

designs of Richard, or drawing conclusions resulting from subsequent events, it must be admitted, that by virtue of his responsible office as lord protector of the realm, he was, in some degree, justified in striving to obtain possession of the person of the infant Duke of York, as heir presumptive to the crown;* the more so since the king desired, as was, indeed, natural, the companionship of his brother;† and also because a report had been circulated that it was intended to send the young prince out of the kingdom.‡ Now Richard was not so advanced in years as to forget the almost parallel case when himself, at the very age of the Duke of York, was, with his brother of Clarence, privately conveyed to Utrecht, owing to the anxiety and misgivings of his mother; neither was he ignorant of the fact that the Marquis Dorset, the Lord Lyle and Sir Edward Grey, his young nephews' maternal relatives, had already effected their escape,§ although Lionel Wydville, Bishop of Salisbury, yet remained in sanctuary to counsel and aid his royal sister.

Resolute, however, as was the protector in his determination to withdraw, if possible, the young prince from Westminster, the strongest test and greatest surety for the lawfulness of his proceedings up to this time rest upon the fact that he was supported in his design by the heads of the church and the chief officers of the crown, "my lord cardinale, my lord chauncellor, and other many lords temporal."||

Sir Thomas More's elaborate account of the transaction, together with the lengthened orations of the queen and Cardinal Bouchier, have long been considered as the effusions of his own fertile imagination;¶ but the simple statement of the Croyland Chronicler, the soundest authority of that day, embraces, there can be little doubt, the entire facts of the proceeding. "On Monday, the 15th of June, the Cardinal-Archbishop of Canterbury, with many others, entered the sanctuary at Westminster for the purpose of inducing the queen to consent to her son Richard, Duke of York, coming to the Tower for the consolation of the king, his brother. To this she assented, and he was accordingly conducted thither by the archbishop."

Fabyan's account is even more laconic; but the silence of both these cotemporaries, as well as that of the writer of the above-named letters,** exonerates Richard from the alleged violence imputed to him by More; and proves beyond dispute that the young prince was removed by the consent of his mother, who was his natural guardian, and not by any exercise of Richard's authority as protector. It is worthy of remark, that the city chronicler con-

king's brother, that by the assent of the nobles of the land were appointed, as the king's nearest friends, to the tuition of his own royal person."—More, p. 36.

* More, p. 43.

† Chron. Croy., p. 566.

‡ More, p. 36.

§ Rous, Hist. Reg. Ang., p. 212.

|| Stallworth Letters, Ex. Hist., p. 15.

¶ Lingard, vol. v. p. 244.

** Simon Stallworth, the writer of these coeval letters, was one of the officers of the lord chancellor, into whose hands, he states, the young duke was placed; and, consequently, had personal violence been intended, he must have known it. But, although he relates that there were "at Westminster great plenty of armed men," the natural consequence of the troubled state of the metropolis which he had just been describing, he in no way couples them with what he terms "the deliverance of the Duke of York." He mentions the princely reception given to the royal child; and in this particular point, which is one of great importance, he agrees with Sir Thomas More, viz., that the Duke of Buckingham met the young prince in the middle of Westminster Hall, and that the lord protector received him at the door of the star-chamber "with many loving words, and in the company of the cardinal took him to the Tower." The armed men, there can be little doubt, were intended to guard this public procession; for the soldiers in the fifteenth century would have shrunk from forcibly violating a sanctuary.

firms two assertions of Sir Thomas More which tell greatly in the protector's favour; namely, the one that Cardinal Bouchier, the Archbishop of Canterbury, pledged his life for the young prince's safety,* so implicitly did he rely on the honour and integrity of the Duke of Gloucester; and the other, that if their royal parent would voluntarily quit the sanctuary, her sons should not be separated from her:—but he adds, "the queen, for all fair promises to her made, kept her and her daughters within the foresaid sanctuary."†

Had Elizabeth yielded, how different might have been the fate of Edward V.! Had she but possessed sufficient moral energy to risk her own life for her sons, as did the parents of Edward IV. and Henry VII., how far brighter might have been her own lot and that of her infant progeny? "Here is no man (quod the Duke of Buckingham) that will be at war with woman. Would God some of the men of her kin were woman too, and then should all be soon at rest."‡

But both the princely brothers were now in the protector's power; and those friends who had conspired against their uncle's life, and who would have opposed his elevation, were either dead or in close imprisonment. Only seven days intervened before that fixed for young Edward's coronation; only one short week remained, in which to aim at sovereignty, or to sink back into the position of a subject.

Richard, in an evil hour, yielded to the worldliness of a corrupt age and a pernicious education; and by this dereliction of moral and religious duty, he cast from him the glory of being held up to the admiration of posterity as an example of rigid virtue and self-denial, instead of being chronicled as an usurper and the slave of his ungovernable ambition.

From this day, the 15th of June, the two Dukes of Gloucester and Buckingham no longer concealed their designs. The dispatch forwarded to York by Sir Thomas Radcliff on the 10th did not reach that city for five days; but on the 19th its contents were acted upon by a proclamation§ requiring as many armed men as could be raised to assemble at Pontefract by the 22d instant; and on the following day, the 23d, Lord Rivers, having been removed from his prison at Sheriff-Hutton, was there tried and executed by the Earl of Northumberland, that peer acting both as judge and accuser.|| However harsh this proceeding may appear, it is clear that this unfortunate nobleman was himself satisfied that his sentence was conformable to the proceedings of the age, and had been merited by his own conduct.¶ That he had confidence also in the protector's justice, although he entertained no hope of awakening his mercy, is likewise shown by the annexed conclusion to his will dated at Sheriff-Hutton 23d of June, 1483,** "Over this I beseech humbly my Lord of Gloucester, in the worship of Christ's passion and for the merit and weal of his soul, to comfort, help and assist, as supervisor (for very trust) of this testament, that mine executors may with his pleasure fulfill this my last will."††

* "He durst lay his own body and soul both in pledge, not only for his surety, but for his estate."—More, p. 79.

† Fabyan, p. 513.

‡ More, p. 41.

§ Drake's Ebor., p. 111.

|| Rous, Hist. Reg. Ang., p. 213.

¶ The historian, who has recorded the particulars of his execution, has preserved a ballad written by Earl Rivers after he was condemned to death: it breathes a spirit of resignation and firmness that is very pleasing, but contains no expression either of injustice at his sentence or reproach to the protector.—Rous, p. 214.

** Excerpt. Hist., p. 248.

†† The commiseration ordinarily expressed at the violent end of Anthony, Earl Rivers, has arisen in great measure from the lamentations bestowed upon him by Caxton; whose first book, (from the English press,) with the date and place sub-

The Duke of Gloucester, renowned as he was for bravery and military skill, was wholly averse to civil war; and, in the present instance, although he was firmly resolved on displacing his nephew, and ruling the empire as king actually, and not merely by sufferance, yet his energies were altogether directed towards accomplishing this end by means the most speedy and the least turbulent. An opening had presented itself to his calculating sagacity for securing the crown, not only without bloodshed, but even with some appearance of justice, arising from an important secret with which he had been intrusted some years antecedent to this period.

The marriage of Edward IV. with Elizabeth Wydville was not valid,* inasmuch as that monarch had before been privately married† to the Lady Elinor Butler.‡ Not only was this fact well known to Gloucester,§ and to the Duke of Buckingham, who was the Lady Elinor's cousin,|| but Dr. Stillington, Bishop of Bath and Wells, (the prelate by whom the parties had been united,¶ and through whose means the circumstance had become known to the protector,) yet lived to attest the fact; and so likewise did Cecily, Duchess of York, who had exerted herself both by entreaties and remonstrances** to

joined, was a work of this nobleman's, entitled "Dictes or Sayings of Philosophers," the MS. of which, elaborately illuminated, represents Edward IV., his son and the queen, and Earl Rivers in the act of offering his work to the king, accompanied by Caxton.—See *Oldy's Brit. Lib.*, p. 65; and *Ames' Typ.*, p. 104. But this accomplished nobleman, although learned, chivalrous, and excelling his compeers in the more graceful attainments of the age, was by no means free from the vices which characterized his family and the times in which he lived. He was universally unpopular, from the selfish and covetous ambition which marked his political conduct during the ascendancy of his royal sister. He was the cause of King Edward's committing to the Tower his "beloved servant" Lord Hastings. He instigated the queen to insist on the Duke of Clarence's execution.—See *Fadera*, xii. p. 95. He grasped at every profitable or powerful appointment in King Edward's gift; and would, there can be no doubt, have sacrificed the Duke of Gloucester to his insatiable ambition, had not that prince, from intimation of his designs, felt justified, in accordance with the relentless custom of that period, in committing him to prison, and commanding his execution.

* Rot. Parl., vol. vi. fol. 241.

† "The lady to whom the king was first betrothed and married was Elinor Talbot, daughter of a great peer of this realm, of a most noble and illustrious family, the Earl of Shrewsbury; who is also called, in authentic writings, the Lady Butler, because she was then the widow of the Lord Butler; a lady of very eminent beauty and answerable virtue, to whom the king was contracted, married, and had a child by her."—*Buck*, lib. iv. p. 122. Sir Thomas More, by some oversight, substitutes the name of Elizabeth Lucy for that of Elinor Butler: the former was King Edward's mistress, and mother of his illegitimate son Arthur Lord Lisle; the latter was his affianced and espoused wife.—See *More*, p. 96.

‡ Milles's Cat. of Honour, p. 743.

§ On the authority of Philip de Comines, (lib. v. p. 202.) Buck states that Dr. Stillington was induced by the Lady Butler's family, to inform the Duke of Gloucester of King Edward's marriage, "as the man most inward with the king" during that monarch's life; who, upon the matter being mentioned to him by Gloucester, became so incensed against the bishop, saying, he had "not only betrayed his trust, but his children, that he dismissed him from his council, and put him under a strict imprisonment for a long time; which at length Stillington redeemed himself from by means of a heavy fine paid shortly before the king's death, as testified by Bishop Goodwin in his Catalogues Episcoporum."—*Buck*, lib. iv. p. 122.

|| Elinor Talbot, daughter of John Talbot, Earl of Shrewsbury; her mother was the Lady Katherine Stafford, daughter of Humphrey Stafford, Duke of Buckingham; and she was the widow of Thomas Lord Butler, Baron of Sudely.—*Buck*, lib. iv. p. 116.

¶ "This contract was made in the hands of the bishop, who said that afterwards he married them, no person being present but they twyne and he, the king charging him strictly not to reveal it."—*Phil. de Com.*, lib. v. p. 151.

** More, p. 93.

prevent the second marriage,* entered into by her son in direct violation of a sacramental oath, and in open defiance of the law, ecclesiastical as well as civil.† Here, then, was solid ground on which to base his own pretensions, and to invalidate his nephew's right of succession. Nor was Richard slow to profit by it.

The lord mayor, Sir Edmund Shaw, together with the sheriffs of London, were well inclined towards the protector; and Dr. Raaf Shaw, and ecclesiastical of eminence and brother to the mayor, in conjunction with Dr. Penker, the superior of the Augustin friars, undertook to advocate the Duke of Gloucester's claims publicly from the pulpit. They were "both doctors of divinity, both great preachers, and both greatly esteemed amongst the people."‡

When attention is directed to this point, together with the eagerness which had been so recently shown by the mayor and sheriffs above named to testify their loyalty to Edward V. on his entrance into the city,§ and their promptitude in taking the oath of allegiance to him, it cannot but suggest the conviction that Richard's claims must have been better founded and his conduct less flagitious than are ordinarily reported, if he could thus speedily, and without force of arms enlist both the clergy and the city magistracy in his cause.

Political expediency—the alleged source of all the miseries connected with these direful times—may have operated with Richard, as an individual, in accelerating the death of his opponent, Hastings, or his rival, the Earl Rivers; but it can scarcely be supposed to have had sufficient weight to influence the clergy and the city authorities publicly to advocate what must have appeared open perjury and usurpation. The bonds of social union, it is well known, were dissevered, and the national character had become grievously demoralized by the civil wars; but it is beyond all belief that one individual, even were he as vicious and depraved as the protector has long been represented, could have corrupted a whole nation—peers, prelates and legislators, in the brief span of fifty days; much less have obtained sufficient mastery over the people to induce them to advocate the deposition of their acknowledged sovereign, and to seek his own advancement, unless there were palpable grounds for so strong a measure.

Little doubt can remain that many more facts must have been known to the community at large than have been perpetuated in the ex-parte statements that have alone been transmitted to posterity; a few concise notices,

* "The duchess, his mother, who, upon the secret advertisement of his love to this Lady Gray, used all the persuasions and authority of a mother to return him to the Lady Elinor Talbot, his former love and wife, (at least his contracted,) to finish and consummate what he was bound to by public solemnity of marriage."—*Buck*, lib. iv. p. 119.

† Buck states that the announcement of the king's second marriage "cast the Lady Elinor Butler into so perplexed a melancholy, that she spent herself in a solitary life ever after."—*Lib. iv.* p. 122. The same historian also states, that the king's "remembrance of his pre-contract after a time moved him by such sensible apprehensions, that he could not brook to have it mentioned; which was the cause of his displeasure against his ancient chaplain, Dr. Stillington, because he did what his conscience urged to God and the kingdom in discovering the marriage."—*Ibid.* The Lady Eleanor did not long survive the king's infidelity: retiring into a monastery, she devoted herself to religion, and dying on the 30th of July, 1466, was buried in the Carmelites' church at Norwich. She was a great benefactress to Corpus Christi College in Cambridge, as she was likewise to the University.—*Weaver*, p. 805.

‡ More, p. 88.

§ Chron. Croy., p. 566.

unfortunately, being all that is left, in the present day, whereby to guide the historian in his efforts to unweave that mass of fiction and deceit in which the period under consideration is enveloped.

As a prelude to the stigma which he was about to affix on Edward IV. and his offspring, Richard determined upon delivering over to the ecclesiastical power Jane Shore, his brother's favourite mistress, who was said to have been living in the same unlawful manner* with the Lord Hastings up to the very period of his execution.

She was arrested by the Lord Howard, or, as some say, the sheriffs of London, immediately after the lord chamberlain's death, on suspicion of being implicated in the conspiracy for which he suffered; and her vast wealth was also seized, "less," says Sir Thomas More, "from avarice than anger."†

It is by no means improbable that Jane's attachment to the late king may have led to her being a party concerned in schemes for securing the well-being of Edward V.; and that her house, in consequence, was the chosen resort of the young king's friends: but it was her immorality, not her political offences, that it best suited Gloucester at this crisis to make apparent. Consequently, after being imprisoned and examined on the latter accusation, she was delivered over to Dr. Kempe, the Bishop of London, for punishment on the former charge; and by him sentenced to perform open penance on the Sunday following the Lord Hastings' execution. Her saddened look and subdued manner, united to her rare beauty and accomplishments, excited general commiseration; but as a native of London,‡ and well known to the citizens as the unfaithful partner of one of their eminent merchants, a goldsmith and banker,§ she was a notable instance of the late king's licentious habits, and therefore a fitting instrument to prepare the minds of the people for the desperate measure which her public degradation was intended to strengthen.

On the ensuing Sunday, the 22d instant, Dr. Shaw, whose high reputation, perpetuated by Fabyan, seems strangely irreconcilable with the part which he is said to have acted on this occasion,|| ascended St. Paul's Cross,¶ "the lord protector, the Duke of Buckingham, and other lords being present,"** and selecting an appropriate text from the Book of Wisdom†† (ch. iv. v. 3), he directed the attention of his mixed congregation to the dissolute life which had been led by the late king. After dwelling forcibly on the evils resulting to the state from his indulgence in habits so derogatory to his own honour and the well-being of the kingdom, he "there showed openly that the children of King Edward IV. were not legitimate, nor rightful inheritors of the crown;" concluding his discourse by pointing out the preferable title of the lord pro-

* More, p. 80.

† Ibid., p. 81.

‡ "This woman was born in London, worshipfully friended, honestly brought up, and very well married, saving somewhat too soon; her husband, an honest citizen, young and goodly, and of good substance."—More, p. 83.

§ Graph. Illust., p. 49.

|| "And the more he was wondred of, that he could take upon him such business, considering that he was so famous a man both of his learning and his natural wit."—Fabyan, p. 514.

¶ A pulpit in form of a cross which stood almost in the middle of St. Paul's churchyard, raised in an open space before the cathedral; the which, says Pennant, "was used not only for the instruction of mankind by the doctrine of the preacher, but for every purpose ecclesiastical or political; for giving force to oaths, for promulgating laws, and for the defaming of those who had incurred the royal displeasure."

** Fabyan, p. 514.

†† "Spuria vitalimina non agent radices altas; that is to say, Bastard slips shall never take deep root."—More, p. 100.

tector, disannulling that of the young king, and urging the immediate election of Richard as the rightful heir to the throne.*

Such is the brief account given by Fabyan, a cotemporary, a citizen,† and most probably an auditor, respecting this celebrated sermon, which, after being distorted and exaggerated to a degree almost inconceivable, (unless the additions of succeeding annalists are compared with the plain testimony of such as were coeval with the event,) makes Gloucester perform a part better befitting a strolling player‡ than the lord protector of the realm, and even act in so revolting a manner as that of instructing§ the preacher to impugn the reputation of his own mother|| fixing the stain of illegitimacy on all her sons but himself; and he, be it remembered, was her youngest and eleventh child!¶

Monstrous, indeed, is the charge! a fitting accompaniment to the common story of Clarence's death, and Gloucester's "wærish and withered arm."

All reply to this gross accusation against the protector may be summed up in the simple fact, that every cotemporary writer is silent on the matter; making no allusion whatever to the Lady Cecily, or the unnatural and uncalled-for part said to have been acted by her son.

The Prior of Croyland and Rous of Warwick seem to have considered Dr. Shaw's sermon too unimportant even to call forth remark. Fabyan's account merely shows it to have been the means employed to prepare the citizens of London for the claims that were about to be legally submitted to the council of lords at the approaching assemblage of Parliament; and Sir Thomas More, the next writer in chronological order** (and the first who relates the calumny),†† "which the worshipful doctor rather signified than fully explained,"‡‡ not only certifies that Richard was acquitted of all share in the transaction, but also that the entire blame was laid on the over-zeal of the time-serving, obsequious Dr. Shaw,§§ assigning this outrage on the pro-

* Fabyan, p. 514.

† Fabyan, who was a merchant and alderman of London, and living on the spot at this momentous crisis, is high authority for all matters which occurred in the neighbourhood of London; and as he did not write his chronicle until party spirit had distorted Richard's actions, and malice had blackened his reputation, he is not likely to have favoured the deceased king by withholding facts which there was then no danger in narrating.

‡ "Now was it before devised, that in the speaking of these words, the protector should have come in among the people to the sermon, to the end that those words, meeting with his presence, might have been taken among the hearers as though the Holy Ghost had put them in the preacher's mouth, and should have moved the people even there to cry 'King Richard! King Richard!' that it might have been after said that he was specially chosen by God, and in manner by miracle. But this device quailed either by the protector's negligence, or the preacher's over-much diligence."—More, p. 102.

§ Ibid., p. 99.

|| "The tale of Richard's aspersing the chastity of his own mother," says Horace Walpole, "is incredible; it appearing that he lived with her in perfect harmony, and lodged with her in her palace at that very time."—*Hist. Doubts*, p. 125.

¶ See Archæol., xiii. p. 7; *Hist. Doubts*, p. 42; and Buck, lib. iii. p. 82.

** The Prior of Croyland wrote his Chronicle in 1484. Rous, of Warwick, wrote his history in the year 1487. Fabyan's Chronicle was compiled somewhere about 1490. Sir Thomas More wrote his Life of Richard III. in 1508. Polydore Virgil was sent to England by Pope Innocent VIII. to collect the Papal tribute in the year 1500. He commenced his history shortly after his establishment at the English court, and completed it in 1517.

†† More, p. 99.

‡‡ Ibid., p. 111.

§§ "That the preacher attacked the chastity of the protector's mother to put the late king's legitimacy in doubt, is scarcely credible, because it was unnecessary; and if this were done, it did not originate with Richard. It was one of the articles of Clarence's attainder, (Rot. Parl., vi. p. 194.) that he accused his brother, Edward IV., of being a bastard."—Turner, vol. iii. p. 456.

lector's mother as the cause of that disgrace* which Fabyan, as well as himself, perpetuates.

It is from Polydore Virgil, the annalist of Henry VII., whose history was compiled under the auspices of the rival and bitter enemy of Richard III., and from which corrupted source have sprung those calumnies which, for ages, have supplied the stream of history, that we must look for the source of those accusations which so long have darkened the fame of Richard of Gloucester. He it was who affixed on the protector this most uncalled-for infamy. He makes the aspersions on the Lady Cecily's honour to comprise the whole of the offensive portion of Dr. Shaw's sermon, even denying that he attacked the legitimacy of King Edward's children, although admitting that such a report was spread at the time.† But Polydore Virgil was not cotemporary with that time, as were Fabyan and the Croyland doctor. He wrote what he had heard at the court of Henry VII., many years after Richard's death, while they testified that which they had seen and known during the reign of Richard III. Polydore Virgil undertook his history at a period when one of those very children, whose legitimacy had been admitted by Parliament, was Queen of England and mother of the heir apparent, and, likewise, after the reigning monarch had commanded the obnoxious statute to be expunged from the rolls, "annulled, cancelled, destroyed, and burnt,"‡ fine and imprisonment being threatened to all possessed of copies, who did not deliver them to the lord chancellor for destruction.¶

The Croyland writer, however, had previously inserted in his chronicle the purport of the bill that was presented to the assembled lords; and Fabyan, uninfluenced by the political changes which rendered it expedient in Polydore Virgil to remove the stigma of illegitimacy from the queen consort, and fix the imputation on the children of the deceased Duchess of York,** recorded from his own knowledge the exact substance of Dr. Shaw's

* "This drift had been too gross for King Richard . . . and to quit him of it Sir Thomas More, Richard Grafton and Mr. Hall say that he was much displeased with the doctor when he heard the relation, which the Duke of Buckingham also affirmed in his speech to the Lord Mayor of London, viz., 'That Dr. Shaw had incurred the great displeasure of the protector, for speaking so dishonourably of the duchess his mother.' That he was able of his own knowledge to say he had done wrong to the protector therein, who was ever known to bear a reverend and filial love unto her."—*Buck*, lib. iii. p. 82.

† Laing, (in Henry,) vol. xii. p. 450.

‡ Polydore Virgil says that Dr. Shaw attacked the chastity of the mother of Edward IV., and alleged the want of resemblance between that monarch and his father in proof of his accusation. He proceeds to state (after commenting upon the astonishment of the people at the impudence and wickedness of this libel), that it was reported that he had attacked the legitimacy of the sons of Edward IV., but in proof that such was not the accusation of Dr. Shaw, adds that immediately after the sermon, "Cecilia, the mother of Edward, before many noblemen, of whom some are yet alive, complained that so great an injustice should have been done to her by her son Richard."—*Pol. Virg.*, p. 454.

§ Year Book, Hilary Term, 1 Hen. VII.

¶ "The statute was abrogated in Parliament, taken off the rolls, and destroyed; and those possessed of copies, were directed, under the penalty of fine and imprisonment, to deliver them to the chancellor, "so that all things said or remembered in the bill and act be for ever out of remembrance and forgotten."—See *Henry*, vol. xii. App. p. 409; *Carte*, vol. ii. p. 824.

¶ Rot. Parl., vol. vi. p. 289.

** Cecily, Duchess of York, survived her illustrious consort thirty-five years, and, after outliving her royal sons, Edward IV. and Richard III., she died in retirement at her castle of Berkhamstead in the year 1495, (10th Henry VII.,) and was buried by

sermon; at the delivery of which, as one of the civic authorities, he was, in all probability, present.* Resident in London, and one of its aldermen and merchants, he had ample means of knowing the terms on which the protector lived with his venerable parent. He could not be ignorant of the remarkable scene at Baynard's Castle, which almost immediately followed the proceedings at St. Paul's Cross—that important assemblage of the Lords and Commons, the prelates and great officers of state, at the Lady Cecily's mansion; in the audience chamber appertaining to which, those overtures were made which raised her son to the throne, and whither, says Sir Thomas More, "the mayor, with all the aldermen, and chief commoners of the city, in their best manner appareled, assembling themselves together resorted—an honourable company, to move a great matter to his grace."† There can, indeed, remain no doubt that he would have noticed a proceeding so utterly revolting as the attack, had it been made by the protector upon his mother's honour, if there had been any just ground for the accusation, when he particularly states that the announcement of the illegitimacy of the young princes, by Dr. Shaw, "and the dislanderous words in the preferring of the title of the said lord protector and in disannulling of the other," was "to the great abusion of all the audience except such as favoured the matter."‡

It would be vain to attempt following up the alleged effect of this sermon, or refuting the groundless calumnies which have sprung from it. The result of the revolution it was intended to prelude is well known. Discarding, then, the irreconcilable discrepancies of a later period, and adhering scrupulously to the coeval accounts transmitted by Fabyan and the Prior of Croyland, from whose original and then unpublished manuscript Sir George Buck copied and first made known§ the existence of a bill which, at the expiration of nearly three centuries, was corroborated by the discovery of the identical roll of Parliament which confirmed the facts the Croyland doctor had recorded,|| the change of government which elevated Richard of Gloucester, and excluded his nephew from the throne, may be thus briefly summed up in the concise terms of the city chronicler. "Then upon the Tuesday following Dr. Shaw's address, an assembly of the commons of the city was appointed at the Guildhall, where the Lord of Buckingham, in the presence of the mayor and commonalty, rehearsed the right and title that the lord protector had to be preferred before his nephews, the sons of his brother, King Edward, to the right of the crown of England. The which process was so eloquent-wise shewed, and uttered without any impediment," he adds,—thus implying that he was present and heard the discourse,—"and that of a long while with so sugred words of exhortation and according sentence, that many a wise man that day marvelled and commended him for the good ordering of his words, but not for the intent and purpose, the which there-upon ensued."¶

It is traditionally reported that in consequence of this powerful address, the mayor and civic authorities, accompanied by Buckingham and many knights and gentlemen, proceeded direct from the Guildhall to Crosby Place,**

the side of her husband in the collegiate church of Fotheringay.—*Sandford*, book v. p. 369.

* Fabyan was a member of the Drapers' Company, and actively employed in the city on many public concerns. He was sheriff of London in the 9th year of the reign of Henry VII., and resigned his aldermanic gown in 1502, to avoid the mayoralty.—*Biog. Dict.*

† More, p. 117.

§ Buck, lib. i. p. 23.

¶ Fabyan, p. 514.

** See Harrison's Survey of London, p. 124.

‡ Fabyan, p. 514.

|| Hist. Doubts, p. 43.

the private dwelling-house of the protector, and there formally solicited him to assume the regal dignity.

A room in this venerable structure, which still exists, retaining as it has done for nearly four centuries the name of the "council chamber,"* together with one immediately above it, bearing the appellation of the "throne room,"† gives weight to the supposition that the city council may have assembled in the one, and that the throne was offered and accepted in the other.

Neither is it altogether unworthy of record, in substantiating this tradition, that Bishopsgate Street thenceforth bore the name of King Street,‡ in commemoration, doubtless, of the residence of Richard III. within its precincts, although it has long since returned to the primitive appellation§ which it to this day retains.

Certain it is, that on the following day, the 25th instant, for which Parliament had been legally convened|| by Edward V., a supplicatory scroll was presented to the three estates assembled at Westminster,¶ although not "in form of Parliament,"** in consequence of the question which had arisen respecting the legality of the young king's title to the throne.

"There was shown then, by way of petition, on a roll of parchment, that King Edward's sons were bastards, alleging that he had entered into a pre-contract with Dame Alionora Butler, before he married Queen Elizabeth; and, moreover, that the blood of his other brother, George, Duke of Clarence, was tainted, so that no certain and incorrupt lineal blood of Richard, Duke of York, could be found but in the person of Richard, Duke of Gloucester. Wherefore it was besought him, on behalf of the Lords and Commons of the realm, that he would take upon him his right."†† Such is the clear and explicit account of the cotemporary historian; and "here," observes Horace Walpole, "we see the origin of the tale relating to the Duchess of York—nullus certus et incorruptus sanguis: from these mistaken or perverted words, flowed the report of Richard's aspersing his mother's honour;"‡‡ a report the calumnious nature of which is rendered more apparent by the fact, that the protector owed his elevation to the throne solely to the effect produced by the contents of the above-named petition.§§ "Whereupon the Lords and Commons, with one universal negative voice, refused the sons of King Edward,"||| not for any ill-will or malice, but for their disabilities and incapacities, the opinions of those times holding them not legitimate.¶¶ For these and other causes the barons and prelates unanimously cast their election upon the protector."****

Importuning the Duke of Buckingham to be their speaker, the chief lords,

* Carlos, Hist. of Crosby Hall, p. 36.

† Ibid.

‡ Blackburn's Hist. and Antiq. of Crosby Place, p. 14.

§ Bishopsgate, the ancient name it had borne from St. Erkenwold, Bishop of London, founder of the gate by which the street was formerly divided into "within and without," and which was ornamented by his effigy.—*Harrison's Survey of London*, p. 435.

|| Royal Wills, p. 347.

¶ Rot. Parl., vol. vi. p. 240.

** "From which I should infer that the Parliament was summoned, but that it was not opened in due form; Richard not choosing to do it as protector, because he meant to be king, and for the same reason determining that Edward should not meet it."—*Turner*, vol. iii. p. 458.

†† Chron. Croy., p. 566.

‡‡ Hist. Doubts, p. 43.

§§ Rot. Parl., vol. vi. p. 240.

||| Buck, lib. i. p. 20.

¶¶ The king might have avoided the inconveniency of the post-contract, or later marriage, that gave the imputation of bastards to his children, and so have avoided all the ensuing calamities, if first he had procured a divorce of the former contract with the Lady Elinor from Rome.—*Ibid.*, lib. iii. p. 123.

**** Ibid., lib. i. p. 20; More, p. 110.

with other grave and learned persons, having audience granted to them at the Lady Cecily's mansion "in the great chamber at Baynard's Castle,* then Yorke House, addressed themselves to the lord protector; and after rehearsing the disabilities of Edward V., and reciting the superiority of his own title, petitioned him to assume the crown.

The result of this solemn invitation is thus narrated in the parliamentary report,† which attests this remarkable fact,—“Previously to his coronation, a roll containing certain articles was presented to him on behalf of the three estates of the realm, by many lords spiritual and temporal, and other nobles and commons in great multitude, whereunto he, for the public weal and tranquillity of the land, benignly assented.” This corroboration of the plain account given by the cotemporary chroniclers, both as regards the cause that led to Richard of Gloucester being elected king, and the mode of proceedings observed on the occasion, exonerates this prince altogether from two of the odious charges brought against him by subsequent historians, viz., his alleged unnatural and offensive conduct to his venerable mother, disproved not alone by her mansion being selected for the audience that was to invest him with the kingly authority, but also from the aspersion of the Lady Cecily's character being totally uncalled for, when valid grounds‡ existed for displacing and excluding his brother's children, without calumny or injustice to her. And, secondly, that although the principles and feelings which operate at this present time may lead to Richard's being considered, to a certain degree, in a moral sense, as an usurper, since fealty had been sworn to Edward V., both as Prince of Wales, and subsequently as king, yet, in a legal and constitutional sense, he has been undeservedly stigmatized as such, inasmuch as he neither seized the crown by violence, nor retained it by open rebellion in defiance of the laws of the land.

The heir of Edward IV. was set aside by constitutional authority,§ on an impediment which would equally have excluded him from inheritance in domestic life; and Richard, having been unanimously elected|| by the three estates of the realm, took upon him the proffered dignity by their common consent.

Hereditary succession to the crown,¶ at this period of English history, was

* Some confusion has arisen from four places being indifferently mentioned by cotemporary historians, as associated with the meetings of the council and protector during this memorable period, viz., the Tower, Westminster, Baynard's Castle and Crosbie Place. The two former would seem to have been selected for public discussion, and the latter preserved for private deliberation. Richard choosing his mother's abode at St. Paul's Wharf for general consultation with his kindred and supporters, but giving audience, on matters of personal interest, at his own private abode in Bishopsgate Street.

† Rot. Parl., vol. vi. p. 240.

‡ The doubts on the validity of Edward's marriage were better grounds for Richard's proceedings than aspersion of his mother's honour. On that invalidity he claimed the crown and obtained it; and with such universal concurrence that the nation undoubtedly was on his side.—*Hist. Doubts*, p. 40.

§ "The jurisprudence of England," says Archdeacon Paley, "is composed of ancient usages, acts of Parliament, and the decisions of the courts of law; those, then, are the sources whence the nature and limits of her constitution are to be deduced, and the authorities to which appeals must be made in all cases of doubt."

|| Rot. Parl., vol. vi. p. 240.

¶ The grand fundamental maxim upon which the *jus coronæ*, or right of succession to the throne of Britain depends, Sir Wm. Blackstone takes to be this: that the crown is, by common law and constitutional custom, hereditary, and this in a manner peculiar to itself; but that the right of inheritance may from time to time be changed or limited by act of Parliament, under which limitations the crown still continues hereditary.

but feebly recognized,* and the right of Parliament to depose one monarch and elevate another had been admitted, not only in the previous reign of Edward IV.,†—whose election to the throne took place in the identical chamber of the Lady Cecily's mansion, in which the crown was now offered to his brother,—but also in the case of Edward III. and Henry IV., examples grounded on far less valid pretences than that which led to the deposition of Henry VI. and Edward V. The indignation, therefore, which has been heaped on Richard's memory for centuries, even if merited in a moral sense, ought rather to have fallen on the Peers, prelates and "noted persons of the Commons," who raised him to the throne. They, as well as himself, had taken and broken the oath of allegiance to his nephew, but in them as a body was vested a power, which Gloucester, as an individual, could not possess—that of deposing the prince whom they had sworn to protect and serve, and of naming as his successor the person whom they considered to be more lawfully entitled to the throne. The crown, therefore, assumed by the protector was consequently not a crown of usurpation, but one that, having become void by alleged failure of legitimate heirs, was legally proffered to him.

Richard of Gloucester must have been born in another era than that in which he flourished, and have been imbued with feelings altogether distinct from such as characterized the nobles of England in the fifteenth century, could he have resisted such an appeal, or rejected a throne which, under such plausible circumstances, he was unanimously called upon to fill. Kings do but exemplify the character of the times in which they live, and the spirit of the people whom they rule. In them are reflected the prevalent virtues or vices of their age; and those princes who have either risen up or been chosen by the nation to contest the sceptre, will be generally found to have been imbued in more than a usual degree with the predominant passions of their epoch, and such as influenced chiefly the actions and conduct of their contemporaries.

The Duke of Gloucester was neither more vicious nor more virtuous than the great body of the people who chose him for their ruler. True—ambition was the predominant passion of his race, but a craving for power influenced alike all ranks, and was exercised in all stations: it was the fruit of that pernicious education in which the seeds were sown, and the natural result of the haughty independence which, at this era, had attained its climax.

Richard was petitioned to ascend a throne which had been previously

* "We must not judge of those times by the present. Neither the crown nor the great men were restrained by sober established forms and proceedings as they are at present: and from the death of Edward III. force alone had dictated. Henry IV. had stepped into the throne contrary to all justice. A title so defective had opened a door to attempts as violent; and the various innovations introduced in the latter years of Henry VI. had annihilated all ideas of order. Richard, Duke of York, had been declared successor to the crown during the life of Henry and of his son Prince Edward, and, as appears by the Parliamentary History, though not noticed by our careless historians, was even appointed Prince of Wales."—*Walpole's Hist. Doubts*, p. 30.

† If the throne becomes vacant or empty, whether by abdication or by failure of all heirs, the two Houses of Parliament may, it is said by Blackstone, dispose of it.

‡ Compare Mr. Sharon Turner's account of the election of Edward IV., together with his hesitation at accepting the crown he had fought to obtain, on account of his oath to Henry VI., with Dr. Lingard's description of King Richard's election—his scruples in ascending a throne he too had laboured to secure, from motives of delicacy to his nephew—and the ambition which led both brothers to surmount all obstacles that risked the loss of a kingdom they so much coveted to possess.—*Middle Ages*, vol. iii. p. 240; *Lingard*, vol. v. p. 250.

§ Rot. Parl., vol. vi. p. 234.

declared vacant. Assenting, therefore, to a choice freely made by the constituted authorities of the realm, he assumed the proffered sovereignty on the 26th of June, 1483.*

"The said protector," says Fabyan,† "taking then upon him as king and governor of the realm, went with great pomp unto Westminster, and there took possession of the same. Where he, being set in the great hall in the seat royal, with the Duke of Norfolk,‡ before called the Lord Howard, upon the right hand, and the Duke of Suffolk§ upon the left hand, after the royal oath there taken, called before him the judges of the law, exhorting them to administer laws and execute judgment, as the first consideration befitting a king."¶ Addressing himself forthwith to the barons, the clergy, the citizens and all gradations of rank and professions there assembled, he pronounced a free pardon for all offences against himself, and ordered a proclamation to be openly made of a general amnesty throughout the land.¶

Having thus taken possession of the regal dignity amidst the acclamations of the multitude, he proceeded in due state to Westminster Abbey, there to perform the usual ceremonies of ascending and offering at St. Edward's shrine; being met at the church door by the leading ecclesiastics, the monks singing "Te Deum laudamus," while the sceptre of King Edward was delivered to him by the abbot.** From thence he rode solemnly to St. Paul's, "assisted by well near all the lords spiritual and temporal of this realm, and was received there with procession, with great congratulation and acclamation of all the people in every place and by the way, that the king was in that day."†† After the customary oblations and recognition in the metropolitan cathedral, the protector "was conveyed unto the king's palace within Westminster and there lodged until his coronation,"‡‡ being that same day "proclaimed king throughout the city, by the name and style of Richard III.,"§§

* Chron. Croy., p. 566.

† Fabyan, although usually correct in all matters that occurred in London and its vicinity, is evidently in error respecting the date of King Richard's accession, which he fixes on the 22d June. The Croyland continuator, and Buck, on his authority, fix it on the 26th June, and their testimony is confirmed by the instructions forwarded, by command of King Richard himself, to the Governor of Calais and Guisnes two days after his accession.—*Harl. MSS.*, 433, fo. 238. Hall, Sir Thomas More, Grafton and the continuator of Hardyng's Chronicle, state that Richard III. ascended the throne on the 19th; Rapin, on the 22d; Hume, about the 25th; Laing, the 27th; Sharon Turner and Lingard, with their usual correctness, on the 26th. "These discrepancies," observes Sir Harris Nicolas, "are not surprising, considering that Richard himself states that 'doubts' had existed on this point."—*Chronology of Hist.*, p. 326.

‡ John, Lord Howard, "one of the fairest characters of the age," and the most devoted of Richard's friends, was raised to the peerage by Edward IV. On the decease of Anne, only child and heiress of John, Duke of Norfolk, he became the legal heir to her vast possessions; the which, however, together with the title, had been previously conferred, by a royal grant, on the infant Duke of York when he espoused the Lady Anne in 1477.—*Rot. Parl.*, vol. vi. p. 168. The Lord Howard coveted the ducal rank, which had heretofore accompanied the lands that now reverted to him by heirship; consequently, on the illegitimacy of King Edward's offspring being admitted, Richard deprived his youthful nephew of the dignity he had to that period enjoyed, and bestowed the dukedom of Norfolk on the Lord Howard, and on his son the earldom of Surrey.

§ The Duke of Suffolk was brother-in-law to the protector, having espoused the Lady Elizabeth, his eldest surviving sister.

¶ Fabyan, p. 514.

¶ More, p. 125.

†† Kennet, vol. i., note to p. 522.

‡‡ Fabyan, p. 515.

** Buck, lib. i. p. 24.

‡‡ Buck, lib. i. p. 24.

just two months and twenty-seven days after the demise of Edward IV., and from the period when that monarch's hapless child succeeded to a crown which he was destined never to wear, although his name survives on the regnal annals of England as the second monarch of the Yorkist dynasty and the last Edward of the Plantagenet race.

CHAPTER XIII.

Richard takes possession of the throne, not as an usurper, but as a legitimate sovereign.—His conduct greatly misrepresented.—Commencement of his reign.—Preparations for his coronation.—State progress through the city.—Richard's election analogous to the change of dynasty in 1688.—Coronation of King Richard and Queen Anne at Westminster.—Peculiar magnificence of the ceremony.—The banquet which followed.—Early measures of Richard III.—His wisdom, justice and attention to his domestic duties.—Commences a progress through his dominions.—Flattering reception at Oxford.—Liberality to the city of Gloucester.—Holds a court at the castle at Warwick.—Is there joined by the queen.—Receives letters of credence from foreign princes.—Embassy from Ferdinand and Isabella.—Resumes his regal progress.—Decides on a second coronation.—Is joined by his son, the Earl of Salisbury, at Pontefract.—Enthusiastic reception at York.—King Richard and his queen crowned a second time in that city.—His son created Prince of Wales.—Dismissal of the foreign envoys to their respective courts.

RICHARD of Gloucester was now king of England—king, by the common consent of the nation, by the unanimous choice of the nobles, the clergy and the people.* For upwards of four centuries he has been designated as an usurper; but has consideration ever been duly bestowed on the literal acceptance of the term, or of its application to this monarch? It would appear not! as, if attention is directed to the one leading point, that Richard neither deposed Edward V., nor forcibly seized the crown, but that the regal dignity was tendered to him voluntarily and peaceably† by that branch of the constitution whose peculiar province it is to mediate between the monarch and the people, and to examine into the just pretensions of the new sovereign before he is irrevocably anointed ruler of the kingdom, it must be admitted that in this point, at least, Gloucester has been most unjustly accused. To quote the words of a modern eminent writer, who minutely examined every available document connected with this momentous inquiry, “Instead of a perjured traitor, we recognize the legitimate sovereign of England; instead of a violent usurpation, we discover an accession, irregular according to modern usage, but established without violence on a legal title.”‡ Whatever difference of opinion may prevail respecting the disability alleged against Edward V., there can exist none as to his having been dethroned by the “Lords and Commons of the realm,”§ whose assent had alone rendered valid his former accession to the crown.¶ If, then, Parliament may settle so important a question as the right of succession to the throne of these kingdoms, Parliament assuredly may unsettle and reform the same: but the laws of inheritance, like the moral laws, are framed on mental obligations which cannot be infringed, even by

* Chron. Croy., p. 567.

† Laing, App. to Henry, vol. xii. p. 414.

‡ Chron. Croy., p. 567.

§ “The power and jurisdiction of Parliament,” says Sir Edward Coke, “is so transcendent and absolute, that it cannot be confined either for causes or persons within any bounds. It can regulate or new model the succession to the crown. It can change and create afresh even the constitution of the kingdom, and of parliaments themselves.”—Coke, quoted by Guthrie, p. 26.

† Buck, lib. i. p. 20.