

in the same direction round to the opposite table. A player is not obliged to enter all his men before he moves any; and he can take up blots on entering, although he has some of his men, which have never been entered, off the board. But, while a player has a man up, he must enter it before entering any more, or moving any of those already entered. If he cannot enter the man that is up, he loses the benefit of the throw.

A player who throws doublets must move not only the number thrown, but also doublets of the number corresponding to the opposite side of the dice; thus, if he throws sixes, he must first enter or move the sixes, as the case may be, and then aces, and he also has another throw. If he throws doublets a second time, he moves according to the rule already given, and throws again, and so on. The privilege is sometimes restricted by not allowing this advantage to the first doublets thrown by each player. It is sometimes extended by allowing the thrower of deuce, ace, to choose any doublets he likes on the opposite sides of the dice, and to throw again. The restriction with regard to the first doublets thrown does not apply to deuce, ace, nor does throwing it remove the restriction with regard to first doublets.

A player must first be able to complete the doublets

BACON, FRANCIS

BACON, FRANCIS, BARON VERULAM, VISCOUNT ST ALBAN, was born at York House in the Strand, London, on the 22d January 1561. He was the youngest son of Sir Nicholas Bacon, the celebrated lawyer and statesman, who for twenty years of Elizabeth's reign held the seals as lord keeper. His mother, the second wife of Sir Nicholas, was a daughter of Sir Anthony Cooke, formerly tutor to Edward VI. She was a woman of considerable culture, well skilled in the classical studies of the period, and a warm adherent of the Reformed or Puritan Church. One of her sisters was married to the famous Lord Treasurer Burghley. Very little is known of Bacon's early life and education. His health being then, as always, extremely delicate, he probably received much of his instruction at home. Yet, Rawley tells us, "his first and childish years were not without some mark of eminency; at which time he was endued with that pregnancy and towardness of wit, as they were presages of that deep and universal apprehension which was manifest in him afterwards, and caused him to be taken notice of by several persons of worth and place, and especially by the queen, who, as I have been informed, delighted much to confer with him and to prove him with questions; unto whom he delivered himself with that gravity and maturity above his years that her majesty would often term him, *The young lord keeper*." In April 1573 he was entered at Trinity College, Cambridge, where for three years he resided with his brother Anthony. Our information with regard to these important years is singularly scanty. We know only that Bacon at Cambridge, like Descartes at La Flèche, applied himself diligently to the several sciences as then taught, and came to the conclusion that the methods employed and the results attained were alike worthless and erroneous. Although he preserved a reverence for Aristotle (of whom, however, he seems to have known but little), he learned to despise the Aristotelian philosophy. It yielded no fruit, was serviceable only for disputation, and the end it proposed to itself was a mistaken one. Philosophy must be taught its true business, and to attain its new aim a new method must be devised. With the first germs of this great conception in his mind, Bacon left the university in 1576.

In the same year he and his brother Anthony were

thrown. If he cannot move the whole throw, he cannot take the corresponding doublets, and he is not allowed another throw if he cannot move all the points to which he is entitled. In other respects the game is similar to ordinary backgammon. The chief object in the game is for the player who has his men in advance to secure as many successive points as possible, so that his adversary may be unable to pass or hit the forward men. (H. J.)

BACKHUYSEN, LUDOLF, an eminent painter of the Dutch school, was born at Embden, in Hanover, in 1631, and died in 1709. He was brought up as a merchant at Amsterdam, but early discovered so strong a genius for painting that he relinquished business and devoted himself to art. He studied first under Everdingen and then under Dubbels, two eminent masters of the time, and soon became celebrated for his sea pieces. He was an ardent student of nature, and frequently exposed himself on the sea in an open boat in order to study the effects of tempests. His compositions, which are very numerous, are nearly all variations of one subject, and in a style peculiarly his own, marked by intense realism or faithful imitation of nature. In his later years Backhuysen employed his time in etching and calligraphy. Several of his best pieces are in the gallery of the Louvre.

entered *ae societate magistrorum* at Gray's Inn, and a few months later he was sent abroad with Sir Amyas Paulet, the English ambassador at Paris. He spent some time in that city, and travelled through several of the French provinces. The disturbed state of government and society in France at that time must have afforded him much valuable political instruction; and it has been commonly supposed that certain *Notes on the State of Christendom*, usually printed in his works, contain the results of his observations. But Mr Spedding has shown that there is no reason for ascribing these "Notes" to him, and that they may be attributed with more probability to one of his brother Anthony's correspondents.

The sudden death of his father in February 1579 necessitated Bacon's return to England, and exercised a very serious influence on his fortunes. A considerable sum of money had been laid up by Sir Nicholas in order to purchase an estate for his youngest son, the only one otherwise unprovided for. Owing to his sudden death, this intention was not carried out, and but a fifth part of the money descended to Francis, who thus began his career in comparative poverty. It was one of the gravest misfortunes of his life: he started with insufficient means, acquired a habit of borrowing, and was never afterwards out of debt. As it had become absolutely necessary that he should adopt some profession by which an adequate income would be yielded, he selected that of law, and took up his residence at Gray's Inn in 1579.

Nothing throws so clear a light on the career of any great man as a knowledge of his character and aims when he made the first step into the world. We learn from this how he himself desired to shape his course, and at every point can see how far his actions correspond to the end he had placed before him. We have, fortunately, information from Bacon himself on these points. In the fragment *De Interpretatione Naturæ Proœmium* (written probably about 1603) he analyses his own mental character, and lays before us the objects he had in view when he entered on public life. If his opening sentence, *Ego cum me ad utilitates humanas natum existimarem*, seems at first sight a little arrogant, it must be remembered that it is the arrogance of the *μεγαλόψυχος*, who thinks himself worthy

of great things, and is worthy; it is a great self-esteem, based upon a consciousness of great powers. This grand and comprehensive aim, the production of good to the human race through the discovery of truth, was combined in him with the more practical desire to be of service to his country, service for which he felt himself by birth and education eminently fitted. He purposed, therefore, to obtain, if possible, some honourable post in the state which would give him the means of realising, so far as in him lay, these two great projects, and would at the same time enable him to do somewhat for the church, the third of the objects whose good he had at heart. The constant striving after these three ends is the key to Bacon's life. His qualifications for accomplishing the task he thus set before him were not small. His intellect was far-seeing and acute, quick and yet cautious, meditative, methodical, and free from prejudice. If we add to this account what Bacon himself does not tell us—that he seems to have been of an unusually sweet temper and amiable disposition—we shall have a fairly complete picture of his mental character at the critical period of his entry into the world.

In 1580 he appears to have taken the first step in his projected career by applying, through his uncle, Burghley, for some post at court. His suit, though well received by the queen and the lord treasurer, was unsuccessful; the particulars of it are totally unknown. For two years after this disappointment he worked quietly at Gray's Inn, and in 1582 was admitted an outer barrister. In 1584 he took his seat in Parliament for Melcombe in Dorsetshire, but the notes for the session do not disclose what part he took or what reputation he gained. About the same time he made another application to Burghley, apparently with a view to expediting his progress at the bar. His uncle, who appears to have "taken his zeal for ambition," wrote him a severe letter, taking him to task for arrogance and pride, qualities which Bacon vehemently disclaimed. It is uncertain what success attended this suit; but as his advancement at the bar was unusually rapid, his uncle's influence may not improbably have been exerted in his behalf. Some years later, in 1589, he received the first substantial piece of patronage from his powerful kinsman, the reversion of the clerkship of the Star Chamber being granted to him. The office was valuable, worth about £1600 a year; but it did not become vacant for nearly twenty years, and was thus, as Bacon used to say, "like another man's ground buttailling upon his house, which might mend his prospect, but did not fill his barn." A considerable period of his life had thus slipped away, and his affairs had not prospered. He had written on the condition of parties in the church; he had set down his thoughts on philosophical reform in the lost tract, *Temporis Partus Maximus*; but he had failed in obtaining the position which he looked upon as an indispensable condition of success. A long and eloquent letter to Burghley,¹ written

¹ "I wax now somewhat ancient; one-and-thirty years is a great deal of sand in the hour-glass. . . . I ever bare a mind (in some middle place that I could discharge) to serve her majesty; not as a man born under Sol, that loveth honour; nor under Jupiter, that loveth business (for the contemplative planet carrieth me away wholly); but as a man born under an excellent sovereign, that deserveth the dedication of all men's abilities. . . . Again, the meanness of my estate doth somewhat move me; for though I cannot accuse myself that I am either prodigal or slothful, yet my health is not to spend, nor my course to get. Lastly, I confess that I have as vast contemplative ends as I have moderate civil ends: for I have taken all knowledge to be my province; and if I could purge it of two sorts of rovers, whereof the one with frivolous disputations, confutations, and verbiages, the other with blind experiments and auricular traditions and impostures, hath committed so many spoils, I hope I should bring in industrious observations, grounded conclusions, and profitable inventions and discoveries—the best state of that province. This, whether it be curiosity, or vain-glory, or nature, or (if one take it favourably) *philanthropia*, is so fixed in my mind as it cannot be

removed. And I do easily see, that place of any reasonable commandment doth bring commandment of more wits than of a man's own. . . . And if your lordship shall find now, or at any time, that I do seek or affect any place whereunto any that is nearer to your lordship shall be convenient, say then that I am a most dishonest man. And if your lordship will not carry me on, . . . this I will do, I will sell the inheritance that I have, and purchase some lease of quick revenue, or some office of gain that shall be executed by deputy, and so give over all care of service, and become some sorry bookmaker, or a true pioneer in that mine of truth."—(Spedding, *Letters and Life*, i. 108-9.)

² Spedding, *Letters and Life*, i. 234-35, cf. i. 362. This letter, with those to Puckering or Essex and the queen, i. 240-41, should be compared with what is said of them by Macaulay in his *Essay on Bacon*, and by Campbell, *Lives*, ii. 257.

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said, but expresses regret that his motives should have been misunderstood, and that any offence should have been taken. He soon felt that the queen's anger was not to be appeased by such a justification. The attorney-generalship had fallen vacant, and Bacon became a candidate for the office, his most formidable rival being his life-long antagonist, Coke, who was then solicitor. Essex warmly espoused Bacon's cause, and earnestly pressed his claims upon the queen; but his impetuous, pettish pleading tended rather to retard than advance the cause. Burghley, on the other hand, in no way promoted his nephew's interest; he would recommend him for the solicitorship, but not for the attorney-generalship; and it is not improbable that Sir Robert Cecil secretly used his influence against his cousin. The queen delayed the appointment, and Bacon's fortunes, as they then stood, could ill brook delay. He was harassed with debt, and at times so disheartened that he contemplated retirement from public life and devotion to abstract studies. In March 1594 it was at last understood that Coke was to be attorney-general. Essex, though bitterly mortified, at once threw all his energies into the endeavour to procure for Bacon the solicitorship; but in this case also, his method of dealing, which was wholly opposed to Bacon's advice,¹ seemed to irritate, instead of conciliating the queen. The old offence was not yet forgiven, and after a tedious delay, the office was given, in Oct. 1595, to Sergeant Fleming. Burghley and Puckering seem to have assisted Bacon honestly, if not over-warmly, in this second application; but the conduct of Cecil had roused suspicions which were not perhaps without foundation. Essex, to compensate in some degree for Bacon's disappointment, insisted upon presenting him with a piece of land, worth about £1800, and situated probably near Twickenham Park. Nor did his kindness cease there; before sailing on the expedition to Cadiz, in the beginning of 1596, he addressed letters to Buckhurst, Fortescue, and Egerton, earnestly requesting them to use their influence towards procuring for Bacon the vacant office of master of the rolls. Before anything came of this application, the Cadiz expedition had resulted in a brilliant success, and Essex became the idol of the army and the people. Bacon saw clearly that such a reputation would assuredly alienate the affections of the queen, who loved not to have a subject too powerful or too popular. He therefore addressed an eloquent and imploring letter to the earl, pointing out the dangers of his position, and urging upon him what he judged to be the only safe course of action, to seek and secure the favour of the queen alone; above all things dissuading him from the appearance of military popularity. His advice, however, was unpalatable and proved ineffectual. The earl still continued his usual course of dealing with the queen, depending solely upon her supposed affection for him, and insanely jealous of any other whom she might seem to favour. His unskillful and unlucky management of the sea expedition to Ferrol and the Azores in no way lowered his popularity with the people, but undoubtedly weakened his influence with the queen.

Bacon's affairs in the meantime had not been prospering. He had increased his reputation by the publication, in 1597, of his *Essays*, along with which were the *Colours of Good and Evil* and the *Meditationes Sacrae*; but his private fortunes were in a bad condition. No public office apparently could be found for him; he failed in the endeavour to retrieve his position by a marriage with the wealthy widow, Lady Hatton, and in 1598 he was arrested for debt. He seems, however, to have been growing in favour with the queen. Some years previously (perhaps about 1594), he had begun to be employed by her in crown affairs, and he gradually acquired the standing of one of the learned

¹ See *Letters and Life*, i. 289, ii. 34.

counsel, though he held no commission or warrant, and received no salary. At the same time he was no longer on the former friendly terms with Essex, a certain estrangement having sprung up between them, caused no doubt by the earl finding his friend's advice distasteful. The earl's affairs were then at a somewhat critical stage, and as our judgment upon a most important episode in Bacon's life depends upon our knowledge of the events of the ensuing year, it will be requisite to enter more minutely than would otherwise be necessary into proceedings with which Bacon himself had nothing to do.

Ireland was then in a rebellious and discontented condition, and it was somewhat difficult for the English Government to decide either on a definite course of policy with regard to it, or on a leader by whom that policy might be carried out. Upon this subject a violent quarrel took place between the queen and Essex, who for some months retired from court, and refused to be reconciled. At last he came forth from his seclusion, and it was soon understood that he was in person to undertake the subjugation of the rebels in Ireland, with a larger force than had ever before been sent into that country. Into the obscure details of this unhappy campaign it is unnecessary to enter; one fact stands out clearly, that Essex endeavoured to carry out a reasonable design. His jealousy and ill temper had been so roused that the only course open to him seemed to be the obtaining a powerful military force, the possession of which would compel the queen to reinstate him in her favour. Whether or not this plan was in contemplation before he undertook the Irish expedition is not evident, though even outsiders at that time entertained some suspicions, but there can be no doubt of the reasonable character of the negotiations carried on in Ireland. His plans, probably not very definite, were disturbed by an imperative message from the queen, ordering him not to return to England without her permission. He at once set off, and, trusting apparently to her affection for him, presented himself suddenly before her. He was, for the moment, received kindly, but was soon afterwards ordered to keep his chamber, and was then given into the custody of the lord keeper at York House, where he remained till March 1600. His great popularity, and the general ignorance of the reasons for his imprisonment, stirred up a strong feeling against the queen, who was reported to be influenced by Bacon, and such indignation was raised against the latter, that his friends feared his life would be in danger. The groundless character of this accusation shows how little confidence should be reposed in popular versions of obscure occurrences. It was at last felt necessary that the queen should in some way vindicate her proceedings, and this she at first did, contrary to Bacon's advice, by a declaration from the Star Chamber. This, however, gave little or no satisfaction, and it was found expedient to do what Bacon had always recommended, to have a fair trial, yet not one in which the sentence must needs be damaging to the earl. The trial accordingly took place before a body of her majesty's councillors, and Bacon had a subordinate and unimportant part in the accusation. Essex does not seem to have been at all hurt by his action in this matter, and shortly after his release they were again on friendly terms, Bacon drawing up letters as if to or from the earl with the design of having them brought before the queen. But Bacon did not know the true character of the transactions in which Essex had been engaged. The latter had been released from all custody in August, but in the meantime he had been busily engaged in reasonable correspondence with James of Scotland, and was counting on the Irish army under his ally, Montjoy, the new deputy. But Montjoy had apparently come to see how useless the attempt would be to force upon the queen a settlement of the succession, and declined to go further in the matter.

Essex was thus thrown upon his own resources, and his anger against the queen being roused afresh by the refusal to renew his monopoly of sweet wines, he formed the desperate project of seizing her person and compelling her to dismiss from her council his enemies Raleigh, Cobham, and Cecil. As some pretext, he intended to affirm that his life was in danger from these men, who were in league with the Spaniards. The plot was forced on prematurely by the suspicions excited at court, and the rash attempt to rouse the city of London (8th February 1601) proved a complete fiasco. The leaders were arrested that night and thrown into prison. Although the actual rising might have appeared a mere outburst of frantic passion, the private examinations of the most prominent conspirators disclosed to the Government a plot so widely spread, and involving so many of the highest in the land, that it would have been perilous to have pressed home accusations against all who might be implicated. Essex was tried along with the young earl of Southampton, and Bacon, as one of her majesty's counsel, was present on the occasion. Coke, who was principal spokesman, managed the case with great want of skill, incessantly allowing the thread of the evidence to escape, and giving the prisoners opportunity to indulge in irrelevant justifications and protestations which were not ineffectual in distracting attention from the real question at issue. On the first opportunity Bacon rose and briefly pointed out that the earl's plea of having done nothing save what was absolutely necessary to defend his life from the machinations of his enemies was weak and worthless, inasmuch as these enemies were purely imaginary; and he compared his case to that of Pisistratus, who had made use of a somewhat similar stratagem to cloak his real designs upon the city of Athens. He was thereupon interrupted by the earl, who proceeded to defend himself, by declaring that in one of the letters drawn up by Bacon, and purporting to be from the earl to Anthony Bacon, the existence of these rumours, and the dangers to be apprehended from them, had been admitted; and he continued, "If these reasons were then just and true, not counterfeit, how can it be that now my pretences are false and injurious?" To this Bacon replied, that "the letters, if they were there, would not blush to be seen for anything contained in them, and that he had spent more time in vain in studying how to make the earl a good servant to the queen than he had done in anything else." It seems to be forgotten in the general accounts of this matter, not only that Bacon's letters bear out what he said, but that the earl's excuses were false. A second time Bacon was compelled to interfere in the course of the trial, and to recall to the minds of those present the real question at issue. He animadverted strongly upon the puerile nature of the defence, and in answer to a remark by Essex, that if he had wished to stir up a rebellion he would have had a larger company with him, pointed out that his dependence was upon the people of London, and compared his attempt to that of the duke of Guise at Paris. To this the earl made little or no reply. Bacon's use of this illustration, and of the former one of Pisistratus, has been much commented on, and in general it seems to have been thought that had it not been for his speeches Essex might have escaped, or, at all events, have been afterwards pardoned. But this view of the matter depends on the supposition that Essex was guilty only of a rash outbreak.¹ That this was not the case was well known to the queen and her council. Unfortunately, prudential motives hindered the publication of the whole evidence; the people, consequently, were still ignorant of the magnitude of the crime, and, till recently, biographers of Bacon have been in a like ignorance.² The

¹ See Macaulay's *Essay* on Bacon.

² The whole story of Essex is given in Mr Spedding's *Letters and*

earl himself, before execution, confessed his guilt and the thorough justice of his sentence, while, with singular lack of magnanimity, he incriminated several against whom accusations had not been brought, among others his sister Lady Rich. After his execution it was thought necessary that some account of the facts should be drawn up and circulated, in order to remove the prejudice against the queen's action in the matter. This was intrusted to Bacon, who drew up a *Declaration of the Practices and Treasons attempted and committed by Robert, late Earl of Essex*, his first draft being extensively altered and corrected by the queen and council. Nothing is known with certainty of the reception given to this official explanation, but the ill feeling against Bacon was not wholly removed, and some years later, in 1604, he published, in the form of a letter to Montjoy, an *Apology* for his action in the case. This *Apology* gives a most fair and temperate history of the relations between Bacon and Essex, shows how the prudent counsel of the one had been rejected by the other, and brings out very clearly what we conceive to be the true explanation of the matter. Everything that Bacon could do was done by him, until the real nature of Essex's design was made apparent, and then, as he had repeatedly told the earl, his devotion and respect were for the queen and state, not for any subject; friendship could never take rank above loyalty. Those who blame Bacon must acquit Essex of all wrong-doing.

Bacon's private fortunes, during the period after the death of Essex, were not in a flourishing condition. He had obtained a grant of £1200 from the fines imposed on Catesby, one of the conspirators, but his debts were sufficient to swallow up this and much more. And, though he was trusted by Elizabeth, and on good terms with her, he seems to have seen that he had no chance of advancement. But her death in 1603, followed by the undisputed succession of James, gave him new hopes; to use his own expression, he found himself "as one awakened out of sleep." It appeared to him that at length the abilities he was conscious of possessing would obtain recognition; he thought that "the canvassing world" had gone, and the "deserving world" had come. He used every means in his power to bring himself under James's notice, writing to all his friends at the Scottish court and to the king himself. He managed to obtain a personal interview with the king, but does not seem to have been much satisfied with it. In fact, while the king confirmed in their situations those who had held crown offices under Elizabeth, Bacon, not holding his post by warrant, was practically omitted. He was, however, continued, by special order of the king, as learned counsel extraordinary, but little or no law business appears to have been intrusted to him. He procured, through his cousin Cecil, the dignity of knighthood, which, contrary to his inclination, he received along with about 300 others, on the 23d July 1603. Between this time and the opening of James's first Parliament he was engaged in literary work, and sent to the king two pamphlets—one on the Union, the other on measures for the pacification of the church. What opinion was formed of them by James is unknown. Shortly after he published his *Apology*; the reception it met with is equally uncertain. In March 1604 Parliament met, and during their short session Bacon's hands seem to have been full of work. It was a busy and stirring time, and events occurred during it which carried within them the seeds of much future dissension. Prerogative and privilege came more than once into collision, the abuses of purveyance and wardship were made matters of conference, though the thorough discussion of them was deferred to a

Life. It is also very vigorously told by Mr Bruce in the Introduction to his *Correspondence of James VI. with Sir Robert Cecil*, Camden Society, 1861.

succeeding session; while James's temper was irritated by the objections brought against his favourite scheme of the Union, and by the attitude taken up by the House with regard to religious affairs. The records are barely full enough to enable us to judge very accurately of the share taken by Bacon in these discussions; his name generally appears as the reporter of the committees on special subjects. We can occasionally, however, discern traces of his tact and remarkable prudence; and, on the whole, his attitude, particularly with regard to the Union question, recommended him to James. He was shortly afterwards formally installed as learned counsel, receiving the salary of £40, and at the same time a pension of £60 yearly. He was also appointed one of the commission to treat of the conditions necessary for the Union; and the admirable manner in which the duties of that body were discharged must be attributed mainly to his influence and his complete mastery of the subject. During the recess he published his *Advancement of Learning*, dedicated to the king.

He was now fairly brought into relations with James, and his prospects began to look a little brighter. It is important for us to know what were his ideas upon government, upon parliaments, prerogative, and so forth, since a knowledge of this will clear up much that would seem inexplicable in his life. It seems quite evident¹ that Bacon, from position, early training, and, one might almost think, natural inclination, held as his ideal of government the Elizabethan system. The king was the supreme power, the centre of law and justice, and his prerogative must not be infringed. Parliament was merely a body called to consult with the king on emergencies (*circa ardua regni*) and to grant supplies. King and parliament together make up the state, but the former is first in nature and importance. The duty of a statesman was, therefore, to carry out the royal will in as prudent a manner as possible; he was the servant of the king, and stood or fell according to his pleasure. It is hard to put ourselves at this point of view, and we can with difficulty understand how such a man as Bacon held a theory which seems now so inadequate. But he was not singular in his opinions, and he was undoubtedly sincere; and it is only by keeping them constantly in mind that we can understand his after relations with the king.

In the second Parliament there was not so much scope for the exercise of his powers. The Gunpowder Plot had aroused in the Commons warmer feelings towards the king; they passed severe laws against recusants, and granted a triple subsidy. At the same time they continued the collection of the grievances concerning which they were to move. In the course of this session Bacon married Alice Barnham, "the alderman's daughter, an handsome maiden, to my liking," of whom he had written some years before to his cousin Cecil. Little or nothing is known of their married life.

The third Parliament was chiefly occupied with the commercial and legal questions rising out of the proposed Union, in particular, with the dispute as to the naturalisation of the *Post Nati*. Bacon argued ably in favour of this measure, but the general feeling was against it. The House would only pass a bill abolishing hostile laws between the kingdoms; but the case of the *Post Nati*, being brought before the law courts, was settled as the king wished. Bacon's services were rewarded in June 1607 by the office of solicitor; he had at last gained a step upon the ladder of advancement. His promotion, however, was not rapid; several years passed before he gained another step. Meantime, though circumstances had thrown him too much into active life, he had not forgotten his cherished project of reorganising science. A survey of

¹ See *Letters and Life*, iv. 177, vi. 38, vii. 116, 117.

the ground had been made in the *Advancement*, and some short pieces not published at the time were probably written in the subsequent two or three years. Towards the close of 1607 he sent to his friends a small tract, entitled *Cogitata et Visa*, probably the first draft of what we have under that title. In 1609 he wrote the noble panegyric, *In felicem memoriam Elizabethæ*, and the curiously learned and ingenious work *De Sapientia Veterum*; and completed what seems to have been the *Redargutio Philosophiarum*, or treatise on the idols of the theatre.

In 1610 the famous fourth Parliament of James met. It is not possible to enter minutely into the important occurrences of this short session. Prerogative, despite Bacon's advice and efforts, clashed more than once with liberty; Salisbury's bold schemes for relieving the embarrassment caused by the reckless extravagance of the king proved abortive, and the House was dissolved in February 1611. Bacon took a considerable share in the debates, consistently upheld the prerogative, and seemed yet to possess the confidence of the Commons. The death of Salisbury, occurring soon after, opened a position in which Bacon thought his great political skill and sagacity might be made more immediately available for the king's service. How far he directly offered himself for the post of secretary is uncertain, but we know that his hopes were disappointed, the king himself undertaking the duties of the office. About the same time he made two ineffectual applications for the mastership of the wards; the first, on Salisbury's death, when it was given to Sir George Carey; the second, on the death of Carey. It is somewhat hard to understand why so little favour was shown by the king to one who had proved himself able and willing to do good service, and who, in spite of his disappointments, still continued zealously to offer advice and assistance. At last, in 1613, a fair opportunity for promotion occurred. The death of Sir Thomas Fleming made a vacancy in the chief-justiceship of the King's Bench, and Bacon, after some deliberation, proposed to the king that Coke should be removed from his place in the Court of Common Pleas and transferred to the King's Bench. He gives several reasons for this in his letter to the king, but in all probability his chief motive was that pointed out by Mr Spedding,² that in the Court of King's Bench there would be less danger of Coke coming into collision with the king on questions of prerogative, in handling which Bacon was always very circumspect and tender. The vacancy caused by Coke's promotion was then filled up by Hobart, and Bacon, finally, stepped into the place of attorney-general. The fact of this advice being offered and followed in all essentials, illustrates very clearly the close relations between the king and Bacon, who had become a confidential adviser on most occasions of difficulty. That his adherence to the royal party was already noticed and commented on appears from the significant remark of Chamberlain, who, after mentioning the recent changes among the law officials, says, "There is a strong apprehension that little good is to be expected by this change, and that Bacon may prove a dangerous instrument."

Further light is thrown upon Bacon's relations with James, and upon his political sympathies, by the letter to the king advocating the calling of a parliament,³ and by the two papers of notes on which his letter was founded.⁴ These documents, even after due weight is given to all considerations urged in their favour,⁵ seem to confirm the view already taken of Bacon's theory of government, and at the same time show that his sympathies with the royal party tended to blind him to the true character of certain courses of action, which can only be justified by a strain-

² *Letters and Life*, iv. 381.

⁴ *Ibid.*, iv. 365-73.

³ *Ibid.*, iv. 380.

⁵ *Ibid.*, iv. 375-78.

ing of political ethics. The advice he offered, in all sincerity, was most prudent and sagacious, and might have been successfully carried out by a man of Bacon's tact and skill; but it was intensely one-sided, and exhibited a curious want of appreciation of what was even then beginning to be looked on as the true relation of king, parliament, and people. Unfortunately for James, he could neither adopt nor carry out Bacon's policy. The Parliament which met in April 1614 and was dissolved in June, after a stormy session, was by no means in a frame of mind suitable for the king's purposes. The House was enraged at the supposed project (then much misunderstood) of the "Undertakers;" objection was taken to Bacon being elected or serving as a member while holding office as attorney-general; and, though an exception was made in his favour, it was resolved that no attorney-general should in future be eligible for a seat in Parliament. No supply was granted, and the king's necessities were increased instead of diminished. The emergency suggested to some of the bishops the idea of a voluntary contribution, which was eagerly taken up by the noblemen and crown officials. The scheme was afterwards extended so as to take in the whole kingdom, but lost something of its voluntary character, and the means taken to raise the money, which were not what Bacon would have recommended,¹ were calculated to stir up discontent. The general dissatisfaction received a somewhat unguarded and intemperate expression in a letter sent to the justices of Marlborough by a gentleman of the neighbourhood, named St John, in which he denounced the attempt to raise funds in this way as contrary to law, reason, and religion, as constituting in the king personally an act of perjury, involving in the same crime those who contributed, and thereby subjecting all parties to the curses levelled by the church at such offences. St John was summoned before the Star Chamber for slander and treasonable language; and Bacon, *ex officio*, acted as public prosecutor. The sentence pronounced (a fine of £5000 and imprisonment for life) was severe, but it was not actually inflicted, and probably was not intended to be carried out, the success of the prosecution being all that was desired. St John remained a short time in prison, and was then released, after making a full apology and submission. The fine was remitted. It seems incredible that Bacon's conduct on this occasion should have been censured by his biographers. The offence was clear; the law was undoubted; no particular sympathy was excited for the culprit; the sentence was not carried out; and Bacon did only what any one in his place would naturally and necessarily have done. The nature of his office involved him in several trials for treason occurring about the same time, and one of these is of interest sufficient to repay a somewhat longer examination. Edmund Peacham, a clergyman in Somersetshire, had been committed to custody for a libel on his superior, the bishop of Bath and Wells. In searching his house for certain papers, the officers came upon some loose sheets stitched together in the form of a sermon, the contents of which were of such a nature that it was judged right to lay them before the council. As it was at first suspected that the writing of this book had been prompted by some disaffected persons, Peacham was interrogated, and after he had declined to give any information, was subjected to torture. Bacon, as one of the learned counsel, was ordered by council to take part in this examination, which was undoubtedly warranted by precedent, whatever may now be thought of it. Nothing, however, was extracted from Peacham in this way, and it was resolved to proceed against him for treason. Now, in the excited state of popular feeling at that period, the failure of Government to substantiate an accusation of treason would have been a serious matter. The king, with whom

¹ *Letters and Life*, v. 81-83.

the council agreed, seems therefore to have thought it desirable to obtain beforehand the opinions of the four chief judges as to whether the alleged offence amounted to treason. In this there was nothing unusual or illegal, and no objection would at that time have been made to it, but James introduced a certain innovation; he proposed that the opinions of the four judges should be given separately and in private. It may be reasonably inferred that his motive for this was the suspicion, or it may be the knowledge, that Coke did not consider the matter treasonable. At all events when Coke, who as a councillor already knew the facts of the case, was spoken with regarding the new proposal of the king, he at once objected to it, saying that "this particular and auricular taking of opinions" was "new and dangerous," and "not according to the custom of the realm." He at last reluctantly assented, and proposed that Bacon should consult with him, while the other law officers addressed themselves to the three puisne judges. By Bacon's directions, the proposal to the three judges to give their opinions separately was made suddenly and confidently, and any scruples they might have felt were easily overcome. The first step was thus gained, and it was hoped that if "infusion" could be avoided, if the papers bearing on the case were presented to the judges quickly, and before their minds could be swayed by extraneous influence, their decision on the case would be the same as that of the king. It is clear that the extraneous influence to be feared was Coke, who, on being addressed by Bacon, again objected to giving his opinion separately, and even seemed to hope that his brother judges after they had seen the papers would withdraw their assent to giving their decisions privately. Even after the discussion of the case with Bacon, he would not give his opinion until the others had handed in theirs. What the other judges thought is not definitely known, but Bacon appears to have been unable to put in operation the plan he had devised for swaying Coke's judgment,² by putting him in some dark manner in doubt that he should be left alone; or if he did attempt this, he was unsuccessful, for Coke finally gave an opinion consistent with what he seems to have held at first, that the book was not treasonable, as it did not disable the king's title. Although the opinions of the judges were not made public, yet as we learn, not only from Bacon, but from a sentence in one of Carleton's letters,³ a rumour had got about that there was doubt as to the book being treasonable. Under these circumstances, Bacon, who feared that such a report might incite other people to attempt a similar offence, proposed to the king that a second rumour should be circulated in order to destroy the impression caused by the first. "I do think it necessary," he says, "that because we live in an age in which no counsel is kept, and that it is true there is some bruit abroad that the judges of the King's Bench do doubt of the case that it should not be treason, that it be given out constantly, and yet as it were in secret, and so a fame to slide, that the doubt was only upon the publication, in that it was never published. For that (if your majesty marketh it) taketh away or at least qualifyeth the danger of the example; for that will be no man's case."⁴ Bacon's conduct in this matter has been curiously misrepresented. He has been accused of torturing the prisoner, and of tampering with the judges⁵ by consulting them before the trial; nay, he is even represented as selecting this poor clergyman to serve for an example to terrify the disaffected, as breaking into his study and finding there a sermon never intended to be preached, which merely encouraged the people to resist tyranny.⁶ All this lavish condemnation is wide of the mark, and rests on a complete misconception of the case. If any blame attaches

² *Letters and Life*, v. 101.

³ *Ibid.*, v. 121, n.

⁴ *Ibid.*, v. 124.

⁵ Macaulay's *Essay*.

⁶ Campbell, *Lives*, ii. 344.