

Release of Raleigh.—Raleigh's expedition to Guiana.—Raleigh returns to England.—His execution under his former sentence.—Affairs of the Palatinate.—The Elector defeated at Prague.—Parliament.—Monopolists.—Lord Bacon impeached.—Conduct of Parliament in Floyd's case.—The King and the Parliament at issue.—Parliament dissolved.—Prince Charles and Villiers in Spain.—The proposed marriage of Charles with the Infanta broken off.—Rejoicings in England.—Parliament.—War declared against Spain.—Death of King James.

CHAPTER XVII.

SIR WALTER RALEIGH had been a prisoner in the Tower somewhat more than twelve years. To a man of such activity of mind even imprisonment would not be unhappiness. His wife was permitted to dwell with him. He had access to the Lieutenant's garden; and, says sir William Wadé, one of the Lieutenants, "he hath converted a little hen-house to a still-house, where he doth spend his time all the day in distillations." Mrs. Hutchinson, whose father, sir Allen Apsley, was also Lieutenant of the Tower, gives a more intelligible account of these distillations, in relating the virtues of her mother: "Sir Walter Raleigh and Mr. Ruthin being prisoners in the Tower, and addicting themselves to chemistry, she suffered them to make their rare experiments at her cost; partly to comfort and divert the poor prisoners, and partly to gain the knowledge of their experiments, and the medicines to help such poor people as were not able to seek to physicians."* Raleigh was the inventor of a famous cordial which went by his name. In an evil hour the tranquil studies and useful diversions of Raleigh were exchanged for schemes which were to renew the energies of his youth. The dream of a gold mine in Guiana never ceased to haunt his imagination. Indians had interviews with him in the Tower; for he had kept up a correspondence, through his agents, with the natives of the country which he had partially explored in 1595. At length he obtained permission to employ the liberty which was promised to be granted to him, through the mediation of Villiers, in again attempting to work the gold mine in whose existence he firmly believed. He was released from his prison on the 20th of March, 1616. He was now in the sixty-fifth year of his age. But

* "Memoirs of Col. Hutchinson," p. 22.

he was one of those who bated no jot of heart or hope, and he sent an expression of his gratitude to Villiers in a letter which smacks of the old enthusiasm: "You have, by your mediation, put me again into the world: I can but acknowledge it; for to pay any part of your favour by any service of mine, as yet, is not in my power. If it succeed well, a good part of the honour shall be yours; and if I do not also make it profitable unto you, I shall show myself exceeding ungrateful." Raleigh risked in this scheme all he possessed in the world. When lady Raleigh went on her knees to James, to beg that her family might not be robbed of the estate at Sherborne, which had been secured to them before her husband's attainder, he exclaimed, "I maun have the land—I maun have it for Carr." Eight thousand pounds were afterwards obtained as the "competent satisfaction" for an estate worth five thousand pounds a year. This sum, with the produce of a small estate which his wife sold, was all invested in the Guiana project. James stipulated for a share of the profits of the enterprise. But the Spanish ambassador, Gondomar, who had at that time obtained great influence over the king, at first remonstrated, and declared that the expedition was for piratical purposes. Raleigh maintained that his sole object was to settle a country which belonged to England by right of discovery, and to work its gold mines; and Gondomar affected to be satisfied. Raleigh got together a squadron of fourteen vessels, and he set sail on the 28th of March, 1617, having received a commission by which he was constituted general and commander of the expedition, and governor of the country. It was imprudent in Raleigh to have gone upon a doubtful adventure without having received a previous pardon, which was to be obtained for money. But it is said that Bacon, who, in 1617, had accomplished the prime object of his ambition, the custody of the great seal, said to Raleigh, "The knee-timber of your voyage is money. Spare your purse in this particular; for upon my life you have a sufficient pardon for all that is past already, the king having under his broad seal made you admiral of your fleet, and given you power of the martial law over your officers and soldiers." The outward voyage was unpropitious. There was sickness in the ships, of which many of the voyagers died. They landed in Guiana on the 12th of November; and on the 14th Raleigh wrote in a hopeful spirit to his wife: "To tell you that I might be king of the Indians were a vanity. But my name hath still lived among them here. They feed me with fresh meat and all that the coun-

try yields. All offer to obey me." In a short time he began to have glimpses of the treacherous nature of the sovereign in whose name he had gone forth to "make new nations." James had obtained from him the most minute details of his plans; and the king had communicated them to Gondomar, who had sent them to his court at Madrid. The king's commander had been promised a free passage through the country. He found it fortified against him. He was himself weak from sickness, and was obliged to be carried in a litter. He sent his faithful follower, Captain Keymis, to sail up the Orinoco with a part of the squadron in the direction of the mine. The instructions which Raleigh had given were not obeyed. If Keymis found the mine of great richness—royal, as the term was—he was to repel any attack of the Spaniards. But if not royal, he was to return with a basket or two of the ore, to satisfy James that there was a foundation of reality in the attempt to find gold. Keymis landed in the night near the Spanish town of Santa Thome, near the mine. The Spaniards attacked his encampment; and a battle ensued. After much slaughter, the English drove back their assailants to the town; and the Spaniards coming out in fresh force, the son of Raleigh was killed. The governor of the town, a kinsman of Gondomar, also fell. The English burnt Santa Thome, in which they found refining houses, and two ingots of gold. But the passes to the mine were defended by too strong a force to enable Keymis to accomplish the great object of the expedition. When he returned with his diminished crew, the reproaches of his commander led the unfortunate man to commit suicide. The great spirit of Raleigh was crushed. He saw nothing before him but reproach and danger. In a letter to his wife he says, "I protest before the majesty of God, that as sir Francis Drake and sir John Hawkins died heartbroken when they failed of their enterprise, I could willingly do the like, did I not contend against sorrow for your sake, in hope to provide somewhat for you to comfort and relieve you. If I live to return, resolve yourself that it is the care for you that hath strengthened my heart. It is true that Keymis might have gone directly to the mine, and meant it. But after my son's death, he made them believe that he knew not the way, and excused himself upon the want of water in the river; and counterfeiting many impediments left it unfound. When he came back, I told him that he had undone me, and that my credit was lost forever. He answered that when my son was lost, and that he left me so weak that he thought not to find me

alive, he had no reason to enrich a company of rascals, who, after my son's death, made no account of him." Raleigh conducted his fleet, with mutinous crews, to Newfoundland, and then sailed homeward. On the 18th of March, after his return, Howell wrote, "The world wonders extremely that so great a wise man as sir Walter Raleigh would return, to cast himself upon so inevitable a rock as I fear he will."* Two friends, the earls of Pembroke and Arundel, had pledged their honour for his return, and he would not be a cause of trouble to them. This Arundel acknowledged when Raleigh, on the scaffold, reminded him of the promise that he had made to the earl that he would return. Gondomar was now supreme at the English court, negotiating a marriage between prince Charles and the Infanta of Spain. The destiny of Raleigh was in the hands of the malignant Spaniard and the revengeful king. Raleigh was arrested at Plymouth; and after some stratagems to escape to France, and to obtain delay, having feigned madness, he was conducted to his old prison of the Tower. He was examined before commissioners, upon the charge that he fraudulently pretended that he went to discover a mine, when his real object was to make a piratical attack upon the Spanish settlements. He denied these charges with constancy and boldness; but admitted his attempt to escape, and his pretence of mental derangement, which he excused by the desire which every man feels to escape death. In his imprisonment he was no longer under the care of the kind sir Allen Apsley. That lieutenant of the Tower was removed from the charge of Raleigh, to make way for sir Thomas Wilson, who wrote constant reports of his conversations with his prisoner. These are in the State Paper Office. "On the perusal of these papers, it is difficult to say whether the preponderating feeling is sympathy for the captive, or disgust and indignation for his unfeeling and treacherous keeper."† It was the king himself who was urging on his creature to worm himself into the confidence of Raleigh for the purpose of betraying him. But all the arts of the betrayer were unavailing. Nothing could be obtained which could furnish a new ground of accusation. The letters which passed between Raleigh and his wife were intercepted, and were read by the king. It was determined at length that the prisoner should be executed under his former sentence, by a writ of privy seal directed to the judges. But they held that their warrant for execution could not be issued, after so long a time had elapsed since the

* "Letters," p. 8.

† Jardine, "Criminal Trials," vol. i.

judgment, without bringing up the prisoner to plead. Raleigh, suffering under an ague, was brought on the 24th and again on the 28th of October to the King's Bench at Westminster, and there being asked why execution should not pass against him, he urged that he was discharged of the original judgment by the king's commission for his voyage, which gave him new life and vigour. Execution was granted. Raleigh asked for a little delay, to settle his affairs and his mind. He was brought out of his prison the next morning to die upon the scaffold, in the Old Palace Yard at Westminster. The night before his death, he wrote these lines on a blank leaf of his Bible:—

“E'en such is time; who takes in trust
Our youth, our joys, and all we have,
And pays us but with age and dust;
Who, in the dark and silent grave,
When we have wander'd all our ways,
Shuts up the story of our days,
But from this earth, this grave, this dust,
The Lord will raise me up, I trust.”

The last end of this heroic man was worthy of his great genius. He received the Sacrament; he declared his forgiveness of all persons; he manifested the utmost cheerfulness; he gave thanks to the Almighty who had imparted to him the strength of mind never to fear death, and to meet it with courage in the assurance of His love. He breakfasted, and smoked his usual pipe of tobacco. When he came to the scaffold he was very faint; and commenced his speech to the assembled crowd, by saying that during the last two days he had been visited by two ague fits. “If therefore you perceive any weakness in me, I beseech you ascribe it to my sickness rather than to myself.” His speech was of a manly tone, defending himself from slanders which had been raised against him. He implored the bystanders to join with him in prayer to that great God whom he had grievously offended; “being a man full of all vanity, and one who hath lived a sinful life in such callings as have been most inducing to it; for I have been a soldier, a sailor, and a courtier, all of them courses of wickedness and vice.” He was asked by the dean of Westminster in what religion he meant to die, and he replied, in the faith professed by the Church of England, hoping to be saved by the blood and merits of our Saviour. It was a bitter morning; and the sheriff proposed that he should descend from the scaffold and warm himself: “No, good Mr. Sheriff, let us despatch, for within this quarter of an

hour my ague will come upon me, and if I be not dead before that, my enemies will say I quake for fear.” He took the axe in his hand, kissed the blade, and said to the sheriff, “’Tis a sharp medicine, but a sound cure for all diseases.” So died the last of Elizabeth's heroes.

The execution of Raleigh called forth indignation, “not loud but deep,” in the English mind. The people felt that he was sacrificed to Spain, against which power, its jesuits and its inquisitions, he had waged no inglorious warfare. He was sacrificed by a king from whom the bold Protestant spirit was departed, and who remained supine whilst the two great principles which divided Europe were again preparing for a struggle. Thus thought the majority of the nation, at a time of extraordinary excitement in connection with foreign events. The daughter of James had been married six years to the Elector Palatine. He was a prince of a serious character; by nature proud and reserved; earnest in the discharge of his duties as a ruler; not devoid of ambition to become a leader for a great public object. The Calvinists of Bohemia had been in insurrection upon a question of the possession of some lands of the church which were held by Catholics; and the quarrel was under arbitration at the instance of the emperor Mathias when he died. Mathias was also king of Bohemia; and the archduke Ferdinand was chosen emperor. He had been recognized as successor to the throne of Bohemia; but he was a determined zealot of Catholicism; and the Bohemians, who held that their crown was elective, offered it to Frederic, who had been one of the arbitrators to settle the difference which had led to their insurrection. The Elector Palatine, after some hesitation, accepted the dangerous promotion, and was crowned at Prague, in November, 1619. The resolve was the signal for a general array of hostile forces throughout Europe. The great battle of Protestantism and Catholicism appeared once more likely to be fought out. Had Elizabeth been alive she would have thrown all her force into the conflict. James at first refused to give any assistance to his son-in-law. The Protestants of England were roused to an enthusiasm which had been repressed for years. They saw the armies of Austria and Spain gathering to snatch the crown from the elective king of Bohemia, and to invade the Palatinate. They saw many of the Protestant princes forming an union for his defence. Volunteers were ready to go forth from England full of zeal for the support of the Elector. James was professing an ardent desire to

Protestant deputies to assist his son-in-law; and at the same time vowing to the Spanish ambassador that the alliance with his Catholic master, which was to be cemented by the marriage of prince Charles to the Infanta, was the great desire of his heart. At length the Catholic powers entered the Palatinate; and the cry to arm was so loud amongst the English and the Scotch, that James reluctantly marshalled a force of four thousand volunteers, not to support his son-in-law upon the throne of Bohemia, but to assist in defending his hereditary dominions. The scanty assistance came too late. Frederic was defeated by the Austrians at Prague, on the 7th of November, 1620, which decisive battle entirely destroyed his slight tenure of power in Bohemia. He was very shortly after driven from the Palatinate, which was handed over to the tender mercies of the conquerors. The supporters of the Elector in Bohemia, a country which had been the refuge of persecuted reformers, were trodden down by the iron heel of Austria. The Puritan party in England considered this misfortune as "the greatest blow which the Church of God had received, since the first Reformation by Martin Luther in 1517."* The union of the Protestant princes was broken up. "The Catholic principle passed with wonderful rapidity from a moment of the utmost danger to an omnipotent sway over the south of Germany and the Austrian provinces."†

It was during the excitement of this conflict, and in the month following the victory of the Austrians at Prague, that James adopted one of those arbitrary measures which weak governments resort to in their imbecile desire to control public opinion. On the 27th of December, says D'Ewes, "I saw and perused a proclamation set out by his majesty inhibiting or forbidding any of his subjects to discourse of state-matters, either foreign or domestic; which all men conceived to have been procured by the count of Gondomar, the Spanish ambassador." The Autobiographer holds this proclamation to be "unseasonable and harsh," because the triumphs of Romanism "required men's mutual condoling, which might prove a means to stir them up to a more zealous and earnest intercession with God by prayer." This was an innocent delusion of the young Puritan; for that Englishmen should cease to interchange their thoughts at the bidding of an insolent government was as impossible as to prevent them thinking. Their

* D'Ewes, "Autobiography," vol. i. p. 162.

† Ranke, "History of the Popes," vol. ii. p. 465.

thoughts broke out in signs not to be mistaken. The Spanish ambassador, who dwelt in the bishop of Ely's house in Holborn, was obliged to have a guard of soldiers to protect him; and "when he passed at any time through London in his horse-litter, many were the curses and execrations the people bestowed upon him." The old dread of the supremacy of Popery was coming back. Round the Spanish ambassadors a vast following of English and Irish papists had been accustomed to collect. "Their house was the resort of their brethren in the faith, and, as a Venetian said, they were regarded almost in the light of legates of the apostolic see."* It was in this excited temper of the nation that the king at length called a parliament, which met on the 30th of January, 1621. In his progress from Whitehall to Westminster, "he spake often and lovingly to the people, standing thick and three-fold on all sides to behold him, 'God bless ye! God bless ye!' contrary to his former hasty and passionate custom, which often in his sudden distemper would bid a plague on such as flocked to see him."† A little before this time he had in a proclamation directed that those who crowded upon him in joining the royal hunt without permission, should be sent to gaol, calling their curiosity "the bold and barbarous insolency of multitudes of vulgar people."‡ He is now in a gracious humour. He has something to ask of the Parliament: "I have reigned eighteen years, in which time you have had peace, and I have received far less supply than hath been given to any king since the Conquest. The last queen, of famous memory, had, one year with another, above a hundred thousand pounds per annum in subsidies." James does not attempt a comparison between the manner in which the queen of famous memory spent her subsidies in the defence of her country, and in the support of Protestantism in Europe; while he was lavishing thousands upon Hay and Somerset and Villiers, impoverishing the crown and degrading the nation. Clarendon, speaking of the reigning favourite of 1621, and his host of dependants, says that the demesnes and revenues of the crown were sacrificed to the enriching of a private family; "and the expenses of the court so vast and unlimited, that they had a sad prospect of that poverty and necessity which afterwards befell the crown, almost to the ruin of it."§

The parliament of 1621 was in no complacent mood. James said to them, "I have often piped unto you but you have not

* Ranke, "History of the Popes," vol. ii. p. 498.

† D'Ewes, vol. i. p. 170.

‡ Verney Papers, p. 117.

§ "History of the Rebellion," book i.

danced." They gave him a small subsidy in return for unusually gracious speeches; and then went boldly about the redress of grievances. They revived the use of the terrible word "impeachment," which had gone out of men's mouths for nearly two centuries. Monopolists were the first attacked with this constitutional weapon. One of the greatest of them, sir Giles Mompesson, finding that the government which had granted him his patents for gold and silver thread, and for licensing inns and alehouses, would not stand up in his defence, fled beyond sea. In his licensing of alehouses, a justice of the peace, sir Francis Michell, had been the instrument of Mompesson's oppressions. His patent for gold thread was used for the purposes of fraud. "They found out a new alchemical way to make gold and silver lace with copper and other sophisticated materials."* The dramatists of the time brought the monopolists into notice upon the public stage:

"Here's another:

Observe but what a cozening look he has!
Hold up thy head, man; if, for drawing gallants
Into mortgages for commodities, or cheating heirs,
With your new counterfeit gold thread, and gumm'd velvets,
He does not transcend all that went before him,
Call in his patent."†

The sir Giles Overreach of Massinger's "New Way to Pay Old Debts" was sir Giles Mompesson, and the justice Greedy of the same popular play was justice Michell. The real Overreach and the real Greedy were degraded from knighthood, were fined, and were banished. Higher delinquents began to tremble. Yelverton, the attorney-general, was connected with the prevailing corruption, and when detected denounced Villiers as his enemy. The judge of the Prerogative Court was impeached for venality; and the bishop of Landaff for being accessory to a matter of bribery. It was an age of universal abuses. Local magistrates were influenced by the pettiest gifts, and were called "basket-justices,"—a name which in the next century was applied to the stipendiary justices of Bow-street. Upon the highest branch of this rotten tree sat Francis Bacon, viscount St. Alban's, the great lord Chancellor. His contemporaries were impressed with his versatile abilities and his majestic eloquence; but they were disgusted by his profusion, and they had little confidence in his honesty. The greatness of his intellect was to be appreciated in other ages; and

* Wilson.

† Massinger, "The Bondman," Act II., sc. 3.

his faults were then to be slightly regarded while the eyes of all men were to be dazzled by the splendour of his genius. His contemporaries, with one accord, resolved that no excuse should interfere with his degradation, for what he himself called his frailty in partaking of "the abuses of the times." He was charged by the Commons, before the Lords, with twenty-two acts of bribery and corruption. He attempted no defence. He saw that the court would not shield him, even if it had the power. He made a distinct confession in writing of the charges brought against him; and when a deputation from the peers asked if that confession was his own voluntary act, he replied, "It is my act, my hand, my heart. Oh, my lords, spare a broken reed." The sentence of the parliament was that the viscount St. Alban's, late Lord Chancellor, be fined £40,000; be imprisoned in the Tower during the king's pleasure; made incapable to bear office in the commonwealth, never to sit in parliament; nor to come within the verge of the court. The king remitted the fine, and released the fallen man after an imprisonment of a few days. It is vain to attribute Bacon's fall to the malevolence of Coke or the intrigues of Villiers. The House of Commons saw that the time had come for striking at the root of some of the most flagrant of official corruptions; and Bacon, though perhaps not more guilty than many others, was struck down as a signal example to lesser offenders. The latest editor of Bacon's Philosophical Works, pointing out that the Chancellor admitted the taking of presents, as he himself had taken them, to be indefensible, adds that he always denied he had been an unjust judge; or, to use his own words, "had ever had bribe or reward in his eye or thought when he pronounced any sentence or order." With regard to the degree of moral criminality, these questions are proposed: 1. What was the understanding, open or secret, upon which the present was given or taken? 2. To what extent the practice was prevalent at the time? 3. How far it was tolerated? 4. How it stood with regard to other abuses prevailing at the same time.* If these points could be satisfactorily ascertained the most merciful conclusion at which we could arrive would be the opinion of Bacon himself, as recorded by Dr. Rawley: "I was the justest judge that was in England these fifty years; but it was the justest censure in parliament that was there these two hundred years."

* "Works of Francis Bacon," collected and edited by James Spedding, vol. i. Note to Life by Rawley. 1857.

If the stern severity of the House of Commons, in which the peers went along with them, towards every order of delinquents, from the griping usurer to the prodigal chancellor, demands our respect, we must regard with equal abhorrence the same popular assembly when carried away by a passionate fanaticism into an act of vindictive cruelty. The House was in a fever about the Palatinate; and when it became known that a Roman Catholic barrister, Edward Floyd, had expressed his joy that "goodman Palsgrave and goodwife Palsgrave" had been driven from Prague, there was no punishment too terrible to be inflicted upon the delinquent—whipping, the pillory, boring of his tongue, nailing of his ears, were small justice for such an offence. The House went beyond its powers in passing a heavy sentence upon Floyd, without hearing him. He appealed to the king; denying the accusation against him; and the Commons were asked by the Council how they took upon them to judge offences which did not interfere with their privileges. The House paused; and Floyd was arraigned before the Lords, who confirmed the sentence, with additional severities. Whipping, which was a part of this sentence, was remitted on the motion of prince Charles. The unhappy man underwent the other unjust punishment,—to pay a fine of 5000*l.*, and to be imprisoned for life. "There is surely no instance," says Mr. Hallam, "in the annals of our own, and hardly of any civilised country, where a trifling offence, if it were one, has been visited with such outrageous cruelty." Let us not forget, as we proceed in tracing the history of this nation, that the passions of a parliament have been as marked, if not as frequent, a source of injustice as the despotic tendencies of a king; and let us feel that a due balance of the powers of the respective estates cannot be so happily preserved that prerogative and privilege may be kept equally innoxious, except under the guidance of an enlightened public opinion.

The king and the parliament had been proceeding in apparent harmony, when they were adjourned over the summer. The court had manifested no zeal about the question of the Palatinate; but the Commons made a solemn protestation, which was entered in the Journals, that they would spend their lives and fortunes in the defence of their religion, and of the cause of the Elector. Their pledge "was sounded forth with the voices of them all, withal lifting up their hats in their hands as high as they could hold them, as a visible testimony of their unanimous consent, in such sort that the like had scarce ever been seen in parliament." The Houses met

again, after an interval of five months, on the 20th of November. It was announced that troops had been sent for the defence of the Palatinate under sir Horace Vere. The Commons voted a small subsidy, which was totally inadequate to any vigorous exertions. The clamour for warlike operations was not seconded by any liberality which could rouse James to exertion. The Parliament had no confidence in a king who shuddered at a drawn sword. His natural temperament and his policy were in complete accord; and it was perhaps well for the country that they were so. Had his son Henry been on the throne, who proposed the Black Prince and Henry the Fifth as his models, England might have put herself at the head of a great religious war; but she would have wasted that strength which enabled her, in another quarter of a century, to wage a greater battle at home for civil and religious liberty, without losing her power of commanding the respect of every government in Europe.

England had in this year an opportunity to draw the sword in a necessary quarrel—the suppression of the outrages of the Barbary pirates. Spain had agreed to co-operate in an attack upon Algiers; but she sent a very insufficient force to join the English flag. James went about this salutary work in his timid and parsimonious way. He directed the commander of his fleet, sir James Mansell not to risk his ships. The Algerines, having had only a few boats burnt, defended their harbour, and Mansell came home with nothing achieved. The English merchantmen were now the prey of the African pirates, and the country bitterly complained of the national losses and the national dishonour. When the parliament re-assembled, it was in no conciliating humour. Lords Essex and Oxford had returned from the Palatinate, and proclaimed that the country of the Elector and the Protestant cause were lost for want of timely aid. As we have seen, the two Houses were afraid to trust the expenditure of money in incapable hands. They could not understand how James was affecting a desire to contend against the power of Spain and Austria, when he was negotiating, in secret as he believed, for the marriage of his son to the daughter of the Most Catholic king. During the recess, a leading member of the Commons, sir Edwin Sandys, had been committed to the Tower; but it was protested that the commitment was unconnected with the privileges of the House. His bold manner of speaking in parliament was undoubtedly his offence. The Commons passed over this matter; but they drew up a petition, prepared by Coke, against

the growth of Popery, urging that prince Charles should marry one of his own religion, and that the king should turn his attention towards that power which had first carried on the war in the Palatinate. That power was Spain. James had heard of this motion; and he anticipated the receipt of the petition by sending a violent letter to the Speaker, commanding the House not to meddle with any matter which concerned his government, or the mysteries of state. He informed them also that he meant not to spare any man's insolent behaviour in parliament. The Commons returned a temperate answer, in which the king was told that their liberty of speech was their ancient and undoubted right. James replied that their privileges were derived from the grace and permission of his ancestors and himself. Some excuses were made for the expressions of the king, which were called a slip of the pen. The Commons deliberately recorded their opinions, in a memorable protestation, on the 18th of December, 1621, in which they solemnly affirmed, that the liberties and jurisdictions of parliament are the ancient and undoubted birth-right and inheritance of the subjects of England; that the affairs of the king and the state, of the defence of the realm, and of the Church of England, the making of laws, the redress of grievances are proper subjects of debate in parliament; that in handling such business every member of the House hath, and of right ought to have, freedom of speech; and that every member hath like freedom from all impeachment, imprisonment, and molestation, except by the censure of the House itself. There were great men concerned in this protestation,—Coke, Pym, Selden. Eminent peers, for almost the first time in the history of the country, took part with the Commons against the Crown. The king dissolved the parliament, and imprisoned the earl of Oxford, and the leading members of the Commons. The struggle which was to be fought out in the battle-field, twenty years afterwards, was already commenced in a most unmistakable manner. It was a contest for first principles. England was to be a Constitutional Monarchy or a Despotism. The parliament being dissolved, James again resorted to a Benevolence—a voluntary contribution of the people, as the courtiers pretended. Its voluntary character may be understood from a little incident: "A merchant of London, who had been a cheesemonger, but now rich, was sent for by the Council, and required to give the king 200*l.*, or to go into the Palatinate and serve the army with cheese, being a man of eighty years of age."*

* "Letter of Mr. Mead," February, 1622. Ellis, Second Series, vol. iii. p. 240.

The king, who publicly declared that "he would govern according to the good of the commonweal but not according to the common-will,"* went on with his Spanish negotiation in utter defiance of the public feeling. His son-in-law was now a refugee at the Hague, with his queen,—a favourite of the English,—and their family. Their misfortunes, as well as the defeat of the principle which they represented, excited the warmest sympathy. In no point of policy was there any concord between the government and the people. In February, 1623, London was startled with the extraordinary news that the prince of Wales and Villiers, now marquis of Buckingham, had gone off privately for Madrid. The negotiation for the marriage with the Spanish princess had been nearly concluded by the earl of Bristol, a special ambassador to the court of the young king Philip IV., the brother of the Infanta. A dispensation from the pope was only waited for; and James had himself written to his Holiness to urge the favour. He promised all sorts of toleration; and to give an earnest of his disposition, suddenly released from prison a large number of Popish recusants, to the great anger of the Puritans. The motives for the strange proceeding of the prince and the favourite remain a mystery. Clarendon holds that Villiers originated the scheme to gain favour with the prince, who had been long jealous of him. The king was at first greatly opposed to the adventure, which was not without its danger. Smith seems to be a favourite name for disguised princes. Charles was John Smith, and the marquis Thomas Smith. They were accompanied by Sir Richard Graham. They got to Dover, after some awkward enquiries, and there were joined by sir Francis Cottington and Mr. Endymion Porter. They reached Paris, and in their disguise had a peep at the Court, and saw the princess Henrietta Maria, the lady whose good or evil destiny to be the future queen of England overruled that of the Spanish princess. On the 7th of March the "sweet boys and dear ventrous knights, worthy to be put in a new romanso," as James termed them, arrived at Madrid. Howell, one of the most amusing of letter-writers, was then in the Spanish capital, and he describes how, "to the wonderment of all the world, the prince and the marquis of Buckingham arrived at this court." He tells how they alighted at my lord of Bristol's house; how Mr. Thomas Smith came in at first with a portmanteau, whilst Mr. John Smith staid on the other side of the street in the dark; how Bristol brought in the prince to his

* "Letter of Mr. Mead," February, 1622. Ellis, Second Series, vol. iii. p. 240.

bed-chamber; how the marquis the next day had a private audience of the king of Spain; how the king came to visit the prince; how the royal family went out in a coach, the Infanta having a blue ribbon about her arm that the prince might distinguish her as he took the air on the Prado; and how when the lady saw her lover her colour rose very high. The prince and his companion were seven months absent from England. To attempt to follow out the course of the intrigues that took place during this period, would be far beyond our limits; nor do we conceive that, however amusing may be the relation of court festivities, the bull-fights and the tournaments, the processions and the banquets, with which the heir of England's throne was received, they are necessary to be here detailed. That Charles was conducting himself with that duplicity which belonged to his nature is agreed on all hands. He was ready to promise, not only toleration for the Roman Catholics in England, but that he would never engage in any hostile measure against the Church of Rome; but on the contrary would endeavour to bring about a unity in one faith and one church.* In August James made oath to certain articles which had been agreed upon: that the Infanta, with her suite, was to be allowed the exercise of her religion; that the early education of her children should be entrusted to her; that even if they should remain Catholic their right of succession should not be interfered with. The king also promised not to trouble the Catholics in the private exercise of their religion; nor to impose any oath against their faith; and to endeavour to obtain from parliament a repeal of all penal laws against them. If the marriage had taken place, and these conditions had been observed, England would infallibly have been plunged into civil war. As it was, after a long course of deceit either to the court of Spain or to the people of England, or to both, Charles and Buckingham returned home. The ministers of Spain had interposed many vexatious delays whilst Charles was at Madrid, and had attempted to take advantage of his presence. He made engagements which he would not have ventured to fulfil; and he sanctioned misrepresentations for his vindication when he returned to England. Buckingham was jealous of the earl of Bristol; and he conceived a dislike to the Spanish court, to which his insolent manners and gross licentiousness were displeasing. His personal resentments, and perhaps the tastes of the prince, destroyed the web of policy which James had been so long weaving. The king

* See Ranke, vol. ii. p. 500.

had been quite willing to surrender all the outworks which defended England against a new invasion of papal supremacy, in his desire for a marriage which would give his son a princess with a great dowry, and secure, as he fondly expected, the restoration of his son-in-law to his hereditary dominions. The people would have made no compromise with Spain and they would have boldly sought to settle the affairs of the Palatinate by the sole argument which the Catholic powers would have regarded, success in arms. When the prince and Buckingham returned home, and the marriage treaty was broken off, there was universal rejoicing. The duke became immediately popular; and in his confidence in the altered tone of public feeling he persuaded the king to summon a parliament. It met on the 19th of February, 1624. The houses confided in Buckingham's artful representations of his conduct in the transactions with Spain; and he was hailed by Coke, in the Commons, as the saviour of his country. The king was all graciousness. It was resolved that a grant to the extent of £300,000 should be made, for the specific purpose of recovering the Palatinate; and the war was thus necessarily a war against Spain, united as she was with the other branch of the house of Austria in holding the dominions of the Elector and in endeavouring to destroy Protestantism in Europe. In this Session of three months a great good was sought to be accomplished by the passing of a Statute which declared all monopolies to be contrary to law, and all such grants to be void.* The struggle to effect this object had been a long one. The promises of the Crown had been constantly broken; but now, by a solemn Act of Parliament, the exclusive privileges to use any trade and to sell any merchandise were declared to be contrary to the ancient and fundamental laws of the realm, and all grants and dispensations for such monopolies to be of none effect. How the Statute was respected will be seen in the next reign.

In this last parliament of James, there was unquestionably a better understanding between the Crown and the representatives of the people:—a practical concord that, under a new king, might have been improved into a co-operation for the general good, if the altered condition of society had been understood by both parties. The Commons had now acquired a full confidence in their own strength. They impeached Cranfield earl of Middlesex, lord treasurer of England, for bribery and other misdemeanours. He was convicted, after a trial before the Peers, conducted by managers on the part

* 21 Jac. I. c. 5.

of the Commons; was fined £50,000; and was declared incapable of sitting in parliament. Buckingham's jealousy of the lord treasurer's power is held to have contributed to this result. The king warned his son and his favourite that they might live to have their fill of parliamentary impeachments; but he could not resist the united force of public justice and private intrigue. From the time of the failure of the Spanish treaty, the monarch who claimed to be absolute felt that he was powerless. He had lost even the respect of his son; his insolent minion despised him. He was forced into war against his will; and the war brought him no honour, whilst it absorbed his revenues. An army of twelve thousand men was raised in England for the service of the Elector Palatine. Half the number were lost from sickness by being embarked in foul and crowded ships; and their commander, Count Mansfeldt, was not strong enough to undertake any offensive operations. England was not in any very glorious attitude. The people became discontented; and their discontents were not lightened when another negotiation was set on foot for the marriage of prince Charles with a princess of France, in which country Catholicism was again becoming intolerant and persecuting.

In March, 1625, king James was taken ill at Theobalds. He died on the 27th of that month, in the fifty-ninth year of his age, and in the twenty-third year of his reign.

CHAPTER XVIII.

Accession of Charles I.—Marriage of the king with Henrietta Maria.—The first Parliament of Charles.—Grievances.—Naval failures.—The second Parliament.—Contests of Peers and Commons with the Crown.—Subsidies illegally levied.—Imprisonments for refusals to pay.—The Queen's foreign attendants dismissed.—War with France.—Its causes.—La Rochelle.—Expedition to the Isle of Rhé.—The third Parliament.—Petition of Right.—Buckingham denounced in the Commons' House.—Prorogation of Parliament.—Siege of La Rochelle.—Buckingham and Richelieu.—Assassination of Buckingham.—Felton, the assassin.—Surrender of La Rochelle.—Parliament.—Religious differences.—Parliament dissolved in anger.—Members imprisoned.—Peace with Spain and France.

CHARLES I. was proclaimed king on the day of his father's death. The possessor of the crown was changed. The administration of government was unaltered. Buckingham was still the first in power; with equal influence over the proud and dignified Charles of twenty-five, as over the vain and vulgar James of fifty-nine. We are told that "the face of the Court was much changed in the change of the king;" that the grossnesses of the court of James grew out of fashion.* The general change could have been little more than a forced homage to decency, whilst Buckingham was the presiding genius of the court of Charles; but from the first the king exhibited himself as "temperate, chaste, and serious."† A letter, written within a few weeks of his accession, says, "Our sovereign, whom God preserve, is zealous for God's truth; diligently frequents and attentively hearkens to prayers and sermons; will pay all his father's, mother's, and brother's debts, and that by disparking most of his remote parks and chases; will reform the court as of unnecessary charges, so of recusant papists."‡ The personal demeanour of the king compelled a corresponding outward show in the courtiers. At the beginning of this reign the people must have had a reasonable expectation of being religiously and quietly governed.

The marriage of Charles with the princess Henrietta Maria of France was the result of the treaty made in the previous reign;

* Mrs. Hutchinson.

† *Ibid.*

‡ Letter of Mr. Mead. Ellis, First Series, vol. iii. p. 187.