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will never be any use to themselves or their owners, or the public at large; they are not worth the tax, and probably live by a mean and unprincipled evasion of it. And that little plucky terrier—the evident hero of a hundred fights—knows it, and would give the two a thorough drubbing if they would only give him a chance; and serve them right.

THE TRIAL OF THE EARL OF SOMERSET, FOR THE POISONING OF SIR THOMAS OVERBURY.

LIKE human life, history has its mysteries. Who wrote the Eikon Basilike? Who was the man in the Iron Mask? Who was Casper Hauser? are some few of the questions to which Time, the great solver, brings no appropriate reply. The oracles are dumb. No revelation comes to the strained and listening ear. All is dark and obscure. One of these dark passages in English history is the trial of the Earl of Somerset. The actors in the tragedy have long vanished from the scene. The records of English state trials and the archives of the State-Paper Office have been consulted and explored with but little success. The student is still left in a state of bewilderment and suspense.

Ben Jonson's "Masque of Hymen" was represented before King James I., on the occasion of the marriage of the Earl of Essex with Lady Frances Howard. The noble bridegroom had attained the mature age of fourteen; Lady Frances owned to having witnessed thirteen summer suns. In seven years that ill-fated marriage was dissolved. Those seven years had not left this lady's name without reproach. Whilst matrons and midwives were left to decide whether the Countess of Essex appeared to them to be a pure virgin, grave bishops and doctors of law had to decide whether the lady had shown any cause for a divorce. According to a contemporary writer, Miss Mounson, daughter of Sir Thomas Mounson, with her face thickly veiled, underwent the examination from which the guilt of the countess led her to shrink. The judicial inquiry was directed by James, and terminated as the British Solomon desired. The vows, which as a girl she had made before the perilous gift of beauty had won for the countess a doubtful name, she was permitted to laugh to scorn. From the home and husband of her spotless youth, conscious of her charms, conscious of their success, in her power and pride she went forth free.

On the festival of St. Stephen, in the year 1613, in the royal palace of Whitehall, in the midst of England's nobles and princes, on the very spot where, on the same day eight years before, she had plighted a virgin heart, the divorced countess became the bride of the king's favourite, Somerset. Of this, as of the previous wedding, the king paid the expenses. To this, as to the other, the same dignitary gave the solemn sanction of the church. In her long hair, the appropriate etiquette of that day for virgin brides, the countess appeared at the altar with the man whose love she had long sought to gain. Wilson, the historian, tells us that those who saw her face might charge nature with too much hypocrisy, for harbouring so wicked a heart under so sweet and bewitching a countenance. He adds that she had grown to be the beauty of the court, and that every tongue was an orator at her shrine. Donne, who took orders, as he himself says, after the age of forty by the inspiration of the Holy Ghost, and at the suggestion of king James, wrote on the day of the marriage those lines which Dr. Johnson has published as one of the most striking examples of the concert of the metaphysical school, of which Donne and Cowley were the head. On the evening of the wedding-day, in the fashion of those times, there was a "gallant masque of lords." The masque, however, this time was not written by "rare old Ben," but by his successful rival, Campion. In honour of the newly-married couple, Bacon prepared "the masque of flowers," which was performed in Gray's Inn, at an expense of £2,000; and the lord mayor and aldermen of London gave a grand banquet at

the Merchant Taylors' Hall. The rich metropolitan companies, whose merchants were even then princes, vied with each other in offering precious gifts to the illustrious pair. The queen gave them silver dishes curiously enamelled. Sir T. Coke, the chief justice, presented a basin and cover of silver gilt; his lady, a pot of gold. Another sycophant gave a gold warming-pan; another, hangings, worth £1,500; another, a sword worth £500, besides its workmanship of enamelled gold, which was worth 100 marks. Another—but why extend the list when what we know of human nature leads us to expect that no gifts would be considered too costly for the favourites of a king? Nor was the church behind in its offerings. The wife of a bishop presented the bride-cake.

Three years passed—three years of gorgeousness and wantonness—of fulness of head and pride of place—of favour on the part of the pedantic king, and of flattery on that of a cringing court—and again the Count and Countess of Somerset were the observed of all observers. Many of the most exciting scenes in English story have occurred in that hall of William Rufus, in which they then held up their hands. There, shortly after, Bacon heard his humiliating doom; there Strafford stood unconquered to the last; there an English king, by his heroic bearing, more than half redeemed the errors of his foolish life; there, in still more eventful times, Burke and Sheridan, in immortal speech, pleaded the ancient rights and dynasties of Hindostan. But no trial that took place there ever collected a greater crowd within its walls than did that in which the favourite of a king stood in peril of his life. During its progress all places of amusement were deserted, and no business was carried on. The people, said Sir Francis Bacon, were "more willing to be lookers-on in this business than to follow their own." From contemporary letter-writers we learn that "four or five pieces was an ordinary price for a seat in the hall." One lawyer gave £10 for a seat for himself and family for two days. Fifty pounds were given for a corner that would hardly contain a dozen. Lord Chancellor Ellesmere sat under a cloth of state at the upper end of the hall as high steward. On either side, but a little below, were seated the twenty-one peers who formed his court. With the judges sat the immortal Coke. At the lower end of the hall were the king's council, headed by the attorney-general Bacon, who throughout the trial was all that he is represented in the admirable antithesis of Pope.

In the trial precedence was given to the countess. On the first day she was called upon to answer for her crime. Misfortune arrayed her in a sadder grace. When they saw her, men's hearts melted, as they ever do when beauty and youth appear before them in distress and tears. Hence it is the bosom still heaves with pity for Mary Queen of Scots, and that other royal daughter of France, whose hair became gray in a single night. With "a low voice but wonderful fearful," the countess confessed her guilt. Pale, but calm and collected as woman can be when she is face to face with sorrow, she exchanged the halls in which she had reigned and shone the bright particular star, and which she had lit up with her loveliness, for the gloomy precincts of the Tower. It is said she passionately entreated that she might not be imprisoned in the room in which Sir Thomas Overbury died. In that time her only child was born—that child became the mother of the Russell who was found guilty at a later day of mistaken attachment to English freedom, and who sealed that attachment with his blood. Who after this will ask, Can any good thing come out of Nazareth?

But the real object had yet to be effected. On the day succeeding the trial of his wife, the Earl of Somerset appeared at the bar. It was observed that his face was pale and his eyes were sunk. We are inclined to think that Somerset was not guilty of the crime of murder; indeed, it is questionable whether Overbury was murdered at all. Attempts were made to poison him, but without success: there is no evidence whatever to show that Somerset was cognisant of these. Had James's affection for Somerset continued unchanged—had George Villiers never appeared at court—in all probability the trial would never have taken place. As it was, the fickle

king was tired of slobbering the old favourite in his beastly way. Somerset's trial lasted from nine in the morning till ten at night. At that late hour, by the feeble torchlight that glimmered through the hall, before men who a few days previously would have kissed the ground on which he trod, he had to answer the charge which had been conducted on the part of the crown by the keenest wit that ever appeared at the English bar. Had Bacon been the reverse, the result would have been the same. Of course, the prisoner was found guilty. The earlier volumes of English state trials are stamped with indelible disgrace. With judges biassed, with lying witnesses, with lawyers ready to compass sea and land to do the king's will, it was in vain for the hapless victim to seek to extricate himself from the snare.

Sir Thomas Overbury, whose supposed murder was the subject of the trial, was a man well known in the literature of that day. Notwithstanding the galaxy of illustrious names at that time in the full vigour of their fame, "The Wife" and "The Characters" of Overbury were read and admired. It was said the former was written to dissuade Somerset from marrying the countess. What Overbury's precise relations with James and his favourite were, it is now impossible to say; Somerset was raised from comparatively humble life. Overbury appears to have been essential to him—to have assisted him with his counsel and knowledge—indeed, to have done everything that his patron desired. While the earl had been carrying on a correspondence with the countess, Overbury had written the letters; but fearful that his own power would be weakened—or really desirous to save the earl from a connexion he might deem fraught with shame—he did all he could to prevent the marriage his patron had so much at heart. Thus he made enemies, and one of them a woman, whose passion and want of all principle have acquired for her eternal shame. Northampton, the great-uncle of the countess, and Somerset, appear merely to have contrived, as was frequently done in those days, to get Overbury into the Tower with the intention of keeping him there till the marriage was concluded. The mysterious part of the business is, the connexion of king James with the affair. According to Roger Coke, "it was commonly said that Sir T. Overbury had vented some stinging sarcasms upon the court, which came to the king's hearing." The Earl of Southampton, in a letter yet extant, speaks of the "rooted hatred" of the king to Overbury. If James was the murderer of Overbury, his extraordinary conduct to Somerset while in prison, and his equally extraordinary fears with respect to Somerset's uttering unseemly revelations at his trial, become intelligible. If James had any such purpose, Somerset would have been aware of the fact. Mr. Hallam observes: "It is evident Overbury was master of a secret which it would highly have prejudiced the king's honour to have divulged." What that secret was—whether it had any connexion with the death of Prince Henry—whether it related to the secret vices which are faintly intimated to have been committed in the inmost recesses of the palace, will most probably be now for ever a mystery. The wild hate and wilder revenge of the countess cannot for a moment be doubted. Had her agents done her work, of her other crimes, of the reckless indulgence of a life, murder would have been the climax and inevitable result. It is more than questionable, however, whether Overbury died of poison at all. In an examination, evidence was given to show that Overbury died of consumption. This evidence was suppressed at the trial, because it was favourable to Somerset. At the time, however, there were a few who believed Somerset innocent of the crime of which he was found guilty. Of this opinion were the French ambassador and Sir A. Weldon. According to an old memorandum in one of the Lessly papers, it appears to have been the opinion of the son-in-law of Sir George Moore, the lieutenant of the Tower, "that Somerset was innocent of Overbury's murder, but that he was prosecuted." King James was weary of him, and Buckingham had supplied his place. This opinion we believe to be correct.

On the day of the trial Sir Edward Coke said: "I desire

God, that the precedent of Overbury may be a lesson and an example against this horrible crime, and therefore may be called the great ogre, of poisoning." It is to be regretted, however, that the trial was not carried on in a manner more befitting such an end. No great moral result was answered by witnessing the very men who fawned at the feet of Somerset when in power and the favourite of a king, distorting evidence—suppressing it when favourable to the accused—crediting the hear-say evidence, in some cases, double and treble, of the most infamous characters, merely because it was known that the favourite's power had passed away, and that at court Villiers was the rising star. On Somerset's marriage Coke and his lady were ready with their offerings. On the trial, taking their guilt for granted, Coke endeavoured to prejudice the court by exclaiming, "Adultery and poison go together." Bacon's conduct is yet more disgraceful. In a subsequent reign, Coke redeemed his reputation, and is now revered as the principal author of the Petition of Rights. Bacon's utter unscrupulousness—his want of all moral principle—his eagerness to pander to the most unrighteous wishes of the king, become more apparent the more closely his conduct is watched. In spite of the power of his intellect—in spite of a genius yet unrivalled amongst men—in spite of a knowledge of all human and sacred science, colossal for his day, at one word from a king, or a king's minion, he sinks into a fawning parasite and a despicable tool. Not more infamous was Jeffreys under the second James, than was Bacon under James the First. Bacon had offered to Elizabeth at any time to change his religion to please her; and he was not less servile to her successor on the throne. These are a few of his expressions of obedience and attachment:—"I am afraid of nothing but that the Master of the Horse and I shall fall out who shall hold your stirrup best." "My heart is set on fire to sacrifice myself a burnt-offering or holocaust to your Majesty's service." "I shall be ready, as a chessman, to be placed wherever your Majesty's hand shall set me." "I rest as clay in your Majesty's hands." "I have ever been your man, and counted myself but an usufructuary of myself, the property being yours." "Things dedicated and vowed cannot lose their character or become common; I ever vowed myself to your service." "I cannot skill of scruples in your Majesty's service," he writes, after tampering with the judges in Peacham's case. "Your care of me," writes Bacon to the king, "is as Scripture says: 'God knoweth them that are his.'" "Your Majesty imitateth Christ, by vouchsafing me to touch the hem of your garment." To Prince Charles, after some service done him, after his fall, he writes: "The work of the Father is creation—of the Son, redemption." Somerset's trial admirably illustrated Bacon's sycophancy; during the whole course of it, his correspondence with the king evinces the most scandalous disregard to equity and truth. Bacon had also a personal interest in the matter. If he gratified Villiers by the conviction of Somerset, Villiers would gratify him by the gift of the chancellorship, which was then expected shortly to be vacant. One good turn deserves another. In a postscript to a letter written about this time to Sir G. Villiers, which, like a lady's postscript, contained the most important part, he says: "My Lord Chancellor is prettily amended. I was with him yesterday for half an hour. *We both wept.*" Bacon's tears are perfectly intelligible; nor were they in vain.

Somerset and his countess went forth from the Tower—fallen from their high estate—shorn of their glory—known only to be shunned. His favour and her beauty had alike lost their charms. Men shuddered as they talked of her guilt and shame. With two yet more abandoned women—with the Marchioness of Brinvilliers and Tophana of Naples—did a later generation mingle her name. In the next reign, when the summons had gone forth, and England's patriots—her Huntingdon brewers and Buckinghamshire gentry—were arming for the field, Somerset made them offers; but they needed not a tainted name. For years the miserable pair lived on—to mourn the past—to cherish for each other a growing hate.