike for Raleigh. It was unnecessary for Cecil to have written, within a week of the queen's death, that the Council had "stayed the journey of the captain of the guard, who was conducting many suitors to the king." * If they had met, James would probably have insulted the man whose most ardent passion was to diminish the power of Spain, while James would have laid England and Scotland at her feet. So Raleigh was deprived of his offices; and within a few months was under a charge of high treason. Hume, in a very brief relation of "the discovery of a conspiracy to subvert the government, and to fix on the throne Arabella Stuart, a near relation of the king by the family of Lennox, and descended equally from Henry VII.," mixes up the accounts of two alleged conspiracies. He says Roman Catholic priests; lord Grey, a puritan; lord Cobham, a profligate man, and Raleigh, a freethinker; were engaged in "a conspiracy;" and he asks "what cement could unite men of such discordant principles, in so dangerous a combination?" The Roman Catholic conspiracy was wholly different from that in which Raleigh, Cobham, and Grey were accused of engaging; and was known as "the treason of the priests," or the "Bye,"—the cant word by which it was designated upon the trials of the accused. Its object was to seize the person of the king. The other treason was known as the "Main;" and its purposes were so ill defined, that, half a century afterwards, it was described, by Rushworth, as "a dark kind of treason;" the author of the "Historical Collections" adding, "in his time the veil still rested upon it." Subsequent investigations have not withdrawn the veil. Cobham, a very weak man, though possessed of great power from his position, had taken part with Raleigh in his jealousy of the earl of Essex; and James, who considered that Essex had been sacrificed through his anxiety to promote that claim to the succession which Elizabeth did not recognize, held them both in great dislike. Cecil, who was equally united with them in jealousy of Essex, had propitiated the king of Scotland; and to him was confided the chief power of the government when James came to the English throne. There is little in these alleged treasons that deserves any minute relation, except as they involve the trial and conviction of one of the most remarkable men in the history of our country. The mind of Ra-

* "Calendar of State Papers," p. 2.

leigh never was exhibited in a more heroic attitude than in his conduct on this memorable trial.

On the 17th November, 1603, a Special Commission was held at Winchester, the plague then raging in London and other parts. Sir Walter Raleigh had been indicted on the previous 21st of August, upon a charge of high treason; the overt acts alleged being that he had conferred with lord Cobham as to advancing Arabella Stuart to the crown of England, dispossessing the king; and that it was arranged that lord Cobham should go to the king of Spain and the archduke of Austria, to obtain six hundred thousand crowns for the support of Arabella's title. It was also alleged in the indictment that Cobham communicated the plan to George Brooke, and that they both said "there never would be a good world in England till the king and his cubs were taken away;" that Cobham wrote to count Aremberg for the six hundred thousand crowns, which Aremberg promised to give; and that Raleigh was to receive eight thousand crowns. Raleigh pleaded Not Guilty.

The conduct of the Attorney-General upon this trial, was such as made even Cecil remonstrate against his unfairness. Coke's brutality to the prisoner remains as a perpetual warning to the bar and the bench, that if the character of the gentleman is ever publicly dissociated from that of the lawyer in the administration of justice, the greatest learning, the most elevated rank, will not save the trickster or the bully from the contempt of his own generation and of future times. Coke began by declaring that the treason of Raleigh was "the treason of the *main*, the others were the *bye*," and then went on to mix him up, as the historian has done, with both treasons. "I pray you, gentlemen of the jury," said Raleigh, "remember I am not charged with the *bye*, which was the treason of the priests." To this quiet observation Coke replied, "You are not; but your lordships will see that all these treasons, though they consisted of several points, closed in together, like Samson's foxes, which were joined in the tails, though their heads were severed." Let us pursue this dialogue a little further. Coke went on, again travelling far out of the indictment, to associate Raleigh with every charge against other conspirators of whose proceedings it is manifest that he knew nothing. "To what end do you speak all this?" said the prisoner. "I will prove you to be the most notorious traitor that ever came to the bar," rejoined Coke. "Thou art a monster. Thou hast an English face but a Spanish heart." Coke

then proceeded with a recital of his charges against Cobham. "If my lord Cobham be a traitor, what is that to me?" said Raleigh. Then the great lawyer replied, "All that he did was by thy instigation, thou viper, for I *thou* thee, thou traitor!"* When Coke came to the words about "destroying the king and his cubs," which rested upon a declaration of one of the priests of what the Jesuits intended, Raleigh lost patience for a moment, and exclaimed, "O barbarous! Do you bring the words of these hellish spiders against me?" Coke retorted, "Thou art thyself a spider of hell." Such were the flowers of rhetoric with which the Attorney-General of that day sustained the dignity of English justice. There is an account of the trial, supposed to be written by sir Thomas Overbury, in which he contrasts the conduct of Coke, behaving himself "so violently and bitterly," and using "so great provocation to the prisoner," with the demeanour of Raleigh: "As the attorney was noted, so was the carriage of Raleigh most remarkable; first to the lords, humble yet not prostrate; dutiful yet not dejected; for in some cases he would humbly thank them for gracious speeches; in others, when they related some circumstances, acknowledged that what they said was true; and in such points wherein he would not yield unto them, he would crave pardon, and with reverence urge them and answer them in points of law and essential matter of fact; towards the jury, affable, but not fawning; not in despair, but hoping in them; carefully persuading with reason, not distemperedly importuning with conjuration; rather showing love of life, than fear of death. Towards the king's counsel patient, but not insensibly neglecting nor yielding to imputations laid against him by words; and it was wondered that a man of his heroic spirit could be so valiant in suffering that he was never once overtaken in passion."

The charge against Raleigh rested solely upon the accusation of lord Cobham, of which a contemporary letter-writer says, it "was no more to be weighed than the barking of a dog." Sir Dudley Carleton, in a letter from Winchester, gives a narrative of the trial of Raleigh. He says, "The evidence against him was only Cobham's confession, which was judged sufficient to condemn him; and a letter was produced, written by Cobham the day before, by which he accused Raleigh as the first practiser of the treason

* The speech of sir Toby Belch, "if thou *thou'st* him some thrice it shall not be amiss," has been held to have been suggested by Coke's insult. But "Twelfth Night" had been acted in 1602.

betwixt them, which served to turn against him; though he showed, to countervail this, a letter written by Cobham, and delivered to him in the Tower, by which he was clearly acquitted." Raleigh demanded that Cobham should be confronted with him. He contended that by the law of treasons two witnesses were necessary to conviction. His eloquence was unavailing. He was found guilty, and sentenced to death. The opinion of after times is expressed by Mr. Hallam: "His conviction was obtained on the single deposition of lord Cobham, an accomplice, a prisoner, not examined in court, and known to have already retracted his accusation. Such a verdict was thought contrary to law, even in that age of ready convictions." Raleigh's contemporaries felt that his conviction was most unjust. Raleigh was unpopular, for he was proud; but his trial produced a complete change in the general feeling. One who was present at Winchester affirmed "that whereas when he saw him first, he was so led with the common hatred that he would have gone a hundred miles to see him hanged,—he would, ere he parted, have gone a thousand to save his life."* The priests and Brooke were found guilty of the "Bye" plot, and were executed. Cobham, Grey, and Markham were found guilty, and were brought upon the scaffold to die. After a theatrical mummery these were reprieved, and wore out long years of imprisonment. Raleigh was also reprieved, and was confined in the Tower till 1616. Those twelve years of captivity were not spent in vain repining. In his prison chamber he wrote his "History of the World"—a noble book, worthy of the man and of the days in which he had gloriously lived—full of poetry and high philosophy, and in its solemn recognitions of the "power, light, virtue, wisdom, and goodness" of the "Omnipotent Cause," and "Almighty Mover," furnishing the best answer to the scurrility of the Attorney-general, who called him "damnable atheist," and of the Chief Justice who, in sentencing him, said, "You have been taxed by the world, sir Walter Raleigh, with holding heathenish, atheistical, and profane opinions, which I list not to repeat, because Christian ears cannot endure to hear them; but the authors and maintainers of such opinions cannot be suffered to live in any Christian commonwealth."

When the Puritan ministers presented their petition to James on his journey to London, they asked for a conference. On the

* Carleton's letter in the "Hardwicke State Papers." This, and other documents connected with Raleigh's trial, are given by Mr. Jardine.

14th, 15th and 16th of January, 1604, the king summoned to Hampton Court the archbishop of Canterbury, eight bishops, five deans, and two doctors, who were to sustain the ceremonies and practices of the Church, and to oppose all innovation. To meet them, four members of the reforming party were summoned, including Dr. Reynolds, a divine of acknowledged learning and ability. Royalty never displayed itself in a more undignified manner. Episcopacy never degraded itself more by a servile flattery of royalty. James, in his insolent demeanour to the representatives of a growing party in the English Church, thought to avenge himself of the humiliation he had been occasionally compelled to endure from ministers of the Scottish kirk. He was the chief talker in these conferences. Harrington, who was present, says "The king talked much Latin, and disputed with Dr. Reynolds; but he rather used upbraidings than argument, and told the petitioners that they wanted to strip Christ again, and bid them away with their snivelling. . . . . . The bishops seemed much pleased, and said his majesty spoke by the power of inspiration. I wist not what they mean; but the spirit was rather foul-mouthed."* A few alterations were made in the Common Prayer Book; and a new version of the Holy Scriptures was ordered to be undertaken. James had taken his side; but his pedantic vanity, though suited to the taste of bishop Bancroft, who fell upon his knees and thanked God for giving them such a king, was not quite fitted for the government of the English nation. In the first Parliament of his reign James was at issue with the House of Commons.

On the 19th of March, 1604, the two Houses were assembled. In the proclamation by which the king called parliament together, he had, in his grand style of common places, chosen to prescribe the sort of men the people were to choose for their representatives. "There are often," he proclaims, "many unfit persons appointed for that service; and where it is so well known to every private man of wit and judgment, much more to Us, who have had so long experience of kingly government, what ill effects do follow." Amongst other directions, he emphatically says, "We do command that an express care be had that there be not chosen any persons bankrupt or outlaw." Furthermore, "We notify by these presents, that all returns and certificates of knights, citizens, and burgesses ought, and are, to be brought to the Chancery, and there to be filed of record; and if any shall be found to be made

* "Nugæ Antiquæ," p. 182.

contrary to this proclamation, the same is to be rejected as unlawful and insufficient, and the city or borough to be fined for the same." Again and again, in the reign of Elizabeth, as they had done in former reigns, the Commons had successfully maintained the principle that no writ for a second election of knight or citizen or burgess should issue, without an order from the House itself. It is strongly but truly observed that, in spite of these assertions of the constitutional principle, "a stranger is no sooner seated on the throne than he aims a blow at the very foundation of the people's rights."* The House of Commons had no especial regard for bankrupts or outlaws; but they chose themselves to examine into an allegation of this nature, and not let the Chancellor exercise an authority which interfered with their Privileges. Sir Francis Goodwin had been returned for Buckinghamshire, in opposition to sir John Fortescue, who was favoured by the government. An outlawry had been found to have formerly hung over him; and the election of Goodwin being declared void, a new writ was issued from Chancery. The House restored Goodwin to his seat; and then James, in his impatient ignorance of the spirit of the English monarchy, told the Commons that "they derived all matters of privilege from him, and from his grant;" and that precedents were not to be credited, when derived from "the times of minors, of tyrants, of women, of simple kings." His contemptuous mention of "women" was an intimation of his scorn for his predecessor, before whose genius he had crouched like a whipped schoolboy. The dispute went on; and then this interpreter of the spirit of the old free monarchy of England said, "We command, as an absolute king, a conference with the judges." The matter ended by both elections being set aside. James was wise enough not to engage in such a conflict a second time.

The House of Commons, at this commencement of a new dynasty, the head of which had not scrupled to proclaim principles inconsistent with the foundations of national freedom, did not care to separate without leaving a solemn record of their opinions, and a justification of their proceedings. It is entitled an "Apology of the House of Commons, made to the King, touching their Privileges." Had the doctrines therein asserted been respected by the Stuarts, the blood that was shed forty years afterwards might have been spared. We will extract one or two passages of this remarkable document. The Commons review the attempts to maintain

* Brodie, "British Empire," vol. i. p. 343.

that they held not Privileges of right, but of grace only; that they were not a Court of Record; and that the examination upon the return of writs was without their compass; and they thus proceed: —"Against which assertions, most gracious sovereign, tending directly and apparently to the utter overthrow of the very fundamental Privileges of our House, and therein of the Rights and Liberties of the whole Commons of your realm of England, which they and their ancestors from time immemorable have undoubtedly enjoyed under your majesty's most noble progenitors; we, the knights, citizens, and burgesses of the House of Commons assembled in parliament, and in the name of the whole Commons of the realm of England, with uniform consent for ourselves and our posterity, do expressly protest, as being derogatory in the highest degree to the true dignity, liberty, and authority of your majesty's high court of parliament, and consequently to the rights of all your majesty's said subjects, and the whole body of this your kingdom; and desire that this our protestation may be recorded to all posterity. . . . . . . What cause we your poor Commons have to watch over our privileges is manifest in itself to all men. The Prerogatives of Princes may easily, and do daily grow. The Privileges of the Subject are for the most part at an everlasting stand. They may be by good providence and care preserved; but being once lost are not recovered but with much disquiet. If good kings were immortal, as well as kingdoms, to strive so for privilege were but vanity perhaps and folly; but seeing the same God, who in his great mercy hath given us a wise king and religious, doth also sometimes permit hypocrites and tyrants in his displeasure, and for the sins of the people, from hence hath the desire of rights, liberties, and privileges, both for nobles and commons, had its just original, by which an harmonical and stable state is framed; each member under the head enjoying that right, and performing that duty, which for the honour of the head and happiness of the whole is requisite."

But it was not only upon the question of their Privileges that the Commons were not in accord with the Crown. There had been, with the king's assent, a novel code of canons established in convocation, which aimed at excluding non-conformists from civil rights, and setting up an unconstitutional authority over the laity, as well as the clergy. The Commons, in a conference with the Lords, remonstrated against such an innovation. The language in which the king was addressed in the "Apology," is the voice of

men who have been nurtured in the belief that they were freemen, and who abide in the determination to remain freemen. They say to the king, "Your Majesty would be misinformed if any man should deliver that the kings of England have any absolute power in themselves, either to alter religion, which God defend should be in the power of any mortal man whatsoever, or to make any laws concerning the same, otherwise than, as in temporal causes, by consent of Parliament. We have, and shall, at all times by our oaths acknowledge that your majesty is sovereign lord and supreme governor in both."

During this session a parliamentary title was given to king James and his descendants by an Act for "a most joyful and just recognition of the immediate, lawful, and undoubted succession, descent, and right of the Crown." * The natural and wise desire of the king for an Union of the two countries was not very cordially met; and in their "Apology" the Commons say, "We were long in treating and debating the matter of Union. The propositions were new; the importance great; the consequence far reaching, and not discoverable but by long disputes; our numbers also are large, and each hath liberty to speak." But at length an Act was passed, appointing Commissioners to treat with the Scots upon this great question.† Many years elapsed before public prejudices had been softened down, and private interests conciliated, so that Scotland and England became one nation. We must not be too ready to hold the legislators of this time as peculiarly ignorant, in passing a law to declare Witchcraft felony, without benefit of clergy.‡ The superstition was productive of enormous cruelties; but it had its earnest supporters, and amongst others the king himself. The popular belief went wholly in that direction.

The legislation of the Parliament of 1604 was not so remarkable as the spirit which it displayed in the resistance of encroachments upon its ancient liberties, and in the demand for reforms of ancient abuses. Amongst those who most strongly maintained the necessity of improvement was Francis Bacon. The grievances of which the Commons had complained, in a petition, were those of purveyance, which fell upon all the people. The burthen of wardships, by which the custody, and therefore the profits, of every estate held under military tenure, was claimed by the crown during the minority of the heir, fell upon the landed proprietors. Purveyance was the relic of a condition of society

* 1 Jac. I. c. 1. † 1 Jac. I. c. 2. ‡ 1 Jac. I. c. 12.

which had passed away. Before the communications between the producers of food and the consumers in towns were easy, those wants of the sovereign's household which could not be supplied from the royal demesnes were arranged by purveyors,—a body of officers who had the right of claiming provisions in any market for the king's use. They took corn, flesh, every description of food, at their own prices. They had the right of impressing carts and carriages in the same arbitrary manner. Statute after statute had been passed for the regulation of purveyance; but a power so enormous was liable to the grossest abuse. Elizabeth herself called the purveyors "harpies." The evil when James came to the throne had become intolerable; and, according to a speech of Bacon, the purveyors, under their commissions from the Board of the Green Cloth, lived at free quarters upon the country; terrifying dealers by their claims of immense quantities of provisions at an insufficient price, out of which they made a profit; cutting down woods without the owner's permission; and even demanding the labourers to work for them at their own grinding rate of payment. The Commons now asked for a total abolition of purveyance. Their petition was not offensive to the king, for he hoped to make good terms for himself by the concession of this remnant of feudal prerogative; but nothing was done. The question of worship was also postponed, at the desire of the House of Lords.

The temper of parliament, as was the temper of the people, was favourable to the quiet rule of the new king. But it was directly opposed to his notion of a divine right which gave him, in the exercise of his prerogative, an absolute power such as he was prompt to claim. He had declared in a book, "The true Law of Free Monarchies," printed before he came to the English throne, that "although a good king will frame all his actions to be according to law, yet he is not bound thereto, but of his own will, and for example-giving to his subjects." He was told in distinct terms that the loyalty of the people was associated with the care which the sovereign had of their welfare. "If your majesty," says the Apology, "shall vouchsafe at your best pleasure and leisure, to enter into your gracious consideration of our petition for the ease of those burthens under which your whole people of long time mourned, hoping for relief of your majesty, then may you be assured to be possessed of their hearts; and, if of their hearts, of all they can do or have." *

* The substance of this important paper is given by Mr. Hallam. It is to be found in "Cobbett's Parliamentary History."

In August, 1604, a treaty of peace was concluded between James, king of England, the king of Spain, and the archduke of Austria. The policy of the country was wholly changed in the change of its sovereign. The hostility to Spain was a national sentiment; for it was built on the conviction that no peace would be safe with that power whilst England was Protestant, and was identified with the cause of Protestantism in Europe. Robert Cecil had been bred in the political creed of Elizabeth; but the disposition of James to abandon her policy, and to desire peace with her great enemy in a temper amounting to pusillanimity, compelled Cecil to a subserviency in the negociations with Spain very different from the spirit which a minister of Elizabeth would have shown. The old friendship with the Netherlands was abandoned. The king of England engaged to give no further aid to the Hollanders, or other enemies of the king of Spain and the archdukes. The commercial treaty, which was connected with the treaty of peace, contained clauses which the Hollanders felt were to their disadvantage. Enmity was thus to spring up between the two countries in which the struggle for the Reformation had been carried on most cordially and strenuously. There was one clause to which Elizabeth would never have consented as long as she had a ship or a cannon,—that there was to be "*moderation* had in the proceedings of the Inquisition" against English traders repairing to Spain. What the people felt with regard to Spain, and to the foreign policy of England, may be collected from the boldness with which Raleigh spoke on his trial. Indignantly repelling the charge that he had been bribed with Spanish gold to engage in a conspiracy, he alluded to the warfare in which he had battled so long against a power that once aimed at universal monarchy, but was now reduced to comparative insignificance. Spain never forgave Raleigh's efforts for her humiliation, nor his public mention of them when she was suing for peace. "I was not so bare of sense but I saw that if ever this state was strong and able to defend itself, it was now. The kingdom of Scotland united, whence we were wont to fear all our troubles; Ireland quieted, where our forces were wont to be divided; Denmark assured, whom before we were wont to have in jealousy; the Low Countries, our nearest neighbours, at peace with us; and instead of a Lady, whom time had surprised, we had now an active King, a lawful successor to the crown, who was able to his own business. I was not such a madman as to make myself in this time a Robin Hood, a Wat

Tyler, or a Jack Cade. I knew also the state of Spain well; his weakness, and poorness, and humbleness at this time. I knew that he was discouraged and dishonoured. I knew that six times we had repulsed his forces, thrice in Ireland, thrice at sea, and once at Cadiz on his own coast. Thrice had I served against him myself at sea, wherein for my country's sake I had expended of my own properties 4000*l.* I knew that where before-time he was wont to have forty great sails at least in his ports, now he had not past six or seven; and for sending to his Indies he was driven to hire strange vessels;—a thing contrary to the institutions of his proud ancestors, who forbad, in case of any necessity, that the king of Spain should make their case known to strangers. I knew that of five-and-twenty millions he had from his Indies, he had scarce any left; nay, I knew his poorness at this time to be such that the Jesuits, his imps, were fain to beg at the church doors; his pride so abated, as, notwithstanding his former high terms, he was glad to congratulate the king, my master, on his accession, and now cometh creeping unto him for peace." With such a power the king of England might have concluded an honourable peace, without sacrificing the principle for which Elizabeth had fought for twenty years. She would not have forsaken the United Provinces, for any temptation which the Most Catholic king could have held out to shake her good faith and her constancy.

Previous to the accession of James, the sovereign, in the unaltered style of ancient feudal assumption, had the title of "King of England, Scotland, France, and Ireland." On the 24th of October, 1604, James was proclaimed "King of Great Britain, France, and Ireland." We cannot reflect upon him for retaining the absurd title of king of France, for the folly was kept up for two centuries longer. His vanity was abundantly gratified in being king of Great Britain and Ireland—an absolute king, as he believed; and not only a king, but a master of all learning, and especially of theological learning, of whom his Chancellor declared, at the Hampton Court conference, that never since our Saviour's time had the king and the priest been so wonderfully united in the same person. He was not altogether so royal a personage as Elizabeth, or her majestic father. His figure was ungainly; his habits were slovenly; he was by nature a coward. Not deficient in a certain talent which he rarely put to a right use—"the wisest fool in Christendom,"—he had no sense of that public responsibility which attached to his high office. He was a king for himself alone. He estimated the

cost of war as the principal inducement to remain at peace. But the wise economy which was opposed to the martial tendencies of the people that he was called to govern, was not an economy for the public good. He wasted his revenues upon silly baubles for personal ornaments, and in lavish grants to unworthy favourites. He almost wholly neglected the business of the state; for he was hunting, bolstered up on an ambling palfrey; or he was writing pedantic treatises which nobody read; or he was going in progress, to be flattered and feasted; or he was moving by easy journeys from his palace of Richmond to his palace of Windsor, or in triumphal procession in his state-barge from Greenwich to Whitehall. There were some refinements in his court, for the plays that were acted before him were often those of Shakspere; and at a later period Jonson wrote "Masques at Court," and Inigo Jones supplied the decorations. In a short time the palace became a scene of profligacy, in which even the mask of decency was not attempted to be put on. Yet this was the king who was to try his hand at making England an absolute monarchy by divine right. Lord Thomas Howard, who had been a powerful instrument in forwarding the accession of James, wrote to Harrington, "Your queen did talk of her subjects' love and good affection, and in good truth she aimed well. Our king talketh of his subjects' fear and subjection, and herein I think he doth well too,—*as long as it holdeth good*."

CHAPTER XIV.

The Gunpowder Plot.—Lord Mounteagle receives a letter.—Salisbury is made acquainted with the letter.—Its interpretation.—Search under the Parliament House.—Seizure of Fawkes.—The other Conspirators.—The preparations during eighteen previous months.—Their proceedings after the discovery.—They resist the sheriff.—Some killed, others taken prisoners.—Feelings of the Roman Catholics.—Ben Jonson.—Trial of Fawkes and others.—Garnet the Jesuit.—His conviction.—His doctrine of Equivocation.

IN the last week of October, 1605, the king was contemplating "his return from his hunting exercise at Royston, upon occasion of the drawing near of the parliament time, which had been twice prorogued already." * Whilst James was at his favourite sports, hunting according to a more discreet fashion than that of the old Norman kings, his "little beagle," for so he called Robert Cecil, now earl of Salisbury, was diligently carrying forward the business of the State. Salisbury was at his post at Whitehall on the night of the 26th of October, when his wonted meditations upon the difficulty of providing money for his extravagant master and his rapacious followers, were disturbed by the demand for an audience of a Catholic peer, lord Mounteagle. The position of this nobleman, who had been called to the House of Peers in the parliament of 1604, was a very equivocal one. He was the son of a Protestant peer, lord Morley; but, when very young, married a daughter of sir Thomas Tresham, who was a pervert to Rome under the guidance of missionary priests, and, during the reign of Elizabeth, a most uncompromising recusant. Lord Morley's son then became involved with several leading Roman Catholics in the conspiracy of Essex, and in their invitations to the king of Spain to invade England and to depose the queen. Upon the accession of James, when the king was either balancing the advantages of being Catholic or Protestant, or holding out to the Papists professions of toleration which he had no intention of accomplishing, Mounteagle was a satisfied recipient of court favours, whilst the severities against re-

* "A discourse of the Manner of the Discovery of the late intended Treason," &c. Published officially. Reprinted in "Harleian Miscellany."