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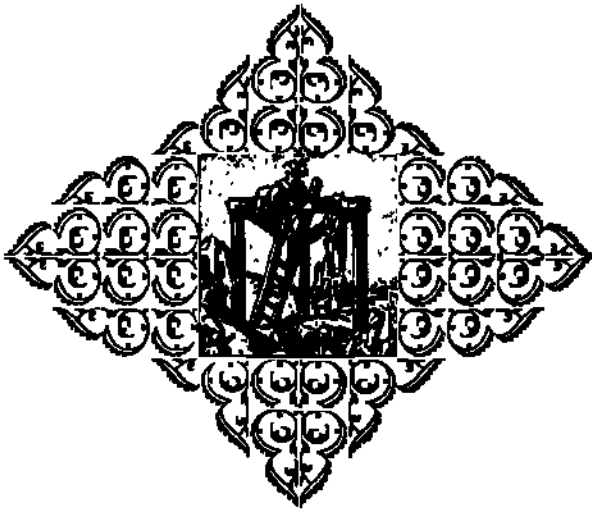
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 A ~~Month~~ Hanging

WILLIAM
SHAKESPEARE
ADAPTS
A HANGING

By
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*To My Parents
who taught me to respect
all sincere belief*

Preface

THE present volume has grown out of a problem broached in my recent edition of *The Comedy of Errors*, but deferred because of the necessity of fuller treatment. The problem demanded treatment for itself, as I hope the present volume will justify. But it also demanded treatment because of the fundamental bearing it has upon the solution of other important problems. Perhaps chief of these is the vexed question of chronology, in whose arch for Shakespeare's first period, *The Comedy* has become a keystone. The facts make it clear that *The Comedy* was taken from the original Latin not earlier than October of 1588. Equally definite facts, which I hope in no long time now to present in a volume on chronology, a companion to *The Organisation and Personnel of the Shakespearean Company*, Supplement this conclusion to show that Shakespeare wrote *The Comedy* at the end of 1589. So definite a landmark at the very beginning of Shakespeare's career is highly to be desired. It is the more important because in the case of *The Comedy*, our knowledge of its process of growth in Shakespeare's mind is comparatively full. The play is a crucial one, therefore, in the *Evolution of William Shakespeare*, a subject on which I still hope to know enough at some distant day to write. But man's time is but fleeting here below, and if circumstances force him to worship at the shrine of the Great God Routine, he can use but little of it as he would.

The present volume is a monument to the liberality of the owners and custodians of libraries and research materials. Because of the nature of the materials needed, these had to be assembled from many sources. Fortunately, the guiding genius of J. Hungerford Pollen, S.J., had assembled a large nucleus of useful documents in the *Publications of the Catho-*

Preface

lic Record Society, an enterprise which deserves to be better known to, and supported by, all who are interested in making old records accessible. But other documents had to be assembled from many sources. Two pamphlets had never been reprinted, one of which had not been previously known even to martyrolDgists. The more important of these for the present purpose was *A True Report* of the execution of William Hartley, of which only three copies are recorded. The Huntington Library, through its Director of Research, Dr. Max Farrand, permitted our library to have a photographic facsimile of its copy made; and very generously granted me permission to reprint the pamphlet. It has also permitted a photographic facsimile of William Averell's *Four notable Histories*, from which I have quoted two passages, and the use of a cut from the title page of Maurice Chauncy's *Innvcentia, Et Constantiavictri-v* (1608) for the title page of my volume. I owe sincere thanks to the Huntington staff, particularly to those in charge of the early books, for the most courteous attention to my interests throitgh several hot summer weeks. With like generosity, the Lambeth Palace Library permitted a photographic facsimile and reprint of *A briefe Trcatise*, two copies only of which are recorded. Dur library also procured for me photographic facsimiles of important documents from the *State Papers* at the Public Record Office, and from the *Harleian Manuscripts* at the British Museum, thus greatly indebting me to the authorities who granted permission. These facsimiles are referred to äs if they were the Originals, and may in that way be distinguished. Unquestionably, I could have made some points fuller, and perhaps clearer, had I had direct access to original documents; but since that was not possible, it is fortnnate that the owners and custodians of such documents are so generous in permitting copies. Fortunate also for me that Dean Arthur Hill Daniels of our Graduate School supplied the means out of his Research Fund for purchasing most of these copies.

Printed books, often of considerable rarity, were borrowed

Preface

for me through the Reference Department of our library from the libraries of Catholic University of America, Chicago University, Library of Congress, John Crerar Library, Harvard University, University of Notre Dame, St. Louis University, Yale University, the universities of Iowa, Michigan, Minnesota, and Pennsylvania.

This account must make it apparent that without the generous cooperation of these various owners and custodians of necessary materials, without the active support of my graduate Dean, and without the interested help of the staff of my own library, I could never have succeeded with such a piece of work as the present one. Professor Phineas L. Windsor, Director of the Library, and SD the mainspring of my universe, has always managed to procure funds from some magic source to purchase needed material; Miss Willia K. Garver, Order Librarian, always managed to procure these materials; and Miss Fanny Dunlap, Reference Librarian, did not fail to locate and borrow a single item for which I asked, however rare it might be. Such willing and efficient help cannot be accepted as a matter of routine; it is a blessing, deserving of grateful record.

In the original manuscript, "chapter and verse" were given in footnotes for each fact; but in mercy to the Press most of these matters have been relegated to a bibliographical appendix, since the details can usually be easily located through the indexes of the works cited. It is hoped that this arrangement will not too greatly inconvenience the "gentle reader."

I am especially indebted to my colleague, Professor Harris Fletcher, for suffering his share of many a discussion on numerous points involved in the work, and for reading and criticizing the manuscript. My old master, Professor Parrott of Princeton, has read the manuscript, and has once more directed me in the way I should go. If it come to honor, may he find himself there; if to dishonor, the blame be mine.

—T W, B.

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CHAPTER I

The Priory Setting of The Comedy of Errors

IT WOULD appear that on Saturday morning, October 5, 1588, William Shakespeare attended the execution of William Hartley, seminary priest, in Finsbury Fields, near the Theater and Curtain; and there received certain impressions which shortly afterward appeared, transmuted by the magic of his Imagination, in *The Comedy of Errors*. If this be true, it is probably our earliest direct peep into Shakespeare's mind. For such a peep, scholars will be willing to endure much. And much they must endure. From dry and musty records, it is necessary to reconstruct, cell by cell as it were, strong and really admirable characters who were caught by duty in the tragic web of circumstance, and forced to act out this tragedy in real life. Those who care for none of these things will do well to cease here.

For even before we can begin reconstructing the characters, it is necessary to examine the physical setting of their deeds, since it is in the setting that we get our most definite clue to what Shakespeare has done. In 1907, Mr. Henry Cunningham¹ suggested that the Priory of *The Comedy* is "beyond doubt the Priory of Holywell, near which Shakespeare lived and worked." For this Suggestion, he gave no proof at all; nevertheless there seems to be sufficient evidence that his guess is correct.

But first we must get as exact an idea as possible of the Priory in *The Comedy*. In Act V, Antipholus of Syracuse and Dromio his servant take refuge in "some priory," and "the Lady Abbess" comes out to remonstrate with the crowd

¹ *The Comedy of Errors* (Arden Shakespeare), p. xli.

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which pursues them. Finally, the abbess "shuts the gates on" the crowd, SD that it is necessary to

knock at the abbey-gate
And bid the lady abbess come to

the Duke, who in the meantime has arrived.

the Duke himself in person
Comes this way to the melancholy vale,
The place of death and sorry execution,
Behind the ditches of the abbey here,

His purpose is to do his official duty in the beheading of Aegeon.

Here, then, is a priory or abbey (the terms are used interchangeably), ruled over by a lady abbess, the gate of the priory opening into a street which leads to a place of execution, in a vale, behind the ditches of the abbey. Is this a purely fictitious priory, or is Shakespeare here more or less accurately shadowing reality? Of course, one need not trouble to look for priories in early Ephesus, the scene of the play; but rather may direct his attention immediately to London, which once at least had such priories, many of whose buildings were still standing. In London, at the dissolution of the priories there had been four nionastic establishments for women. These were the Abbey of the Minoresses, the Priory of St. Heien, the Priory of St. Mary, Clerkenwell, and the Priory of Holywell.

The Abbey of the Minoresses does not satisfy the physical conrlitions outlined in *The Comedy* at all. Perhaps Wyn-gaerde's map of 1543 will give äs good an idea äs any of the topography of this abbey, which shows that "The Minories" had a "Place of Execution" some distance away. But this place was on "Great Tower Hill," attached to the Tower of London. Its victims did not pass the abbey on their way to execution, and the place of execution was on a hill, not in a vale. Nor do I find indication that the abbey had ditches of the kind described; neither was the place of execution to the side of the abbey, behind its ditches. Instead, the place was a

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considerable distance away from the front of that building. In hardly any important respect does the Abbey of the Minors satisfy the detailed topographical description of *The Comedy*. This fact is of some importance, since one would naturally have inferred that Aegeon, a political offender, would in real life have been confined in the Tower and executed upon Tower Hill, or as a maritime offender at Wapping. But neither of these places, nor the other regular hanging place, Tyburn, at all satisfies the conditions laid down in *The Comedy*. Evidently Shakespeare was thinking of something else than the regular places of execution.

The Priory of St. Helen, the second of these monastic establishments for women, may also be at once ruled out. Being within the city walls, it was so crowded that it had neither ditches, vale, nor seemingly even a place where an execution might with reasonable ease take place. It might have been suspected that Shakespeare had used this priory, because he is found residing in the same parish by 1595, and it is possible that he was already living there when he wrote *The Comedy*. But it is clear that the topography of *The Comedy* priory was not borrowed from, nor suggested by, the Priory of St. Helen.

The Priory of St. Mary, Clerkenwell, is somewhat more promising in its topography; but proves unsatisfactory in the end. There was a gibbet erected at Clerkenwell in August 1588. Southwell, a Jesuit leader in England, reporting on August 31, 1588, to the General of the Jesuits concerning the August executions of Catholics says: "*Diuersos eorum varijs in vrbis partibus binos ternos ac etiam singulos, idque eodem die (sex erectis crucibus) suffixere?*" "The Martyrs were hung in various parts about the city, by twos and threes and even singly, on six specially erected gibbets, but on the same day." Southwell, however, is not very accurate, since, while there were six hanged in London, and all on new gibbets, yet the new gibbets were but four, two of the gibbets serving for two victims each. Nor were the victims hanged by threes. One of

William Shakespeare 'Adapts 'A Hanging

the six victims was the priest Thomas Holford, alias Acton, who occupied alone the new gibbet at Clerken Well on August 28, 1588. Since he and his companions of this day's execution were tried and condemned on August 26, 1588, the four new gibbets were erected either August 27 or 28. Robert Sutton, a Catholic recusant, was also executed on the Clerken Well gibbet October 5, 1588. Anthony Middleton, another priest, was executed in Clerkenwell May 6, 1590; but apparently he was hanged on a new gibbet erected in front of the house where he was taken. There seems to be no specific Statement as to the location of the new gibbet of 1588, further than that it was "at Clarcken Well." Presumably this means at the Clerken Well, on Clerkenwell Green. If so, the topography of the Priory of St. Mary, Clerkenwell, does not correspond to that in *The Comedy*.

The old Charters make the topography of St. Mary, Clerkenwell, fairly clear, Roughly paralleling the western side of the Priory, and some distance away, was the Holeburne, flowing approximately from north to south. Some distance to the north of the northern side (rear) of the Priory was a valley lying approximately east and west, in which was Skinner's Well, emptying into the Holeburne. Code Well was in a second east and west valley, running to the Holeburne. It was described as between the Priory and the Holeburne. The valley itself is also said to be "juxta domos earum" monialium; that is, near the Priory; and it seems to have been three rods to the north of the way that led from Clerken Well across the Holeburne. It was thus not far from the line of the southern (front) side of the Priory. Further to the south along the Holeburne was a mill-ditch, flowing from the Holeburne, and probably perpetuated in the name of Turnmill Street. There seems also to have been a north and south ditch along the western side of the Priory itself. It would appear, then, that the main valley, some distance away from the Priory, lay approximately north and south, and the side valleys emptying into it lay east and west. The Priory itself was

The Priory Setting of The Comedy of Errors

surrounded by walls, and approximately along the west one seems to have been a ditch. These features of the topography are of such a nature that it is not likely they were essentially different in Shakespeare's day.

The Clerken Well, from which the locality took its name, and Clerkenwell Green lay between the Priory of St. Mary, and that of St. John. The Priory of St. Mary faced south upon this green. Thus from the gates of that priory the place of execution at Clerken Well was not behind the ditches at one side of the Priory, if it had ditches—not a ditch—there; but in front of the building. Nor, being presumably above Clerken Well on the green, was it probably in a valley, though there were valleys not far away. So while the Priory of St. Mary, Clerkenwell, had nearby a place of execution, a ditch, and valleys, yet these different features are not placed in anything like the same relations to each other as in *The Comedy*. If the place of execution was indeed "at Clerken Well,"¹¹ then the topography of St. Mary, Clerkenwell, is not that of the priory in *The Comedy*. Even if the place of execution was not literally "at Clerken Well," yet it is hard to see how it could be so placed in relation to the Priory as to get the topography indicated in *The Comedy*.

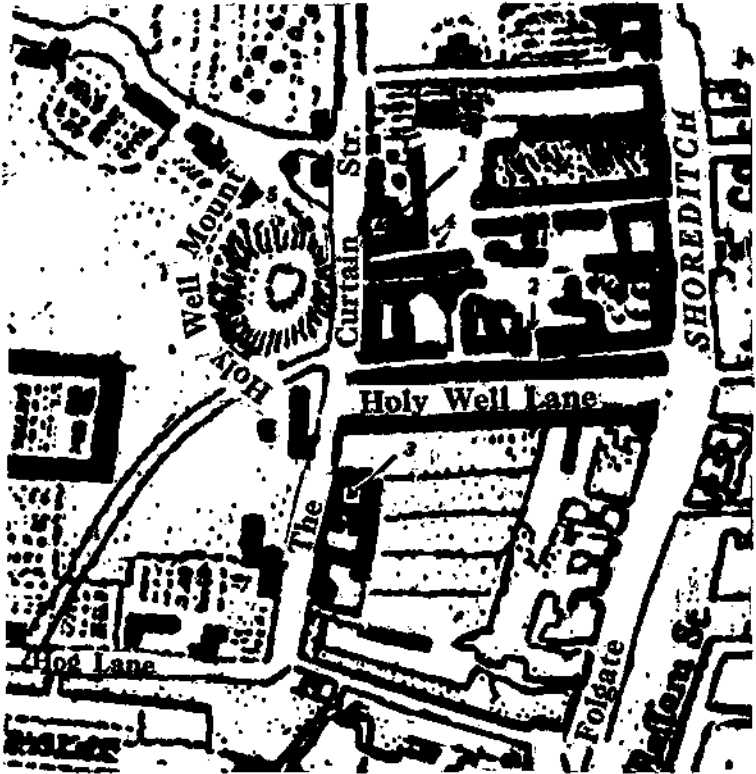
The only possibility now remaining among the priories for women is Holywell Priory. Like St. Mary, it also had its quota of priests executed nearby in 1588. The execution of William Hartley on October 5, 1588, furnishes the clearest Statements as to the location of the place of execution, though that of William Gunter on August 28, 1588, also adds its evidence. The normal Statement is that the place of execution was in "Hallywell, nigh the Theater," "at Hallnvell," "at the Theater," "nigh the theater," "by ye Theator"; but one witness places it "near the Curtain," another in "Finsbury Fields," and still another in "Hollywell fieldes neere to the Theator or Playhouse." It appears, then, that the place of execution was in Finsbury or Holywell Fields, near the Theater, since of five independent witnesses, only one mentions

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the Curtain, while the other four name the Theater as the playhouse. The disagreeing witness was in prison at the time, and his account is thus excusably but notably ill-informed. To reach this position from Mile End, whence the officers came with Gunter and Hartley, the procession would pass through Holywell Lane, past the Great Gate of Holywell Priory,² which was then still standing- and continued to stand till about 1785. So the officers led Gunter and Hartley to execution by the Great Gate of Holywell Priory, a priory for nuns, in the same way that the Duke leads Aegeon toward the place of execution past the Great Gate of a priory for nuns. The Holywell place of execution was just beyond the ditches of the Priory. A ditch or sewer paralleled, and possibly formed, the western boundary of the Priory, separating it from Finsbury Fields, and being perpendicular to Holywell Lane, which formed the Southern boundary of the Priory proper. Into this ditch emptied a second ditch, which flowed from a horse-pond near the western edge of the Priory. SD from the Great Gate of Holywell Priory as the point of reference, the executions of Gunter and Hartley took place beyond, and behind, the ditches of Holywell Priory, just as the intended place of execution for Aegeon was "behind the ditches of the abbey here." The Holywell place of execution beyond the ditches of the Priory was in a vale. Old maps show Holywell Mount across the ditch in Finsbury Fields, beginning a trifle south of the projection of Holywell Lane, the path from Holywell Lane into the fields curving around its Southern end. The Mount is represented as extending to the north about opposite to the location of the Theater. There was thus a Mount to the west of the ditch, and as we have seen above, water flowed down into the ditch from the eastern or Priory side. SD the ditch along the western edge of Holywell Priory was in a vale. Consequently, the Holywell place of execution, beyond the ditches of the Priory,

² See map.

"The Priory Setting of The Comedy of Errors"



THE TOPOGRAPHY OF HOLYWELL

This is an enlargement from the survey of John Rocque 1741-45, as reproduced in Mitton. "Rocque has marked the houses bordering streets in white, and only blocked them in black where they line market-gardens and other parts indicated by a light surface. The map is a model of care and comprehensive detail." On this enlargement, I have marked the various locations. 1 is the Theater. 2 is the Great Gate. 3 is the probable site of the Curtain. 4 is the Great Horse Pond, as located by Braines. But I suspect that the ditch from this pond joined the Curtain Ditch somewhat further south than is there represented. 5 is the conjectural location of the gibbet. It is described in several independent accounts as in the fields, at or near the Theater, only one unreliable witness placing it near the Curtain, probably by confusing the two theaters. The reader should also compare the survey of this neighborhood by Peter Chassereau in 1745, a cut of which will be found in Adams, J. Q., *Shakespearean Playhouses*, p. 79.

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was in a vale, just äs the intended place of execution for Aegeon was in "the melancholy vale . . . behind the ditches of the abbey here." Perhaps it is barely worth noting also in this connection that one of Shakespeare's characters speaks of this general ditch region äs "melancholy" (/ *Henry IV*, 1.2.82-3).

To sum up, then, *The Comedy* gives eight different points of description for its abbey of nuns. (i) There is an abbey-gate, (2) this gate opens on a street, (3) the street leads to a place of execution, (4) the place of execution is in a vale, (5) the vale is behind the ditches of the abbey, (6) thus the abbey has ditches, not a ditch, (7) these ditches are on the side opposite that from which the procession approaches, (8) so the place of execution is also along the side of the abbey opposite that from which the procession approaches. In all eight of these points, therefore, the topography of the priory in *The Comedy* is that of Holywell Priory. Many of these points themselves are so peculiar to, and so distinctive of, this Priory that there appears to be no reasonable way of escaping the conclusion that the priory of *The Comedy* is Holywell Priory. If so, the topography of the last act of *The Comedy* is modelled upon the topography of Holywell Priory. The borrowed topographical place of occurrence is thus in Holywell Lane before the Great Gate of the Priory, which led into King John's Court. The spot is now almost completely covered by the North London Railway äs it crosses Holywell Lane. The conclusion that Shakespeare has thus used Holywell Priory should not be at all surprising, since äs a theatrical center this neighborhood must have been intimately known to him.

This identification of the Priory in *The Comedy* äs Holywell has an important bearing DU the ihting of *The Comedy*. For, by good fortune, we can date to within a day the erection of the gibbet at that place, which plays so important a part in *The Comedy*. One of the four new gibbets of August 27 or 28, 1588, was erected here, on which the priest William

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Gunter was hanged August 28, 1588. Another priest, William Hartley, was executed upon it October 5, 1588. Consejunctly, the reference to this gibbet in *The Comedy* is later than August 28, 1588.

This reference to the Priory and place of execution, however, is even more important because of its connections. It shows that the whole Aegeon execution and priory setting of the invented enveloping story of *The Comedy* was added later than August 28, 1588. Since this material is interwoven with material from the notes to *Menaechmi* in Lambinus's edition of Plautus to form the enveloping story, it becomes evident that the play was taken from the original Latin later than August 28, 1588, thus ruling out the possibility of an earlier English play as the source. This conclusion confirms evidence previously given elsewhere⁸ to show that the play was taken from the original Latin later than 1587.

What suggested to Shakespeare this use of Holywell Priory as the setting for the enveloping story of a play? Because of its two theaters the neighborhood would naturally be well known to Shakespeare. In this play, Shakespeare is rigidly obeying the unities. Surely the idea of unity of place has suggested to him not only unity of place, but even localization of the place of action to the neighborhood of the place of acting. Surely this fact can mean only that *The Comedy* was written either for the Curtain or the Theater, each nearly equally distant and not many yards away from the old Great Gate of Holywell Priory; and likewise each not far away from the place of execution.

If this interpretation be correct, then the date of the play becomes quite important. Luckily, numerous allusions in the play, and in parts undoubtedly Shakespeare's at that, show that the play was written about December 1589.⁴ What companies, then, were performing at the Curtain and Theater in

⁸Baldwin, T. W., *The Comedy of Errors* (Arden Shakespeare), pp. 116-18.

⁴Baldwin, *Comedy of Errors*, pp. x ff.

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December 1589? The two theaters were at this time under joint control, it having been agreed in 1585 that for the next seven years the Curtain should serve as an "easer" to the Theater, and that the profits from the two buildings should be joint. For some years preceding 1590, the Admiral's Men had been regularly at the Theater, and so presumably at the Curtain as well. Before the death of Tarlton in September, 1588, the Queen's Company also had been at least occasionally at the Theater and presumably the Curtain. A reference in *Martins Monttis Mind*, August 1589, shows that the Queen's had been at the Theater no very long time before. This appearance, however, would not have been later, it seems, than early April 1589, since the Company is found in the country at that time and is traceable there into the month of November. It is doubtless for this reason that when on or shortly before November 5, 1589, the Council in Tilney's name ordered "the staie of all playes within the Cittie," the Lord Mayor, Sir Jolm Harte, could hear of only the Admiral's and Stränge's. It would seem then that DU November 5. 1589, the Queen's was in the country, while the Admiral's and Stränge's were in town, but acting as separate companies. As a matter of fact, it would seem that at this period the Queen's remained in town only through the court season each year, December to Lent; and travelled the remainder of the time. The Queen's players and the Admiral's acted as separate organizations at court during this season of 1589-1590. But the Queen's tumblers seem to have cooperated in one court Performance with the Admiral's, as they had done the preceding year, and probably continued to do the next year. This cooperation, however, seems clearly to have been only for feats of activity. It would appear probable, then, that the Queen's players were not cooperating with the Admiral's at this time, though there had been some close connection between the companies previously. It is probably also significant that the Queen's plays for the summer of 1589 and following show a changed structure. It would appear likely from these

The Priory Setting of The Comedy of Errors

indications that the Queen's men experienced some change in their affairs by or about the spring of 1589, which probably withdrew them from whatever cooperation they may previously have had with the Admiral's at the Theater and Curtain.

The Queen's seems to have been replaced as the cooperating Company with the Admiral's by Stränge's. Certainly by the autumn of 1590, Stränge's was cooperating with the Admirars. An allusion to Kemp early in 1590, before April, indicates that Stränge's Company was then at the Curtain, and so had presumably already formed some connection with the Admiral's. But since Stränge's had been expelled from their acting place at the Cross Keys the preceding November 5, 1589, the natural conclusion is that they transferred at that time to the Curtain, where we find them by the end of that winter season. It would thus appear on this evidence that Stränge's and the Admiral's were at the Curtain and Theater at the time *The Comedy* was written for one of those playhouses, and consequently that Shakespeare wrote *The Comedy* for either Stränge's or the Admiral's men, or for both in cooperation. If so, the later history of Shakespeare and *The Comedy* would assure us that he wrote the play for Stränge's men^B at either the Theater or the Curtain, more probably the latter, about the Christmas of 1589. Such a conclusion, if it can be completely established, is of very great importance. It would give us a quite definite landmark at the very beginning of Shakespeare's career as a dramatist, where it is most needed.

Another small circumstance may by its coordinations be significant in this connection. In only two other plays does Shakespeare introduce an abbey or priory as a part of his

^B In a later work, I shall attempt to show that *The Comedy* was certainly written for Stränge's. Briefly, an analysis of surviving plays shows that each of the Elizabethan companies had its definitely distinguishable formula for a play, as theoretically should be true if the play each time was fitted to the Company, as was then the rule. Shakespeare's early comedies, including *The Comedy*, are unmistakably built on the Strange model.

The Priory Setting of The Comedy of Errors

detail an abbey setting. This period corresponds pretty accurately with the time Stränge's Company was at the Holywell theaters. As has been pointed out above, the Company went there in or shortly after November 1589. It was cooperating with the Admiral's men there or elsewhere the winter of 1590-1591. It and the Admiral's were forced out either late in 1590 or in the first half of 1591. I have previously interpreted the documents as indicating that this severance probably took place in November of 1590. But Sir Edmund Chambers thinks it occurred in May 1591. If Sir Edmund is right and I wrong on this point, then these three plays of Shakespeare's which use the abbey setting all fall within the period when Stränge's men were at the Holywell theaters. The suggestion is that Shakespeare inserted the abbey setting for these three plays—and no others—because he wrote them for Stränge's Company, which was at the time acting at the theaters of Holywell Priory.

But whether these subsidiary interpretations of the fundamental fact be true or false, it nevertheless seems to be a fact that Shakespeare in *The Comedy* has used Holywell Priory as the setting for his fifth act.

CHAPTER II

The Disputed Supremacy

THE conclusion that Shakespeare used Holywell Priory as the setting for the enveloping action of *The Comedy*, if accepted, naturally raises the question of whether he has not also modelled other phases of this enveloping action from the life. One is at once struck by the fact that the procession of Aegeon to execution is clearly suggested by actuality. Two such processions, and only two, had passed the Great Gate of Holywell Priory in Holywell Lane to

the melancholy vale,
The place of death and sorry execution,
Behind the ditches of the abbey here,

when late in 1589 Shakespeare had the Duke and Aegeon begin to reenact those melancholy scenes. And these two are the only executions recorded there. If we accept the Holywell Priory setting, there can thus be no doubt that one or both of these processions, with greater or less realism of detail, furnished Shakespeare the suggestion and model for his procession.

Were the mere idea and the topography of the procession all that Shakespeare borrowed from these two sad events of real life, or did he get suggestions more deeply fundamental? In order to answer these questions with any degree of value, it will be necessary for us to examine the general background to the execution of these two Roman Catholic priests in 1588, and to scrutinize minutely the character and conduct of the men participating in these two processions. The story is interesting for itself, apart from any use Shakespeare may have made of it. For in this tragedy of real life, we find strong and admirable men caught by duty in the tragic web of cir-

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cumstancj from which they could find no honorable escape.

And first for the tragic web. This was woven by the English Religious Settlement. Nut all Englishmen agreed with Queen Elizabeth and her government in their settlement of religious matters. One strong dissenting group consisted of those who still düng to the Roman Catholic Church. It is not necessary here to write or to quote a complete history of this group; but it is necessary to sketch briefly part of its history in the pre-Armada decade, in order that we may understand the so-called "Massacre of 1588." Some had supposed that the problem of eventually absorbing this group was an easy one. They reasoned that since no more priests could be ordained in England, it was chiefly necessary to wait till the deposed Marian priests and the older recusants should die. With the old leaders dead, anrl no new ones to take their places, the old group would in no long time fall to pieces and be naturally absorbed. But there were those who set up an organized movement, not only to prevent this expected dissolution, but even to bring back to dominance the old church. William Allen, afterwards Cardinal Allen, became the chief leader of this movement. Not being able to become a Roman Catholic priest at home, he, äs rlid many other young Englishmen, became a priest abroad. The idea came to him of organizing these young men in Colleges, and preparing them eventually to restore the Roman Catholic religion to their native land. "The Immigration of a considerable number of Catholic priests from the newly-founded seminaries on the Continent fluring this decade [1571-1581] brought a new element into the problem. Three priests came over in 1574,. By 1578 there were over fifty in England, and by 1580, 110."¹ These were mostly aggressive young men, with the exaltation of expected martyrdom upon them. Under the conditions of the time, the desired martyrdom was all too easy to attain.

The first to attain was Cuthbert Maine, in 1577. The

¹ Read, Conyers, *Mr. Secretary Walsinghain*, Vol. II, p. 279, citing *Frerc*, p. 207.

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Roman Catholics called him martyr; the English government called him traitor, and gave him the full ceremonial of a traitor's death. Here we arrive at the focal point of dispute, which was made to center upon the question of supremacy, the pope's or Queen Elizabeth's. The pope had come to claim—still claimed—supremacy in temporal matters, as well as Spiritual. When King Henry VIII became supreme head of his own church in England, he inherited this same claim; and Queen Elizabeth may be said to have fallen heir to it with the kingdom. Both pope and queen claimed supremacy in all matters in England, both spiritual and temporal; and one of the men in whom we shall be interested went to a traitor's death rather than pronounce that one word "all." While both parties to the conflict claimed complete supremacy, both spiritual and temporal, yet naturally Roman Catholics claimed that the queen was usurping the spiritual supremacy; and the queen was equally intent on showing that the pope was trying to usurp her temporal supremacy. So Roman Catholics claimed that the priests were put to death for religion solely, and thus were blessed martyrs. Queen Elizabeth took every precaution to establish the claim that these same priests were attempting to subvert her kingdom, and thus justly received the death of traitors.

Cuthbert Maine, the first of the seminary priests to be executed, had been charged among other things that he had brought in and published a bull absolving the queen's subjects, and "That he had maintained the usurped power of the bishop of Rome, and denied the queen's supremacy." Even at the place of execution he was offered life if he would "swear upon the bible, that the queen was the supreme head of the church of England." Instead, he swore the contrary. No pressure was necessary to elicit his stand on the "bloody questions" concerning the pope's supremacy and the queen's excommunication. Parsons gives a very circumstantial, and incidentally it would appear a rather misleading, account of the invention of these "Interrogationes sanguinariae" immediately following

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the execution of Campion, for they had been propounded to Campion himself in 1581, who tried to avoid the issue. "You refuse to swear to the supremacy, a notorious token of an evil willer tu the crown, insomuch as, being demanded by the commissioners whther the Bull wherein Pius Quintus excommunicated her Majesty were in your opinion of force, and the exconiniunicatiüüi of cffect or no, you would answer nothing but that these were bloody questions, and that they which sought these sought your life . . . so that in your examination you would come to no issue, but sought your evasions and niade answers aloof." Campion admits "not long since it pleased her Majesty to demand of me whether I did acknowledge her to be my queen or no. I answered, that I did acknowledge her highness not only as my queen, but also as my most lawful governess; and being further rcquired of her Majesty whether I thought the Pope might lawfully excommunicate her or no, I answererl, I confess myself an insufficient umpire between her Majesty and the Pope for so high a controversy, whereof neither the certainty is as yet known, nor the best clivines of Christemlom stand fully resolved. . . . The selt-same articles were required of me by the commissioners, but much more urged to the point of supremacy, and to further supposals than I could think of. I said, indeed, they were bloody questions, and very pharisaical, undermining of my life." Slightly varied, but always aiming at bringing out the views of the priest on this same point of supremacy, these "bloody questions" became the test for true man or traitor. By 1588, the question regularly was, if the King of Spain should invade England unrler the direction of the pope, whose part would the accused take, the pope's or the queen's. For instance, the lists of those to be tried, made up in August and September 1588, were constructed according to the answers the prisoners had given to this question.

Naturally, the priests tried to avoid answering these questions, claiming that as priests they were attending to the salvation of souls, and had nothing to do with politics as such.

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Their superiors had foreseen some of the complications which would arise over the supremacy, and had tried to obviate the difficulty. Asserting his supremacy, Pope Pius V had excommunicated Queen Elizabeth in 1570. By 1579, Dr. Allen thought there were enough well trained English priests to make an organized missionary invasion possible. Dr. Goldwell, who had been bishop of St. Asaph in Mary's reign, was to be the ordinary, though illness finally prevented his going over to England. The Jesuits were to take charge of the campaign; and chose Robert Parsons, and Edmund Campion as their leaders. And now they were faced by the problem of the queen's excommunication. "St. Pius V excommunicated not only Elizabeth and her abettors, but also all who obeyed her and her laws. So that the unfortunate Catholics were placed between two fires, hanged if they did not obey, cursed if they did."² To relieve this predicament, it was now decided to interpret the excommunication of Elizabeth as meaning "That it should always bind her and the heretics; but that it should in no way bind the Catholics, while things remain as they are; but only then when public execution of the said bull shall be possible." English Roman Catholics might now acknowledge Elizabeth as queen until it was feasible to deny her. This concession was supposed to enable Roman Catholics to avoid the charge of political disloyalty. Another political precaution appears in the instructions to Parsons and Campion. "They must not mix themselves up with affairs of state, nor write to Rome about political matters, nor speak, nor allow others to speak in their presence, against the queen,—except perhaps in the Company of those whose fidelity has been long and steadfast, and even then not without strong reasons."³ They were not forbidden to mix in state affairs; they were strongly cautioned that they must not be caught at it. In other

² Simpson, *Campion*, p. 141.

³*ibid.*, p. 140. The excepting clause was withdrawn in 1581 (Meyer, A. O., *England und the Catholic Church under Queen Elizabeth* (1916), p. 143.

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words, the pope permitted the priests for the present not to insist on his political supremacy, though he made no concessions whatever as to the supremacy itself. With its head thus hidden in the political sand, the missionary ostrich considered its neck secure.

Naturally, the English government refused to have the question of political supremacy thus waived merely till such time as the pope should be strong enough to enforce his view. They felt confirmed in their interpretation of the pope's attitude by the events of 1580. While in 1580 these priests were filtering into England, in supposedly peaceable missionary invasion, at that same time the pope was supporting a military invasion of Ireland under the direction of another priest.⁴ Quite rightly, the English government felt that the pope's attitude on temporal supremacy had not changed. Until it had changed, his agents the priests were presumably spies, only waiting the opportunity to show their true opinions. So the question of temporal supremacy would reveal whether a priest was at heart a spy and traitor, or whether he was merely a sower of inconvenient doctrine. The latter, a prison or banishment would cure; the former, a rope.

Faced in 1580 with this organized invasion under the guise of missionary enterprise, the English government found it necessary to prepare its remedy. Consequently, parliament was convened "to find a remedy for the poison of the jesuits," and passed an act "to retain the Queen's majesty's subjects in their obedience," which received the royal assent on March 18, 1581, making it treason to reconcile or be reconciled to the Roman church or to be absolved by a priest. The priest,

⁴ Simpson, *Campion*, p. 143. That the expedition to Ireland was planned some time before the missionary Expedition—if it was—has no bearing on the essential facts here [Camm, Bede, *Lives of the Martyrs*, Vol. II, pp. xxiv ff.). The pope approved both expeditions, and both were functioning simultaneously in 1580. Incidentally, the bloody questions frequently used as a concrete application this Irish expedition. To approve it was to admit the pope's temporal supremacy, and so to merit death. (Simpson, *Campion*, p. 144.)

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äs a priest, was regarded äs a traitor; and tu have dealings with him was to become a traitor. Though this law implied, yet it did not state that a seminary priest was *ipso facto* a traitor. It was still necessary to prove an overt act. Even that condition, however, was a few years later to be removed.

In the meantime, Parsons and Campion in England were leading their missionary forces, and trying to revive Roman Catholicism, not without apparent success. But an occasional priest was captured, and eventually, in July 1581, Campion himself. The remainder of the year was busy with examinations and disputations, centering around Campion. Finally, in Dezember 1581, he and several of his companion priests were brought to trial äs traitors, and all condemned and executed except two who tardily admitted Queen Elizabeth's supremacy. From the very beginning, this question of supreniacy in many recurring fornis was put to Campion by the examiners, and he consistently avoided committing himself directly upon these ^{lf}"bloody questions." Campion and his champions tried to emphasize the religious purpose of his mission; the government tried to emphasize the politkal aspects of his coming. Campion would be a martyr; the government would have him a traitor.

Parsons had already found it necessary to leave England, so that the Drganized missionary invasion had failed. But individual missionary priests continued to come in, and the government was reasonably successful in the number it got into jail. Occasionally, an unusually "dangerous"^l one would be tried and executed. The next anti-clerical wave was occasioned by the murder of the Prince of Orange in 1584. The Catholic ban had been put upon him, and an assassin had ended his life. Englishmen saw in this event the expected consequence to their queen from Catholic traitors. In a wave of populär sentiment, associations were formed everywhere to protect the queen, and parliament again met—November 23, 1584-March 29, 1585—for further action. This time, among other things, it banished all priests within forty days after the

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end of parliament, and declared that any who should thereafter come into England would be treated *ipso facto* as traitors. So in 1585 there were numerous deportations of priests, beginning even before the Statute took effect.

Again the Situation settled down to the normal routine of executing only such unruly priests as really forced action upon themselves. The new law gave greater power; but the government did not change its policy. It tried to avoid the appearance of religious persecution. Protestant Walsingham and Roman Catholic Rivadeneira agree that the death of a brave priest was likely to be considered martyrdom, and so to aid the Roman Catholic cause. The Babington plot swelled the list somewhat for 1586. Meantime Spain had been preparing her holy blow. In August 1587, Allen was created cardinal, at the Suggestion of the King of Spain, so that he might reorganize the Roman Catholic Church in England after the conquest. In July 1588, came the failure of the Great Armada, followed by the so-called "Massacre of 1588."

It is necessary to examine this "Massacre"¹¹ in some detail, since in it the characters in whom we shall be interested feil. The so-called "Massacre of 1588" was not in its origins a sudden upflaring of bloodthirsty vengeance following the Armada. A general checking had already been planned before the arrival of the Armada. The first trials were completed only after the breaking of the fleet and the sitting of a regular court gave leisure and opportunity for carrying out the plan. No new principles nor tests were introduced. These priests and recusants were examined on exactly the same interrogatories which had been applied throughout the 'eighties. They were condemned by exactly the same "bloody questions." The really significant thing is that so many at this crisis took the side of the pope against the queen. It is probably still more significant that some of these had previously sided with the queen. The unusual number shows rather the sentiments of the accused than those of the accusers. Perhaps the unusual number now siding with the pope was partly due to the cru-

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sading spirit induced by war hysteria. But however induced, it was a fact, with which the government had to reckon. The government had suspected the fact, and had undertaken the checking, because of persistent reports that the Spaniards were coming, and that traitorous priests were to assist them. The creation of Allen as cardinal in 1587, was admittedly at the request of the King of Spain for reorganizing the church in England, following conquest; and the pope himself reported to the King of Spain that everyone interpreted the appointment as meaning that the war with England was certain. With such persistent reports of cooperation between King and Catholics, and with such confirmatory acts, the government was certainly justified in keeping a diligent eye on suspected Catholics for that element which was likely to prove actively hostile. The unusual number it found in this class is thus sufficient justification of its foresight.

The government seems, however, to have waited till it was certain that the King of Spain was launching his blow before it began to make its precautionary checking upon priests. It is July 20, 1588, the very day on which the Spanish fleet unexpectedly appeared off the Lizard, that we first hear of this projected checking, and the principles on which it was proposed to conduct it.

"According to your Honours pleasure and dyrection, we have sett do[wn] a fewe Artycles to be offered to the Papysts and Recusants of this tyme, to discerne those that carye Trayterous and malycio[us] myndes against her Majesty and the state, from theym whose symplicitie ys misledde by ignorant & blynde zeale. Leaving the same to your Honors grave consyderations. And albeyt yt can not be otherwyse presumed, but that all such as will not duetyfullie clere themselves upon these questyons, by prdfessing their byaltie and obedycnce to her Maiestie are (at this tyme specyallie) exceeding daungerous persons, yet if they doe either obstynatelie refuse to make any answere at all, or subtyllye ([as] many in lyke cases have heretofore done) excuse themselves that they are un-

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learned and Ignorant & SD not hable to answeere herein, or that they ought not to be examyned of things future, or to lyke effecte. Then upon suche manner of Answere made by theim, they are not comprehe[n]ded] dyrectlie within the compasse of the lawe for any proceeding to be had against them in case of Treason or felonye in respecte of that their answeere only uniesse some other action drawing them in daunger of the lawe maye be proved against them. But if they be Jesuys or Semyinarie priests, or other lyke priests made according to the rytes of the Church of Rnmc synce Mydsommer in the fyrst yeare of her Maiestie's Raigne, then, being here within the Realme, they are to be dealt with according to the Statute made in the 27th yeare of Her Highness' Raigne. And if they be laye persons, then some such other course is to be holden with them, to repress the[ir] malyce and to discover their treasonable intentions as your Honours in your grave wysdomes shall dyrecte. And so resting most humble in all things at your Ilonfours] commamllment. We commytte the same to the Alm[ighty] this xxth of Julii 1588. Your honours most humble at command.

"W. Fletewoode

"Tho. Egerton

"Addressed.—To the Right honorable the Lordes & others of her Maiesties pryvie Counsell.

"Endorsed.—20 July 1588. From M^r Sergeant Fleetewodde and M^r Sollycitor concerninge the proceedinge against Jesuys semynaryes and obstynate recusants."

The appearance of the Armada on the day of this communication turned the minds of the Council to more pressing matters, so that our next indication of its policy comes August 14, 1588, when it empowered nine men to make a thorough examination of all recusants in London prisons. "A letter to Sir Owen Hopton, Mr. Daniell, Mr. Francis Bacon, Mr. Dsborne, Mr. Richard Topcliffe, Mr. Branthwait, Mr. Thomas Wrothe, Mr. Yong, Mr. Edward Barker, Register

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of the Delegates, or anie 8, 7 or 6 of them, to commaunde the Keepers of all the prisons in and about the Cittie of London to bring unto them the names of the parties remaying under their severall custodies for matters of Recusancie, and for that her Majesties pleasure is they should be proceeded with according to the law anJ äs the quallitie of their offences shall have deserved, to consider in what Sorte the examinacions maie be niost speedilie taken for th'understanding with what matters they maie be lawfullie charged; and thereuppon assembling themselves in two or three companies äs they shall thinke most convenient in respect of the multitude of the prisoners, to proceed thereunto according to their good discrecions, but especiallie that they enquire which of them be Jesuites or Priestes, aml either have not departed out of the Realme or have retourned hither againe contrarie to the Statutes made in thnt behalf, and that they propound such questions äs were heretofore maile to others, and are in n printed booke wherevvith some of them are acquainted, and such other questions äs they shall thinke meet touching their alleageance to her Majestic and their contrie, &c."

These examinations seem to have been completed by August 20, 1588. They were then turned over to Sir John Puckering, queen's Sergeant, who first listed them according to the judicial division where each of the accused was to be tried. He then jotted down in law Jargon a brief annotation in each case äs to the result of the examination. Dposite the names of those whose examinations showed them guilty according to the interpretation of the law, he has written "sus," or "susp," meaning "let him be hanged." Accordingly, the ones so marked for London and Middlesex, with whom we are concerned, were brought to trial and condemned August 26, 1588; executed August 28 and 30. These who recanted or agreed to "take the Queen's part" were, of course, not brought to trial. A few of those who had at first agreed to "take the Queen's part" had seemingly changed their minds before the day of the trial, and suffered accordingly. Dne—John Hewett,

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Weldon, or Savel—changed his mind later, as we shall see, and was hanged.

SD in time of threatened danger the Council had ordered a systematic examination of what it claimed to be potential enemies. It was merely an accident that the first blow from without had been parried before the scrutiny had been completed. Nor was there any reason why the government should reverse the policy it had followed consistently through the eighties. The Great Armada was at that time regarded by both sides as only the first attempt; we should not now discount it because we know that it was also the last. Therefore the government carried out its systematic investigation, and continued to use the same "bloody questions."¹¹ This was a matter of policies, not of personalities. So when one by one those who had been connected with the first formulation and execution of the fundamental policy died, that policy still with unabated vigor went on.

After this thorough inquiry the summer of 1588, in time of extreme peril, the Situation again came back to its normal course, of imprisonment, with execution for the occasional extremist, though for our present purpose, it is not necessary to follow it further.

So the earnest Roman Catholic missionary priest during the 'eighties was in a very serious predicament. Even if he himself was intent wholly and alone on the salvation of individual English souls, without any thought of possible political consequences, yet that certainly was not the case of his most important superiors. It thus became of vital importance to know, in the day of contest, whom the Catholic would obey, pope or queen. For in 1580, when the missionary expedition went to England, a military one was in Ireland; and in 1587 a cardinal was made for the purpose of organizing the church in England following the Armada. As a soldier in the Spiritual army of the pope, the English priest in England was presumably an enemy spy, and by consequence a traitor to his native country. Theoretically, this was true; but practi-

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cally it was not. The law recognized the theory by declaring all priests traitors; the government continued to recognize the practical fact by taking steps each time to find whose political allegiance the priest admitted. Even if he upheld the pope's supremacy, he was only a potential traitor. But the spy and traitor captured in enemy territory suffers for what he is, whether it can be proved that he has done anything or not. And so the poor priests had to bear the brunt of it all. So has it always been. So must it ever be?

In formulating and executing this policy toward priests, Queen Elizabeth's principal officials were necessarily the chief agents. Robert Parsons points out in 1592 that these leaders had been five; Nicholas Bacon and William Cecil from the beginning of the reign, to whom a little later Robert Dudley, Earl of Leicester, was added, some years later Christopher Hatten, and finally Francis Walsingham. Of these, only Cecil now survived, full of days and sins. From these five, Parsons singles out Leicester, Walsingham, and Cecil as the chief opponents of the Roman Catholic faith. Leicester used his influence with the queen against the Roman Catholics; and he especially was the leader of opposition to Spain throughout. Secretary Walsingham, the bitter Calvinist, was Leicester's instrument against the Roman Catholic religion, using not only evil words but even blows against the confessors and martyrs. But Cecil is the author and actor of this universal tragedy, and the true architect of this English calamity. Parson's estimate of these three men seems representative of the opinion of Elizabethan Romanists.⁵ But since it was Walsingham's duty to track down the priests, his

⁵ Read, *Walsingham*, Vol. II, p. 267 and notes. To the Elizabethan condemnations of Walsingham should be added that of Rivadeneira, who uses almost exactly the language of Parsons and Creswell, but adds other lurid accusations (*Obras Escogidas Del Padre Pedro De Rivadeneira* (Biblioteca de Autores Espanoles, 1899) pp. 308 ff.). In view of the close relations between Parsons and Rivadeneira at the time, their general and even verbal agreement is to be expected (see for instance, *Pub. Cath. Rec. Soc.*, Vol. V, pp. 321-8).

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name was connected with many a surviving story of martyrdom; and SD has tended to loom larger with some moderns than do those of the more distant Leicester and Burghley. It is not necessary, however, for the present purpose accurately to determine the respective shares of these three men in shaping and executing the English policy toward Roman Catholics. Instead, we may turn to some of the sufferers under that policy.

CHAPTER III

The Trial and Execution of William Gunter, Henry Webley, and William Deane

CAUGHT in this contention over the supremacy, many a priest suffered hardships for what he regarded as religious duty, and not a few won what they considered martyrdom. It is with two of these seminary priests and certain of their companions that we are now particularly concerned. As has been shown in Chapter i, Shakespeare used in *The Comedy* the gibbet erected in Holywell for hanging two of these seminary priests. It has also been shown in Chapter ii that Shakespeare has certainly modelled the procession to execution in *The Comedy* upon one or both of these processions to execution, at least to the extent of borrowing from them the general idea and the topography. This fact raises the further question of whether Shakespeare may not have modelled his work even more closely upon the life. The answer necessitates a minute examination of both of these actual processions to the gibbet in Holywell.

William Gunter was hanged upon this new gibbet on August 28, 1588, and William Hartley on October 5, 1588. Hartley had been in the same cart with a third priest, John Hewett, who was hanged at Mile End; and a schoolmaster, Robert Sutton, who was hanged last of the three, at Clerkenwell. It is because of this connection with Hartley on his final earthly pilgrimage that we shall need to consider Hewett and Sutton. All four of these men came under the rigid scrutiny occasioned by the Armada. Hartley had a long record as a missionary priest, extending back to 1580, when he was

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closely associated with *Campion* himself. The others had less extensive records.

This priestly gibbet in Finsbury Fields, as we have seen, was erected new on August 27 or 28, 1588, for the special benefit of William Gunter. In the years preceding the Armada, priests executed in London had been hanged as traitors at the regular place of execution for such, Tyburn. But it was believed in 'eighty-eight that part of the plan of Spanish invasion had been to have traitorous priests sent into England, who were to cooperate with the invaders. So directly after the Armada, the authorities began making examples of the convicted priests. Several new gibbets were built in the most public places about London to publish these examples. On the one erected in Finsbury Fields near the Theater and Curtain, Gunter was the first, and Hartley the only other person to be hanged.

Of William Gunter we know little. He is said to have been born at Raglan in Monmouthshire. He was registered at the English College as of the diocese of Llandaff. Gunter and Roger Davies entered the English College together on July 16, 1583. Gunter received first tonsure and minor orders September 23, 1583; the subdiaconate about September 18, 1586; the diaconate possibly on December 19, 1586; priesthood March 14, 1587; and left for England, still with Davies, July 23, 1587. The fact that Gunter required the full term of years to attain priesthood would imply that at the time he was probably quite young. He evidently entered at once upon his work, for at his trial less than a year later, "being demanded by the Commissioners whether he had reconciled any since he came into England, he, resolute and willing to die, answered he had." He was captured on June 30, 1588, in the parish of St. Sepulchre, Ward of Farringdon, as we learn from his indictment on August 26, 1588. Consequently, he was questioned in the general examination of August 14-20, 1588. Opposite Gunter's name, Puckering made the note "cul. confes."; i.e., he pleads guilty; with the consequent

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further annotation of "sus."—let him be hanged. Since Gunter pleads guilty, he must go to trial, which means hanging. So he appears "At the Session of oyer and Terminer and gaol delivery, howlden at Justice Hall in the Dwlde Bayley the 26 . . . ö! August 1588, äs well for the Cittie of London äs for the Countie of Middlesex. Before S^r George Bond Lorde Maior of the Cittie of London & others."

The True Bill found against Gunter reads: "Jurati pro domina Regina presentant rjuod Willelmus Gunter nuper de London Clericus, natus existens infra hoc regnü Anglie, post festum Nativitatis Sancti Johannis Baptiste anno regni domine nostre Elizabeth dei gratia Anglie ffrancie & Hibernic Regine, fidei defensoris, &c., primo, et ante ultimum diem Junii anno regni dicte domine Regine xxxo factus et ordinatus existens sacerdos apud Rhemcs in partibus transmarinis auctoritate derivata a sede Romana, leges & statuta huius regni Anglie minime ponderans nee penam in eisdem contentam aliquäliter verens, predicto ultinio die Junii anno regni dicte domine Regine anno xxx^o, apud London predictam, videlicet in parochia süi Sepulchri in Warda de ffarindon extra London, proditorie et ut proditor dicte domine Regine, fuit et remansit, in contemptü ipsius domine Regine corone et dignitatis suarum, necnon contra formam statuti in huiusmodi casu nuper editi et prouisi &c."

"London. The Jurors for our Lady the Queen present that William Gunter late of London, clerk, born within this kingdom of England, after the Feast of the Nativity of St. John the Baptist 1 Eliz., and before the last day of June 30 Eliz. having been made and orriained a priest at Rheims in parts beyond the sea by authority derived from the See of Rome, in no degree regarding the laws and Statutes of this kingdom of England, nor having respect to the penalty contained in the same, on the aforesaid last day of June 30 Eliz. was and remained traitorously and äs a traitor at London aforesaid, namely in the parish of St. Sepulcher's in the Ward of Farindon without London, in contempt of the said Queen's

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crown and dignity, and also against the form of the Statute in this case published and prDvided," etc.¹

"Gunter beinge arayed would not have any iurie to passe uppon him, but freelle confessed he had reconciled and would doe soe againe yf he could." *A briefe Treatise Discouering in substance the offences, and vngodly practices of the late 14. Traitors cvndemned on the 26. of August. 1588*, gives the clearest and most connected account of Gunter's execution. He and fifteen others were tried on August 26, 1588, at "the ordinary place of Iudgement before her Maiesties Iustices at the sessions house."¹¹ All "denied hir Maiestie to be supreme head of the Church of England, except *lohn Vallentinc* and *William Pere*, which two men willingly recanted: acknowleilging the queenes most excellent Maiestie to be snpreame head of the church of England."¹¹ Df the fourteen, teil, including Gunter, were sentenccd to "be drawen, hanged and quartered and the other foure to be hanged, where it should please hir highnesse to appoynt. And so they being pinnioied and their handcs bound, were conueyed backe againe to the Gaole of Newgate in such Sorte that all the people might easily see thcm." The sheriffs diel not proreed to executitm till the qucen should declare her pleasure in the matter. Dn August 27, she "with great mercy and cnnipassion towards them did mitigate the sanie onely cominaunding that they should be hanged in sundry places neere London. Sn that vpon the 28. of August last in the forenoone *William Guntur* one of the Traytors being a seminary priest came first into the cart who sayd nothing but säte him downe.

"After him came *Henry Weblen* who sayd in the carte that he was a man of occupation and that hee was condemned for harboring of such äs were seminary priestes, denying obstinately that he neuer offended hir Maiestie, but that he died for his conscience: and yet to harbour such äs were traytors is treason of it seife, and to denie hir highnesse to be supreme

¹ The translation is modelled upon those of Jeaffrcson.

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head of the Church of England is also high treason: and SD laffing and therin smiling in the carte he sät him down.

"After him came *William Deane* a man of a very peruerst minde and opiniun, who mumbling to him seife in Latine: and seeming tu iustifie his bad and detestable opinion, the people cryed downe with him into the carte, wherevnto these three being tied, they were conueyed along the citie to Myle-end where *William Deane* and *Henry Webley* shewing themselues peruerst traitors were hanged vpon a lebbit newly set vp for them. Then was *William Guntur* conuaied into Hollywell fieldes² neere to the Theator or Playhouse where maister sheriffe willed him to call vpon God for pardun and acknowledge his offences to hir maiestie whereat he aunswered that he would aske pardon nf God, but not of hir Maiestie, saying he had neuer offended her, and so he was hanged vpon a newe lebbit prepared for him."

Catholic writers report that at the place of execution "the sheriff telling him that the Queen had pardoned him that he should not be quartered: 'It is requisite' said he, ^ffor I am not worthy to suffer so much äs those martyrs that have gone before me.¹ ^{ij} The crowd seems to have been particularly ill-behaved at Gunter's execution "some saying and singing äs he hanged after his death, This man for the Pope is hanged with a rope.' " Gunter's non-resisting attitude throughout the proceedings is an interesting one. Being a Welshman, Gunter was probably aware that Englishmen would be unusually loath to deprive him of martyrdom, and so he received the martyr's crown with what grace he could. TD make his crown more lustrous the mob howled around his yet swinging

² Stow in his *Summarie of the Chronicles of England* [1604, p. 377] had erred in giving thc name of Gunter äs W. Hunter and in listing him with the two hanged immediatdy after at Lincoln's Inn Fields. This statement seems to have been fulluwed by Bishop Yopez (Burton and Pollen, *Martyrs*, 370, n. i). Presumably this error appeared first in the edition of the *Summarie* for 1590, the first edition after these events; but I have not been able to check the point. Stow corrected this error in his *Annales*, (1592), P- 1281; (1631), p. 750.

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body, "This man for the pope is hanged with a rope." Such scenes indicate where William Shakespeare found suggestions for his mobs.

In fairness to the mob, however, it should be said that it had already been stirred by the bad example of the officers. We may remember how *A briefe Treatise* says that William Deane was "a man of a very peruerst minde and opinion," who on leaving the prisun attempted tu "iustifie his bad and detestable opinion," so that "the people cryed downe with him into the carte. Robert Southwell gives a vivid picture of priests, mob, and officers. "It was stränge to hear with what incessant shouts the mob followed them to the scaffold, uttering all manner of harsh and savage abuse against the servants of Gud, while the Martyrs, with clasped hands and a look of piety, eveii gaiety, on their faces, repaid the people's curses with blessings. They fixed their hearts and eyes on God; sometimes they chanted, sometimes they prayed in silence, äs they were being led from the courthouse back to the prison, and from the prison to the scaffold.

"There was an extraordinary concourse of citizens, and a crowd surging on all sides. What it feit I know not. . . . Nearly all liberty of addressing the people was denied them, SD that they were able to say but little to the bystanders. As une priest, William Dean, was making strenuous efforts to address the crowd, they gagged his mouth with a cloth, thereby not only stopping his Speech, but very nearly suffocating him before he was hanged. So also on the way to execution when he claimed to be heard, a shout was suddenly raised, so that not a word could be caught by the bystanders. Dur enemies forsooth are ashamed to let the truth of our cause, and the iniquity of their conduct, be known to the people."

Another contemporary is more brutally matter of fact than Southwell. "Mr. Deane for exhorting the people äs he sät in the cart was sore hurt by an officer with a bill uppon the heade: his mouth was alsoe stoppet and mufled with a handkercher."

Gunter, Webley and Deane

Who the official or officials in the cart were we do not know; but one or both of the sheriffs were in charge, and so responsible for the treatment of the prisoners. The sheriffs at this time were John Catcher and Thomas Skinner—ominous names.

It is clear that on this procession of August 28, 1588, both officers and mob were in an ugly temper. Nor was there anything abDUt Deane and Webley to dissipate that temper. Dnly Gunter the müb could not taunt intu fighting back, and so vented its pent-up spite around his dead body. There was nothing in this venomous procession to suggest the sorrowing Duke with all dignity and respect unwillingly conducting the fated Aegeon to an inevitable doom. Certainly the execution of William Gunter was not copied in any appreciable detail for the intended execution of Aegeon in *The Cwmcdy*.

CHAPTER IV

The Trial and Execution of John Hewett, alias Savel, alias Weldon

FOR his procession to execution in *The Comedy of Errors*, Shakespeare borrowed the general idea and topography from two actual processions to execution at Holywell. He did not, however, model his work in appreciable detail directly upon the first of these processions, that of William Gunter on August 28, 1588. Did he use the only other execution at Holywell, that of William Hartley on October 5, 1588, as the model for his treatment of Aegeon? Since the story of the last two days of Hartley's life is so closely woven with that of John Hewett, priest, and Robert Sutton, schoolmaster, it will be necessary to recount what is known of them also, in order to get the full setting of this last procession. The three were tried and condemned in 1588 "on Friday the fourth of October, in the Sessions house nigh *Newgate*, before the right honourable the L. *Maior*, the L. chiefe iustice of *England*, the right worshipfull the Q. Attorney generall, M. Sergeant *Fleetwood*, Recorder of the Citie of *London*, S. *Owen Hopton* knight, Liefetenant of her Ma. Tower of *London*, S. *Rowland Haiward*, Sir *Wolston Dm* knights, and diuers other her Maiesties iustices in commission of Dyer and determiner."

The lord mayor at this time was Sir Martin Calthrope, draper. The lord chief justice was Sir Christopher Wray, who himself is supposed to have been Catholic at heart. The attorney general was John Popham. Both Wray and Popham had exercised their present offices at the trial of Campion in 1581. "The presiding judge was Chief-Justice Wray; a man

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who in criminal proceedings exhibited calmness and forbearance, and abstained from all show of intemperance and impartiality [*sic*]; an appearance of virtue, Lord Campbell suggests, dexterously assumed by him for the purpose of obtaining convictions against the parties arraigned. But he was considered in his day to be a Uatholic at heart, unwillingly performing a hateful task, which is said to have embittered all his remaining days, and even to have brought him prematurely with sorrow to the grave in 1592." Whether or not the chief justice was in 1588 about to dissolve with secret sorrow over Catholic affairs, yet it would appear that he was considered a not unsympathetic judge for the Roman Catholic cause. Df Popham also it is said that in these trials "he endeavoured to i^erform his difficult task with humanity." The reputation of Sergeant Fleetwood, recorder of London, was rather diiferent. "As recorder he was famous for rigorously and successfully enforcing the laws against vagrants, mass-priests, and papists"

As lieutenant of the Tower, Sir Owen Hopton had come in contact with many Roman Catholic priests. William Hartley himself had been in his custody for a few days in August 1581. With Hartley had been John Stonor, whom Sir Owen would certainly remember, even if he may have forgotten Hartley. "It was one Stonor, or Stonard, that converted the lieutenant's daughter. He was prisoner in the Tower, and she was far in love with him. She conveys letters and messages between the prisoners in the Tower and the Marshalsea" The love-lorn lass was Cecilia Hopton, and some of the letters she conveyed for Stonor to the Marshalsea may have been for Hartley, who was confined there from August 23, 1581, to January 21, 1585. Sir Dwen's children seem to have been peculiarly susceptible to Catholicism, thus bringing him into trouble. In 1581, "Ralph, a son of Sir O. Hopton, was apparently a Catholic at Antwerp." Cecilia was implicated in Francis Throgmorton's treason in 1584. The upshot of this last affair seems to have been a memorandum of May 27,

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1585; "That her Majesty be pleased to remove the lieutenant, and give him some recompense, for his poverty, and that he bought the office." But her majesty was not pleased to remove Sir Owen, who was for some years more to exercise his office. Cecilia was again at the bottom of the irregularities permitted Arundel in the Tower in 1588, and a successor was appointed to her father on July 6, 1590. Surviving references to Sir Owen seem to indicate that though he frequently sat in examination, yet he was not considered an unusually bitter persecutor of the Roman Catholics.

Sir Rowland Hayward was a former mayor of London. He had sat on the case of Alfieldor Hawfield on July 5, 1585; on the cases of August 26 and 29, 1588; and doubtless on many others. Roman Catholics at this period regarded him, along with "Madde Fleetwood," as one of Leicester's most trusted Instruments in the city of London. In January 1590 there is a document indicating the attitude of some toward him. "Information against Mrs. Dewse, who having heard that Robert Birche was a conjurer, desired one Atkinson to be a mean that she might speak with him; . . . her desire to be revenged of her enemies, one of whom was that thief, Justice Younge, who lived by robbing Papists; the others were Sir Rowland Hayward and others, whose pictures of wax she would have made and then prick them to the heart." It would seem that some considered Sir Rowland as not much better than Justice Young, and Mad Fleetwood; and it seems probable that he had won this opinion by his attitude toward Roman Catholics. Either Hayward or his house at Hackney was a favorite with Queen Elizabeth, she having visited in 1583, 1587, 1588, 1590, 1591.

Sir Wolston Dixy was also a former mayor of London. I do not know of any direct evidence concerning his attitude on the Catholic question, nor as to that of the mayor of 1588, Sir Martin Calthrope. It is usual to assume that a lord mayor was necessarily a Puritan, and by consequence vigorously anti-Catholic. At least Hayward and Dixy conformed to the

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expected Puritan type of city-father in their attitude toward drama. There is nothing, however, to indicate that these three men, with the probable exception of Hayward, were unusually active either as sympathizers with, or persecutors of, the Roman Catholics.

After all, the composition of the court would make no difference on the ultimate verdict. It might merely make the ordeal more or less trying for the prisoner. For the government was always certain of its ground before it brought an accused Roman Catholic to trial; it could not risk the moral effect of an acquittal. Consequently, it saw to it that the prisoner had admitted enough in legally attested form, or that enough had been proved, to convict him under the law. In a way, therefore, the trial was only a formality. The prisoner's only chance of escape was recantation. The court's chief business was to make him reaffirm or deny his previous opinions and acts. The constitution of the court would determine chiefly the amount and kind of pressure that would be brought to bear on the prisoner to make him reaffirm or recant.

It is more profitable, then, to examine the precedent history of each prisoner. Fortunately, that history is fairly full. The first of these men to be tried on October 4, 1588, was John Hewett, alias Savel, alias Weldon. John Hewett was the son of William Hewett, who on January 31, 1594, is described by the city authorities of York as "sometime of this city, draper, deceased." The son, however, is said to have been "borne at *Tollerton*, in the countie of *Yorke*" So when he received the tonsure and minor orders at Rheims September 23, 1583, he is described as of the diocese of York. He had previously been "sometime Student in *Cnius* Colledge in *Cambridge*," No record of Hewett at Caius seems to survive; but there is no reason to suppose that the statement of his membership there is incorrect. Caius College was at this time under the mastership of Dr. Legge, who was notorious for his Roman Catholic sympathies, but whose good drama was permitted to condone his bad religion. Dr. Sandys, arch-

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bishop of York, charged that "all the Popish gentlemen in this country send their sons to him. He setteth sundry of them over to one Swale, also of the same house, by whom the youth of this country is corrupted." The modern historian of the College finds that the reconls substantiate Sandys's charge.¹ Hewett was evidently one of these Yorkshire sons, being one of three martyrs and a failure |John Fingley, William Deane, the martyrs; John Ballard, though n. priest, turned government spy) furnished by the College in the 'eighties. A fifth, Francis Moundeford, was imprisoned in the early 'nineties. Possibly it is because of the fact that in the 'eighties Protestant fire was directed on Caius College that the "learned and godly" preacher² indudes this item in Hewett's biography. It has been suggested that this priest was the John Hewett who received his B A. at Oxford November 18, 1569.⁸ But this is not likely, since even in 1587 our Hewett is still described äs a "young priest," when the Oxford Hewett should have been upward of forty. Moreover, it took Hewett several years to complete his work in the English College and be ordained priest. The Oxford Hewett, with his age and training, should have finished in less than a year.

The first official record of Hewett at the English College at Rheims is that he received the tonsure and minor orders on September 23, 1583, though a letter of January 15, 1582, mentiotis that he was then a Student. There is no previous note of his entry to teil us more exactly when and whence he came. The next record there is November 7, 1585, and describes him äs a deacon, returning to the College äs an exile from prison in York. There are no records äs tn where and when Hewett had been ordained sub-deacnn, and deacon. Nor do we know

¹ Venn, John, *Caius College*, (1901), p /5 ff.; cf. pp 82-3.

² The authorship of the *True Report* is not directly Riven, but all writers agree (Law, _month, Vol. XXXV, p. 79, n. 20; Gillow, J., *A Literary and Biographical History, or Bibliographical Dictionary of the English Catholics*, Vol. III, p. 161) in fixing it upon the "learned and godly" preacher, correctly I think.

³ Burton and Pollen, *Martyrs*, p. 509.

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the date of this return to England, though it had been before August 23, 1585, when John Beysbeye, keeper of the recognizances in the castle of Kingston-upon-Hull, certified that he had received into his charge ten priests, including "John Hewett, a Popish subdeacon." In this same consignment of prisoners was the priest John Marsh, like Hewett also of the diocese of York, who arrived at the English College a month later than Hewett, December 12, 1585. With Hewett had come the priest David Kemp of Exeter. Hewett and Marsh had been sent abroad in a consignment of twenty-two priests from York in September 1585, and Kemp was either in this shipment, or in another of thirty priests and two laymen, which left London September 15, 1585.

At some time between November 7, 1585, and January 7, 1586, Hewett seems to have been ordained priest. The Diary of the English College records merely that he was ordained in 1585, but gives neither specific date nor place. Stow and the *True Report* say he was "made -Priest at Parris." In the case of Hartley, who is mentioned in the *Annales* with Hewett, the Statement that he was "made Priest at Paris" is certainly false, since he was ordained priest at Chalons. But this Statement seems merely to have been a slip in the first place. Hewett's indictment either does not state the place of his ordination, or the place is illegible. Stow had said in his *Summary* merely that Hewett and Hartley were "made priests in France," and the *True Report* states only that Hewett was made priest in Paris, saying later that Hartley was tried on the same charge. The entry in the *Annales* (first appearance in 1592) is slightly rewritten from the *Summary* (first edition to contain this information would be 1590; but I have not examined it), and there for the first time the Statement of being made priest in Paris, which the *True Report* had applied to Hewett alone, is now applied to both Hewett and Hartley. Properly, then, the Statement belongs only to Hewett, and may or may not be true.

Wherever Hewett was ordained priest, it was done before

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January 7, 1586, when he and two companions, Marsh and Kemp, set out together for England. On January 12, 1586, a government spy reported that Kemp and four others on their way to England had come to Paris from Rheims. We now lose sight of Hewett for slightly more than a year, our next record locating him in England and in prison early in 1587. Shortly after March 17, 1587, it is recorded that Hewett had been apprehended under the assumed name of Weldon "in the lixlgings of John Gardener, Esij., of Grove Place, in the county of Buckingham. A short time betöre, a priest named Greene, *alias* Strawbridge, had been seized in this gentleman's house, and the writer adds: 'Since the apprehension of the said Greene (who is prisoner in the Counter in Wood Street), the said Gardener hath gotten to himself another young Seminary priest named Welldon, *alias* Savell, for whose safety and more secret abode with him he did take a chamber in Gray's Inn, and there they harboured and lay together, and had Mass there, within these three weeks at sundry times (äs the priest himself confesseth, although Mr. Gardener doth obstinately deny it), and he made for the same priest a new black cloak (such äs his other servants used to wear), and so kept him äs his servant abroad and his fellow at home.¹ If It would thus appear that Hewett had been in England before the end of February 1587.

The indictment of Hewett for this return still survives, and may be quoted, since it gives in brief outline the remainder of his legal history. "17 March, 29 Elizabeth.—True Bill that, on the said day of March 29 Eliz. John Weiden hite of Grais Inne Lane clerk, *alias* John Savell late of the same place clerk, being born within this kingdom of England after the Feast of the Nativity of John the Baptist i Eliz.,⁴ and made and ordained a priest at . . . in parts beyond sea by authority derived from the Roman See before the 14th day of March

⁴ This is either an error in the form of the indictment, or a mistranslation; for the Gurreet form, see the indictment of William Gunter, above, p. 31, which the Privy Council user äs a model für such indictments.

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29 Eliz., not considering the laws and Statutes of this kingdom of England, nor fearing in any degree the penalty in the same, on the aforesaid ijth of March 29 Eliz. was and remained traitorously and as a traitor at Grais Inne Lane aforesaid, in contempt of the same Queen her crown and dignity, and also against the Statute in this case published and provided. Memorandum (in Latin) at the head of the bill: 'He says that he is "Not Guilty," but says that he does not wish to put himself upon the country, but wishes to be tried by clergy. Thereforelethimgotopunishment.'—ti.S.P.R., Alichaelmas, 30 Eliz."

It thus appears that the date of Hewcctt's capture in Gray's Inn Lane was March 17, 1587. It seems too that at that time the authorities did not know where he was made priest. His case was not brought up for trial till the General Middlesex Sessions, Michaclmas term of 1588. He was not, however, in prison all this time. Du Dctober 5, 1587, Sir John Conway at Dstend added a postscript to a letter to Walsingham, telling how by chance he had captured "one Savell, a seminary priest or a Jesuit, a very dangerous fellow," who was "going towards the enemy's camp." "He hath to carry into France and these countries a great many of relics as he calls them; the bones, sinews, flesh dried and such like of traitors which have lately suffered in England. He cnnfesseth they should be delivered to Charles Arunrlel, to the Lord Paget, to the Lord Westmorland and others, and notes in writing." Df these relics we are told in a later communication that "He begged that he might keep them, saying they were highly sanctified and things wherewith there had been great conjurations made by one Grear and others." Conway had attempted to examine Hewett, and reported that "His Excellency [Leicester] orders me to send him to him and he will send him into England."

On November 6, 1587, Conway wrote directly to the Privy Council: "I lately sent one Sawell to his Excellency, whom I took here, going towards the Prince of Parma at Sluce; and

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Hearing that he has sent to your lordships, I think good to let you know of what mind and manner I found him." Hewett had refused to be examined by Conway, since he claimed to be employed by some of the lords of the Privy Council, and dared not reveal their secrets. When Conway insisted on examining him upon other matters, not connected with official affairs, "upon his knees he desired pardon . . . for he had taken a solemn oath not to discover their secrets which had put him in trust." He had a copy of Camden's *Brittannia*, with maps of all havens and sea ports northward, and confessed that he had brought with him cards of all England, Ireland, and Scotland; but forgot them in the ship. He had a purse filled with tokens, notes, and the gruesome relics described above, which Conway sent to the Council. Conway felt certain that Hewett had been on the way to the Prince of Parma about some traitorous business.

Thus Hewett had been released between March 17 and October 5, 1587, had been captured at Ostend, seemingly on his way to Parma, had been sent to Leicester, who had returned him to England by November 6, 1587. This is rather a different story from the one told by Peter Penkevel, a Catholic prisoner, which has for some centuries been the current one. Penkevel says that Hewett "being banished was from the Low Countries sent into England prisoner by the Earl of Leicester." This Statement has been interpreted as meaning that Hewett was banished to Flanders, where Leicester immediately picked him up and returned him to England. Such an Interpretation was, of course, untenable, since England never banished priests to Flanders; there were already too many burning coals in Newcastle. Besides, what purpose could there have been in such a stratagem? The government did not use this third return against Hewett; it hanged him for his second return. It could, therefore, have hanged him just as easily on that evidence in March 1587 as it did in October 1588,

The "learned and godly preacher" offers an explanation

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which would account satisfactorily for the government's action in freeing Hewett for a time in 1587. He says: "thou cunningly and craftily didst abuse authority, pretending thyself to be converted, & promising to continue a Protestant during thy life, thou wast not only enlarged & set at liberty, but hadst money also given thee to supply thy wants, & defray thy charges: After all this, thou didst secretly convey thyself into *Flaunders*, meaning (as it was to be conjectured) to kill the King of *Leicester*: which his Honour being advertised of, caused thee to be apprehended, and sent over into *England*." The preacher thus claims that Hewett pretended to be converted. Hewett admitted this by implication, and much more, when he pleaded immunity to Conway on the ground that he was employed by some of the lords of the Privy Council. The preacher says only that Hewett had recanted; Hewett admitted not only that he had recanted, but also that he had turned spy. The preacher may not have known this last fact; but if he had, he would hardly have mentioned it. Officially, the government did not advertise the fact that it employed spies.

But if Hewett had turned spy, he was clearly proving unfaithful to his employers; and his heart and real efforts were still with his Roman Catholic colleagues. Thus having found by this trial in 1587 that Hewett could not be trusted as a spy, the government remanded him to prison. Doubtless the officials first followed Conway's advice, and "put him to some terror" to make him discover "divers hollow hearted papists which give hence advertisements, and of some in England which are acquainted with the Prince's purposes towards Scotland and elsewhere"; but of that we have no record. This incident gives rather a vivid picture of the emotional and plastic Hewett. Despite his missionary ardor, when the government "put him to some terror," he recanted and agreed to turn spy. But caught in his duplicity, and "a little moved" to tell the truth, he begged upon his knees not to be forced to

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answer and thereby break bis solemn oath. His spirit was willing, but his flesh was weak.

According to the law, Hewett might now have been executed, äs indeed he might have been long before; but since the government executed only those priests who actively plotted against it, or denied the queen's supremacy, and since it was only *presumed* that Hewett had plotted against the government, but known that he did not deny the supremacy, no active Steps were taken against him. He was thus simply remanded to prison. He was listed äs in Bridewell in March 1588. Seemingly he had been transferred to Bridewell from Newgate, since in the latter prison, toward the end of 1587, Nicholas Horner was greatly comforted during the amputation of a leg "by means that a certain good priest (to wit, Mr. Hewett, who was afterwards a Martyr) did hold his head betwixt his hands whilst it was adoing."⁰ In view of what such an Operation was like in those days, this is no mean tribute to Hewett—but then it was Horner's flesh which was suffering.

In the general check of August 14-20, 1588, Hewett is listed under the priests of Middlesex äs "John Weldon—take Q. part." Since he would take the queen's part, no action was taken against him in the August trials. His name was transferred tD a special list of priests who would take the queen's part. A group of these has the side annotation "Sent into the Realm from the seas," with the later annotation, ^M"To be sent over agayne." In this group appear Hewett's former companions of 1585-1586, the priests David Kemp and John Marsh, who had been "taken by the K. of Navartes people." At the end of this group, Hewett's name (äs Weldon) was inserted, with the annotation "(take the Q. part) monastically vowed, deserveth to go over, &c." Thus the officers of the law in August 1588 at least tentatively considered that since Hewett had been returned from Flanders, and did not

^B The date is rather indefinite, and may possibly be before Hewett left for Flanders.

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deny the queen's supremacy, he was not to be brought to trial, but eventually to be banished again, as were his former comrades, Kemp and Marsh. A further inducement to this action may have been his claim that he was "monastically vowed," which would presumably remove him from England.

Yet at Hewett's next appearance, in the prison list of September 30, 1588, he is listed under the heading "These persons are by their own confessions guilty of Treason, or felony" But Kemp and Marsh still appear under the heading "These persons are seminary priests, and being taken upon the seas, or in prison at the time of the Statute are not in danger of Lawc." At his trial Hewett was still claiming that he too belonged under this heading; but the government now denied this right.

Before going into the details of this trial, it will be well to quote an account of it given by an imprisoned Roman Catholic, Peter Penkevel. After a scattering account of the executions of July and August 1588, Penkevel says: "It was determined that within short time after there should be all the priests in Wisbyche and very many other Catholics arraigned, but the Earl of Lester dying the same while in extraordinary manner caused a sudden stop in those proceedings.

"But within two months after, the magistrates returning to their accustomed practice, there were arraigned Mr. Huit and Mr. Hartley, pr. Mr. Huit refused to be tried by the Jury, for that he was loath, as he told the judges, that those ignorant men that understood not the case should be burdened with his blood, and referred the matter unto the judges' consciences, and notwithstanding that he proved there openly that they had no just matter against him, and that he being banished was from the Low Countries sent into England prisoner by the Earl of Leicester, yet nevertheless they proceeded against him and withmit a Jury condemned and judged him to be hanged and quartered. The next morning he was carried unto Mylane Greene, where he in the cart disputed openly with the preachers, whiles one went unto the Court to know

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the Queen's pleasure concerning his quartering, who- was found so favourable that she would have him but hanged. In this space he reproved and proved the said minister of many shameful lies, and behaving" himself in all respects both discreetly and constantly was there martyred."

The Leicester of this account is the traditional one of the early martyrologies, pursuing the priests to death, with Hewett as his special victim. Rivadeneira, writing about 1593 what proved to be one of the most popular books in Spain, says that as soon as the queen and her councillors were freed from the Armada scare, they turned like lions upon the Roman Catholics, and put forth a cruel edict against them" "The principal author of this edict was Robert Dudley, Earl of Leicester, who was a capital enemy of the Catholic faith and of all who professed it, and so furious and barbarous that he said he wished to see the whole city of London painted with the blood of Catholics."⁷ At Leicester's death, the execution of the edict was suspended for a short time, but then the queen commanded to carry out the sentence on the major part of those whom in his lifetime Leicester had sentenced.⁸ This Statement has become traditional, and survives in various forms at the present day. Doubtless Roman Catholics had good reason for fearing Leicester, and for regarding his sudden death as a just Visitation of God; but the surviving records hardly show his wicked hand snatching his intended victims even from beyond the grave.

As has been pointed out above, Leicester presumably had his share in inaugurating the thorough check of the summer of 1588. After that, the records are clear that he did not directly interfere. The law officials simply followed their regular machinery. The accused for London and Middlesex were first attended to, because there some court, special or regular, was

⁸ This statement is adapted with ornamentations from Southwell's letter of August 31, 1588 (*Pub. Cath. Rec. Soc.*, Vol. V, pp. 322, 325).

⁷ cf. *Pub. Cath. Rec. Soc.*, Vol. V, pp. 72, 73, 150, 194, 197, 304, 305.

⁸ Rivadeneira, *Obras Escogidas* (1899), pp. 301-2.

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nearly always sitting or ready to sit. The victims for the other counties were simply saved for the regulär Michaelmas term. In London, huldoover cases, and new ones which had arisen in the meantime, were tried at the next regulär Session for London and Middlesex, these being the ones we are now to examine in detail. There was no lull caused by Leicester's death. The machinery was steadily grinding, and at the appointed time its next victims were turned to dust.

Nor did Leicester hound Hewett down, äs he is frequently said to have done. Leicester sent Hewett to prison upward of a year betöre bis own death. Just a few days before Leicester's death, the crown lawyers had passed Hewett by, because the latter would "take the queen's part." It was Hewett's change on this question directly after the August executions which brought him to trial and execution early in October. When Hewett's fate was finally decided, Leicester was Safe enough from interfering.

The facts in the case of Hewett are thus sufficiently complete to enable us to check fairly well the apparent discrepancies between the two chief accounts of bis trial and execution, that of Penkevel just quoted, and that in the *True Report*. Both accounts agree that Hewett was sent back from the Low Countries by Leicester. As has been shown, this was about November 1587; and Hewett was in prison from that time till bis execution in October 1588. The government evidently did not push this charge; Leicester could not have been very thirsty for Hewett's blood. The reason for this leniency, äs has already appeared, was that Hewett claimed he would "take the queen's part." So Hewett escaped the August trials, though not frum prison.

But before September 30, 1588, Hewett had for some reason changed bis position. For on that date "John Wyldon preeste" is listed under the heading "These persons are by their owne confessions gyltye of Treason, or ffelonye." His upiniuns at bis trial on October 4, 1588, show that he now took the most extreme ground possible äs to the pope's su-

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premacý. Penkevel says that Hewett refused Jury trial, "for that he was loath, äs he told the judges, that those Ignorant men that understood not the case should be burthened with his blood" The *True Report* agrees that Hewett took "exceptions, first to the inditemet, äs false and vntrue: then to the iurie, or enquest to be impaneled vpon him, äs vnfit men to trie him, being meere lay men," and adds that he "affirmed himselfe to be a Priest, and therefore not triable by the common lawes, nor bounde to make answeere to the inditernent." The official annotation un his indictment, "He says that he is 'Not Guilty/ but says that he does not wish to put himself upon the country, but wishes to be tried by clergy," shows that both reports are correct on this matter. Here was the pope's supremacy, äs Fleetwood pointed out, in more extreme form than had ever been granted "euen in the time of superstition, when the Pope exercised his greatest iurisdiction within this realme." At his execution, according to the *True Report*, Hewett spoke of "our most holy Father the Pope being the head of the Church: who oncly hath auctoritie ouer al persons, and in all causes Ecdesiasticall." Clearly, Hewett was now upholclng the pope's supremacy in the most extreme form possible. This change of attitude had taken place between August 26, and September 30, 1588.

How Hewett came to change his attitude at this time we can guess with some assurance. The clue is furnished in a Statement made at the trial of the Earl of Arundel April 14, 1589. "Tipping in a htter declared that he hoided shortly to see the Karle of Arundell king of England, and one Hewet also used the like speeches." Another report of the same actisation, which does not mention Hewett specifically, says the Earl of Arundel "was also charged, That diuers Papists, Seminaries, and such-like, being- Prisoners in *Newgate*, and other Prisoners, reported, that they hoped to see the Earl of *Arimdel* king of *England* and that Cardinal *Allen* shoulr direct the Crown of *England*." The Earl himself is alleged to have said "Be of good comfort I heare the Spaniards are com-

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ing, like a greate forrest on the sea, now is the time of deliverance, now shall all true Catholiques be set at libertie, nuw äs the Earle of Leycester and Mr Secretary have plaged rmany Catholiques they them selves shall be plaged. I hope to see London Bridge brocken downe; now shall we have a good government and the Catholique religion established."

It would seem that when the Spaniard was expected late in July 1588, Hewett was again the victim of his eniDtionalism, and had expressed his opinions unwisely. When in September the governnient began preparing its case against Arundel, Hewett's sentiments would naturally come to its attention. These, with his past acts, would outweigh any further professions he might now make; and he would finally be forced to choose between recantation, and death. The sentiments expressed in July seem also to have been read back into his trip to Flanders. He is now in July 1588 wishing the death of Leicester; ergo, in 1587 his trip to Flanders had been " (äs it was to be coniectured) to kill the Earle of *Leicester*,' There had been no hint of such a mütive in the documents of 1587. A plausible modern guess is that Hewett had gone to Flanders to rejoin his former comrades Kemp and Marsh, who had been captured by the King of Navarre's men and returned to England about the same time äs Hewett. This explanation is highly probable, though it does not in itself disprove the conjecture that Hewett went about traitorous business, or specifically to kill the Earl of Leicester.

In accounting for Hewett's sudden change, we must also remember the evident temperament of the man. Under the influence of emotional exaltation he could comfort Homer in a severe Operation, he could defy the assembled bench, he could argue vehemently till death itself. But when the emotion had spent itsenergy, he could be something decidedly less than heroic. Now the executions of August put Roman Catholics generally into the mood of emotional exaltation to which Hewett was peculiarly susceptible. A letter of Southwell, the Jesuit leader, on August 31 well illustrates this state of affairs.

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To his account of the executions, he "will only add that our enemies are determined to make an end, if possible, of all Catholics, and that the Catholics are equally determined, when the occasion presents itself, to suffer any extremity rather than deny their faith. Thus it comes to pass that they in inflicting death, and we in suffering it, shall ere long exhibit a most remarkable spectacle to God, to angels and to men, that is, if the persecution goes on apace as it has begun." Since Southwell is one of the two Jesuit leaders in England, and is writing to the father general of the order, which was directing the campaign, his sentiments are official. It is not surprising that we catch echoes of them in the accounts of martyrdom. Faced with choice between death and recantation, and with spirit exalted by the cry of persecution and martyrdom Hewett was brought to the sticking point. But characteristically enough, he now occupied the most extreme position possible. The "learned and godly preacher" had taken a fairly accurate measure of his man: "Thou thinkest (peradventure) to gain among the Papists y^e name of a Martyr: but remember, it is not *poena*, but *causa, quae facit martyrem*, not y^e punishment, but the cause, that maketh y^e martyr."

It was this temperamental instability of Hewett which caused the officers to center their attentions upon him. As a shrewd contemporary Roman Catholic observer remarked, "for it is noted to be an usual and common practise of the persecutors (in that cuntry [Lancashire] especially) to deale but seldome and that very secretly with such as some most stout and constant, but to be very busie and importunate with such as they thinke be wealce and frayle, making their aduantage when such do relent as well for their owne credit with higher powres, whom they seeke to please and flatter, as also for the oucrthrowe of other weaklings and the sclauder of the catholike cause which they so barbarously persecute." So the officers gave Hewett time for his emotions to cool down, believing that his rabid extremes would do them more good than harm. They also brought great pressure to bear, as

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we shall see, on the hesitant Sutton. Hartley alone they paid the compliment of assuining that he knew his own mind, and could neither be bullied nor overpersuaded. All they could do was to give him the formality of a last chance, accept his word that he would not change, and hang him. They knew their men.

But to return to Hewett's trial. Hewett's defence now was, äs Penkevel and the *True Report* agree, that he had not voluntarily returned to England, but had been sent back äs a prisoner. This plea was ordinarily accepted by the government. The crown authorities had in August, 1588, accepted it in Hewett's own case äs excusing his last return, which was from Flanders." SD Hewett's indictment was not based upon this third return; but upon the second, when he had been caught in March 1587. At that time, he had been let off again, on his good behavior äs it were. Now that Hewett was failing to live up to its expectations, the government was simply pressing the deferred charge, using what had happened since merely äs contributory evidence. Of that charge, Hewett was certainly guilty.

Still another charge is mentioned in the *True Report*] namely, that Hewett had gone to Flanders in 1587 to kill Leicester. This charge was evidently not pressed, and was added merely further to fill the cup of Hewett's probable iniquity.

The government convicted Hewett for breaking the law by returning to England about February or March 1587, after he had been previously banished, and for upholding the pope's supremacy. On both of those charges he was certainly guilty. If fault is to be found, it must be found with the law itself, or with the procedure under it, not with the justice of Hewett's conviction under the law. The government did not invoke any new principle in this case; but followed its regulär procedure.

Hewett was returned to Newgate prison for the night. On

⁹For others excused on this grüund, see *Pub. Cath. Rec. Soi.*, Vol. II, p. 283. Youns hunted Hewett down *ibid.*, Vol. XXI, pp. 260, 288).

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the following morning, Saturday, October 5, 1588, he, Hartley, and Sutton were taken together to Mile End, in the charge of Sheriff Hugh Offley, assisted by a "learned and godly preacher." Two people, neither an eye-witness, say the prisoners were in a cart, and the preacher's Statement that at the place of execution Hewett was "vnbound, and raised vpon his feet," shows that they had been bound therein äs was customary. This was a change from the regulär sentence upon traitors. The regulär sentence had certainly been pronounced upon Hartley; and Topcliffe says that Hewett also was ^Mcondemned to be hanged, drawn, and quartered." But in all London cases for 1588, the punishment had been mitigated from the extra brutalities meted out for treason to simple hanging, which was the punishment of felony. In the case of felony, prisoners would be taken to execution in carts, instead of on hurdles. The government considered this mitigation of the sentence an act of mercy; the Roman Catholics considered it a further ignominy. Southwell writes on August 31, 1588, of those just executed, "Contrary to custom, they were not dragged on hurdles nor dismembred, though they had been condemned to this in their sentence: but like robbers they were conveyed to the place of execution in carts." So it would appear that Hewett, Hartley, and Sutton were drawn to execution, not on hurdles like traitors, but in a cart "like robbers."

The route taken from Newgate prison to Mile End is not given; but it can, from contemporary maps, be guessed with reasonable certainty. From Newgate the first objective would be Aldgate. Presumably the carted procession moved through New Gate, Bladder, West Cheap, Poultry, Cornhill, and Aldgate Streets to Aldgate. This road would thus lead through the heart of London, and this was doubtless a main reason for scheduling the first execution at Mile End. It would be "in such sorte that all the people might easily see them." From Aldgate, the procession would take the Whitechapel Road to the first mile's end, where on Mile End Green, which was south of Mile End Road, Hewett was to be hanged. The only

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person who makes mention of any incident on this journey is the priest, Henry Walpole, whose account of the execution may as well be quoted here in full. "About Michaelmas, 1589 [sic], was Mr. Savell, or Weldon, executed at Mile End Green, who always, by the way, desired our Saviour to aid him with grace to persevere. Being brought to the place of execution, Topcliffe said how that the Queen was merciful, 'and whereas by his deserts he was condemned to be hanged, drawn, and quartered, her pleasure was that he should be but hanged.' He said 'the less was his merit,' and so he died.

"He hanged very near a [quarter of an hour before he died. They would suffer no man to strike him on the breast or pull him down. There was then in the cart Mr. Hartley, priest, and a layman, WILD desired him by the name of Martyr to pray for him, -whereat the people cried out." On the procession, it is the emotional Ileswett who is singled out as praying "always, by the way" for "grace to persevere."

Upon arrival at Mile End Green, there was some delay in proceeding to execution, the time being occupied with a disputation between Hewett and the "learned and godly preacher." Various accounts are given as to the cause of the delay, and as to the victory in the disputation. Penkevel says that they delayed "whiles one went unto the Court to know the Queen's pleasure concerning his quartering, who was found so favourable that she would have him but hanged." Penkevel is here echoing Topcliffe's official Statement of the Queen's pleasure. "Being brought to the place of execution, Topcliffe said how that the Queen was merciful, 'and whereas by his deserts he was condemned to be hanged, drawn, and quartered, her pleasure was that he should be but hanged.' " NDW this demon priest-torturer, Topcliffe, must have had his mitigating orders before the procession started, or the condemned would have been on the hurdles of traitors, instead of in the cart of felons. It would seem clear that Penkevel is only guessing at the cause of delay. Topcliffe doubtless did not make his proclamation till at the end of the delay, they

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were ready to proceed with the execution. Thus the inference naturally arose that the delay was caused by the wait for this proclamation.

The "learned and godly preacher" gives, in an aside as it were, a more plausible account of the cause for delay, when he launches into an examination of Hewett's answer. "I wil (by M. Sheriffes patience) sith wec haue so much time, and the executioner is not yet come, a little examine it, that so thy folly and falshood may the more appeare." He enrls his long harangue with "hut th' executioner is come, and time passeth away." The excution could not well proceed without the executinner. Why the exerutioncr was late we do not know. It would be interesting to know if he was ordered to be late so as to give an excuse for this last assault on HeweLt's constancy.

The name of the executioner is not given, but the official at this period was "that fury of hell & butchery knave Bull," of whom predestined martyrs had premonitory visions. Bull is reconled as the executiocr of John Felton in St. Paul's Churchyard, August 8, 1570; tlie priests John Payne at Chelmsford, April 2, 1582; John Body at Andover, November 2, 1583; and of Anthony Middleton at Clerkc iTwell, London, May 6, 1590 It was also he who executed Mary Queen of Scots, and maaiy another. The pamphleteering wits of London make not a few sardonic references to his skill in sending his victims to heaven in a string. If, therefore, as observers agree, Hewett had an unusually painful time agoing, it was hardly dne to lack of skill on the part of the executioner. One fears that Bull was merely demonstrating that he could put as much pain into a simple hanging as another could into the full butchery of a traitor's execution. Artists are like that.

So while the execution was delayed for lack of an executioner, the zealous priest and godly preacher held a final disputation. It grew out of the ctistomary formality of calling for the last time upon the condemned to confess his guilt, and beg pardon for his fault. of these preliminaries the *True*

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Report gives a full account. "The next day, being the fifth of October, the three aboue named were conueied through the Citie of *London*, by M. Sheriffes to *Mile-end*, the place wher *Wcldyn* was executed: who being vnbound, and raised vpon his feet, was very gentlie and charitably required by M. Sheriffs to prepare himselfe to die, & to aske her Maiestie forgiuenes, for his offences, who had mercifullie dispensed with the rest of his iudgement. Why (quoth he) shuld I aske her forgiuenes, whom I neuer offended? No: (said M. Shiriffe *Ofley*) hast thou not offended her? Wast thou not borne a subiect within her highnes dominions? Wast thou not made Priest by authority, deriued from the Pope at *Parrisf* and afterwards camest thou not traiterously in to this realme, to withdraw her Maiesties subiects from their obedience, is this no offece? No (quoth he) I came not willingly into this realme, I was drawn in against my will, and brought in by force. *Wcldon* (quoth a learned and godly Preacher, there present) abuse not the people with such vntruthes. I was my seife n.t thy arraignment, where it was prooued to thy face, y^l thou first camest into this land of thine own voluntary, sent in by the direction of the Pope, or his substitutes, and then thou beeing apprehended, and committed, where the law might haue iustly bin executed vpon thee äs a Traitor, her Maiesty, of her free clemency, pardoned thy life, onely banished thee her dominions. After that, thou camest in y^e second time, and then being apprehended, thoti cüningly and craftily didst abuse authority, pretending thy seif to be conuerted, & promising to continue a Protestant during thy life, thou wast not onely enlarged & set at liberty, but hadst mony also giue thee to supply thy wäts, & defray thy charges: After all this, thou didst secreatly conuay thy seife into *Flaunders*, meaning (äs it was to be coniectured) to kill the Karle of *Leicester'*. which his Honour beeing aduertised of, caused thee to bee apprehended, and sent ouer into *England*. Whereforc sith thy treacherie & hipocrisy is so notorius, stand not no[^]v vpon Apologies and protestations to iustifie thy seife: but

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hearken vnto the charitabh & godly exhortation made vnto thee by Maister Shiriffe: aske God and her Maiesty forgiue-nes, frö the bottome of thy hart, that we may al be witnesses of thy conuersion. I haue (quoth he) don nothing but äs a Romaine Catholique priest ought to do, by y^e direction of our most holy Father the Pope being the head of the Church: who onely hath auctoritie DUer al persons, and in all causes Ecclesiasticall, äs both by the word of God, counsailes, Fathers, and all antiquitie it hath bene, and is to bee graunted: and in this Catholique Romaine religion I will die, and willingly shead my blood. Thy answer (quoth the Preacher) although it putteth mee in smale hope to do thee good, yet least it should do the hearers härme: I wil (by M. Sheriffes patience) sith wee haue so much time, and the executioner is not yet come, a little examine it, that so thy folly and falshood may the more appeare, and both thou and thy fellowes be driuen, if not to sorrow, which I wish, yet at the least to shame and silence. Thy answer (äs I conceiue it) may be reduced to these three heads: first, a Pharisicall iustification of thine own doings. Secondly: a false Suggestion of the Popes authority. Thirdly: a finall resolution, to die äs thou hast liued: that is, an enemy to God and his Church, and a Traitor to thy prince & country." Whereupon the preacher devotes several pages, which fortunately we may be spared, to preaching a sermon on these divisions. One may grimly agree with Challoner, who intentionally or unintentionally by implication classifies the hearing of Protestant sermons under the heading of "sufferings for religion."

After several pages of citations from early fathers and councils, the preacher assures us: "To these might I ad infinit other authorities out of the fathers, beside lawes imperiall, of *Honorius, Iustinian, Lodonicus Pius, Carolus magnus*, and diuers others: to speake nothing of the anntient estatutes of this realme, whereby may appeare, how falsely thou affirmest the Pope to haue been acknowledged in all times, & of all persons supreme head of the Church: but th'executioner is

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come, and time passeth away. Wherefore to the last parte of thy answere, thy wilfulnes and obstinacie, we all are sorry for it, and thou oughtest (in conscience) to be ashamed of it: Thou thinkest (peraduenture) to gaine among the Papists y^e name of a Martyr: but remember, it is not *poena*, but *causa*, *quae facit Märtyrern*, not y^e punishment, but the cause, that maketh y^e martyr: wherefore recöcile thy seif to God, submit thy seife to her Maiestie, repent thee of thy sins, pray äs a Christian should, that is with a deep feeling of thy sinne wthout despaire, and asterlfast hope in yc mrcy of Gnd, scaleil **vp** in the bloud of Christe Iesus, without presüption: & (SD) will we all pray with thee, and for thee. I desire (quoth *Wcldon*) all Catholijues, tn pray for me: And so begä to mumble vp certam prapcrs in Latin. The Preacher (seeing his obstinacie) willed the people to lift vp their hartes in prayer, and so made this prayer following," which we omit.

Tt appears that this was, äs usual, a one-sidedd disputation. Hewett was prmited only to make the formal answers to the charges, not to enlarge upon them. Tt was then the business of the preacher to impress the error and wickedness of these answers upon the audience. This was the usual procedure. There are numerous instances where the comlenmed priest asked if he might talk freely, and was always answered by some official, usually Topdiffe, that he might make only formal answer. If a priest attempted more, äs for instance did William Deane on August 28, 1588, he was forcibly stopped if necessary. "At the place of execution he was beginning to speak of the cause for which he and his companions were condemned to die. But his mouth was stopped by some that were in the cart, in such a violent manner, that they had like to have prevented the hangman of his wages." The government did not propose to have these priests use their scaffolds for pulpits. Along with the poison priest they regularly sent the anti-dote preacher.

It is thus necessary to discount considerably the Statement of Penkevel, who was not an eyewitness, that Hewett "in

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the cart disputed openly with the preachers [*sie*], . . . In this space he reprov'd and prov'd the said minister of many shameful lies, and behaving himself in all respects both discreetly and constantly was there martyred." Since Penkevel accepts Hewett's defence that the latter had been forcibly returned to England, he would naturally consider that the preacher's Statements as to the reasons for Hewett's condemnation were lies. He would as naturally consider that the preacher's "points" against the pope's supremacy were also lies; but both the preacher's account and common practice make it reasonably certain that Hewett was not permitted to "reprove and prove" them as such.

The disputation being ended by the arrival of the executioner, the priest's prayer "mumbled" in Latin, and the preacher's "made" in English, "Then the executioner was commaunded to doo his rlutye." It were to be wished we could be spared the sight of the executioner about his brutal work, but we must behold unpleasant reality without blinking. A contemporary, probably the priest John Gerard, S.J., says that Hewett "either by the malice or negligence of the executioner indured a Innge and painful deathe: in so muche that the bludde burst owt at his mouth, nose, eares and eyes: he in the meane tyme offeringe to knocke his breast and to make the signe of the holie crosse." It is not likely that the long and painful death was due merely to negligence, since Bull was no tyro at this business, and since such an error might easily be remedied. As another contemporary, the priest Henry Walpole, points out, Hewett "hanged very near a quarter of an hour before he died. They would suffer no man to strike him on the breast or pull him do'wn. There was then in the cart Mr. Hartley, priest, and a layman, who desired him by the name of Martyr to pray for him, whereat the people cried out." Hewett, at least, had not impressed "the people" as a martyr; they considered his death neither too painful nor undeserved. One wishes Walpole had made it clear whether it was Hartley or Sutton who tried to bestow upon Hewett in the hour of

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death the coveted martyr's crown, which "the people" insisted on snatching away.

It would appear from the surviving records that Hewett's character was neither conciliatory nor commandingly heroic. In the long run he did give his life for his convictions of right. Yet one gets the Impression that he did so, not because of greatness of character, but rather because he was an opinionated and disputatious zealot who finally worked himself up to the emotional pitch necessary to enable him to seek martyrdom. One finds nothing of the simple, honest, determined straightforwardness about him that one sees and admires so much in Hartley. Hewett is not likely to remind one strongly of the Great Martyr. He and the "learned and godly preacher" were too much alike. These two zealots, priest and preacher, show the struggle in its narrowest, most partisan, and least heroic aspects.

Sickened we hope, but undisturbed we fear, the procession would now begin its return trip with Hartley and Sutton to Aldgate, after setting a guard over the swinging body of Hewett to prevent zealous Roman Catholics from gathering available fragments of it as holy relics, to be cherished as Hewett himself had cherished the relics of his predecessors. The full butchery of a traitor's death was really very much more satisfactory for the relic hunters, since the process of dissection made it rather easy to acquire a martyr's thumb, or a piece of his entrails; if the guards relaxed their vigilance too soon, one might even by the greatest good fortune acquire a whole quarter¹⁰ Perhaps the government and "the people" were not the only ones in those days with iron-strong nerves.

When the procession reached Aldgate, it and its attendant mob would move up Houndsditch to Bishopsgate Street, and thence through Holywell Lane into Finsbury Fields, where Hartley was next to suffer"

¹⁰ *Pub. Cath. Rec. Soc.*, Vol. V, pp. 291, 327, 374, 389.

¹¹ See the map of Agas, about 1560, or that of Norden in 1593. Convenient reproductions are in Sugden, E. H., *A Topographical Dictionary to the Works of Shakespeare and his Fellow Dramatists.*

CHAPTER V

The Trial and Execution of William Hartley

FOR his picture of Aegeon, Shakespeare did not use details from the execution of William Gunter, or from that of John Hewett. But the execution of William Hartley seems to have been fertile in suggestions. William Hartley was born seemingly about 1550. At his examination in August 1581 he was described as "aged thyrty yeares or ther aboutes," which would place the date of his birth about 1550, or 1551. William Warford,¹ who knew Hartley at Oxford at some time between 1574 and 1579 (probably 1574-1577), and met him again at Rome in 1586, describes him as having "a blackish beard, moderate height, over thirty-five years of age"^{1,2} but gives no certain indication whether this description applied to the Oxford days, to those at Rome, or to the time of Hartley's death. If it refers to the time of

¹ William Warford entered Trinity College, Oxford, November 11, 1574 and received his degree of Master of Arts 011 March 30, 1582 (Poster, J., *Alumni Oxonienses*, p. 1572).

² It is highly unlikely that the woodcuts of the *True Report* give us any clue to the actual appearance of the three executed men, Hewett, Hartley, and Sutton. For instance, two ballads on the execution of fourteen traitors on September 20 and 21, 1586, give woodcuts of the victims. But in the two sets of cuts there is "not the suchtest resemblance in features," so that they are clearly "imaginary portraits," their aim being to present the executed as "most thorough desperate looking villains" (Lemon, R., *Catalogue of a Collection of Printed Broad-sides in the Possession of the Society of Antiquaries of London*, pp. 27, 28). Of the three woodcuts to the *True Report*, Gillow says (Gillow, *Literary History*, Vol. III, p. 151) that "One would suppose them to be villainous caricatures except that the third, Standing apparently for Sutton, is not bad-looking." If one remembers what the ordinary woodcutters of the time sometimes did with the best of intentions, he may attribute less to malice and more to lack of skill; but in no case is he likely to trust the result too fully.

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death, October 5, 1588, then Hartley was born before 1553. Since Warford has just preceded this estimate of age with Hartley's physical appearance, it is more likely that he is thinking of the last time he saw him, in 1586, which would place the date of Hartley's birth before 1551, thus harmonizing with the estimate made in 1581. It is even possible, however, that Warford is referring to Oxford days, in which case Hartley would have been born before 1544. Anthony a Wood adds that Hartley had been "a niember of St. John's coll. (in the time of Campian)" Since Campian was in Ireland by August 1570, his last known connection with St. John's being December 1569, Wood's Statement would make Hartley enter College at some time before 1570. If he was the normal fifteen or sixteen at entrance, it would again be necessary to date his birth at latest in the early 'fifties.

Another piece of evidence offered by Warford counts in the same direction. "I knew him at Oxford, at St. John's College, where he acted as chaplain, from which post he was removed by Toby Matthew, then president, because he was suspected of Catholicism. Without demur he straightway took himself to Rheims, was ordained priest, and returning to England, was apprehended and thrown into prison—I do not know which, but, I think the Tower." Since the first record of Hartley at the English College, Rheims, is of his arrival on August 22 or 23, 1570, Warford's Statement has been uniformly interpreted as implying that Hartley was removed from his chaplaincy in 1579. But his examination in August 1581 records that he "was brought up in a seminary College at Reames iij yeares & toke his firste orders of subdecon & decon at Lyon³ in Champan in france and his second Order of semenary presthode of the byshope of shallon ther aboute a yeare & a quarter paste." Since all the other details are exact, the three years at Rheims presumably would be also. If so, Hartley was removed from his chaplaincy by 1577-

³ Laon is evidently intended, since Lyons is not near Champagne.

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If Warford is correct in saying that Hartley was removed by Tobie Matthew, "then president," he was removed between July 17, 1572, when Matthew assumed office, and May 8, 1577, when he resigned it. Since Warford himself, who knew Hartley at Oxford, entered only in 1574, the date of removal is further narrowed to November n, 1574—May 8, 1577. Another bit of evidence implicates that Hartley could not have been chaplain long after Matthew's presidency. The founder had provided that there should be "three priests äs chaplains, six clerks not priests yet not married, and six choristers."¹ Bnt "It is sad evidence of the poverty of the College that on October 12, 1577, by 'general consent of the Fellows' äs the Register records, the 'removal of the Quire, chaplain, clerks and choristers'¹ was ordered in College meeting."⁴ If Hartley had not already been removed äs chaplain, he was removed on October 12, 1577. Perhaps he had already been removed, and this general order now suspended both the office and its accompaniments. If this last record should happen to be the removal order for Hartley, it would be especially interesting, since the modern historian plausibly attributes the action to poverty, and not to suspected Catholicism. The evidence, both direct and circumstantial, thus seems clear that Hartley was removed from bis chaplainship at St. John's by or before 1577 ^{and} entered the English College at Rheims about that time.^B

That Hartley had become chaplain at St. John's before May 8, ¹577, would seem to imply that he was then a man of some Standing and maturity. Wood says that Hartley was "a learned man," but what bis evidence was for this and his other Statements concerning Hartley's College days I have not yet been able to find.

Hartley's surviving record at the English College is on the face of it also that of a mature man. His arrival, probably not

⁴ Hutton, W. H., *S. John Baptist College*, pp. 15, 52

⁵ Surely the rerords at St. John's would establish this fact definitely for us.

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his first, at the English College, Rheims, is recorded August 22 or 23, 1579. On September 20, 1579, he returned from Laon, where he had received the first tonsure, minor orders, and the subdiaconate. December 21, 1579, he returned from Laon, where he had been made deacon. On February 24, 1580, he set out for Chalons to be ordained priest, returning February 27. A few days later, he celebrated his first mass. He was now ready to return on mission, setting out on foot for England June 16, 1580. In almost exactly six months from the first notice of his arrival, he was ordained priest. If indeed he arrived for the first time only in August 1579, his is one of the shortest careers recorded at the English College.

The qualifications required for priesthood would indicate that by the time of his ordination in February 1580, Hartley was a mature and well trained man. On August 10, 1577, Allen, who was in charge of this College, had affirmed concerning the priesthood: "I for my part never presented none to that holy function but such as for all qualities, exactly ruled by the canons, in my poor judgment might be priests, and such as no bishop could in conscience repel or refuse either for want of years or knowledge or behaviour; none ever under twenty-five years of age and all lightly far above; all of irreprovable life and conversation and of very good testimony; most of them not only well skilled in the Latin and other learned tongues, but also brought up to degree both in art and divinity, such as should never have been refused in any country christiann'd neither in this age nor of old time to have been parsons and pastors of men's souls. . . . This is truth, I tell you; as far as I can call myself to account, I never admitted any to go in and to reconcile sinners and schismatics, in all cases but they were thirty years old or not far under, and many of them much more; and some so well learned that they might have passed with estimation to any degree of divinity in our universities when they flourished more than they do now." In February 1580, then, Hartley should have been "thirty years old or not far under"; that is,

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the date of his birth should have been about 1550, äs previous evidence has indicated that it was. It ought also, however, to be pointed out that, if the martyrologists are correct, many priests were very much under thirty at ordination. For there was always the easy possibility of a dispensation. For instance, the record still survives for Christopher Bales, who was granted a dispensation to be ordained a priest at twenty-two.⁸ Presumably the rather numerous other instances of "boy priests" are to be accounted for in this way.

All these Statements concerning age seem to indicate that William Hartley, the priest, was born by or about 1550. It is thus not likely that he is the subject of the following entry in Posten "Hartley, William, of Notts, pleb, St. John's Coll., matric entry under date 1575, aged 18." This William Hartley was born about 1557, and seems too young and of too short residence to have attained the chaplaincy of St. John's at some time before May 8, 1577. He was of Nottinghamshire, and may have been confused with the priest, even in his own day. William Hartley, the priest, claimed in 1581 that he was "borne at a place called Wyn in Derbeshier" It was thus natural that when he returned to England in 1580, he "Reamed in Derbeshier moste parte of this tyme or eles where," the "eles where" being, äs we shall See, Oxford. The *Douay Diaries* confirm this place of birth by entering him äs from the diocese of Lichfield, in which all Derbyshlre was. But when Hartley visited the English hospice at Rome April 15-24, 1586, he was registered äs of "Notts."¹ The *True Report* of his execution in 1588 says he was "borne at *Nottingham,*' In a list of those executed 1587-1594, probably made by John Gerard, S.J., himself a Derbyshire man, is this entry for October 5, 1588. "William Hartley, coll. S. John in oxford, preest, hanged at Halliwell." In this description, Gerard then inserted "a Notinghamshire man." Wood also says that the priest was "a native of Nottinghamshire" It

^B See the ages of the students in the English College at Rome in 1579 [*Pub. Cath. Rec. Soc.*, Vol. II, pp. 131-5].

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would appear that Hartley was born at Wyn in Derbyshire, and in early life gave that as his place of abode; but that during the last years of his life, he regarded himself as of Nottinghamshire.

Of Hartley's parents and kindred nothing is known. Raisius tells us some forty years after the event that Hartley's mother was present at his execution, "looking on . . . and rejoicing exceedingly that she had brought forth a son to glorify God by such a death." Since Hartley was captured only on September 18, 1588, tried October 4, and executed October 5, one wonders how so old a woman as the mother must have been should reach London by the means of communication and transportation then available, in time for Hartley's death. It would appear likely too from Hartley's early career that he was rather from a Protestant home than the Roman Catholic one that this story implies. One suspects that this addition to the story is only a pious ornamentation.

As was said above, Hartley left the English College on foot June 16, 1580, for England. An undated examination of 1581 gives some idea of his movements. "William Tharley aged thyrtye yeares or ther aboutes borne at a place called Wyn in Derbeshier: was brought tye in a semynary college att Reames iij yeares & toke his firste orders of subdecon & decon at Lyon in champafi in fraiice and bis sccound order of semenary presLhode of the byshope of shallon ther aboute a yeare & a ijuarter paste and he toke shippinge at Depe aboute mydsorner laste and landed at Hieth as he supposeth: & hathe Reamenecl in Derbeshier most parte of this tyme or eles where, but wth whnme or anye particular place he will not teil for hurtinge or accusing his frendes whoe have relived hym.

"William Tharley."

⁷ *P. liliis.*, Vol. CLXV, p. 7-2. Since the signature and the body of this document seem to be in the same hand, it is probably not the original but a copy. Both this item and the notes concerning Hartley and Cornwallis quoted below are in the same hand, and originally were on the same sheet of paper, which has since been cut in two. The notes were on the upper half of the sheet, the examination on the lower half.

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While the name here used is William Tharley, Pollen seems clearly correct in identifying the person as William Hartley. There is no record of a priest from the English College by the name of William Tharley, though there are two other references to a person or persons of this approximate name. In a report dated April 27, 1580, to the English government appear the names "of sundry Englishmen, Papists, presently abiding in Paris." Under the head "Such gentlemen and others as are accounted for students and placed in Colleges or appertaining thereto" appear the names both of "Hartley" and of "Thorley." In an undated scrap of paper, appear the two notations:

"Robert Glanfyld servante vnto (the) ser Thomas Cornwallis dwellinge in Hocson in Suffolk came to accompa[n]ye William Cornwallis.—Thomas (Gyls) Gylpync dwelleth at Watton in nottinghamshire came to accompany William Tharley his cosen."⁸ These notations seem fairly datable by the movements of William Cornwallis, the brother of Sir Thomas Cornwallis, whose servant, Robert Glanfyld, came to accompany William. William Cornwallis, already in green old age, came to the English College at Rheims about May 1580. About May 20, 1580, by dispensation, he was ordained priest, celebrated his first mass on June 19, 1580, and set out for England July 15, 1580. Presumably it was on occasion of his coming to England in July or August 1580 that William Cornwallis was met by his brother's servant, Robert Glanfyld; and that William Tharley was met by his cousin Thomas Gylpyne. This corresponds well enough with Tharley's statement in his examination that "he toke shippinge at Depe aboute mydsomer laste and landed at Hieth as he supposeth." It would seem, then, that Tharley came to England around midsummer of 1580. If so, this examination should really be before midsummer of 1581, but might be so short a time after as not to cause confusion. Since Tharley had become a priest about a year and a quarter before the

⁸ 5. P. *Eliz.*, Vol. CLXV, p. 34-

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examination, the former event was later than March 1579, but hardly later than March 1580, and his three-year course began later than March 1576, but hardly later than March 1577. It does not seem that these facts could refer to anyone else than William Hartley. It is to be noticed also that William Tharley, born at Wyn in Derbyshire, has a cousin residing at Watton in Nottinghamshire.

We are still left with the fact that both Hartley and Thorley are named as separate persons in a list of 1580. There was, however, a William Thorley, to whom the list of 1580 may refer as Thorley. This William Thorley was examined DII suspicion of being a recusant, about October 23, 1585. All considered, it seems reasonably clear that William Tharley is William Hartley. Whether Hartley was using Tharley as an alias, or whether someone simply misread Harley or Hartley as Tharley, which was very easy to do, does not appear.

We learn, then, from these documents that Hartley "toke shippinge at Depe aboute mydsomer laste and landed at Hieth as he supposeth: & hath Reamed in Derbeshier moste parte of this tyme or elcs where." On landing, he seems to have been met by his cousin, Thomas Gylpyn of Watton in Nottinghamshire.

Thus Hartley first returned to his native haunts in Derbyshire. He was captured, however, "eles where" about a year later, in his Oxford haunts, where he had gone about October 1580. Campion and Parsons had opened a pamphlet warfare with the Protestant learned. Here Hartley's comparatively recent university connection at Oxford was of great service to them. "The last production of this press [of Parsons and Campion], which, with its seven printers, moved from place to place under Parsons's directions, was the famous 'Decem Rationes' of Campion. It was printed in a wood in Stonor Park, near Henley, and copies were hastily bound so as to be ready for commemoration at Oxford on 27 June [1581], when they were discovered scattered over the benches in St.

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Mary's Church"⁹ The man who distributed in St. Mary's Church and elsewhere this cartel of defiance, written by Campion and published by Parsons, is said to have been William Hartley. About October 1580, it had been agreed that he and Arthur Pitts should work among the students at the universities,¹⁰ looking out for recruits to the cause.

Parsons tells incidentally how some of Hartley's Oxford information proved of use, seemingly about April 28, 1581. "While we were together in a house in a wood, one night Hartley said to me casually that he had been at Oxford, and had heard that Roland Jinks' servant, who had just before been employed by me at my house in London to bind some books, had gone over, and had given evidence against his master. I at once saw the danger; and the first thing in the morning I sent to London, and found that Wilkes, the secretary of the Queen's guards, had that very night searched my chamber and carried off all he found there, and had apprehended Briant in a neighbouring house."¹¹

It is evident that Hartley must have been a man of considerable tact and discretion to have been intrusted with so tickle a position, and to have carried it on for some eight to ten months without being taken. Finally, in August 1581, Hartley was captured along with the press and printers at Dame Stonor's House, Stonor Park, near Henley. Clearly Hartley had been considered by Parsons and Campion as one of their best and most trustworthy men. Nor was their confidence in him ill-placed, as a cautious sentence from his examination shows: he "hathe Reamened in Derbeshier moste parte of this tyme or eles where, but wth whome or anye particular place he will not teil for hurtinge or accusing his frendes whoe have relived hym" Hartley's friends remained safe in his keeping, even though it is possible that very for-

⁹ D. N. B., Parson, Robert.

¹⁰ Incidentally, the age of Arthur Pitts was given April 23, 1579, as twenty-two [*Pub. tath. Rec. Soc.*, Vol. II, p. 132], so that he is now twenty-three, or barely twenty-four.

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midable physical persuasions were brought to bear upon him.

The *Diarium Rerum Gestarum in Turri Londinensi* says that Hartley and his comrades reached the Tower of London on August 13, 1581, and that Hartley remained there till September 16, 1582, when he was transferred to another prison. The Privy Council had ordered on August 4, 1581, the search for Campion's books and press at Stonor House. On August 14, 1581, in a letter to the lieutenant of the Tower, it ordered that the prisoners captured in this search be examined on certain interrogatories enclosed, thus confirming the date of August 13 for their arrival in London, and the Tower as the place of their imprisonment. The surviving examination of Hartley probably is the one taken under this order. On August 21, the Council prepared "A letter to the Knight Marshall to receive from Mr. Lieutenant of the Tower the persones of William Hartley, priest, John Harrys, John Harveye and John Tucker, printers, and to kepe them aparte close prisoners so as they [have] no Conference together or with anie others untill he shall receive other order from their Lordships, and to see that no resorte of anie be permitted mito such persones committed for Religion, and no teaching, &c., used to induce anie other prisoners to be of their Religion." Accordingly, the keeper of the Marshalsea records that he received Hartley on August 23, 1581. Thus the date of transfer given in the *Diarium Turris*, September 16, 1582, is incorrect.

Notwithstanding the strict Orders of the Council, Hartley seems to have found in the Marshalsea little difficulty in going quietly and earnestly on with his accustomed duties as a priest. A letter of March 1583 is really enthusiastic about the Marshalsea as a successful mission center. "In the Marshalsea alone, as it is called, there are besides other Catholics twenty-four priests, who there live together most sweetly in the Lord. There, as in other prisons of the city, many Masses are said daily, with the consent or at least the connivance of the gaolers, who are either bribed or are favourable to religion. On

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every side visitors are admitted to them, either for conversation or for Confession or for Communion. And what is more, the priests are allowed daily to go out of their prisons to various places in the city to minister to the Spiritual necessities of the Catholics, provided they return into custody at nightfall."¹¹ With such exceptional opportunities, it is natural to find Hartley figuring in the following record of 1582

found at mass the 24 of August in the Marshalsea is foloweth.

In M^r Shellys chamber—

Thomas hartley prist *said Mass*

Richard Shelly

william carew gent

william tooker

Jhon taylor

M^r Shellys man

Joan watts a stranger *of Oxford shyre*

Mrs. Loe.

The italicized words were added by Lord Burghley himself. While Hartley is here called Thomas,¹² there can hardly be doubt that the man referred to is William, and that he was going diligently on with what he considered his duty.

We have no direct record of what means Burghley took on this occasion to discourage Hartley, though our next record shows him a dost; prisoner. But no discouragements proved effective. For we have two records as monuments to his incorrigibility in 1583. Thomas Dodwell, a government spy, reported on the Marshalsea: "There are there four Seminary priests in one chamber, and close prisoners, viz., Fen, Fletcher, Conyares, and Hartley, and yet, notwithstanding their often searching, they have such privy place to hide their Massing trumpery, that hardly it can be found; that they have to themselves often Mass. And now, because Sir George Carey and his servants have so often taken from them their

¹¹*Pub. Cath. Rec. Soc.*, Vol. IV, p. 79-

¹² There was a Thomas Harley, priest; but he does not appear in any prison list, though he was exiled in September 1585 (Foley, *Records*, Vol. VI, p. 558). Thomas Harley went to Soissons on June 9, 1582, to be made a priest, celebrated his first mass on June 21, 1582, and went to England either in 1582 or in 1583. It is thus also doubtful if he had even reached England by August 24, 1582.

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silver chalices, they have provided a chalice of tin." Such persistence could not escape the watchful eye of the bishop of London. So on December 5, 1583, Aylmer confides to Lord Burghley his own ill success with the persistent Hartley.¹¹ But this I fynd among them, and speciallie in the Marshalsee, that those wreched Priestes which by her Maiesties lenytie live theire äs it were in a Colledge of Caitifes, doe commenie saye masse within the prison, and intise the yowthe of London unto them, to my greate grieve, and äs farr äs I can learne doe daylie reconcyle them. I have been SD boulde Las] to shutte up one Hartley and to laye Irons upon him, tyll I heare from your Lordship what course herin we shall take hereafter." It is said that Hartley had been caught again saying mass, this time before Lord Vaux, provoking Aylmer to the above outburst and irons.¹³ Hartley's quiet and persistent faithfulness to his work was marking him out in prison äs surely äs it had without.

It would appear that just äs Hartley had defied Burghley's close imprisonment, even so he found means to defy Aylmer's irons. For in his examination on August 30, 1585, Robert Hethfield, a merchant of Newcastle, said that "he knoweth no priest in England but onc TIartlie, but he knoweth not where he may be found, for he saw him not äs he saith, since Christmas was a twelvemonth." Thus Hethfield implies that he saw Hartley the Christmas of 1583. It looks äs if Hartley had outwitted irascible Aylmer, Certainly Hartley's courage and quiet determinatinn distinguished him in the Marshalsea beyond his fellows.

Finally, in the beginning of February 1584, Hartley, with several others, was indicted at the Queen's Bench, Westminster. On Wednesday, February 5, 1584, there were three

¹⁸ *Catholic Encyclopedia*, Hartley, William. Lord Vaux had a mass in the Fleet January 5, 1582 (*Pub. Cath. Rec. Soc.*, Vol. V, pp. 27, 28). He was still in the Fleet March 22, 1583 (*Pub. Cath. Rec. Soc.*, Vol. II, pp. 223, 229) ; but neither there nor in the Marshalsea on April 8, 1584 (*Pub. Cath. Rec. Soc.*, Vol. II, pp. 234, 235-6).

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indictments against priests, differing but slightly in details of alleged time and place. The first was against John Mundy, William Tedder, John Nutter, and Samuel Conyers. On Thursday, February 6, Mundy and Nutter were brought to court and plead "Not guilty." On Friday, February 7, they were tried by Jury and sentenced as for treason. The second indictment, on Wednesday, February 5, 1584, was of James Fenn, George Haydock, Arthur Pitts, William Warmyngton, Richard Slacke, William Hartley, Richard Norris, William Deane, and William Bishop. The blanket indictment charged that on September 20, 1581, and other days, at Rheims in Champagne and other places, these nine clerics had conspired to deprive the queen and to bring her to death, to raise sedition, to cause slaughter and rebellion, to subvert the government of the kingdom, and the sincere religion of God established in the same; and had also treated of ways and means; they agreed on October 1, and on other days, at Rheims and elsewhere, to come to England, and came on November 1, 1581 (one wonders why the clerk did not add "and other days"). The wording shows that this is only a blanket indictment, not intended to give the accurate details of fact in any single case. It is thus beside the point to show that Hartley had been in England since 1580, and so could not have conspired on the days specified. That is why "and other days"¹¹ is added to each date.

Indeed this point was raised and answered in the case of Fenn. "Mr. Fenn being called upon by the judges to answer for himself, called God and all the court of heaven to witness, that this accusation was most notoriously false; that, indeed, he had never been at Rome¹⁴ in his life, nor ever any nearer it than Rhemes: that he had never seen Mr. Haydock till he met him at the bar, and that at the very time when he was pretended to have been plotting at Rome, he was actually in England, as he could demonstrate; and that he believed he

¹⁴The indictment says nothing of Rome. See also *Pub. Cath. Rec. Soc.*, Vol. V, p. 62.

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could make it appear, that he was then prisoner in the Marshalsea; that he had never entertained so much as the first thought of any treason against the queen, and that he would not, for the whole kingdom of England, have done her the least hurt, though he could be sure of doing it with impunity.

The judge told him, that although there might be some error in the circumstances of time, place, &c. yet that he had been sufficiently convicted of treason, and therefore was to look for nothing else but to die; and so neither witness, nor any evidence whatsoever being produced to prove the pretended plot, to the astonishment of all that were there, he directed the Jury to find him guilty of the indictment, and accordingly pronounced sentence upon him, as in cases of high treason."

Fenn had already at his previous examination furnished all the evidence considered necessary to convict him. "He was called to an examination, and had the usual murdering questions put to him concerning the supremacy; to which he answered in such manner as to profess all due obedience to the queen in temporals, and the pope in spirituals: declaring withal, *that he was a catholic, and that there was not any one article of the catholic religion for which he was not willing to lay down his life.*" According to the Interpretation of the law, the "bloody questions" at his examination had already proved Fenn a traitor, and the indictment and trial were only necessary formalities. Even after trial, Fenn was offered life if he would admit the queen's supremacy; but he refused and died.

George Haydock, of this list, had also determined his fate by his answer to the "bloody questions." "He was brought therefore before Mr. Fleetwood, the recorder of the city, and others, to be examined; upon which occasion, he shewed so much intrepidity in maintaining the cause, that the examiners being resolved to make away with him, put those murdering questions to him; what he thought of the power of the pope, and of the queen, in spirituals? To which he readily

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answered, *that h? believed the bishop of Rvme was, under Christ, the chief head of the church upon earth; and that this dignity and authority could not belong tv the queen, or any other woman.* This was enough. However, to make him more odious to her majesty, they pressed him still further, and did not leave off till, by force of questions and inferences, they had brought him, though against his will, to say, that the queen was a heretic, and, without repentance, would be eternally lost. This examination was upon the 18th of January, 1583-4."

So Fenn and Haydock were brought to court Thursday, February 6, plead "not guilty," were tried by Jury on Friday, February 7, 1584, and condemned to the death of traitors. The other seven in this indictment, including Hartley, were not brought to trial. Evidently they had given satisfactory answers to the "bloody questions." It is clear that at this period, while Hartley was incorrigible in performing his duty as a priest, yet he was not obnoxious to the government in his political views. It is to this period that Warford probably refers when he says of Hartley "In the pontificate of Sixtus V. he returned a second time to England, was apprehended, and, being beset by the deceits of the heretics, incurred the suspicion of having apostatized. But the event showed how unjust that suspicion was, for when he suffered at Tyburn [*sie*], he won the greatest credit for constancy, and every one testified to his loyalty towards all Catholics." Not even the most extreme Roman Catholic could have found fault with Hartley's attitude in his sixteen-day imprisonment in 1588. Either Warford is wholly misinformed on this point, as he is, for instance, as to the hanging place, or he refers to gossip about Hartley's preceding imprisonment.¹⁵ Four years later, Hartley and Deane had changed their views, and died for them; but now they and the five others held views which did not bring

¹⁵ Can it be that Warford has heard of the suspicions that attached to Francis Hartley; i.e., Gilbert Gifford, in 1587-1588, and has applied them to William Hartley, the only priest of the Hartley name?

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them to trial, and caused them to be only banished, in January 1585.

The third indictment on Wednesday, February 5, 1584, was that of Thomas Hemerford, who plead "not guilty" on Thursday, February 6, was tried by Jury Friday, February 7, and condemned. Thus Hartley¹'s was not an individual case; but one of fourteen brought up in a general examination of prisoners. Hemerford too upheld the pope's supremacy. Of the four tried on the first indictment, Nutter and Mundy also upheld the pope's supremacy, and so were condemned and executed. The other two had presumably made satisfactory answer, so that they were eventually banished in January 1585. Clearly the question of the supremacy was the deciding issue, and the nine priests who were not tried, including Hartley, had not denied the queen's supremacy. At this period, the extremists were still evidently in the minority.

So Hartley and eight of the others indicted February 5, 1584, were placed in the first cargo of banished priests in January 1585. Preparations were being actively made for this banishment by December 20, 1584. The royal commission was dated January 15, 1585, and eleven of this expedition who had been prisoners in the Tower were dismissed thence January 21, 1585. Accordingly, Holinshed records that the expedition of twenty priests and one layman left Tower Wharf January 21, 1585; and after adventures arrived at Boulogne February 2, 1585, whence they were sent to Abbeville in Normandy. So John Hart, pilot, was by warrant of July 15, 1585, paid 40s. for twelve days¹ Service on the expedition. "William Bowll one of the ordinary yeomen of her Majesty's chamber and Anthony Hall citizen and skinner of London" were in charge, receiving fID for their Services on a warrant of February 28, 1585, by which date, therefore, they had returned to England. Holinshed prints the letter of commendation which the priests gave their guards at parting. On the other hand, Roman Catholic records naturally play up the protests of the priests both at parting from London, and on

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the voyage. At least part of the priests had arrived at Rheims by February 28, 1585, when Allen wrote to Rome of their troubles. The arrival of seven of them is recorded March 3, new style, which would be February 21, old style. The date of Hartley's arrival is not recorded, though he is listed in 1585 as having reported at the English College at Rheims for further duties: "Of seventy-two, this year sent into exile (with others dispensed elsewhere), the following twenty-four abode in this College (either to be sent back to the English Mission, or to be otherwise employed in the same work, as should be arranged by the reverend President)."

But, characteristically, Hartley did not tarry long in the English College at Rheims. The "reverend President," William Allen, had need in England of so capable and trustworthy a man as Hartley had proved himself to be. To understand this next mission of Hartley's, as well as Hartley's now changed attitude, and the consequent actions of his remaining days, we need only follow briefly the plans of Robert Parsons, the chief political platter of the Catholics, up to the Armada. "In November [1580] Parsons took refuge for a while in the house of Mendoza, the Spanish ambassador, discussed with him the Situation, and received that bias towards political intrigue which marked every step of his subsequent career. . . . Creighton . . . arrived at EU in January 1582, and held Conference there with Parsons and the duke [of Guise] as to the best means of effecting the deliverance of the Queen of Scots, and in the following April he returned to Normandy with despatches from Lennox. Upon this, Guise, Parsons, and Creighton went to Paris to discuss with Dr. Allen, James Beaton, the archbishop of Glasgow, and Claude Mathieu, provincial of the Society in France, certain military plans of Lennox. Their object was to obtain the co-operation of the pope and King Philip of Spain. . . . On 18 May Tassis, the Spanish agent, reporting the affair to Philip, said that Lennox had required for the Invasion of England twenty thousand men, but that Parsons thought eight thousand suffi-

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cient; that the enterprise was to be carried out in the autumn; that all English catholics were most anxious that arms should be taken up in Scotland, and pledged themselves to join the invaders; and that when Parsons was asked for the proof of his assertions, he had answered that 'he knew all this from what many of them had dedared when he had treated with them of their consciences.' At the same time the nuncio at Paris forwarded to the pope a memorandum drawn up by Parsons recommending the apointment of Allen, 'whose presence in England would have more effect than several thousand men,'¹ äs bishop of Durham, and urging that the greatest secrecy should be preserved, and that the catholic gentry should only be informed of the enterprise at the last moment, and by means of the priests. When the plans were matured Parsons was despatched with them to Philip at Lisbon, and Creighton to the pope at Rome. Parsons quickly gained the confidence of the Spanish king. . . . The raid of Ruthven and its consequences, however, put a stop for a moment to the plan of invasion.

"A new enterprise was projected for the September of 1583, and this time, äs Tassis wrote to Philip, the attack was to take place on the side of England, and by means proposed by Parsons. On 22 Aug. the Jesuit was sent by the Duke of Guise with written instructions to Rome, whence, after a short stay, he returned to Flanders, and there he remained for some time with the court of the Duke of Parma. When Throgmorton's capture and disclosures once more disconcerted the plans of the confederates, and when the Duke of Guise had become absorbed in the troubles of his own country, Philip took the affair into his own hands, committed its execution to the Duke of Parma, and gave orders that Parsons, Allen, and Hew Dwen should deal in the matter with no other person. In September 1585, Sixtus V having succeeded Gregory XIII, Parsons and Allen took up their residence in Rome, where the Jesuit remained till after the sailing of the armada. All the efforts of the two priests were now directed

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towards overcoming the procrastination of Philip and the reluctance of the pope to risk his money on the enterprise. . . . On 7 Aug. [1587] Parsons obtained what he had long earnestly solicited, the promotion of his friend to the cardinalate. 'Under heaven,' wrote Allen, 'Father Parsons made me cardinal.' Olivarez, who found in Parsons 'great fertility of resource and very good discretion,' desired that he should accompany the cardinal to Flanders, to be there in readiness to cross over to England with Parma's forces; but this Intention was not carried out."¹⁰

In those first months of 1585, when England was taking such drastic steps to suppress Roman Catholicism, and when it appeared that the Duke of Guise was too much occupied in other ways to interfere in England—so well occupied that England dared risk open war with Spain—, in those days Parsons and Allen urgently needed to pass a word of cheer and encouragement to Roman Catholics in England. So within a few days of his arrival at Rheims, Parsons and Allen sent Hartley back to England. He was pretty certainly the first of the banished priests to return, getting back considerably before the end of the forty days after the close of parliament, when the new regulations were to take effect. Here again is a clear indication both of the mettle of the man, and of the trust that Parsons and Allen had in him.

A government spy located him almost at once, and reported to the authorities some points of his mission, which disturbed the government not at all. In a report endorsed April 13, 1585, and dated "London the present Tewsdaye in the Easter Weke An^o 1585," one of Walsingham's spies, seemingly Nicholas Berden, writes a postscript. "Righte Honorable Sithence the wrytinge hereof I made means to be acquainted with William Braye, fayninge to buye some of his bookes yf he had any to seil; and by chaunce this present daye I mett with hym at the bell in Aldersgate strete where he is well knownt butt Reddy to Ryde onwarde of his voyage to Roane

¹⁰*D.N.B.*, Robert Parsons, by T. G. Law.

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äs I suppose, for that he sayd unto me that he shoulde nott come agayne to London before Mydsommer yett neverthesse he hathe Referred me to Tremayne his brother for New testaments yf I nede, in whoese custodye there is Remayninge 90 unsolde. And yf I be desyrus to have any Resolucions newly sett furthe by parsons the Jesuyte he hathe Directed me to seke oute William Hartley the late banyshed preiste whoe is presently in London with some störe of them and was with hym nott half an hower before I came to hym. The sayd Braye hath promysed me to pleasure me with the ffirst of any new bookes that he shall happen to bringe over hereafter. He also toulde me that fflynton is dead at Roane within these xiiii dayes, äs Hartley reportethe, and his bookes delivered to Mr. Shelton." In the margin is the note, "This Hartely was prysoner in the Marshallsea."

"Out of these convertites there is much matter to be heard and learn'd." So Berden sought out Hartley. Dn May 15, 1586, Berden wrote: "Syr in perusinge my notes I do fynde by a Conference, which I had with William Hartely one of the first banished traytors at his retorne into England abowte whitsontyde laste [Whitsunday, May 30, 1585], that the Duke of Guyse, at the beginninge of his late rebellion in ffrance, brought his wief, children & treasor to Remys äs the place that he most äffected by reason of the Englishe Companye there, and that at the same tyme he layeng his handes upon the shoulders of Allen sayd in the hearinge of many, that he doubted not but in short tyme with the healpe of other prynces that weare ioyned with hym, to carry the sayd Allen & his companye into England, and there to establishü the Romaine Religion & bad them be of good comfort & praye for his happie successe. And the sayd Hartely also tould me that the Duke of Guyse used Allen äs his Cheffest counsellor for matters against England."

So Parsons and Allen had sent Hartley back to England immediatly, with the ostensible purpose of distributing copies of Parsons¹ *Resolutions*. At the same Urne, Hartley was

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heartening Roman Catholics with news directly from Rheims that Allen was Guise's chief director for English affairs, and that Guise was promising with the help of other princes to establish Allen and his priests in England. This information impressed Berden SD little at the time that he forgot to report it till a re-perusal of his notes a year later in the light of further events made it more significant to him. As will appear shortly, Hartley was by then in or near Rome, where Parsons and Allen had taken up residence to act as liaison officers between the pope and the king of Spain in preparing the invasion of England.

It is thus clear that at his return to France in 1585, Hartley merely advanced to the position of his superiors, Parsons and Allen. Since Hartley's examination early in 1584, England had banished all Roman Catholic priests on pain of death, and was openly entering war with Spain. Parsons and Allen were now persuaded that only force could avail to establish the Roman Catholic religion in England. With that conclusion, Hartley already in 1585 agreed, as in 1588 he was to give his life for doing. If the pope deprived the queen, Hartley was now ready to deny her supremacy. If the pope sent a Catholic army, Hartley was now ready to pray for it, as he believed a priest ought to do. Holding such opinions, Hartley needed only to be caught in order to secure the martyr's crown.

In view of the suddenness of Hartley's change of stand in 1585, it is necessary to raise another question. It will be remembered that when Hartley and the other missionaries came to England in 1580, it had been decided that the excommunication of the queen by Pius V "should in no way bind the Catholics, while things remain as they are; but only then when public execution of the said bull shall be possible." It is thus not possible to be certain of Hartley's real opinions on political matters before 1585. Before that time, he and many others admitted the queen's supremacy, as the understanding of 1580 permitted them to do. After that time, he and many

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üthers denied the queen's supremacy. Had the word gone forth that the time for public execution of the bull was now come? At least, Hartley thought that the time for equivocation upon the matter was past.

It should be noticed that Hartley's return, and part of his mission were known to the government at once. Had it desired, Hartley could have been recaptured immediately. From still another source may come information of this same visit. As we have already seen, a merchant of Newcastle, Robert Hethfield, an examination August 30, 1585, said that "he knoweth HD priest in England but one Hartlie, but he knoweth not where he may be found, for he saw him not as he saith, since Christmas was a twelvemonth" It developed later that Hethfield had talked with George Errington about three weeks before Errington (captured before June 2, 1585) attempted to go to France, and "asked Errington for one Hartley a seminary Priest, and desired the said Errington to commend him to him when he saw him."

It seems from this account that in April or May 1585 Hethfield thought that Hartley was in France, but it is just possible that he knew that Hartley was in England.

How long Hartley remained in England on this mission we do not know. But DU April 15, 1586, Hartley appeared at the English Hospice in Rome, where he remained nine days, receiving two crowns from the pope at parting. Warford, who had known him at Oxford, renewed the acquaintance at this time in Rome. "Afterwards with eighteen [twenty] others he was condemned to perpetual exile; on which occasion he came to Rome, where I saw him in 1585 or 1586." It was seemingly in this period abroad that Hartley won another rather romantically spectacular conversion. Warford says, "One of Hartley's achievements was to rescue from the galleys, to convert and thoroughly instruct Captain Cripps, who is now in the naval Service of the King of Spain. Hartley had been the spiritual Father of that man's mother."

The year 1587 is still a blank for Hartley's record. He was

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back in England by March 1588, since a government list of that date includes "Harteley about London." The government thus again knew of him, but it did not want him; his hour was not yet conie. But \when late in July or in August Hartley and his confederates were accused of plotting to capture the Tower and fire London äs their modest share of the Spanish Invasion, it was time to take action. The accusation is contained in a report to Walsingham by one of his spies, that fascinating scapegrace Roger Walton. The report itself is includei äs an appemlix to the present volume. Its details have been checked against other surviving records, and have been either confirmed or at least not contradicted by them, but the voluminous results of that inquiry have comparatively little bearing upon the present problem. Nor has it seemed necessary to recount Walton's very interesting life history, though it may yet appear advisable to do so elsewhere for the light it throws on the background of Marlowe's government activities. It must suffice here that Walton feil into Walsingham's clutches, went to Paris äs a spy for him about June 1588, was received äs a Catholic platter in the innermost circles, and was so reported back to Walsingham by his other spies. On his return in July, Walton reported the Tower plot.

Walton's story was, in brief, that Father Thomas Darbyshire, a Jesuit leader close to Robert Parsons, had priests in England, and would send others when he had news that the Armada was sailing. These priests were to pass the word to the Catholic gentry, and to a group of conspirators in London, who planned to take the Tower of London, release the Earl of Arundel therefrom and make him their leader, fire the city, and join the Spaniard. Walton was not the first to announce such a plot, since Antony Tyrrell had in 1586 accused Arundel of receiving a message from the Duke of Guise, saying that the duke huped soon to deliver him from the Tower. Arundel's Catholic friends were planning to deliver him, and make him their captain to struggle for Mary Queen of Scots.

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Thus SD early äs 1586, whether truly or falsely, Tyrrell had claimed that Guise was planning to free Arundel by invasion, and that Arundel's Catholic friends were planning to rescue him from the Tower, and make him their captain. Even in 1585, äs has already appeared, it had been part of William Hartley's mission to England to spread the word that Guise had intended shortly to restore Catholics to power in England, though no statement was at that time made of a Tower plot to free Arundel and make him the Catholic general. But Hartley was participating in the germinal plan in 1585, which Tyrrell claims had become the Tower plot by 1586, and which Walton repeats in 1588, fathering responsibility for leadership in its attempted execution upon Hartley. If Walton was lying concerning Hartley, he did so very plausibly. Hartley is the priest of all priests whose past record lays him most liable to the strängest suspicion in such a connection.

Walton's report was made just äs the Armada arrived, and so Walsingham did not take action upon it till September. Hartley, and probably Sutton, were its first victims; but the priest William Tedder, also accused by it, was captured a few days later and made to recant. As soon äs the case could be prepared, the Earl of Arundel was tried and convicted of treason, with Walton swearing to the evidence against him that he had given in his report. There were doubtless other äs yet untraced consequences of this report; but these are sufficient to show that Walton's Tower plot was accepted by the officials of the time äs truth. Truth or lie, Walton kept his story straight and plausible.

The nature of Walton's accusation against Hartley would indicate that the latter was in or near London the summer of 1588. Hartley was captured in Holborn, September 18, 1588. It will be just äs well to insert the resulting True Bill and its annotations here, since it sums up in brief the remainder of Hartley's legal history.

"18 September, 30 Elizabeth.—True Bill that William Hartley late of Holborne CD. Midd. clerk, *alias* William Gar-

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ton late of the same place clerk, born within this kingdom of England after the Feast of the Nativity of St. John the Baptist I Eliz. and made and ordained a priest at Rheims (?) in parts beyond the sea by authority derived from the See of Rome before the 10th day of September 30 Eliz., in no degree regarding the laws and Statutes of this kingdom of England, nor having respect to the penalty contained in the same, on the 18th of the aforesaid December was and remained traitorously and as a traitor at Holborn aforesaid, in contempt of the said Queen's crown and dignity, and also against the form of the Statute in this case published and provided. With this memorandum (in Latin) at the foot of the bill,—'And the aforesaid William Hartley put himself "Guilty" with no chattels. Therefore it was decreed that he be drawn on a hurdle to the place of execution, and there be hung by the neck, whilst still alive be laid upon the gallow [sic], his members be amputated, his entrails be drawn out of his belly, he being still alive, and be burnt, his head be cut off and his body divided into four parts, and his head and quarters be placed where the Lady the Queen has been pleased to appoint.' G.S.P.R., Michaelmas, 30 Eliz."

It should be noted that there are several evident errors in the form of the True Bill, or in the translated report of it. The reference to "the 18th of the aforesaid December" is only a confusion of September 18, probably due to the fact that the form from which the clerk was drawing this bill had December in it. Hartley is said to have been born after June 24, 1559. This, however, is either a confusion or a mistranslation. The law was against anyone who was made priest by authority from the See of Rome in parts beyond the sea after June 24, 1559. The simplest Statement of the law would thus be "after the feast of the Nativity of St. John the Baptist in 1 Eliz., was ordained a priest," etc. There was, however, a variant statement, which is subject to ambiguity and seemingly has led to mistranslation in the case of Hartley and several others. The pertinent part of the True Bill against

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William Gunter, quoted above, will servc äs Illustration. This form is authoritative, since the Privy Council itself used it äs a model for such documents. It may be translated: "The Jurors for our Lady the Queen present that William Gunter late of London, clerk, born within this kingdom of England, after the Feast of the Nativity of St. John the Baptist i Eliz., and before the last day of June 30 Eliz. was made and ordained priest at Rheims,¹¹ etc. That is, the time is not that of birth, but of having been made priest. Either the clerk who threw these Middlesex bills muddled his legal formula, or the correct formula has been mistranslated.

It appears, then, that Hartley was captured on September 18, 1588, in Holborn, brought to examination at some time betöre Dctober 4, and a True Bill returned against him. His examination has not been located, if it survives; but the *True Report* says it was betöre James Dalton and the notorious Richard Young, justices of the peace. Hartley signed the report of this examination, in which he upheld vehemently the pope's supremacy. This is a decided change since 1584 in Hartley's attitude on this question.

Dne might think it possible that the skill of Hartley's examiners had something to do with finally committing him on the "bloody questions" James Dalton was a member of the city government who had literary ambitions. Dn August 22, 1586, äs¹¹ "one of the City Council," he prefaceil with a specch a letter from Queen Elizabeth to the London authorities, in which she thanked the city for its anti-Catholic loyalty to her. He had also intended to write a history of London.¹⁷ He appears rather frcquently äs an examiner. So Dalton was considered one of the city's loyal and able men. But his reputation was not comparable äs a priest catcher to that of his associate. Richard Young's diligent ability in this direction was perhaps second only to that of Topcliffe. If, therefore, anyone could holt the "bloody questions" out of Hartley, it would be Justice Young. One would like to have the record

¹⁷ Kingsford, *Stow*, Vol. II, pp. 186, 386,

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of that encounter, for the imperturbable Hartley was surely a worthy foeman for Young's steel. The man who by his calm determination to do his duty put conceited Aylmer to a confession of failure would doubtless at least impress Young. It will appear later that even the "learned and godly preacher" was forced to respect the man who was so certain of his duty that he did not need to argue himself into the glory of martyrdom.

It seems clear, however, as we have seen, that Hartley's mind had long been made up on the "bloody questions," and that now in 1588 he merely imparted his decision to the J.P.'s. This, at least, was his attitude later in court, and at his execution; and is characteristic of his whole life.

Hartley's stand being what it now was, there was nothing for it but to send him to trial and certain death. So at the General Michaelmas Sessions Hartley came to the final formality. On October 4, he came up for trial along with Hewett and Suttoti, before the court which has already been described. His bearing on trial was still as moderate and dignifiedly constant as his whole life had been. He accepted trial by Jury, seemingly without cavil, contrasting in this with the extreme position previously taken by Hewett. The overt act charged against him was having written a letter to France offering to capture the Tower of London, and fire the city. This accusation was made on oath by Roger Walton, one of Walsingham's spies; but was denied by Hartley, who claimed that at the time of the alleged letter he had been too ill to write it. It should be remembered, however, that the accusation as here stated may be misreported. In his report, made in July or August 1588, Walton claimed only that Sir William Stanley had written to Father Thomas Darbyshire and James Hill about the Tower plot, and in the margin named Hartley as one of two or three priests who were concerned in it. The actual reference at the trial may have been to this letter by Stanley, not to one by Hartley. Dr Walton may have said that Hartley wrote to Stanley, who wrote to Darbyshire and Hill.

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At last, that is what happened at Arundel's trial, which also grew out of this same report of Walton's. There Walton said that Digby wrote a letter for Arundel to Stanley, who had then communicated with Darbyshire and Hill. The reference here is to the same set of letters by which, according to Walton's report, Hartley was incriminated. Incidentally, one report of Arundel's trial misreports the whole transaction, claiming that Hill had himself written the letter for Arundel, instead of being the recipient of one of Stanley's letters reporting this Arundel letter. Since we have only the one report of Hartley's trial, it may be that it contains a similar error. In that case, Walton would have only the statements of Darbyshire and Hill that Stanley had said that Hartley had written such a letter, or that Hartley was participating in the Tower plot.

But if the report is essentially correct as to the nature of the accusation made by Walton, then the question becomes apparently one of veracity, Walton's against Hartley's. If the question of veracity were to be decided by general character alone, then unquestionably we should believe Hartley. But an element enters into this particular problem which undermines our general confidence in Hartley's veracity. Hartley's conscience was not wholly his own. In 1580, he and his colleagues were permitted, if not instructed, to waive in England for the time being the question of the pope's supremacy. A man of Hartley's relatively simple nature, and complete belief in obedience to his superiors, could now go devotedly about his duties, and could affirm the queen's supremacy without a qualm, even though he may at heart himself have believed otherwise. It must also be remembered that the dialectic training of these men led either to equivocation or to something very near it. Walton had accused Hartley of planning to take the Tower and fire the city. This Hartley indignantly denied. A chief occasion, perhaps the chief occasion of Hartley's indignation, however, was that the accusation charged him with something which did not become a

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priest. Hartley and many another priest took the position that the priest was bound to pray, might even plan, for such a cause, if he thought it the will of God; but however righteous the plan might be, a priest might not participate in the execution of it. Hartley could vehemently deny intention to participate in the execution of the Tower plot, and yet conveniently say nothing concerning his knowledge of, or authorship in, the plot itself. It was the business of his opponents to ask him specifically concerning that. If they did not SD vary their questions äs to cover all the possibilities, and thus get the exact question to which he must say yes, he could go on indignantly saying HD. Dur Information here is too inaccurate to enable us to say exactly what Hartley did deny, or with what mental reservations of obedience to superiors, protection of others, etc., he denied even that.

At least Hartley did not deny that he would aid the invader with his prayers, and in any way that might become a priest. In signing this admission, he signed his death warrant. Admitting or denying the overt act of the Tower plot could not further injure him; but admitting would injure the cause for which he died. Therefore would he not admit, unless forced so to do. Whether he participated in plans for such a plot, he has not affirmed or denied. As we have Seen, he had in 1585 considered it becoming for him to participate in spreading for Parsons the germinal plan which became in 1586 the Tower plot, and which developed into the further modifications of 1588. There is every reason to believe that Hartley, under the direction of Parsons, would have carried messages, and have organized plans for the Tower plot, just äs obediently and diligently äs he had distributed campaign literature in 1581, or had carried the cheering news of Guise's plans of 1585. It is thus, for our purpose, of little importance whether there actually was a Tower plot in 1588, and whether Hartley participated in it.

And SD did the question appear to the legal authorities also. For, after all, the account of the learned and godly preacher

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seems to indicate that this charge against Hartley was not pressed. Like the charge against Hewett that he had gone to Flanders, äs it was presumed to kill Leicester, this charge against Hartley is added äs the overt act to make the indictment legally complete. Since, however, it was no longer necessary to prove an overt act, neither of these charges was pressed. But äs capital anti-Catholic propaganda these charges could not be omitted from *True Reports*. They were excellent preparation for the charges which were shortly to be brought against Arundel, who was the ranking Roman Catholic, and so the natural political leader of the Roman Catholics in England. As such, accusations had been brought against him, he had been thrown into the Tower, and following the Armada, Walton's report of the Tower plot, combined with Arundel's own actions at the time of the Armada served to condemn him to the death of a traitor. But the sentence, being chiefly for political effect, was not executed.

Instead of pressing against Hartley this charge of the Tower plot, the authorities brought in evidence his previous examination, which had been taken before Justices James Dalton and Richard Young. There he had "subscribed with his own band, (wherein among other things) he had set it downe in plaine words, that if the Pope by his Apostolique authoritie, do deprive the *Q. Maiestie*, and doe discharge her subiectes of their obedience, and send an Armie to restore the Catholique Romaine Religion into *England*, he would not take her Maiesties part, but woulde praye that the Catholique Romaine Armie might preuaile in that cause of Catholique religion: and in that faith he would spend (if he had them) ten thousand Millions of liues: and this he speaketh (äs hee saith) in the integrity of his soule." By the fact that Hartley had returned from banishment, the law declared automatically that his sentence was death. Now that he had reversed his attitude of 1584, and upheld with his usual thoroughness the pope's complete supremacy, there was no reason why the regulär sentence should be withheld, though

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it is evident that to the last Hartley might have saved himself by denying this supremacy of the pope. In all other matters, Hartley still showed his characteristic moderation; but on this one point he had doubtless been goaded to desperation. Even here, however, he still professed his rightful but subordinate duty to the queen. Upholding as he did the pope's supremacy, the government could pass upon Hartley only the sentence of a traitor's death.

Hartley was returned to Newgate for the night, whence on Saturday morning, October 5, 1588, Sheriff Dffley conducted him, John Hewett, and Robert Sutton in the same cart to Mile End, where after a long harangue between Hewett and the "learned and godly preacher," Hewett was executed. There, either Hartley or Sutton desired Hewett "by the name of Martyr to pray for him, whereat the people cried out"

With Hewett finally disposed of, the procession then passed to Finsbury Fields, where Hartley was to be executed. It would pass through Bishopsgate Street into Hnlywell Lane, past the then still Standing Great Gate of Holywell Priory, into Finsbury Fields near the Theater. Peter Penkevel, a Catholic layman who was in Newgate at the time, says "The foresaid Mr. Hartley, priest, being brought forth in the same cart, was, after the dispatch of Mr. Hewett, carried near the Curtain and there hanged." Henry Walpole, a Jesuit priest, has it: "Mr. Hartley, priest, was then drawn from thence to Finsbury Fields, and there was demanded if he would ask the Queen forgiveness. He said he had never offended her, and then, being in his prayers, he said he did confess that he had offended the Queen and Almighty God, and therefore was sorry, for that he had worn his apparel otherwise than by his calling he ought to have done, and therein he had offended the Queen in breaking of her laws.

"The people cried out that he spake in derision, and was straight turned off without further speech, and was not quartered" Walpole's clothing story is probably a misapplied

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bit of gossip. For Roman Catholic priests prayed in Latin, and the "learned and godly preacher" specifically States that Hartley did so. The general audience would thus not have understood Hartley, even if he had made such a peculiar Petition. Probably Walpole has confused this incident from one occurring at the execution of John Body November 2, 1583. " 'Well then,' quoth Mr. Sheriif, 'ask her Majesty forgiveness, and then desire the people to pray for you.'

¹¹ 'In truth,' quoth he, 'I must needs ask her Majesty forgiveness, for I have offended her many ways, as in using unlawful garies, excess in apparel, and ollier offences to her laws, but in this matter you shall pardon me.' " Since this was Only a part of Body's irnnic jesting with the oflicers who were trying tn persuade him to submit, it fits naturally with him. But in Hartley's case, the stnry does not fit either the man or the cimimstances.

The *Tntc Rrport* gives the incident in a much more probable form. "After *ITcdons* cexecutinn, the uther prisoners were brought to *Hollywcll*, nigh the Theater, where *Hartley* was to suffer. The preacher ceased not all the way to perswade him to repetäce, and to aske her maiesty forgiuencs, and when they were come to the place of executiö appointed for *Hartley*, he was willed tn prepare him seife to dye. I am (quoth he) willing and resolued to dye, hoping (by this my short pain and suffering) to enter into euerlasting glorye. Remeniber *Hnrtley* fquoLh the Freacher), what was saide to thy fellowe. It is not the paine, but the cause, that maketh the Martyr, thou hast greeuously offended God, her Maiestie, and this whole laiiirl: thou comcest hither to dye, not as a martyr, but as a traitor, for high treason: Brausc, that contrary bothe to the lawes of God and this Realme, thou (sente in by our common encmy the Pope) hast sought to seduce her Maiesties subiectes, to withdrawe them from their obedience, to our dread soueraigne Queene *Elisabeth*, whom y^e Lord long preserue ouer vs: to moue them to rebellyon, and to prepare them to ioyne with the forraine enemye, that should come to

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inuade vs: besides those perticuler treasons, vouched yesterday to thy face, for cöspiring (with others) to surprise her Maiesties Tower of London, and to fire this famous Citie. These are horrible treasons" He then quotes Saint Augustine to show that it was not Englishmen's works that had saved them, but God's grace; and advises Hartley to trust to grace, not works. "So thy woorks, being thus made manifest to the worlde, thou oughtest to be sorry for them, and ashamed of them especialle, (if there be in thee any sparke of Gorks grace) thou oughtest with all harty sorrowe and vnfained Submission, to aske God and her Maiestye forgiuenes, for these thy horrible treasons, entended against her. If (quoth *Hartley*) I haue offended her highnes, I aske her forgiuenes. If thou haue (quoth Maister Sheriffe) it is well known, that thou hast highly offended both God and her, and hast committed treason against her. If (quoth he) to exercise the function of a Romaine catholique Preeste be treason, then haue I committed treason. Well (ijuoeth the Preacher) thou hast heard what hath been said to thy fellow: we come not hether to dispute with thee, the law (thou seest) hath passed vpon thee, thou haste bccn indicted, araigned, and (by lawfull triall) found guiltye of high treason, and hadst iudgement to suffer äs a traitor, saue that her Maicstic hath dispensed with some parte of thy iurtgement: It remaineth that thou prepare thy seife to dye: if thou wilt, we will praye with thee: (so thou praye in English) and äs a good Christian should don: I wil (quoth *Hartley*) praye in Latin, and I desire you not to praye with nie, yet (quoth the Preacher) we will pray for thee, whcrupon he marle then also this prayer following, the people ioyning with him in great feruencie. . . . After the enri wherof the saide *Hartley* was executed äs the first."

So it is agreed by both sides that to the last Hartley quietly maintained he had not offended against the queen. TDD, the preacher's account has a singularly respectful tone toward Hartley. Toward Hewett he shows a certain argumen-

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tative asperity which had not ceased piously to rankle; toward Sutton he has the regretful feeling that the latter had not been quite strong enough to remain firm when once he had apparently been overpersuaded, and thus weakly lapsed when a glorious victory for the preacher seemed certain. There is still the glamor of *almost was* and *might have been*. Hewett had to argue to keep his courage up, Sutton had finally to take refuge in unargued belief. But Hartley was so firmly grounded in his belief, and so calmly confident of his everlasting reward that the preacher could not argue with him. He could only argue at him, and respect the simple integrity of the man, which was above the petty sway of man's baser emotions, then so dangerously stirred.

ND mnre fitting conclusinn can be found than Warford's brief word-picture of Hartley: "He was a man of the meekest disposition and naturally virtuous, modest and grave, with a sober and peaceful look."

CHAPTER VI

The Trial and Execution of Robert Sutton

AFTER witnessing the executions of Hewett and Hartley, Robert Sutton was carted on from Holywell to Clerkenwell, there finally to be hanged. Of Sutton comparatively little is known. It is said that he was born at Kegworth in Leicestershire; but at what date does not appear. Early writers say that he was a Master of Arts, but do not specify his university. Since he was a schoolmaster, the presumption is also that he was a university man, though no record of him seems to survive at either school. It was not till after his university days that he entered the Roman Catholic church. As the *Triic Report* puts it, he "was indicted for that hee being borne, and heretofore sworne her Maiesties subject, and taking vpon him the instruction of youth, and office of a Schoolemaister within this realme: had yet notwithstanding, beene of late yeares reconciled to the Church of Rome and authoritie of the Pope, contrary to his former oath and allegeance, and against an estatute in that behalte provided"

A contemporary says that Sutton's school was "in Paternoster Row," from which it has been guessed that the school was the famous "Mercer's School in the Pater Noster Royalty." Mercer's School, it is true, was "Formerly on the east side of College Hill, adjoining the church of St. Michael Paternoster Royal on the north (D.S.1880).to But "The School originally adjoined the Mercer's Chapel in Cheapside (Strype, cd, 1720, I. iii. 32), but was removed to Budge Row in 1785, thence to Watling Street, and later to College Hill in 1808." Mercer's Chapel, to which Mercer's School adjoined in 1588, was "On the north side of Cheapside, at the

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south-east end of Mercers' Hall (D.S.). Between Ironmonger Lane and Old Jewry."¹ There is thus no evidence to connect Sutton with Mercer's School in 1588, since he taught in Paternoster Row, while the school was at that time a considerable distance away in Cheapside.

The words of the *True Report*, quoted above, seem to imply that Sutton had been for some time a teacher before he became reconciled to Roman Catholicism. He admitted that "he was confessed and absolved by an old priest and by him brought in *gremium Ecclesiae*." Elsewhere it is more specifically stated that "he had beeile shriven of one Mr. Blythe an old Preest in Newgate." This Marian priest was evidently Dlyver Heywood, *alias* Blythe, whn appears in a list of June 14, 1586, for the Counter in Wood Street as "Dlyver Heywoode *alias* blythe he is a preste he was made preste in Kinge Harye the viij hys tyme, p w^t my L of the Counsell p newall and worsley messengers he was once examyned by M^r Justys Yonge." Then we find, "Dlyver Haywood *alias* Blyth p^r. Comitted by the lordes, removed to Newegatte 27 June," 1580. Next, "Dillyuer Haywoode. Comitted by m^r younge, died in pris[on] the xvth of July." It would appear, then, that Sutton was shriven by Blythe in Newgate between June 27, and July 15, 1586, and by him brought in *gremium Ecclesiae*.

Having been reconciled, Sutton would soon be brought to book for not attending church. Accordingly, we are told that Sutton "endured long imprisonment in the Gatehouse" before his final arraignment on October 4, 1588. Since the Gatehouse, in which Sutton was imprisoned, was in Westminster, the following record doubtless refers to his commitment. "6 October, 29 Elizabeth.—Tnie Bill against John Hewes yeoman, Roger Awstynye yeoman, Anthony Snapp yeoman, John Keyson yeoman, Roger Lyne gentleman, Robert Sutton yeoman, Thomas Leonarde yeoman, Lawrence Kellam yeoman, Thomas Capell yeoman, Thomas Edwardes

¹ Harben, H. A., *A Dictionary of London*, pp. 404-5.

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yeoman, Thomas [? Dwen] Fletcher yeoman, and Richard Johnson yeoman, all of Westminster, for not going to church, chapel or any usual place of Comnion Prayer, from 6 October 29 Elizabeth to 26 November then next following. G.D.R., , 30 Eliz" This is the first time Sutton was presented, but several of the others, for instance Hewes and Johnson, were old offenders. This means that Sutton's actions following his reconciliation about July 1586 had by October 1587 brought him to the attention of the authorities. The Statement quoted above would indicate that Sutton was kept confined in the Gatehouse, Westminster. But since he was not a priest, his name does not appear in the list of March 1588, nor in that of July 20, 1587, if he had by that time been committed. One would have expected Sutton to be listed in the general examination of August 14-20, 1588, among "Persons Reconciled," along with Harry Foxwell of Westminster. Sutton's name is twice repeated in a list of September 30, 1588, among persons who are "by their owne coiffessions guyltye D \textsterling Treason, or ffelonye," the accusation against him being that he had been "reconsyled." Since later Sutton did not show "such obstinacy äs the rest," it may be that the authorities had not pushed the indictment of 1587 against him, hoping by argument even yet to win him back.

This supposition seems the more probable when we remember that Sutton was brought to court with Hartley, and that Walsingham narrowly missed getting Tedder there with them. Walton had accused, among others, Hartley, Tedder, and "one Sutton." This Sutton is one of a long list of alleged Roman Catholic conspirators in England. It looks äs if Sutton had not been seriously dealt with until Walton's report cast streng suspicion upon him. Then, äs a recusant schoolmaster, his case would call for careful attention. For, äs Walton reports the sentiment of a Roman Catholic concerning another schoolmaster, "he that is master of the boys at Westminster he thank god was become a katholyck whoe wolde teache the

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boyes." Because of his sphere of influence, a recusant schoolmaster was nearly äs dangerous äs a priest.

But whatever the precedent details may have been, it is certain that Sutton was brought to trial on October 4, 1588, for having been reconciled to the Roman Catholic church. "To this inditement the said *Sutton* pleading not guilty, and putting him seife on triall, standing (though not with such obstinacy äs the rest) to his opinion, concerning the authority of the B. of Rome, confessing her Maiestie supream gouernor, within her highnes dominions ouer all persons, but not ouer all causes: and yet hauing nothing to defend his assertion, but a froward will, and a sentence of a father alleadgeil, (äs he saith) by *Campion*, which hee did not well remember, was in the end, also found giltie, and so had his iudgment äs the rest." To the end, Sutton fonnd himself closely hemmcd between the two horns of this dilemma concerning the supremacy. Like many another, he could not honestly admit the complete supremacy of either the queen or the pope. The one thing of which SuttDn feit certain, and for which he finally died, was that the Roman Catholic church was the true church, in which alone was salvation. To his admission that he had been confessed and absolved by an old priest "he was drawn by the examiners¹ saying that unless he would confess himself to be reconciled, all his CaLholic brethren would cast him out of their society." In his final agony of conflicting opinion just preceding his execution, his ultimate conclusion was, "I must . . . remaine in the vnity of the Church, or eis I cannot be saued, for so saith S. *Auyustine*."

Since Sutton had been reconciled to the Roman Catholic church, and since he denied the queen's supremacy, he was condemned äs usual in such cases, was returned to Newgate, and, äs we have seen, was taken out the next morning, Dctober 5, in the same cart with Hewett and Hartley. At Hewett's execution, it seems to have been Sutton who provoked the ire of the mob by proclaiming Hewett martyr. "There was then in the cart Mr. Hartley, priest, and a layman, who desired him

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by the name of Martyr to pray for him, whereat the people cried out" He was also given the "moral effect"¹¹ of Hartley's execution, but what were his actions there we are not told. Two such spectacles were well calculated to shake the nerves of an already hesitant man, and it is probable that Sutton was given the last place by design. It is dear that both the preacher and the sheriff had great hopes of causing him to weaken, and consequently went to unusual pains to secure the victory of a recantation. SD the "learned and godly preacher"¹¹ lingers regretfully over the account of his final labors with Sutton.

"Then was the last man *Sutton* conuained to *Clarkenwell*, where he was appointed to dye: the preacher traouiling still very earnestly to bring him to conformety, wherin he so much preuailed, yt there was great hope conceiued both by Maister Shcriffe and him, that the prisoner would haue been conuerted, because he disclaimed diuers pointes of popery which before he held: prayed for her Maiestie, affirming that he would fight in her cause against what pope or potetate soeuer, howbeit, this seemed (afterward to) be but fained in hope of life, for when he had requested maister Sheriff y¹ he might be respited for a day or two, and haue Conference with the learned, for the better setting of his conscience: and they very charitably had sent back to know the opinion of the Lord cheefe lustice of England, and her Maiesties attourney generall, what might be doon therin, who being glad to heare therof, were willing he should be stayerl, and gawe such order: Yet (after all this) the said *Sutton* being onely required to submit him seife like a good subiect to her Maiesties authoritie, and acknowledge her highnes according to his dutye, to be supreme gouernor aswell in all causes äs ouer all persons, (for that he before had graunted) he being thus required both by M. Sheriffe and the Preacher, and promise made vnto him, that so his life should be respited: he stode for a while äs it were in a doubtte what he might doo, and after said, that he durst not acknowledg that: because the church of Rome did not graut it: and I must (quoth he) re-

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maine in the vnity of the Church, or eis I cannot be saued, for so saith S. *Augustine*. That is (quoth the preacher) in y^e vnity of the Church of Christe, not of the Church of Rome: for the vnity of wicked persons is no vnity, but a conspiracie. We must follow peace, but it must be in holynes if we will see the Lord, well yet (quoth *Sutton*) S. *Augustine* saith äs I say. I pray thee (quoth the Preacher) let me heare S. *Augustine*. The woordes which he alleged are written by S. *Augustine* in his Epistle *Contra Donatistas*, the woords these. *Quisquis a catholica ecclcsia fuerit seperatus, quantumlibet hudibilitcr se viuere existimet, hoc solo scelere quod a Christi vnitate disiunctus est, non hdbebit vitam: sed ira dei manet super eitm.* And I pray thee (quoth the Preacher) what doo these woords niake either for thee or against vs? These are S. *August*, woords. Whosoeuer is seperated from the Catholique Church, although he otherwaies behaue him seife neuer so laudably, yet in this one offence because he is seperated from the vnity of the Church he shal not haue life. but the wrath of God remaincth vpon him. Why? wegraunt all this, and ad heerunto (if thou wilt) that which the same S. *Augustine* hath in another place. *Non habebit deum patrem qui non agnoscit ecclesiam matrem.* He shal neuer haue God for his fa[t]her, that wil not acknowledge y^e Church for his mother. But this is (äs I said before) spoke of the Church of Christ, not of y^e Church of Rome, which Churche is his bodye, whereof he speaketh loh 15. *Abide in mc, and I in you: äs thr braunch cannot bcare fruit of it seife, except it abide in the viiie, HO more rtnt ye, exccept ye abide in me. I am the vine: yc are the braunches, he that abideth in me and I in him, the same bringeth foorth much fruit: If a man abide not in me, he is cast foorth äs a braunch, that withereth: &c.* Heerby thou maist see, or you at y^e least (good people) doo see, (*For he that is filthy, let him be ßthy still*). That it is the Church of Christe, that is the piller of trueth, whence we must haue direction, and the arke of *Noah*, wherin we shall haue saluation, euen when all y^e wicked shall be drowned. But

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to thee *Sutton* (quoth he) I feare thou hast dissembled w* vs all this while, and therefore (good people) let vs pray & leaue him tD God. Whervpon the preacher then also made a godly prayer, after y⁶ which the prisoner persisting in his wilfulnes was forthwith executed."

A Roman Catholic eye-witness, one William Naylor, gives essentially the same account of Sutton's difficulties. "I saw," says he, "one Mr. Sutton, a layman, and a schoolmaster, put to death at Clerkenwell in London; to whom the sheriff promised to procure his pardon, if he would but pronounce absolutely the word *all* for he would that he should acknowledge the queen to be supreme head in all causes without any restriction; but he, Mr. Sutton, would acknowledge her to be supreme head in all causes temporal; and for that he would not pronounce the word *all* without any restrictir>n, he was executed. This I heard and saw."

So Robert Sutton, schoolmaster, reluctantly had martyrdom thrust upon him. It was only when he was forced, äs he conceived it, to choose between death of his body and death of his SDU! that he chose the former. The necessity of the alternative itself he did not admit. His was the common dilemma of English Roman Catholic laymcn. But most of them were not dialectically trained pedants, äs was Sutton. They looked at the fundamentals üf the Situation, not at the premises and conclusion of a syllogism. They were loyal Englishmen; they also believed in the Roman Catholic church. They knew that in fact the two things were compatible; it was of no great importance to them to explain how or why. So when the time of testing came, whether in court or in battle array, the ordinary Englishman answered according to what he conceived to be fundamental truth. Good Englishman that he was, the fact that the two things were supposed to be logically and theologically contradictory did not too greatly trouble him. Neither the logic of a schoalmaster nor the theologic dogmas of contending priests were his. Consequently, he answered

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according to the fundamental intent of the law, and let the lawyers and priests argue the details to their hearts¹ content.

But Sutton was a dialectically trained pedant. For him, there could be no paradox. One conclusion must be right and the other wrong; and the right conclusion was to be decided infallibly by logic, not by Intuition, or common sense, or fundamental intent. He thus was faced by the dilemma of two syllogisms, each equally good in logic; but with conclusions diametrically opposed. So faced, he wanted the conclusions harmonized by logic. But the authorities demanded that he decide between the two. His method of decision was characteristic. St. Augustine had said that one must remain in the unity of the church to be saved. To him, the church was the Roman Catholic church. Therefore, to save his soul he must remain in the Roman Catholic church. This was the one conclusion of which he felt certain. Since the authorities claimed that he could not be both a Roman Catholic and a loyal Englishman, and since he could think of no syllogism or authority to prove that he could be both, so because of his inability to solve the riddle of this syllogism, he was forced to accept death. The "learned and godly preacher" shows his own bigoted inability to understand Sutton's dilemma when he suggests that Sutton was rillsembling. Sutton was in the agony of deadly earnest; but neither that fact nor Sutton's dilemma was his cock-sure Opponent ever able to understand. And so died the schoolmaster Robert Sutton, a pathetic figure surely in his syllogistic irresolution, but surely also hardly a heroic one.

CHAPTER VII

Master Sheri/flugh Offley

NEARLY all the available facts are now before us for deciding whether Shakespeare has or has not used any of the details from these two processions to execution for his picture of Aegeon's plight. It is at once evident that he did not use details from the executions of August 28, 1588. Both the characters and the atmosphere of that procession were wholly different from the picture Shakespeare has drawn. But the atmosphere and some of the characters in the executions of October 5, 1588, are very much like what is found in *The Comedy*.

The different atmosphere of this second procession seems chiefly due to the attitude of the officers in charge. In the first procession, both officers and accompanying crowd had been venomously vindictive. They were intent upon visiting punishment upon criminals with all ignominy; they made no last prolonged efforts to save erring souls. But on this second procession the main emphasis throughout was upon the attempts finally to show the condemned the error of their ways, and bring them even yet to repentant life. All in sorrow, not in anger, the officers strove for victory; and only when no hope was left did they finally proceed to execution. This different atmosphere was due principally to two people; the "learned and godly preacher," and Master Sheriff Offley.¹

Who the preacher was, it has not been possible to guess. Certainly, he was diligent in attempted well doing; he meant fearfully well. But though zeal did eat him up, he had neither wisdom nor human sympathy, however learned he may have

¹ Offley's fellow sheriff was Richard Saltonstall; but only Offley is mentioned as taking part in these events.

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been, and godly withal. Regularly, he did his full argumentative duty by the wilfully endarkened one, and then publicly washed his hands of him to the Deity in prayer. When, therefore, he met a kindred spirit in Hewett, and Master Sheriff Dffley unwarily gave him permission to improve the apparently chance-offered occasion, the two of them managed to engender considerable argtimehtative acrimony. Certainly Duke Solinus and Aegeon are not moielled from this enCDunter of the "learned and godly preacher" with Hewett.

His lesson now learned, it is Master Sheriff Offley who determines the tone of the procedure with Hartley and Sutton. With Hartley, the preacher could not argue; the two had no language in common. With the hesitant Sutton, he could argue indeed; but only to find himself foiled each time by the one point on which Sutton feit assured. Because of the nature of this single point, all arguments were necessarily a begging of the question. If the Roman Catholic church was alone the true church as Sutton was unshakably assured, then even the best-laid syllogisms were all in vain. SD the preacher argued where argument was vain, and attributed his ill success to the perverse workings of the Evil Dne. But Master Sheriff Offley could at least understand the difficulties of his prisoners, and could feel with them, though he could not agree with their conclusions. For Master Sheriff had himself had experiences which especially fitted him to understand and sympathize.

It was a peculiarly malicious trick of fate which set Master Sheriff Hugh Dffley to hanging priests—at this particular time of all times—and William Hartley of all priests. For at the very time Master Sheriff was hanging Hartley in London, at that same time he was doing his best to prevent Hartley's College mate, his own nephew Gilbert Gifford, from being hanged as a renegade priest and traitor in Paris. Hugh Dffley was the son of William Offley of Chester. Margaret Dffley, daughter of William, sister of Hugh, became the second wife of James Leveson. Their daughter Joyce, Hugh

Master Sheriff Hugh Öffley

Dffley's niece, married John Gifford of Chillington. Gilbert Gifford was the son of this couple. Hugh Dffley was thus the great-uncle of the notorious priest Gilbert Gifford. Closely allied with the staunchly Roman Catholic family of Gifford,² Master Sheriff Dffley knew sympathetically the difficulties of English Roman Catholics—knew, understood, and sympathized; but thought the Catholics wrong nevertheless, and was willing to prove it even by hanging them.

Sheriff Öffley was on the most intimate terms with his Gifford kindred. Gilbert Gifford constantly refers to him as uncle, and through him communicates with all his connections in England, including his own father and family. When Gilbert's part as Walsingham's chief Instrument in entrapping Mary Queen of Scots caused him to leave England in 1586, he requested Walsingham in July of that year to supply him money through his uncle Hugh Dffley; and it was through Dffley that Thomas Phelippes, Walsingham's director of spies, was to communicate with Gilbert. When Gilbert fell into prison in 1587, it was through his uncle Öffley that he communicated with his father, who sent him money by means of Dffley.

As a trader to Rouen, Dffley was an exceptionally good channel of communication between English and French Catholics. Indeed, there were those who thought Master Dffley was on too good terms with Catholics. As early as August 31, 1584, Thomas Beckner had written to Walsingham himself from Rouen: "Some of London that trade hither have none to deal for them but papists, as Mr. Hugh Dffley for the chief, not that I think them other than her Majesty's friends, but in time the increase may bring mischief." But Walsing¹-

² With twenty-five brothers and sisters, and a corresponding number of nephews, nieces, etc., Hugh Öffley was doubtless closely connected with Roman Catholics in many other ways. For instance, one "Dffley, gent." was listed among papist students at Paris in April, 1580 [*C.S.P., Foreign, 1579-1580*, p. 251]. His brother, Sir Thomas, was reported in 1578 to have attended mass [Foley, *Records*, Vol. I, p. 48]. But Öffley's connection with the Giffords seems to have been the most spectacular.

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ham continued to use Dffley as a trusted agent to Stafford, the English ambassador in Paris, and in other ways.

Even in 'eighty-eight itself, there were dark rumors concerning Sheriff Dffley's relations with Roman Catholics. In his report of July or August 1588, Walton had informed Walsingham: "Also there is an Aldermans fellowe in the Cittie of London And is of creadeable merchants reported that are in England and some out of England that have of a truth reported vnto me/ that he dothe make over an Infernit Masse of monney every yeare and hath of longe tyme contynued the same And this yere more then ever he did/So that all the merchants of Roan dothe crye shame it sholde be suffered/And hath two factors that are moste vylionously bente towards their cuntrye/And somethinge I have sene by them my seif aswell as reportes/It was his man that wolcle a betrayed the shipp that came from Roan a lange the Narrowe seas/the laste wynter but by greate good fortune he loste his lyfe. But yf it be anny thinge preiudiciall to the state that monney sholde be made over so I will fynde the nieancs to have the matter better knowne yf your honours will gyve me leave." In the margin, Walton wrote "The names of the Merchant and his factors Hughe Ofley Raphe Letherburrowe his factor in Roan and Iohn Someⁿ"

On all these points, Walton was correct as to his apparent facts, though there was much behind the facts which did not meet his eye. As we have seen, Offley did with Walsingham's knowledge, and at times by his directions, convey money to reputed Catholics abroad. Also, his factor Ralph Letherburrowe had been strongly suspected of being "moste vylionously bente towards [his] cuntrye." In a list "of sundry Englishmen, Papists," dated April 27, 1580, appears the name of "Letherborowe" under the heading "Gentlemen Remaining at Rouen." In a list dated March 23, 1583, of "Prisoners discharged since June 1582 &c. . . . upon bondes" from the Tower is the name "Raphe Letherboroughe merchaunt." Naturally, Offley's employment of such a man as factor would be suspect.

Master Sheriff Hugh öffley

But the attempted stealing of the ship at Rollen, which involved both Offley's factor *Somes* and his "man," is perhaps the best illustration of how correct *Walton's* facts were concerning *Dffley*, but how incorrect were his inferences. The "man" who was killed was none other than *Edward Gifford*, *Gilbert Gifford's* youngest brother, *Dffley's* nephew. Our first news of this affair comes through *Sir Edward Stafford*, the English ambassador at Paris. In a letter, undated but later than January 22, 1588 (? N.S.), *Stafford* wrote *Walsingham* of *Gilbert Gifford*: "But he [some Informant] hath given me a letter which he [Gifford] writ to his brother that went about to steal the English ship to Dunkirk and was killed; whereby you may perceive that he was acquainted with the enterprise and a persuader to it."¹ The copy of *Gilbert's* letter to his brother, dated October 26, is in *Freuch*, and is headed "Copy of his letter to his brother that stole away the shipp to carry her to Dunkirk." It is endorsed in a contemporary hand "copy of *Gifford's* letter to his brother *Edward*." The next thing we need to note is that *Phelippes*, *Walsingham's* director of spies, was being informed by *Gilbert* of this brother's movements in carrying out this plan, and that *Gilbert* himself had intended to take active part in it. In a copy of another letter dated the same day, October 26, 1587, also enclosed by *Stafford*, *Gilbert Gifford*, under the alias of *Francis Hartley*, had written to *Phelippes*, "My brother is in Flanders and hath obtained something, nr is like tn. He wrote to *Gifford?* that *IDD* ships, in sbc weeks will be ready at Dunkirk. *G. Gifford* shall hear daily from him." Further, it was *Dffley's* factor *John Somes* who financed the whole plan. This we learn from *George Harrison*, who owned the ship.

Harrison had evidently taken up the matter with *Walsingham* to procure redress. In a petition to *Walsingham*, *Harrison* points out: "His cause has been referred by *Walsingham* to *Mr. Sheriff Offeley*, who is very unfit to deal therein, his servants having been the only causers of petitioner's troubles and losses. Petitioner's servant, *Thomas Perrette*, killed one

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Seiford who had served the sheriff, who was aided with money by Soomes (who betrayed petitioner) to fetch men from Dunkirk to Rouen to betray the ship, goods and men, as is known to the Lord Treasurer and the Lord Admiral. Soomes had been likewise servant to the sheriff. Prays therefore that his cause may be determined by the Council" The name Seiford for the man who was killed is an evident misreading for Gifford. It thus appears that Edward Gifford had been in Offley's Service, and that Offley's factor, John Soomes, had furnished the money for Gifford's exploit. Also, Gilbert Gifford, Walsingham's ace of spies abroad, was cooperating with his brother, though as his letter to Edward shows, he was very doubtful of the enterprise; and Gilbert was keeping Phelippes, Walsingham's chief of spies, informed concerning Edward's movements in carrying out this exploit. Clearly, this exploit was being manipulated from "higher up," and just as clearly Walton, Stafforcl, probably Harrison, and the public at large did not suspect the true nature of the case.

But Harrison's persistent efforts to avoid financial ruin must finally have come very near to enlightening him. His Petition to Walsingham shows that Harrison had laid his case before the Lord Admiral, and the Lord Treasurer; but had been finally referred to Master Secretary Walsingham, who had referred the matter to Dffley, to whom Harrison objected. This last arrangement would have enabled Walsingham and Dffley to keep the whole matter secret. But Harrison knew enough to make him suspicious of Dffley. So Walsingham was forced to seek other means of getting Harrison's case settled satisfactorily without letting too much become public.

Harrison asked Walsingham about August 1589 to refer the matter to the Privy Council. In their records of the case, Harrison claimed that Nicholas Leate, William English, and John Soomes through their agent Edward Gifford "had betrayed his ship and goods to the French at Reuen." It was established "that the ship and goods of Harryson by there

practise and procurement stayed and seased at Roane is by some of themselves confessed, and that for the safetie of the merchaunte's goods whose factors they were they undertooke, äs by their bond appeareth, to ilrawe him or some other of her Majestie's subjectes into the rtainger happened to the said Harryson, whereby he is in effect undone." English, at least, had admitted the substance of the claim to bc true, but denied liability for damages. Conscquently, on March 23, 1590, the Privy Council "thought yt agreeable with justice that satisfaccion should be made unto him [Harrison] of his losses, which devyded amonge them whose gondes were therby saved could not be soe heavy äs the whole is to him alone," and so referred the case to four arbitrators to iktcrmine liability. It was finally arranged by July 26, 1590, that the defendants and all the other merchants who had goods "in the ship that was stayed at Newhaven" should "according to the proporcion of the goods that were belonging to them cntribute for their partes" to make up Harrison's loss. And so poor Harrison was finally saverl from financial ruin.

Exactly how the attempt of Edward Gifford to steal Harrison¹'s ship from Rouen and take it to Dunkirk had betrayed that ship to the French at Rouen, but had saved the goods "in the ship that was stayed at Newhaven"¹¹ I do not know. But we shall shortly see that it was a move made in behalf of the London merchants trading to Rouen to help them in their conflict with the French authorities there.

Whatever the exact nature of the device, it appears that Leate, Somes, and English had through Edward Gifford manipulated matters so äs to betray Harrison's ship and goods into the hands of the French at Rouen in order to save the goods of those for whom they were factors. It appears, too, that Walsingham through Phelippes had known of the device, and that the Lords of the Privy Council finally saw to it that Harrison was recompensed in part for his loss. Because Gifford and Somes, two servants of Dffley's, were leaders in the plot, Harrison evidently suspected that Dffley himself

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was connected with it too. A surviving order of the Lords on October 15, 1589, connects Dffley with either this or a somewhat similar case: "A letter to Alderman Offley requiring him either to make satisfaction to divers marchantes of London for charge they were put unto for the redemption of certen goodes lately arressterl by the GovernDiir of Newhavon, shipped in the name of one Ralphe Letherboroughe, having the tytle of bis factour; wherein he is to contribute äs is by writing delivered to their Lordships or to appeare on—— next to shewe cause to the contrnrye in the Star Chamber before them" Whatever the nature of Dffley's connection with this exploit of bis servants and factors—Edward Gifford, Somes, and probably Letherburrowe—it is, at least, apparent that the Lords had no censure for Dffley, nor for bis servants and factors. Clearly, also, Sir Edmund Stafford, the English ambassador to France, was äs Ignorant of the true case äs was Walton the spy. Nor is there anything to indicate that Harrison or the Privy Council itself suspectetl Walsingham's connection with it. Sir Francis Walsingham's right hand was seldom permitted to know what bis left hand had done.

These facts indicate how closely Dffley was connected with English and foreign Roman Catholics, and what reasons he had for sympathetic understanding of them. But bis connections with them were regularly known to, and used by, Walsingham. Indeed, while a few people knew part of these facts, and consequently suspected Dffley, yet the majority had quite a different conception of him. To most people, Dffley was the city's chief anti-Spanish champion. At the time he was participating in these events of 1588, Master Sheriff Dffley was for literary men *thc* Merchant-Duke (Solinus) of London (Ephesus), and the patriotic anti-Spanish leader. He had long been the leading spirit in the archery show of Prince Arthur and bis knights. It will be remembered that Shakespeare certainly knew this organization, äs indeed who in London at the time could have been ignorant of it? Says Justice Shallow, "I remember at Mile-end Green, when I lay at Clement's Inn,—I

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was then Sir Dagonet in Arthur's show. . . ." Mulcaster in his *Position*, 1581, informs us that Thomas Smith was Arthur, and Hugh Offley Lancelot. One wonders who was Sir Dagonet, and whether Justice Shallow really embodies anything of that person's characteristics. Shallnow's remark was evidently intended to mean more to contemporaries than it now means to us. But to return to Dffley, Mulcaster says that he was "the chiefe furtherer of the fact, which I commend, and the famoset knight, of the fellowship, which I am of." In 1583, Robinson in his *Avndcnt Order . . . of Prince Arthure* describes the shield which Dffley bore as Lancelot. At some time before 1587, Offley had succeeded Smith as Prince Arthur himself. "An example of the conversion of military training into *mimesis* is afforded by the archery show of Prince Arthur with his Knights of the Round Table, which was displayed by Hugh Dffley before the Queen between Merchant Taylors and Mile End in 1587."³ Presumably these archers had too much of deadly earnest in 1588 to have time for mimetic shows. But the next year, on August 12, they returned to their patrintic show, again under Dffley. On August 13, 1589, William Jones entered upon the Stationers' Register a bailad entitled "Discrybinge the vallure of our Englishc Archers and shntt that accompanied the Blacke Prince of PDrtugall their governor into the feildes DU twesdaie the 12 of August with the welcome into Lymestreete by master Hugh Dffley"⁴ Offley and the archers were presumably staging the exploits of the Black Prince against the Spaniard. These were particularly remembered by Englishmen just at this time. In *An Exliortation to Stirre vp the mindcs of all her Maiesties Faithfull Subiects*, published just

³ Chambers, *Elis. Staye*, Vol. I, p. 139. The date Sir Edmund assigns is c. Jan.-April, 1587 (*ibid.*, Vol. IV, p. 102)

⁴ Arber, Vol. II, p. 528. No copy of this bailad is known to survive "This entry was made only the day after the exhibition of skill, and very possibly the bailad was at that time not written, but only promised by the author to the publisher." (Collier, J. P., in *Notes and Queries*, 2nd series, XII, p. 302.)

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after the Armada in 1588, Anthonie Martin gives a list of the outstanding exploits of Englishmen, beginning with those of Arthur. He says, ^MMany times also haue we sought honor in Spayn and defended that Countrey from vsurpers. Dyd not Prince *Edward*, by vanquishing of king *Henrie*, and those Spaniards, and French that tooke his part, settle *Peter* in his right againe." No doubt Dffley's presentation of these events was in legendary vein, probably after the style of the reference in *The Spanish Tragcdy* to the same series of events, on which we may well quote Professor Boas. "Kyd's history is still mainly fanciful. John of Gaunt made an expedition to Spain in 1367, under the Black Prince, to support Pedro the Cruel against Henry of Trastamare, but the allusion is here more probably to his later Expedition of 1386-7, when he claimed the throne of Castile. He met with success at first, but sickness broke out among his troops, and he was forced to retire from Spain and fall back upon Bayonne. Negotiations, however, followed, which resulted in the marriage of his daughter, Catharine, to the heir to the Castilian throne."⁵

On this occasion, at least, it will be noted, Offley welcomed the band to his home in Lyme Street. Perhaps John Stow, who lies buried in the same parish church with Hugh Dffley and the latter's brother, Sir Thomas, former lord mayor of London, can best picture for us the former glory of this place. "Monuments, or places notable, in this ward be these . . . another great house in the west side of Lime Street, having a chapel on the south and a garden on the west, then belonging to the Lord Nevill, which garden is now called the Green Yard of the Leadenhall. This house, in the gth of Richard II, pertained to Sir Simon Burley, and Sir John Burley his brother; and of late the said house was taken down, and the forefront thereof new built of timber by Hugh Dffley, alderman."⁹

^B Boas, F. S., *Works of Thomas Kyd*, pp. 397-8.

^B Sugden's "A Sketch Map of the Streets of Elizabethan London," in his *Topographical Dictionary*, will enable one to locate the site of Dffley's home.

Such facts shew that in the years 1587-1589 Offley was playing the rôle of patriotic Prince.⁷ And äs such, literary men were recognizing him. When about February I, 1589, Robert Greene was seeking a patron for his ultra-patriotic *Spanish Masqueradv*, it was to Master Sheriff Offley, that "a friend" directed him. The nature of this work, and the terms of its dedication show the position which Dffley Occupied in populär and poetic imagination in 1589. To use the words of Storojenko, Greene appears in *The Spanish Masquerado* "äs a writer who takes his stand from a theological point of view. In the attempted invasion of the Spaniards he sees the hand of God, directed towards England for the purpose of awakening her religious enthusiasm; in Englishmen he sees God's weapons for the punishment of Spaniards for their pride and dishonesty. As a Protestant, Greene repeats what other Protestant writers had said at the time. He calls the Pope, Antichrist and Lucifer, and identifies the papal authority with that stränge beast of which Ariosto speaks. He thanks the Queen for the severe measures against the Catholics, and calls her the 'glorious daughter of the illustrious Henry,' who, treading in the Steps of her father, had justly assumed to herseif the right of supremacy in matters of faith, and had cleansed churches from absurd ideas and heresies. Greene praises Elizabeth especially for regarding the Pope äs Antichrist, and seeing in the Catholic religion that Babylonian fornicatress of which mention is made in the Apocalypse. The fifth chapter is devoted to the consideration of the Catholic monks. Availing himself chiefly of Boccaccio's 'Decameron,' Greene cites niány scandalous stories, calculated to lower the Catholic monastic System in his readers' eyes. The narrow Protestantism with which Greene's pam-

⁷ Perhaps it is just worth noting in this rönnection that while Offley was Prince Arthur, the chief of the other London Company of Archers was the Duke uf Shureilitch. It is just possible that this well known archery title helped Shakespeare to make a duke out of Offley, the patron of archers, when he catne to Shoreditch, even though in quite another :apacity. Shakespeare's mini worked in exactly that allusive way.

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phlet is filled agrees but ill with his subsequent freethinking views [*sic!*]; and we are involuntarily induced to believe that Greene's zeal against the Catholics was in a great measure the consequence of his indignation at the double-handed game they played during England's most critical year. Greene was in all probability acquainted with the Catholic plot to take advantage of the absence of troops from London, and, should the Spaniards effect a landing, to make a rising there, to release Arundel from the Tower, and, under his leadership, to join the Spaniards.

"Besides its historical and autobiographical value, Greene's pamphlet has no other; and at the present time it is difficult for us to understand how a production so very insignificant from a literary point of view could have called forth from his friends such enthusiastic praise. But the time was such, that every true patriot thought it his duty to welcome Greene as the champion of the honour and dignity of England, and to defend his name against the attacks 'des gens seditieux' as Lodge expresses it in his French sonnet in honour of Greene—where, by-the-by, he calls his friend the 'compagnon des dieux.' "

For patron of this patriotic, anti-Spanish, anti-Catholic pamphlet, Greene, after inquiry, selects Master Sheriff Hugh Dffley as the most suitable person. It is well to quote Greene's dedication, since it gives us Greene's conception of Ofliey.

"To the Right Worshipful, M. *Hugh Ofley*, Sheriffe of the Citie of London. Robert Greene *wisheth incrase of worship and vertue.*

"Such pictures (Right Worshipfull) as were presented to *Alexander* the great, had Arte to please the eye, and conceit to please the wit: Such as writ to *Julius Caesar* discourses of Warres: Those that dedicated ought to *Traian*, of Peace and to *Scucrus* of lustice: aiming the effectes of their studies to the affectes of those worthy men whome they resolved to honour with the Patronage of their laboures: The consideration of these premises (Right Worshipfull) embouldened me

-Master Sheriff Hugh Offley

to make choise of your worship as a *Maecenas*, fittest for a worke of such graue import, persuaded therunto by the report of a friend, whose opinion I craued, for the choice of a Patrone: and made the more resolute by the generall Censure that Farne sets downe, imblasoning your vertuous disposition, in the care of the common weale, and fauour to good letters: Encouraged by these causes, I present vnto your worship the *Masquerado* of *Spaine*, a deuise conteining the discouerie of the Spaiiish insolent pride alaied with a deepe disgrace, and their presuniptunus braues pulled downe with the resolution of English souldiuurs: which worke, if your worship receiue as gratefully, as I present it hartelie, I have the desired ende of my labour: In which hope resting, I commit you to the Almighty,

"Your Worship to command

"Robert Greene"

Let us hope that Ofle'y received Greene's patriotic effusiou as gratefully as Grcne presented it heartily—and pointedly.

The next year, 1590, William Averell, schoolmaster, dedicated to Dliky a new crlitionnfhis "Foure notable HLsto-Xries, applyed to foure worthy/examples : As./i A Diall for ilaintie darlings./2 A speclacle for negligent Parents./3 A glasse for disobedient Sonnes.Aj. And A myrroure for vertuous Maydes./ (*)/Wherunto is added a Dialogue, expressing/the corrup-tions of this age./." If the title does not sufficiently suggest the nature of the book, perhaps it may be supplemented by a brief quotation of what Averell thought the "Gentle and freendlie Reader" would be certain to find in his slender volunie. "Heere shalt thou learne in prosperitie, to beware of pride, and to auoyde securitie: if thou be a father, how to bring vp thy children with discretion: if a Sonne, how to reuerence thy father wyth wisdom: if thou be single, how tD choose thy wyfe: so that thy life may be happy, and thy time spent in quietnes: yf married, how to gouerne thy seife and thy mate in all seemelines and vertue: heere may wiues

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learne wysedome, and maydens gather modestie. TD concludie, the commodities are many, the examples pleasant, and the practise thereof profitable, and therefore, to the end that thou mightest be pertaker of that which may be thy future profit, I haue compiled thys small booke, not wearying thee with long dyscourses, least thy minde should (being queasie) wexe lothsome, and SD disdainie it before thou reade it: but in short and breefe Treatise, I haue packed together that, which if thou canst rightly vse it, shall be äs gainesome, äs pleasant: wherefore, if thou bring with thee a thankfull hart, and a vertuous minde, thou wylt thankfully take that which I haue frendly written: but if thou haue an enuious eye, thou wylt carpe at that by ennie [*sic*], which the Printer by ouersight, and I by infirmitie haue committed"

For patron of such a potent moral and social panacea, Averell addressed Hugh Dffley in these terms :

"To the right worshipfull and most curteous Gentleman, Maister Hugh Dfley, Alderman of the honourable Cittie of London.

"If I shoulde goe about (Right Worshipfull) wyth coloured wonders, and painted eloquence, to make an *Encvmium* of your laudable vertues: or by fignes of Rethoricke, to emblazon the bountie, curtesie, affabilitie, iustice, and other infinite vertues, which haue shined forth in your actions, not onely in the tinie of your magistracie and gouernment in thys honourable Cittie, but before. If I should dilate at large the common and generall good lyking of the multitude, signified by their populär prayses and comnion commendations, which I haue heard my seife almost of you euery where vttered, I might iustly doe it, without any check of assentation or flat-terie: but because I know you loath adulation, and that I woulde not be counted an *Hages*, *Cleo*, or *Aristippus*, *quod rane et angue peius fastidio*: I omit those things, and humbly beseech you to take in good part, (with no lesse cheerefulnesse then I willinglie offer it) thys simple Booke, which through good will I dedicate to your Worshyp: praying the God of all

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glory to sende you in this life, happines, health, and prosperitie, and in the lif e to CD nie eternall felicitie.

"Your worships in all dutie

"to commaunde: William

"Auerell Schoolemaister"⁸

It must now be clear that Dffley was not only the patriotic anti-Spanish champion, but also a pattern of civic virtue.

Not only was Offley the virtuous and patriotic merchant-prince of London in 1587-1590, but he was also taking a leading part in a mercantile warfare, which had grown chiefly out of the struggle with Spain. Chalmers in his *Supplemental Apology* of 1799, basing on Anderson's *Chronohgical History of Commerce*, summed up some of the trade wars which serve for a proper background to the one in *The Comedy of Errors*. But the scope of Chalmers' Statement should be very much enlarged. Most of England's trade wars of this period, conveniently summed up by Professor Cheyney, rose out of the war with Spain. In 1585, the Code for reprisals against Spain and the other ill-willers of England was systematized and extended, so that thereafter England really had a definite System of privateering against Spain. When, in 1589, England became involved in the civil war in France, she extended this System against merchants of French towns who had joined the league, and made many seizures. So enthusiastic were the English mariners that by 1590, it was even necessary to rule that permission "would be forfeited and the ship confiscated if the holder committed any spoil upon the allies of England." The friendly nations were caused most trouble, perhaps, by England's "vigorous assertion of a right to seize warlike goods on their way to the enemy." This policy came first clearly to the front in negotiations with the Hamburg merchants in September 1585. "By the year 1587 it had become a well settled determination on the part of the English

⁸ Quotations from a photographic facsimile of the copy in the Huntington Library.

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government to enforce this policy generally." Seizures "began as early as 1587, and as they increased in number piled up difficulties for England that must have gone far toward offsetting the advantages of depriving Spain of her supplies. As early as May, 1587, a French ship of Havre laden with barley was seized, but soon afterwards discharged. The greatest activity began after the Armada. In November, 1588, twenty-seven vessels from Holland and six from Zealand by order of the privy council were stayed at Dartmouth and examined, but being found to be in ballast were allowed to go on their way to Kochelle and Bordeaux for their cargo. From this time forward English port officers continually stayed foreign ships for examination, and English cruisers and privateers brought a constant stream of French, Dutch, Hanse and Danish vessels into English harbors." The seizures had, by February 1589, brought the King of France into an ugly temper. The Dutch were also complaining about the same time, and had commissioners in England throughout 1589, attempting to arrive at some satisfactory arrangement, though the dispute kept breaking out for many years to come. But the Hanse towns caused the liveliest difficulties. They were warned of England's policy in November 1588, and English commanders at sea were instructed, in May 1589, to watch for violations, the order resulting in the capture of some sixty at one time, and the sending them to English ports in the latter part of June 1589. Naturally, the Hanse towns resented this seizure, and word reached England in September 1589 that fitting revenge was likely to be arranged. In this conflict, the government even found it advisable to publish a pamphlet in August 1589, explaining its reasons for this particular seizure. The heated discussions, the difficulties in disposing of the seized contraband, etc., would certainly have advertized the Situation to every Londoner during the latter half of 1589. The trade war of *The Comedy* would have found attentive and understanding ears.

As a chief trader to Rouen, Hugh Dffley was naturally in

the thick of the trade controversy which had centered around that city SD early äs 1586. Under date of September 25, 1586, the merchants at Rnuen informed Sir Edward Stafford, English ambassador to France, that the day before all their possessions had been seized, on a judgment from the French Privy Council to certain French merchants whose goods had been taken in England. The English complain that their goods are worth twice äs much äs were the French, and that "letters of recompense are never granted to be executed but at the seas, and against the town who had committerl the piracy." Unless such dealing can be stopped, they will be undone. The original suit had been begun DU November 21, 1577, and had dragged a weary length which need not here be recounted. Stafford had managed for a long time to keep the judgment from bcing enforced, "but now suildcnly it is come out." He expccted trouble with it from the beginning, for general relations between the two countries were strained now by the events following the discovery of Babington's conspiracy, which were shaping up toward the execution of Mary Queen of Scots.

On November 6, 1586, the English Privy Dnmcil onlered certain men "to call before them the merchauntes trading to Roan in Frauncc, and tlilorowlie to wnie the causes and reasons of the restraunte of the traffique in that parte of Kraunce," to propose remedies, and to make a collection from the merchants, with which to follow up the suit against these arrests. On December 3, the Council wrote Stafford that copies of the court proceedings in the case on which judgment had been given were to be presented to the king, showing that no injustice had been done. "The complaint of our merchauntes hath ben suche äs her Majestie was moved for their satisfacion to staie and restraine the traffike thether untill she might understand that the goodes of her subjectes were fullie released, for that there was no just cause of the seisure of the same." Bellievre had been sent from France to England in November on various pieces of diplomatic business, and had

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there been given the facts in this case. But no settlement took place. On January 8, 1587, the Privy Council instructed William Waad to inform the French ambassador that because of the arrest and sale of English goods in France, all French ships and goods in England would be stayed till settlement was made. Shortly before January 12, 1587, Yarmouth brought ten ship loads of its good red herrings across the trail. These had been confiscated in return for two ships of corn from Rouen and Dieppe, condemned at Yarmouth because of the dearth in the preceding October. The struggle was now on in good earnest.

Then events happened which exacerbated both French and English; and nearly enabled the Leaguers to cause a break between the countries. On January 11, 1587, William Stafford, younger brother of Sir Edward, had accused De Trappes, a secretary of the French ambassador to England, of having plotted to kill Queen Elizabeth so as to bring in Mary Queen of Scots, and had implicated also the French ambassador himself. Stafford tried to forestall anyone else by getting his story first to the king, and William Waad was immediately dispatched to France to lodge complaint against the ambassador, and to deal with the king for the discharge of the ships which had been arrested. He arrived on January 25, none too soon, since it had already been determined to restrain the English ambassador to his house, and to arrest the goods of all Englishmen. Naturally, "There is no means left unsought by the League and their faction to animate the King, and make the matter of this stay odious to him, and to procure his breaking of the league with your Majesty; and if he yield never so little, they will do it." Waad presented his case both on the plot and on the shipping difficulties in an interview Sunday, January 29, 1587. The king was touchy on the matter of the shipping, interrupting to say he had been forced to action by the complaints of his merchants. Waad mentioned only the complaints against Rouen, and those against the Duke Mercœur in Brittany. Throughout the complaints, these two cases

are the leading ones, with Rouen greatly predominant. It was pointed out that "our merchants at Roan **were** so threatened äs, the fair being now at Roan, they durst buy no goods there, lest the same should presently be arrested, because no merchandise came out of England." The French claimed that "the Queen's Majesty had stayed all Frenchmen's goods in England," and that "150 had been spoiled of late"; but Waad claimed that no such stay had been made, and that the like number of English ships had suffered. Waad wrote immediately to Burghley: "In truth my lord, the complaint of the spoils committed by our reprisalers is too general, and I fear me too true, though it hath been answered [that] her Majesty hath shown great care to redress the same by strait proclamation, which I am the bolder tn write to your brdship because long sithence I have heard you find the fault. Our merchants find the smart of it, and further inconvenience will ensue, äs your lordship shall hereafter understand, if order be not taken in it."

Matters were now barl enough, but were shortly strained almost to breaking by the news of the execution of Mary. Stafford wrote on February 22, 1587: "Truly I find all men here in a fury, and all that love not her Majesty in a great hope to build some great härm to her upon it . . . God is a good God, and I hope äs he hath ever done will still preserve her Majesty, but I see if things be not very calmly wrought with this fury that is here, they will fall out into greater extremities." Waad wrote Burghley on March 5, that he had hoped soon to have "conference about the arrests, though daily new complaints arrive of depredations committed by our nation, which breed great slander and hate. . . . The accident of the Scottish Queen happening to the former occasions hath raised such a tempest äs there is nDthing but fury; but time will lay these blazes." Stafford wrote to the queen on April 4, that the ships "in truth were stayed only upon their request, to make you afraid in the matter of the Queen of Scots." Queen Elizabeth herseif pointed out

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that "the arrest [of ships] hath partly grown upon the committing of des Trappes." The ships had thus become the chief pawns in this crucial attempt of the Leaguers to break the alliance between Henry and Elizabeth.

To tell the full story would necessitate the detailed relation of English-French relations throughout this period. SD it will be possible but briefly to indicate the succeeding stages of the struggle. By March 9, a commission had been suggested to consider the matter. By April 4, the French admiral had released English mariners, but retained their ships until an agreement had been arrived at. Progress was delayed, however, by King Henry's demand that all communication to him should be through his disgraced ambassador, and that De Trappes be sent to him for judgment. The queen, on her part, had refused to release De Trappes till her subjects, ships, and their goods had been released, and till Stafford and Waad had been admitted in audience by the king. Waad assured Walsingham on May 4, that DU those conditions "I am like to remain here longer than I have done, nor do I see any likelihood to have our ships released unless we can stay so many of theirs that the exclamations of the people may force the King to release ours." Waad advised strongly against going further and faring worse, since it was England's enemies who now had everything to gain in further fomenting the quarrel. Accordingly, Walsingham wrote Slaiford on May 8 that Queen Elizabeth had granted audience to the French ambassador, and had agreed to return De Trappes to Henry. It was hoped this would result in a general release of English ships and goods, and that an agreement might be reached to prevent similar occurrences in the future. Walsingham reported on May 24 that twenty-three French ships loaded with corn had been released on the report of the French ambassador that Stafford had been granted audience, and the English ships released. But since that was not true, these would be rearrested, though he feared that "the King will take this stay of their ships laden with corn SD unkindly, considering

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the great pernury [*sie*] that realm endureth, äs it will push him forward into the League." But it was soon thereafter agreed that "All arrests on either side made since Jan. 1 to be discharged," and Steps taken toward redress. On June 19 (N.S.) the Venetian ambassador at Paris reported that though releases had been effected of French shipping in London, yet English ships in France had not been released. Stafford was embarrassed with the support of one hundred and eighty English sailors in Paris, waiting to take the ships home. Some releases were now slowly made and Steps were taken to settle this part of the controversy, though there were continued alarms and excursions.

But this did not settle the original case at Rouen, which had come to issue in October 1586. It still remained true that English subjects "cannot come thither without fear of arrest of what they shall bring in future, until the deputies that shall be appointed here shall have settled." On July 12, Walsingham noted "That the arrest at Rouen is continued, notwithstanding the Information given to D. Bellievre, how the said arrest was not agreeable with justice." On August 5, the Privy Council ordered Stafford to lay the facts before the French commissioners, and try to get the arrest revoked, and indemnity for damages. The original case was to drag itself out for some years longer. As late as January 23, 1583, Sir Julius Caesar, judge of the Admiralty, reported to the Privy Council "That he had examined the complaint of the merchants of London and Totness against the unjust arrest and sale of their goods at Rouen, by order of the French King, at the suit of Peter Chanibellain of Rouen. State of the cause." Other cases of controversy continued to arise, especially after England intervened in 1589 on behalf of Henry IV, for Rouen was pro-League.

Perhaps enough has now been said to show what a lively trade war London and Rouen had been engaged in from October 1586. In each case, the city was the champion of its nation, Rouen of France, London of England. The struggle

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was of international importance, and known to all men. Among the London merchants trading to Rouen, Hugh Dffley appears as a leader, pretty certainly as *the* leader. In November 1586, Queen Elizabeth had forbidden trade with Rouen till the French had made restitution. Shortly thereafter we find a "Petition of Hugh Offhy, alderman, and 22 other merchants of London trading to Rouen, to Lord Treasurer Burghley," asking that they be permitted to send their goods to the fair at Rouen, and bring thence the goods they had ordered. They are likely, by means of the restraint, to lose their trade there to the Italians, or other strangers. Clearly the merchants were not so enthusiastic about the embargo as were the Privy Council and the reprisallers. As a result of this petition, Waad had on January 29, 1587, attempted, as we have seen, to get safe-conduct for these English merchants and their goods to the fair at Rouen; but had failed because of the further political embroilments which had arisen. Certainly, then, Dffley took a leading part among the London merchants to Rouen in this affair. Even before the general petition, Offley had on November 20, 1586, petitioned Burghley to permit his ship, the *Greyhound*, to go to Newhaven (Havre), and on the same day asked help of the Privy Council in connection with another of his ships, which had been captured and taken to Flushing. It seems to have been to Dffley that Walsingham turned for a solution of the difficulties caused to English merchants by the embargo. On April 2, 1587, Dffley wrote Walsingham that he and John Bodleigh would "consider with the clothiers of a good place for venting of their goods" as Walsingham had directed. On April 7, they and Sir Thomas Pullyson gave Walsingham an opinion. As the deadlock with Rouen continued, it was Offley's nephew, Edward Gifford, who, with the connivance of Offley and Walsingham, had late in 1587 or early in 1588 attempted in some way, as we have seen, to outwit the French authorities at Rouen. Seemingly the plan was on a large scale, since Gifford had been expected to deliver one hundred ships at Dun-

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kirk. Offley continued for the remainder of his days to be a leader in the trade to Rouen and Newhaven, and in the difficulties which arose from it; but surely enough has already been said to show that he was an outstanding leader in a nationally important trade war. So it appears not only that Offley was *the* merchant-prince of London at this time, but also that he was representing England in a trade war. Doubtless, too, Dffley and Londoners generally were fully persuaded that a few well-placed hangings would greatly improve conditions, though executions seem not to have been resorted to.

Here, then, is the peculiar position of Master Sheriff Dffley. So actively a supporter of the government that he is regarded as London's patriotic, anti-Spanish, anti-Catholic champion; yet he was at the same time so closely connected with Roman Catholics that this hanging of priests must have been a doubly unpleasant business for him. It was only his painful duty which forced him to it; certainly no malignant zeal against Roman Catholics.

Not only did both his business and personal connections render this a painful business for Hugh Dffley; but even fate had picked a peculiarly inappropriate time to play him this trick. His nephew Gilbert Gifford had gone to France in 1586, after trapping Mary Queen of Scots for Walsingham. Gilbert's part in that plot is yet unsuspected, he affiliated still with Roman Catholics abroad, and even was ordained priest at Rheims on Saturday, March 14, 1587⁹ In December 1587 he was caught in a house of ill fame at Paris, and enough of his past duplicity was suspected by the Catholics to put him in imminent peril of his life. Though much was suspected, yet not enough could be proved to put Gilbert to death. So he remained closely guarded in his prison at Paris till his death

^B Knox, *Diaries*, p. 13; Pollen, *Mary Stuart*, p. 122. It is reasonably certain that Gilbert Gifford could have told us what was Marluwe's mission to Rheims early in 1587.

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in November 159D.¹⁰ For some nine months before he hanged these three priests on October 5, 1588, Master Sheriff Hugh Dffley had been very busy trying to help his scapegrace nephew, the priest Gilbert Gifford, escape what many consider a richly deserved hanging.

Master Dffley's Situation was doubtless rendered yet more painfully embarrassing by the connection between his nephew, Gilbert Gifford, and the priest William Hartley. Gilbert had been at the English College from January 31, 1577, till some time in 1579, when he went to Rome. Since Hartley was also at the English College 1577-1580, the two must have been closely acquainted. The fact that they were both from the same diocese may also have facilitated their acquaintance. Of their later connection, we know nothing. But it is a striking fact that when Gilbert Gifford was captured in December 1587, he was using the alias Francis Hartley. If we knew why he chose that name at that time, we might know even more reasons of embarrassment for Master Offley on October 5, 1588. At least, he could hardly have helped knowing the connection between Gilbert and Hartley, and consequently being further troubled thereby.

It is thus easy to understand why Master Sheriff Dffley was so solicitous for his Catholic prisoners. He knew and respected their feelings, though he thought them wrong. So he was willing for the preacher to convince Hewett if he could. He himself reminded Hartley that the latter was guilty under the law, and urged him to conform. He urged, and almost persuaded Stilton to save his life by admitting the queen's full supremacy. He even stayed the execution for some time till special assurance could be given Sutton directly from the crown officials. All that he could lawfully do to save his prisoners, that Sheriff Offley did. But he made it clear to his prisoners none the less that he thought them wrong, and that he had no power over the law, under which they had justly been condemned. Both officer and prisoners were under the law.

¹⁰*D.N.B., Gifford, Gilbert* I do not know the evidence **for this date.**

CHAPTER VIII

Watching Shakespeare

SHAKESPEARE used the place of execution at Holywell Priory for Aegeon's intended execution in *The Comedy*. He used at least the general idea and topography of the only two actual processions to execution there. He did not use details of character and incident from the first execution, that of William Gunter on August 28, 1588. Did he in any way use characters and incidents from the only other execution there, that of William Hartley on October 5, 1588? Is the common denominator between the actuality and Shakespeare's picture too great to be accidental? I have tried in previous chapters to present in some detail the materials früiii which the reader may formulate his own answers to these questions. Here I shall merely suggest some of the major parallels between *The Comedy* and the exccutinn of Hartley; and give my own opinion.

In life, we have two men opposcd, Sheriff Hugh Dfflcy, and the priest William Hartley, executing officer and condemned prisoner, äs in the picture we have Duke Solinus, and Aegeon. Duke Solinus of Ephesus was engaged in a mercantile warfare. Likewise, Master Sheriff Offley, a nierchant of London, was accustomed to act the prince, was at the time considered a London champion against Spam, and was prominently engaged in a mercantile warfare which had grown out of the struggle with that country. Aegeon was a hapless victim of the mercantile warfare, with whom Solinus sympathized, but whom he could not alter the law to save. As a merchant of souls (a frequent figure with priests generally), Hartley was the hapless victim of the warfare, both mercantile and religious, with Spain. Hirn too Dffley pitied; but could

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not alter the law to save. In age and dignified bearing, the two sets of characters are alike. In both situations, officer and prisoner are of high and dignified character; each respects the character and motives of the other; and Solinus, at least, is doing what he feels is his inescapable duty while Aegeon is betrayed by chance as he too pursues the overmastering duty of seeking his long-lost son. Just as Hartley is assured by Üffley and the preacher "we come not hether to dispute with thee, the law (thou seest) hath passed upon thee. . . . It remaineth that thou prepare thyselfe to dye," even so Duke Solinus assures Aegeon:

Hapless Aegeon, whum the fates have mark'd
To bear the extremity of dire mishap'
Now, trust mc, *were it not ayainst owr laws,*
A^ainst my crown, my oath, my dignity,
Which princesj would they, may not disannul,
My soul shöiild sue as advocate for thee.
But, though thou art adjudged tD the dcath
And *passed sentence may not be recall'd*
But to our honour's great disparagement,
Yet I will favour thee in what I can. (I. I. 141-150.)

Solinus uses to Aegeon the sentiments, and indeed possibly echoes even the very words, that were used to Hartley. He sympathizes with him and will do anything he can for him; but the law has passed sentence upon him, and the law cannot be changed.

Here were two good men and true, each doing his duty as he saw it, and each respecting the Dther for so doing. There was neither personal nor religious rancor between them, only political difference. To the last Hartley said: "If (quoth *Hartley*) I haue offended her highncs, I aske her forgiuenes. If thou haue (quoth Maister SherilTe) it is well known, that thou hast highly offended both God and her, and hast committed treason against her. If (quoth he) to exercise the function of a Romaine catholique Preeste be treason, then haue I committed treason. Well (quoth the Preacher) thou hast heard what hath been said to thy fellow : we come not hether to dis-

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pute with thee, the law (thou seest) hath passed vpon thee, t h DU haste been indicted, araigned, and (by law full triall) found guiltye of high treason, and hadst iudgement to suffer äs a traitor, saue that her Maiestie hath dispensed with some parte of thy iudgement: It remaincth that thou prepare thy seife to dye." There is thus dose parallel between the characters and general incidents in both situatioiis. In Shakespeare, of course, both characters and incidents are ennobled and heightened; but fundamentally they are the same.

Dne incident in *The Comedy* finds its parallel in the case of Sutton. Dffley intended to reprieve him for a time, if he would accept certain conditions. This finds its parallel in Aegeon¹'s reprieve for a day. But the character of Sutton does not very much suggest that of Aegeon. Sutton was too pitiaibly irresolute and changing to suggest the long-suffering Aegeon.

Do these parallels warrant us in believing that Shakespeare has drawn this picture with his eye upon these particular events? I can answer only for myself. If we had only these parallels, I should say merely that it was from such situations äs this that Shakespeare got his suggestions; I should regard it äs only possible that Shakespeare had borrowed from this particular Situation. Since the dignified tone of this particular execution was decidedly exceptional, I might even feel justified in saying that it was highly possible that he had borrowed these parallels from this particular incident. If in addition to these parallels, I knew that these incidents occurred near the Theater, where Shakespeare could hardly have helped knowing of them, I should then feel justified in saying that it is highly probable that Shakespeare borrowed his parallels from this actual incident. But since we know not only these parallels and the significant place of occurrence, but also the fact that Shakespeare has used the general idea and topography of this very procession to execution, then I feel that it is äs certain äs circumstantial evidence can make it that these parallels in character, action, and expression were also suggested to Shakespeare by this incident from life. It would seem reason-

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ably clear that Shakespeare got his Suggestion for Solinus and Aegeon from the actual incident of Üffley and Hartley. Of course, he has not merely "reported" the incident. Rather, he has secured fundamental suggestions äs to how men of strong character act under such circumstances. These suggestions he has further ennobled by his imagination, and has shaped to his artistic purposes.

How did Shakespeare come by these suggestions from Dffley and Hartley? Was their story related to him, or was he himself present at the execution? His borrowings seem to be the impressions of an eye-witness, rather than impressions gathered from details and incidents reported by some one else. For he has taken and useil impressions of character and Situation, rather than details of fact. Df course, Shakespeare diel have an uncanny knack of extracting from reported details and incidents exactly such fundamental impressions of character and Situation äs here appear. But no single surviving account of this incident would have given him the necessary materials. It is Diily by diligent piecing together from many sources that we have been able to reconstruct the picture in reasonably unbiased form. Who save Shakespeare alone had in that day the unbiased clarity of vicw to sce through the prejudiced superficialities quitc to the heart of things? Certainly HD one eise who has Icft an account of these events. Dthers were either Protestant or Catholic; Shakespeare was human. It seems likely, then, that on this October Saturday morning Shakespeare himself witnessed the execution of William Hartley, and there saw with naked eye the hearts of two noble and honest men, caught by duty in the tragic web of circumstance, and each valuing duty more highly than life itself. His ennobled memory of them, purified of all tarnish and dross, he later enshrined in *The Comedy*. This is Shakespeare's regulär known method with situations both from fiction and from life. Life in its better aspects he pictured not merely äs it is, but äs it might and ought to be.

What little guess we have from external probabilities

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would also indicate at least that Shakespeare was in London on that Saturday morning. If he became attached to Leicester's men in 1587, as seems probable, he had doubtless returned to London only a few days before. Leicester's Company was travelling continuously from January 1588 till past the middle of September in that year. The Company was at York on July 13, 1588. It may then have returned to London because of the Armada scare. But if it did return to London late in July or in August, it must very soon have reverted to its northern tour, for it was at Norwich by September 4, 1588. It could thus not have been in London at the time of the trials on August 26, and executions on August 28 and 30. For Norwich is one hundred and forty-four miles from London. Shakespeare's fellow actor, William Kemp, manufactured a new wonder a few years later than this by dancing the distance in nine days. It is not likely that, in 1588, he and Shakespeare did the distance "on the hard hoof," and acting by the way, in anything like that time. It is more likely that the Company had not returned to London at all, but had remained in the north during the disturbance consequent on the Armada. It is thus highly doubtful that Shakespeare had any part in the stirring events of Armada days. He returned to a victorious London, and contributed to the jubilant self-congratulation of the braggart Spaniard Armado. The Company was at Ipswich on September 14, 1588, still acting as Leicester's men, but probably now returning to London. For, since Leicester died on September 4, 1588, the Company must soon thereafter have returned to the capital for a new license, and so would doubtless have been back in time for the trials of October 4, and executions of October 5, 1588.

Fresh from the country, Shakespeare would still be attracted by the sensations of the city, of which priest-hanging would certainly be one. And of this particular set of executions he could hardly have been ignorant if he was in London. Sensational charges were made against the prisoners. They were paraded with the fullest publicity to special places of

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execution. A full account of their trial and execution was published shortly after. But especially one of the selected places of execution was near the Theater and Curtain, the center of theatrical activity, and doubtless for that reason SD selected. Certainly any one closely connected with theatrical affairs, as was Shakespeare, must have known of this particular execution.¹ Thus there is nothing either peculiar or surprising about the fact that Shakespeare happened upon this particular experience, and soon thereafter made use of it.

Because Shakespeare has here used the misfortunes of a Roman Catholic priest as a source for the Aegeon story, the question will inevitably arise, "What does this Situation indicate concerning Shakespeare's church preference?" Since Shakespeare has changed the religious setting of this incident to a commercial one, we cannot be directly certain that Shakespeare's conclusions in the new Situation are what they would have been in the old. Yet the very fact that he could so completely eliminate the original religious connections of the story is very good indication that he was neither rabid Puritan, nor rabid Catholic. Such partisans did not—and could not—treat the subject so. But this is no new Information concerning Shakespeare; his whole mental attitude, and his whole life show that he was incapable of being a narrow partisan of any sect, or a bigot of any kind.

It must be of prime significance, however, that in the new setting of the story Shakespeare clearly accepts the attitude of the government that it is powerless to do any more than it has done, or to take any stand other than it has taken. The government regretted the necessity, but denied the responsi-

¹ Even if Shakespeare was not present at the execution of Hartley, or even if he was out of London at the time, still it is almost impossible that he would not have heard of such an unusual event in the chief dramatic center of London. Elizabethans did not remember places by numbers, as do we, but by associative allusions, as by signs, topography, or events. For instance, there are frequent references through the sixteenth Century to "The place where the priest fell in." For many years afterward, "the place where the priests were hanged" was certain to be a local landmark.

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bility for it. That attitude Shakespeare presents in this commercial war. Not only does he model Aegeon on Hartley, but he also retains the attitude of the government in its treatment of the religious struggle, of which Hartley was a victim. Shakespeare borrows the essential character of Hartley for Aegeon, and retains the government's attitude toward Hartley and his class; it is only the setting that he changes from a religious struggle to a commercial one. Rather, since the struggle had its commercial as well as its religious phase, Shakespeare has preferred to transfer the priest Hartley from the religious phase, and make of him Aegeon in the commercial phase. Shakespeares espousal of the government's attitude here is not an isolated instance; it is notorious that Shakespeare's attitudes on political matters are always those of a patriotic, almost an ultra-patriotic Englishman. But if that truism is true in this particular instance, then Shakespeare approved of the government's attitude on the Catholic question. Not only did he approve of the government's attitude in the lesser part of its struggle on the Catholic question, the part which took the form of a commercial war; but also he approved of the greater part of its struggle, which took the form of a religious war.

Shakespeare's attitude in this instance, then, is only what we have long known it to have been. Queen Elizabeth was supreme governor, not only in temporals, but also in Spirituals. The very reason that some Roman Catholics were executed as traitors was the contention that to deny the queen's supremacy in one form was to deny it in the other; the true patriot must admit both spiritual and temporal supremacy. Everything indicates that Shakespeare was a true patriot in both these aspects.

Certainly, Shakespeare outwardly conformed to the Church of England; his parish records are conclusive on that point. For instance, he stood godfather to William Walker on October 16, 1608. Because of the important duties of a godparent, the church authorities were meticulously careful

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to see that no nonconformist of any kind should enter that relationship. Canon 29 of 1603 provided: ¹⁴No parent shall be urged to be present, nor be admitted to answer as godfather for his own child; nor any godfather or godmother shall be suffered to make any other answer or speech than by the Book of Common Prayer is prescribed in that behalf. Neither shall any person be admitted godfather or godmother to any child at christening or confirmation, before the said person so undertaking hath received the holy communion." These restrictions were for the purpose of ruling out Catholics, Puritans, or any other nonconformist. For the godparent had to promise to attend to the spiritual training of the child. Parents were here specifically ruled out, and the duty was placed upon the godparents. So before Standing as godfather to William Walker on October 15, 1608, William Shakespeare would have received the holy communion. Politically, this assured that he was a conformist; spiritually, it renewed his own vow to the church before he took the vow for his godchild.

It will thus be well to glance briefly at what vows William Shakespeare renewed for himself and took for his godson, as well as the duties he thereby assumed to the Church of England. On such occasions, it was provided:

"Then the Priest shall speake vnto the Godfathers and Godmothers, on this wyse:

"Welbeloued frendes, ye haue broughte these children here to be baptised, ye haue prayed that our lord Jesus christ, would vouchesaufe to receiue them, to lay his handes vpon them, to blesse them, to release them of their sinnes, to geue them the kingdom of heauen, and euerlasting lyfe. Ye haue heard also that our Lord Jesus Christ hath promised in his Gospel, to graunt all these thynges that ye haue prayed for: which promise he for his part wil most surely kepe and performe. Wherefore after this promise made by Christ, these infants muste also faithfully for their part promise by you that be their sureties, that they wil forsake the diuill and al his workes, and con-

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stantly beleue Gods holy word, and obediently kepe his commaundementes.

"Then sliel the Priest demaunde of the Godfathers and Godmothers thes questions.

"Doest thou forsake the deitil and all his workes, the vaine pompe and glorye of the worhl, with al couetous desires of the same, and the carnal desires of the flesh, so that thou wilt not folow, nor be led by them?

"Aunswcre. I forsake thein al

"The Minister. Dnest thou beleue in god the father almighty, maker of heaue and earth? And in Jesus christhis only begotten sonne our Lord, and that he was cöceiued by the holy Ghost, borne of the virgin Mary: that he suffred vnder Poncius Pilate, was crucifyed, dead and buried, that he went doune into hei, and also did rise againe the thirde day: that he ascended into heauen, and sitteth at the right häd of god the father almighty; and frö these shall come againe at the ende of the worldc, to iudge the quicke and the deatl? And doest thou beleue in the holy [j]hoste the holy Catholicque Churche, the comunion of saintes, the remission of synnes the resurreccion of the fleshe, anil euerlasting lyfe after death?

"Aunswere. All this T stedfastly beleue.

"Ministre. Wylt thou be baptised in this fayth?

"Aunswcre. That is my desyre."

After prayer, "Then the Priest shal take the Childe in his handes, and aske the name; and naming the Childe, shal dippe it in the water, so it be discretely and warely done. . . . And yf the Childe be weake, it shall suffice to powre water vpon it." Then followed further ceremony and prayer.

"At the laste ende, the Priest calling the Godfathers and Godmothers together, shal say this shorte exhortation foloiving.

"Forasmuche äs these children haue promysed by you to forsake the Deuil and his woorkes, to beleue in Gud, and to serue hym, you must remember that it is your parts and

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duties to See that these enfants be taughte, so sone äs they shalbe able to learne, what a solempne vowe, promyse, and professiö they haue made by you. And that they may know these thinges the better; ye shal cal vpon them to heare Sermös, And chiefly you shal prouide that they may learne the Crede, the Lordes praier, and the Ten Commaundementes in the English tögue; and al other thinges which a Christian mä ought to know and beleue to his soules health. And that these childre may be vertuously brought vp, to leade a Godly and a christiä life, remembrlg alwaies that Baptisme doeth represent vnto vs our profession, which is to folow the exäple of our sauour Christ, and to be made like vnto hym, that äs he died and rose again for vs: so should we (whiche are Baptised) dye from sinne, and ryse again vnto righteousnes, continually mortifying al our euyll and corrupt affections, and dailye procedynge in all vertue and godlynes of liuing."

Since this baptism was recorded by the regulär official of the local church, that fact is our legal guarantee that it was canonical. That we miust assume until, and unless, facts show otherwise. So far, there is no fact to disturb that assumption in this particular case, but rather there are many to support it. In any case, by acting äs godfather, Shakespeare implicitly conformed. If the officiating priest did anything like his duty, William Shakespeare both by word and by act made clear on this occasion his conformity to the Church of England, eise he had not been permitted to serve äs godfather. If he was indeed godfather to the numerous other Williams on whom tradition and modern inference bestow the honor, then Shakespeare rather frequently renewed this declaration of allegiance. The same acceptance is explicit or implicit in numerous other surviving facts concerning Shakespeare, when those facts are interpreted in the light of their conternporary meanings; but it is not necessary to catalog and Interpret those facts here. Certainly Shakespeare conformed outwardly to the Church of England, and with that outward conformity his religious convictions, whatever they were, were not at vari-

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ance. But neither were his religious convictions at variance with those of Catholics, of Puritans, even of Jews. He was not of an age, but for all time. His religion was not of time, but of eternity. It was not bounded by any narrow sectarianism.

A further question may also as well be raised at once, The Aegeon thread in *The Comedy* is an adaptation from reality. Is it also an allegory? Does Solinus (Öffley) represent the English law, Aegeon (Hartley) the Roman Catholic Church, and is the happy solution Shakespeare's prediction of what eventually should be? If so, he has chosen a bizarre atmosphere in which to set his allegory. Surely this world-renowned humorist had a better sense of humor than to do anything so ludicrously incongruous. The representation of this religious struggle as a trade war may itself appear sinisterly insinuating to us; but it would probably not have appeared so to the majority of Shakespeare's contemporaries. Certainly the idea did not shock the Jesuit leaders.

In 1580, "Parsons was to pass for a soldier returning from the Low Countries, Campion for a merchant of jewels; and Parsons reflects on the appropriateness of the disguise, as their mission was really a warfare, and their business the merchandise of the 'pearl of great price' and the traffic in the talents which their Lord had lent them." Southwell, writing to Parsons shortly after the death of Campion, carries out this merchandise idea in his letter quite elaborately, from which I quote only a few sentences. "I am glad to hear how well you have comported yourselves, especially he with whom you started [Father Campion], your trusty and inseparable companion in labour. He has had the start of you in loading his vessel with English wares, and has successfully returned to the desired port. Day by day we are looking forward to hear something similar of you. We hope, however, that the Divine Majesty will not let you leave in such sort as your companion, until you have enriched many with those precious jewels of which you have taken so large a store to that coun-

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try. . . . Dne thing occurs to me, which, though I am aware you know it already, seems good to mention, in order to confirm you in that course. It is greatly desired that there should be great conformity among Durs in their method of doing business, and that all who are of this firm, should, when the occasion presents itself, copy äs far äs possible the conduct in all business matters that was noticeable in the relations (both in word and in deed) between your first companion and those who prepared him for the banquet. YDU know how. Also that, äs far äs prudence and circumstances allow, they should answer the questions put to them äs he answered."

When Southwell himself was in England, his superior wrote February 20, 1587, admonishing him to be more cautious in the writing of his letters, and to use this mercantile allegory. "Do not say SD much in plain and open terms, lest (if what you write fall into others¹ hands) danger should thence arise either to others or tD yourself; men there being äs wicked äs they are, and the suspicions both of creditors and debtors [i.e. persecutors and persecuted] being SD great. Things, especially when of importance, should be somewhat veiled in allegory (for the receiver will grasp the sense), and when persons are in question, they should be merely alluded to indirectly." Clearly, the Roman Catholic leaders saw nothing derogatory in allegorizing their efforts äs a trade war.

But we must beg permission to doubt that these same fathers would have approved of having a courtesan set in motion the events which bring on the denouement of this struggle. A Puritan might see in her the Whore of Babylon, the Catholic church itself. But how would Roman Catholics allegorize her? As it is, the slap-stick atmosphere of most of the play harmonizes none too well with the serious theme of Aegeon's troubles. If both slap-stick and serious theme form part of an allegory embodying SD serious and sacred a struggle, then how incongruously has that allegory been set—to incongruously, we must believe for William Shakespeare even at his very worst.

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Besides, the origin of the idea of a trade war in *The Comedy* seems now perfectly clear. In the chief source play, *Menaechmi*, the father, who becomes Aegeon, was already a merchant; and met his misfortunes in the course of his business. To these mercantile misfortunes, Shakespeare has only added the final one of a trade war. This trade war he borrowed and adapted, along with other things, from another play, *The Supposes*, which was also built upon mistaken identities, just as his play was to be.² The threatened confiscation in *Supposes* became a threatened execution in *The Comedy*, and was modelled upon the actual execution of William Hartley at Holywell. It is thus clear that Shakespeare must have used *Supposes* as the bridge between the merchant of *Menaechmi* and Hartley. This execution of Hartley in turn localized the setting to Holywell Priory, where was located the theater in which the play was to be performed. Holywell Priory, a priory for nuns, revived memories of Apollonius of Tyre, and made Aegeon's wife an abbess in Holywell-Ephesus. The different steps of the process are clear, and characteristic of their author. There is no need of allegory to account for the result. Indeed, with allegory we cannot account satisfactorily for the result.

As has been said, the process of constructing the Aegeon thread of the story is characteristic of Shakespeare. His was not the architectonic mind of Milton. Milton gathered, sorted, ordered, stored all accessible material upon the subjects of his interest. At time of need, he marshalled his accumulated facts in logical sequence to build up his conclusion.³ His was a disciplined and scholarly intellect. Not so William Shakespeare's. Not by logic, but by associative imagination does he build up his picture. One incident suggests another, and the final collection is so fused together by the lightning heat of his genius

² For a fuller treatment of these matters, see my introduction to *The Comedy of Errors*.

³ My colleague, Professor Harris Fletcher, is unearthing many interesting and illuminating illustrations of this process from Milton's Hebrew readings.

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that the result is not an ordered Konglomerate of still separable materials, but an entirely new compound. That is true of the Aegeon story at the threshold of his career. It is true of his work to the end.⁴ Only, as his experiences broadened, the associations started in his mind were so numerous, so subtle, and so far-reaching that it is usually impossible in his later work to distinguish the numerous component elements which went to make up the result. It would take fuller knowledge of Shakespeare's whole experience than we are ever likely to have to enable us to trace in any detail the source elements from which his later work is constructed. But in his comparatively inexperienced youth, it is sometimes possible, as in the Aegeon story, to trace rather fully the different steps of his mental process; and thereby to gain a clearer idea of the nature of his genius.

⁴ Miss Enid Welsford JHS recently given a splendid summary of the nature and method of Shakespeare's borrowings from the court masque. "Through *A Midsummer Night's Dream* and *The Tempest* the loveliness of the masque is still accessible to us. How did Shakespeare bring this about? Not by imitating any one masque, not by indulging in vague rhapsodies on the beauties of the revels, but by taking his floating recollections of Court festivities and moulding them into a new, definite, concrete form" (Welsford, Enid, *The Court Masque*, p. 347). The process is essentially the same in the material borrowed from her for *The Comedy of Errors*, only it is a still earlier illustration, and consequently even less subtle than that in *The Midsummer Night's Dream*.



A briefe

Treatise.

*Discovering in substance the
offences, and vngodly practises
of the late 24. Traitors condem-
ned on the 26. of August.
1588.*

*With the maner of the execution
of eight of them, which was on
the 28. of August fol-
lowing.*

Seen and allowed

LONDON.

Printed by Iohn Wolfe, for Hen-
rye Crosse. 1588.

Facsimile (reduced) of title page to
A BRIEFE TREATISE (*Lambeth Copy*).

APPENDIX I

A Briefe Treatise

THIS pamphlet is printed chiefly in black letter, with roman for emphasis, and a few passages in italics. I have followed the usual custom of substituting roman for black letter, and Italic for both original roman and italic.¹ Only two copies are recorded by Pollard and Redgrave; one at Lambeth Palace, the other at St. John's College, Cambridge. This reprint is made from a photographic facsimile of the Lambeth Palace copy. The facsimile would seem to indicate that the pamphlet is a single octavo gathering, with the first five leaves signed, as was a regular custom at the end of the sixteenth Century.² It is so accurately printed that I have not considered emendation or annotation necessary.

The pamphlet was allowed to Henry Carre on August 28, 1588: "Allowed vnto him for his Copie a br[e]ife Treatise discoveringe in substance the offences and vngodlie practises of the late 14 Traytours Condempned the xxvjth of Auguste 1588. Withe the manner of the execucon of viij of them on the 28th of Auguste 1588. Allowed vnder Doctor Stallard hande . . . [HO sum stated]."³ It will be noticed that the pamphlet was written, allowed, and licensed on the day of the execution, Evidently Carre thought this news would not keep. Perhaps he was trying to forestall others. A rival did print an unlicensed ballad. All these facts indicate that these executions aroused unusual interest.

¹ McKerrow, R. B., *An Introduction to Bibliography*, p. 298, n. i.

² McKerrow, *Bibliography*, p. 80.

³ Arber, Vol. II, p. 497.

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*The substance of the offences
und practises of fourteene
Traitors.*

It is not a little to bee maruelled at, to see how soone many of our English nation are (by wicked members) persuaded and allured to become Copartners in dangerous actions, as well towards their Frince and nation, as also to the hurt of their soules, the lossc of their liues and goods from their children for euer: not respecting their duetie and naturall eue to the loue, feare, and obedienc of God their Prince & Countric: as hath been of late yeeres seene amongst vs in manie of them, who for their wicked practises (according to their desert) haue iustly been condemned and executed. The substance of whse ententions is well secne and knowen to the whole world, but richly tu the yood and duetifull subiects f) f this land. First, how that all y^c sect or fellowship of these sorts of Traitors in generall haue sought, the depriuation of her Maiestie from her Crown and dignitie Royall, whereunto shee is lawfully descended. Secondly, to murder, Massaker, spoile, and put downe the chiefest props and pillers of this land, namely her highnes most honorable Councill, & üther the Peeres and Nobilitie thereof. Thirdly, by complotting with forreine power to procure inuasion, thereby to ouerthrow the peaceable gouernment, and to ruinate the whole state & common wealth of England. And last of all, to set vp some forrein vsurping Potentate, and vnder him to bring in a new kinde of Religion, stuffed full of blasphemie, idolatrie, hipocrisie, and such other trash mixed with the dregs & relikes of old Antichrist: and thereby for euer to roote out the neaceable gouernment of this land, and the free libertie of the Gospell nf Christ Iesus now daily preached and freely exercised amongst vs, which God of his mercie continue to the worlds ende.

The ground of all which wicked practises hath been wrought by the Popes of *Rome* ani their Ministers, and the better to bring the same to passe, first they sought to slander

Appendix I

and beat downe the Christian religion (now vsed) by sending Bulles into this land, besides ather such like Popish toyes, äs *Agmts Dcis*, & pardons to sundry their Ministers, and to their friends Bz fauourers Copes and such like furniture, for to sing & say Masses and obsequies for the soules of the dead, and haue comlenmcd vs äs heritikes and danmable people, without wee would leaue of the profession of the true and sincere religion now amongst vs vsed, & beconie [äs they termed it) members of the Uhurch of *Rome* in acknowledging the Pope supreme head of the Church of England. And to the ende it niight rake a deepe inipression in the hearts of the people, he Jid send ouer from *Komc* a verie sedicious and traiterous Bull against the yueenes most excellent maiestie, and the estates of this land, whereby hee committed great offence to God, and wrong to her highnes: by cursing her maiestie with Bell, bonke and candle, whose highnes cuerie moment the God of heauen blesseth anrl preserueth. Ami sure if the Pope had any sparke of true Christianitie in him, hee would neuer offer (äs hce liath latdy done by a new Bull) to curse her whom God blesseth: but rather would punish and send hörne (by banishing from him) such of IILT bad & vnnaturall subiects now within his Regiment, whom hee anrl his ministers hath long persuaded to his Papall doctrine, now plaine fugitiues and right Rebels to God their Prince and countrie: and the rather hee ought so to doo, by reason she is a lawfull Prince born by Royall clesent and lawfull succession, to weare the Crowne and Diademe of England. And they are subiects to her, who in her dominions representcth vpon earth the person of God, sitting in the seate of Goil to minister iustice to euery one, äs she hath done during the whole time of her reign, eilen with great clemencie and mercie to sundry bad and nDtorioiis offenders. Amongst whom his bad ministers and her maiesties bad and euil disposed subiects, hee found out one *lohn Feiton*, to him was this Bull committed in charge, vpon trust that hee should set vp the same in England: which thing he did at the Bishop of *Londons* gate,

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where, for bis traiterous & rash attempt the saide *Fdton* was iustly executed.

Yet it is to be noted, that the said *Feiton* (being a verie bad member to this land,) did so farre nussell his sonne vp in Popery, and did acquaint him with such like traiterous practises that he would needes become a fellow companion with Traitors euen to the death, and was condemned in this Company for high treason.

Sundry of these foureteene now condemned Traitors were Seminary Priestes, such äs seeing the Popes Bulles were not regarded, nor his perdons once receiued into the hearts of good subiects, nor might not bee suffered to bee brought ouer into this lande without danger of life, they and other their fellow Traitors deuised this shift, they haue come into this lande in the habite and apparrell of Uentlemeii, and such äs were not likely to bee adiudged for Massing or Seminary Priestes, and these iolly headded fellnws hauing good maintenance from sundry their secretc fauourers and fellowe Traitors, would scrape acquaintaice with Gentlenien, yea and with some of grcater degree in title, where and with whom (they would ride a hawking und hunting. Some of them vnder the colour of comming a wooing to their daughters, their neighbours heires, or Gentlemens daughters about the Countrie, woulde thus remayne sometime a moneth, two or three, more or lesse, if then doubtfull of anie thing, or that hee or they were suspected, then they woulde hie them from that place into some other Gentlemans house, or out of that shire into an other, vntill they did heare by their friendes and scrccte fauourers howe euerie thing stood from time to time: and so during the time of their soiourning in those and such like places, they did secretly perswade their friendes, fauourers, and wel-willers from their due obedience to their Prince and Countrie, contrarie to lawe. And thus by their subtil persuasion they woon a great number in this land so far from their obedience, that they were readie to take armes against the queenes most exellent Maiestie, and her loyall subiects,

Appendix I

when any insurrection was, äs manie did in the North parts of England with the Earles of *Northumberland & Westmerland*, and äs it hath been seene at the late comming of the Spaniards to inuade this Realme had not the same been verie prouidently & carefully forcseent! & prcued by the queenes must excellent Maiestie and her wise and honorable Councill. Some others of them hath been practisers and conspirers of Treasons with notorious Traitors, äs *Throgmorton, Babington*, with his confederates and such like, who haue heretofore been executed for their inhumane treasons towarde their Prince and Countrie. Some of these Seminary Priests are such äs haue returned into this land since they were banished, and by her Maiesties great clemencie sent out of the land, (at her highnes great charges,) & since their returne, they haue secretly lurked in sundry places of England, to the entent only to seduse and witulraw sundry her louing subiects from their due obedience äs is aforesaid: which is of it seife high treason.

Thus doth the pope and the secret enemies to this land send forth such their hanniels or rather äs I may tearme them their hell-hounds, who to bring to passe their wicked ententes, shame not to perswade that it is lawful to murder princes, and to lay violent handcs vpon them bccing the Lords annoynted. D *damnable opinion*: Farre be it from the heartes of Gods children once to conceaue or harbor so wicked a thought in their heartes. But the deuill who is the author of euill being accustomed to haue his chappell nere where God buildeth hys Church, stirreth vp his wicked members to be inuentors of such detestable opiniös thcrby to creepe into the Church of God and to be mayntained and taken hold of among Ignorant people äs an article of their faith.

And this is to be noted that whatsoeuer härme, the pope enterpriseth or entendeth towards England, he seldome sendeth any of his owne nation, but hee doth generally stirre vp English men to be the instruments thereof: And first like a foxe he drawes them from vs äs lambes, and after hee hath

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well nusled them in his hereticall doctrine and blinde ignoranc, then sendeth he the among vs like woolues to infect seduce and entangle other his countreymeii with the same: so that he seekcth hy all meanes to make one of vs to be the spoyle and oiiLTthrowe of an other, whereby is plainly discernert the malicious niinde and intent which he beareth towardes vs. God for his mercy sake poure his grace into our heartes and graunt vs the spirite of true vnderstanding, that v\|e may auoyd the snarcs uf such charmers and inchaunters and liue likc true subiectes to our Prince and countrey.

To conclude, these seminarie priestes, these inhumayne Traytors agaynst God, their prince and countrey (being brought to the ordinary place of ludgenient bcfore her Maiesties lustices at the sessions house) were seuerally arraigned indicted and found giltie and condemned for the matters bcfore recited with much more circumstance then is herc neeriefull to be set downe. Where they were found very obstinate not shewing any suflicient ground of doctrine or reason for the defence of their erroneus opinions and treasons committed, onely saying they are Catholickes, and therein they will die. And notwithstanding her Maiesties mercy was there offered by the worshipful lustices to pardon and saue some of them from death for the aforesayd offences which they had worthely dcserved (so that and vpon condition they would hereafter bccome confirmable to hir Maiesties lawes and liue from time to time like good & true subiectes) yet did they obstinately refuse the same, and deiied hir Maiestie to be supreme head of the Church of England, except *löhn Vd-Intine* and *William Perc*, which two men willingly recanted: acknowledging the cjueenes most excellent Maiestie to be supreame head of the cluirch of England. And by an othe ministred vnto them by her Maiesties lustices then present, did sweare to become confirmable to hir highnesse: and to liue äs a true subiect to hir maiestie during life. It is to be remembred that there was sixteene in all arraigned whereof these two did recant, so that there was fourteene condened

Appendix I

besids them that did recant: which fourteene for their manifolde and greuous treasons and their peruerst and obstinate opinions were set forth to heere their iudgementes, which was äs followeth, that ten of them should be drawen, hanged and ijuartered and the other foure to be hanged, where it should please hir highnesse to appoynt. And SD they being pinnioned and their handes bound, were conueyed backe againe to the Gaole of Newgate in such sorte that all the people might easily see them.

The maner and vrder of their execution with the places where they were executed.

After that iudgement had proceeded against them äs aforesayd: the Sherilles of the citie üf London stayed the execution of these tniytors vntill they might vnderstand hir Maiesties further pleasure.

And albeit her highnesse was fully satisfied of their wicked and secret practises, their vnnaturall and vngodly offences committed towards God, her person and the whole state, of the realme äs also howe peruerst and obstinate they were in their irreligious opinions, yet did her highnesse on the next day following, of hir most gracious accustomed and vnspeakable clemencie giue commaundement, that none of those fourteene Traytors shoulde be drawen or quartered according to their iudgement before receaued: but with great mercy and compassion towards them did mittigate the same onely commaunding that they should be hanged in sundry places neere London. So that vpon the 28. of August last in the forenoone *William Guntitr* one of the Traytors being a seminary priest came first into the cart who sayd nothing but säte him downe. After him came *Henry Weblen* who sayd in the carte that he was a man of occupation and that hee was condemned for harboring of such äs were seminary priestes, denying obstinately that he neuer offended hir Maiestie, but that he died for his conscience: and yet to harbour such äs were traytors

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is treason of it seife, and to denie hir highnesse to be supream head of the Church of England is also high treason: and so laffing and therin smiling in the carte he sät him down.

After him came *William Deane* a man of a very peruerst minde and opinion, who mumbling to him seife in Latine: and seeming to iustifie his bad and detestable opinion, the people rryeil downe with him into the carte, wherevnto these three being tied, they were conueyed along the citie to Myleend where *William Dcanc* and *Henry Wcblcy* shewing themselues peruerst traitors were hanged vppon a lebbit newly set vp for them. Then was *William Gnntitr* conuaied into Hollywell fieldes neere to the Theator or Playhouse where maister shmffe willed him to call vpon God for pardon and acknowl-eilgc his offenL-es to hir maicstie whcreat he aunswered that he would aske parrlon of (Jod, but not of hir Maiestie, saying he had neuer offencled her, and so he was hanged vpon a ncwe Tebbit prepared for him.

After this the sheriffcs and their officers returned to New-[^]ate where they fetcht frö thence in a carte *Robert Mortm*, *Huyh Afore*, and *Thomas Acton* : these three were tyed in the carte, and so were conueyed into Lincolncs Inne fieldes, where f vpon a Tebbit) vsing the like speerhe äs the other had done, two nf them cniled their liues. From thence they conueyed the thintl man to Clarcken Well, whose nanie was *Thomas slcton*, wherc a febbit was set vp and there he ended his life in maner äs the rest did before. Then the sheriffs againe re-[^]turntMl Lo Newgatc: and tooke fonrth *Thomas Felton* afore-sayd, who with *lamcs Clarkson* were set vppon two seuerall horses, pinnned their fcete tyed vnder the horsse belly, and their hanrles tyed also, who being conueied to Braynford, were there executeil accordingly.

And thus they were hanged in seuerall plares to the ex-ample of all other their fauourers and secret Traytors whonie the Lord of his mercy conuerte or speedely bring to light that they may be cut off by lustice according to their deserte.

FINIS.

Appendix I

The names of the viii. Traitors executed on the eight and twentieth of August.

William Deane, and Henry Webley, executed at Myh-end.

William Guntur, executed at the Theater.

Robert Moortcn, and Hugh Moore, executed at Lincolns Inne fieldes.

Thomas Acton, executed at Clarken-Well.

Thomas Feiton, and James Clarkson, executed betweene Braynford and Hunsloe, neere London.

The names of them that are to be executed.

Richard Flewett, Henry Foxeil, Edward Shdly, Richard Leigh, Richard Märtten, and Iohn Rooche.

The names of them that recanted.

Iohn Vallentine and William Pere.

APPENDIX II

A Warning to all False Traitors

THIS bailad is reprinted from the very limited edition of *Broadside Black-letter Bailads, Printed in the Sixteenth and Seventeenth Centuries; Chiefly in the Possession of J. Payne Collier*. Printed (for private circulation) by Thomas Richards, 1868. It occupies pages 57-62. In 1861, Collier had thought that the entry of the pamphlet DU the same subject, printed above as Appendix I, was for this bailad, and had noted, "A copy of this bailad, consisting of fourteen eight-line stanzas, is now before us; but it has only *Finis* at the end, without printer's or publisher's name. The full title is this, seven wood-cut heads being above the lettering; and seven, including one female portrait, under it:—*A Warning to all false Traitors, by Example of 1. I. IVhercof vj iver executed in divers Places neere about London, and 2 neere Braintford, the 28 day of August, 1588. Also at Tyborne iver executed, the 30 day vj.; inwicly, 5 Men and one Woman. To the time of Greensleeves. . . .* This will be sufficient for the identification of the bailad, which was perhaps by Thomas Deloney, who had put his Initials to the account in verse of the execution of Ballard, Babington, Tichbourne, and eleven others, on 20th and 21st Sept. 1586, which was written 'to the tune of "Weep, weep." ' The burden is the same as that of the bailad on the visit of Queen Elizabeth to the Camp at Tilbury, and T. J. [sie] may have been the author of both"¹ Mann² is silent on this attribution to Deloney.

The description here given in 1861 of the bailad varies in rather important respects from the reprint of 1868. For in-

¹ *Notes and Queries*, 2nd Series, XII, p. 102.

² Mann, O. F., *The Works of Thomas Dehney*, pp. 503 ff.

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stance, the reprint gives the printer at the end. Perhaps, however, these discrepancies are due to the cursory inexactness of Collier's earlier description. Since the bailad adds nothing to other accounts, I have not thought it necessary for the present purpose to trace a copy of the original. I find no entry of this bailad on the Stationers' Registers.

—◆—
A Warning to all false Traitors
By Example of 14.

Whereof vi. were executed in diuers places neere about
London, and 2 nccre Braintford, the 28. day
nf August, 1588

*Also at Tybornc were cxecuted the 30 day vj. namely 5 Men
and one Woman. To the tune of Greensleeues.*

—◆—
You traitors all that doo deuise
To hurt our Queene in trecherous wise,
And in yoiir hartes doo still sunnize
 which way to hurt our England,
Consider what the ende will be
Of traitnrs all in their degree,
Hanging is still their destenye,
 that trouble the peare of England.

Will not examples niake you true,
But you will still the steppes ensue
Of the vngodly Romish crtic
 that trouble the peace of England?
Remember Feiton, long agoe,
And Campion that was hang'd also,
With a number great of traitors moe,
 that troubled the peace of England.

Then Parrie, and Throckmorton eke,
Of traiterous drifts were not to seeke,
And diuers other haue doone the like
 to trouble the peace of England:

Appendix II

And Babbington, with his wicked traine,
Continually did beate their braine
Which way and how they might obtaine
to trouble the peace of England.

But God, we see, hath still made knowne
Their wicked meaninges euery one,
And death hath made their harts to groiie,
that troubled the peace of England:
Yet will not these examples good
Dnce stay these traitors maclding mood,
But still they seeke tu suirk the blood,
of our gracious Queene of England,

As late neer London there was seene
Two traitors hang'd on Myle-end greenc,
Which did take part against our Qucene,
to trouble her re.ilme nf England:
The first a preest, his name was Deanc,
The next was Weblin, who did meaiie
To helpe the Spaniards for to gleane
the fruites of the rcalme of England.

The next in Finsberrie feeld their diecl
A preest that was a traitor tryed,
His name was Gunter, who denied
to help the good Queene of England:
But he Would, for the Spaniards sake,
Prouide inuasion for to make,
And gainst our Queene their partes to take
to trouble the peace of England.

There died in Lincolnes feelde also
Moorton, a cruell traitor, too,
He being a preest, with other moe,
did come to trouble our England:

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And in that place there died with him
One Moore, that was a traitor grim,
Who would haue venturcd life and lim
to hurt the good Queene of England.

There died eke at Clarkenwell
A preest, that was a traitor feil,
His name was Acton, trueth to teil,
that troubled the peace of England;
For why, he sought for to maintaine
The Pope, and eke the Spanish traine,
And did pur gracious Queene disdaine,
with all that louc her in England.

Then Felton yong, who did upholde
The Pope, äs did his father olde :
His false hart he to treason solde,
to trouble the peace of England.
To Braintford he was had to dye,
Whereas he stoutly did cleney
To helpe our Queene and her cuntrye,
but sought the decay of England.

And in like manner Clarkson, he
To Braintforrl went for Company,
Where both were hanged vpon a tree
äs eiiemies to our England:
Both preests they were, of Romish rout,
Who subtilly did goe about
But yet for them it was no boot,
to hurt the good realme of England.

At Tybnrne tlyeJ, the thirtieth day,
Flewett and Shelley, trueth to say,
And Leigh, a preest, who did denay
to aide the good Queene of England:

Appendix II

Martin and Rooche, that present died
At Tyborne, being traitors tryed;
For, like the rest, they had denide
to aide the good Queene of England.

Dne Margeret Ward there died that daye,
For from Bridewell she did conuay
A traiterous preest with ropes away,
that sought to trouble our England:
This wicked woman, voide of grace,
Would not repent in any case,
But desperatly even at that plane,
she died as a foe to England.

When law had passed upon them SD,
They should be hang'd and quartered ton,
Dur Queene tooke niency on them tho,
which sought her decay in England,
And pardoned them their greatest paine;
Yet all her pitie was in vaine,
For to aske mercy they did disiaine
of the gracious Queene of England.

But God, we see, dooth still defend
Dur gracious Queene unto the end,
Gainst traitors that doe ill pretend
to her and her reiilme of Knglnd.
God graunt that we may thankfull be
Vnto his glorious Maiestie,
That so defendes the soueraignty
of the vertuous Queene of England.

The names of the 8. Traytors executed on the
eight and twentieth of August.

William Deane and Henry Webley, executed at Myle-
end.

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William Gunter, executed at Fins-burye.

Robert Moorton and Hugh Moore, executed in Lincolns
Inne feelde.

Thomas Acton, executed at Clarkenwell.

Thomas Felton and Iames Clarkson, executed neere
Braintford.

The names of them that were executed the
30 of August.

Richard Flewett, Edward Shelley, Richard Leigh, Ri-
chard Martin and Iohn Rooche, executed at Tyborne.

Also at the same time one Margaret Ward for letting a
Seminarye Prieste out of Bridewell.

FINIS.

Imprinted at London by Edward Allde
at the long shop near
vnto S. Mildreds
Church.



A TRVE REPORT

of the inditement, arraignment, conuiction, condemnation,

and Execution of John Vveidon, William Hartley,
and ROBERT SVTTON:

Who suffered for high Treason, in severall places, about the
Cittie of L O N D O N, on Saturday the thith of
October. Anno 1588.

With the Speeches, which passed betwene a learned Prea-
cher and them: which he collected, even in the same
wordes, as neere as might be remembered.

By one of credit, that was present
at the same.

Imprinted at London by Richard Iones, 1588.

Fascimile (reduced) of title page to
A TRVE REPORT (*Huntington Copy*).

APPENDIX III

A True Report

THIS pamphlet is printed chiefly in black letter, with roman for emphasis, and a few passages, mostly Latin quotations, in italics. I have followed the usual custom of substituting roman for black letter, and italics for both original roman and Italic.¹ At least three copies of this pamphlet are known, though only two of these are listed in Pollard and Redgrave. One of these copies is in the Huntington Library, a second is in Lambeth Palace Library, the third is presumably still in Catholic possession.² The present reprint is made from a photographic facsimile of the copy in the Huntington Library. It is Q, A-C⁴. It is rather accurately printed, so that I have not considered emendation or annotation necessary.

The pamphlet was allowed to Richard Jones on October 18, 1588: "Allowed vnto him for his copie A booke intytuled, *the arraignment and execucon of Three Traitors viz. John Weldon, Willyam Hurtlely, and Robarte Sutton/VnAer th[e] handes of master Abraham Hartwell and master warden Coldock . . . vjd/.*"³

—◆—
*To the Christian Reader,
grace, and trith in Christ Iesus.*

Lamentable it is to beholde, yet most necessarie to consider (good reader) howe that mighty and malicious enemy of mankind, (*Satan*) who in the scriptures hath so manie names,

¹ McKerrow, R. B., *An Introduction to Bibliography*, p. 298, n. I.

² Law, T. G., "The Martyrs of the Year of the Armada," *The Month*, Vol. XXXV, pp. 75 ff.

³ Arber, Vol. II, p. 504.

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Gen.3.1.
lob, 40. 20.
Ewy.27.1.
Ephes. 6, 12.
I.Pet.5.8.
Apoc. 12.3.

both of power, policie, and practise: albeil; he hath alwaies (äs a roaring lyon) walked about, seeking whom he might deuour, yet nowe in these last and most daungerous daies, doth so busilie bestur himselfe against vs: and äs hee hath spread diuers nets, layed many snares, vsed sundrie, sDme bboddie, some craftie practices: finallie, beut all his forces, and employed all his meanes and ministers, to disturbe the quiet and established estate of this Church of England, vnder the happie gouernement of our dread soueraigne, Qucene Elizabeth: sometime, by thunderingthreatnings from the sea of Rome, to pronounce her Maiestie a Scismatike, an heretike an vsurper, 8t so to discharge her loyall subiects of their allegiance: somtime, assaieng how he cold preuaile by more then ciuill sword: sometimes, by raising sundrie, daungerous, and damnable sects, and sectaries, to diminish the credite, and hinder the good successe of the gospell: Sometimes, by sophisticall writing iigaiiist the receiuerl trueth, mightily confirmed by the infallible testimonie of the worde of God: sometime, by inciting and incensing gracehs and gndles persons, to lay violent hands on the Lords annointed, to cndaunger her sacred person: yea, to conspire her Maiesties death and distruction. And nowe latdy, by sending in forraine power, to depose her highnes, frnm her estate, crowne t dignitie: nay, to make a conquest of her kingdome: and (had the Lord permitted them) to haue brought both vs and our posteritie to vtter confusion: SD, sinre he seeth that the Lord (by her Maiestie) though weake in respect of her sex, yet strong by hys power, (who chuseth the weake thinges of the worlde, to confound the strong, that his power might appeare in our infirmitie) hath repelled his violence, defeated his practises, withstood his forces, and ouerthrowen his complices: nay: to confesse the plaine trueth, and to make vs all the daies of our life the more thankfull to his Maiestie, that our great and glorious God, the almighty *lehvuah*, whose name is the Lord of hosts, taking his owne cause in hand, hath not onely mightilie, or

/. Cor.i.27-

Appendix III

rather miraculously preserved her highness, and defended vs from the bloodie purposes of our most malicious enemies, SD that the snare is broken and wee ddiuered, but hath further uf late, without all mans aid tu the glory of his nam s, astonishment of the papists, and woonder of the whole world, returned vengeance into their owne bosomes, and blood into their owne bowds, distressed their ships, runne them on the rockes, shoued them on the sands, sunck them in the seas, destrDied their munition, and drowned their men: returning the small remainder of them (if anye haue escaped) with hys hooke in their nostrels, and his bridel in their lips, to their perpetuall shame and confusiun. This the Lords worke SD woonderful in our eies, and SD memorable für postcristy, which euen of it seife were able (if their hearts be not harder than the Adamant) tu bring all the papists and other the enemies of God and his gospell, vnder the cope of heauen, to consider, how the truth is great, and will preuaile, and IIDW hard it will be for them to kick against the prick of Guds power: yet all this notwithstanding, Sathan will not thus cease, but still dooth prosecute his wicked purpose, and therefore by his vicegerent, that man of sin, that sonne of perdition, that prüfessed enemye of England, the Pope, Stil conuaiteth from time to time into this realm that secreat seminarie of ssdition, which couertly and craftdie dispersing them selues intD all parts of this land, lead captiue simple women, and other seduced soules, traueiling by all meanes to tnake proselites, double worse the children of hell, then they them selues: and SD robbe Gud uf his creatures, Christ of his members, her Maiestie of her subiectes, and the people of their saluation. Such were these persons here set downe, äs by their behaiour at their arraignment, and exequution maye well appeare: which I haue penned faithfullie äs neere äs I could call tu remembrance, in the same words that it passed, And this haue I dane (gentle Reader) both for thy cpmfort and instruction, that hereby thou maist be the more sturred vp to thankfulness

2. King. 19. 28.

Acts. 9-5-

2. Thsz. 3.

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vnto that gracious God that in mercie hath opened thine eies to see his truth, and mollifiecl thy heart, to consent vnto the same: and malst also stop thine ears, against all enchaunting perswasions of the aduersaries, if they shall go about to abuse thee: and ioyne with me, and all other good subiectes, in faithfull and feruent praier, for the long preseruacion of her Maiestie in al felicitic, and either for the speedie conuersion, or finall confusion of all her enemies, Amen.

A truc report of the inditement, arraignment, conuiction, condemnation and execution of Iohn Weldon, William Hartley, & Robert Sutton who suffercd for high treason, on satnrday the 5 of October. Anno. 2588.

Iohn Weldon Priest, borne at *Toll'ertön*, in the countie of *Yorke*, sonietime Student in *Caius* Colledge in *Cambridge*, was indited by the name of *Iohn Weldon*, alias, *Sauell*, late of *Graies-Inlanc*, within the countie of *Midd. Clarke*: For that he being born within her Maiesties clominions, was not onely made Priest at *Farris*, by authoritye deriued from the sea of *Rome*, contrarie to the lawes of this realme, but had also traiterouslie afterwardcs entred into this lande, sent by the Pope or his Substitutcs, to execute the office of a Seminarie Priest here, cötrary to an estatute in that behalte prouided: by vertue wherof, he was inlicted of high treason. This was the effect of his inditement: the forme I am not able to set downe, neither is it now necessary. Beeing vppon this inditement arraigned, on Friday the fourth of October, at the Sessions house nigh *Newgate*, before the right honourable the *L. Maior*, the *L. chiefe iustice of England*, the right worshipfull the *Q. Attonrney generall*, *M. Sergeant Fleetwood*, Recorder of the Citie of *London*, *S. Owen Hopton* knight, Liefetenant of her Ma. Tower of *London*, *S. Rowland Haiward*, *Sir Wolston Dixi* knights, and diuers other her Maies-

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ties iustices in commission of Dyer and determiner, and pleading therevnto not giltye, he was asked how he would be tried, wherevnto hee would make no answere, and being required by the Clearke of the peace, for the countie of *Midd.* after the reading of his said inditement oftentimes, to make certaine answere, how he would be tried according to the lawes of this realme, and conunon dutie of all subiects, which (in such cases) are to bee tried by God and their Countrey. The said *Weldon*, taking exceptions, first tn the inditemet, äs false and vntrue: then to the iurie, or enquest to be impaneled vpon him, äs vnfit men to trie him, being meere lay men: yea, and to the whole Bench, äs vnwoorthie to bee his ludgets, resolued (äs hee saied very maliciouslie, and slaundersouslie) before hand to condemne all Catholiques brought before them: affirmed himselfe to be a Priest, and therefore not triabh by the common lawes, nor bounde to make answere to the inditement. And albeit he was answered by M. Recorder, verie grauelie, and learnedly, that it might appeare by dyuers old estatutes, and other antient records, that euen in the time of superstition, when the Pope exercised his greatst iurisdiction within this realme, yet Cleargie-men, Priestes, Abbots, yea Bishops, and Archbishops, might bee, and haue bene (in some cases) tried by the common lawes, and by the verdict of twelue layc men, äs by sundrie instances by him it was made manifest: yet the sayd *Weldon*, persisting in his obstinacie, and abusing the patience, and long suffering of those Honourable and worshipful persoiagcs there present, who had not onely gently heard him, but vsed many milde perswasions and inductions to haue drawen him to conformity, promising all indifferencie, and lawfull fauour in hearing whatsoever he could iustlie alleadge for his owne defence, or disproouing the inditement, so he wuld submitte him seife to triall and aunswere according to the lawe: In the end, hee had iudgement giuen against him by the said Maister Recorder, with the consent, and by the dyrection of the L. Maior, and

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the rest of the ludges, and lustices, tu be executed äs a Trai-
tour, viz. to be hanged, drawen, and quartered, and M. Sher-
iffes were therevpon required tD see execution.

Hartleis

arraignment.

2 In like manner, *William Hartley*, alias *Garton*, borne at *Nottingham*, was indited, and arraigned after the same maner, and for the same cause that *Weldon* was: which *Hartley* pleaded to his inditement not giltie, and after some friuolous allegations he was Content to put himselfe tu triall of God and the Countrey, against whome among other cuidences, to prouue his traiterous dispositiun, it was testified to his face, by the oath of one *Wdton* then present, that a Letter was sent this last Summer by the said *Hartley* out of England to *Parris*, to certaine Seminarie Priests there, importing the füll resolution of the said *Hartley*, and some other his confederates, (immediatelie vppon the landing of the Spaniardes) to haue suppressed her Maiesties Tower of *London*, and to haue fired the Cittie: this Letter *Wdton* affirmed, that hee saw in *Parris*: and albeit, *Hartley* denied the writing thereof, saing that hee was sicke at the time when it should bee written, yet to make his good affection to her Maiestie & the state, further apparaunt, there was openly read a part of his owne examination, taken before Maister *Iames Daulton*, and Maister *Richard Yoong* Esquiers, two of her Maiesties lustices, and subscribed with his own hand, (wherein among other things) he had set it downe in plaine words, that if the Pope by his Apostolique authoritie, do depriue the Q. Maiestie, and doe discharge her subiectes of their obedience, and send an Armie to restore the Catholique Romaine Religion into *England*, he would not take her Maiesties part, but woulde praye that the Catholique Romaine Armie might preuaile in that cause of Catholique religion: and in that faith he would spend (if he had them) ten thousand Milliuns uf liues: and this he speaketh (äs hee saith) in the integrity of his soule.

In the end, he being found giltie by the iury: after many froward and friuolous Speeches, rather testifieng his impeni-

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tencie and impudencie, then deseruing further memorie: he hadde iudgement äs the first.

5 Then was the inditement of *Robert Sutton* red: who was *Sutton*. indited for that hee beeing borne, and heretofore sworne her Maiesties subiect, and taking vppon him the instruction of youth, and office of a Schoolemaister within this realmc: had yet notwithstanding, beene of late yeares reconciled to the Church of Rome and auctoritie of the Pope, contrary to his former oath and allegiance, and against an estatute in that behalteprouided.

TD this inditement the said *Sutton* pleading not guilty, and putting him seife on triall, standing (though not with such obstinacy äs the rest) to his opinion, concerning the authority of the B. of Rome, confessing her Maiestie supream gouernor, within her highnes dominions ouer all persons, but not ouer all causes: and yet hauing nothing to defend his assertion, but a froward will, and a sentence of a father alleadged, (äs he saith) by *Campion*, which hee did not well remember, was in the end, also found giltie, and so had his iudgement äs the rest. After the denouncing wherof, they were had from the barre to *Newgate* for that night.

The execution of Weldon

The next day, being the fifth of Dctober, the three aboue named were conueied through the Citie of *London*, by M. Sheriffes to *Mile-end*, the place wher *Wddon* was executed: who being vnbound, and raised vpon his feet, was very gentlie and charitably required by M. Sheriffs to prepare himselfe to die, i to aske her Maiestie forgiuenes, for his offences, who had mercifullie dispensed with the rest of his iudgement. Why (quoth he) shuld I aske her forgiuenes, whom I neuer offended? No: (said M. Shiriffe *Ofley*) hast thou not offended her? Wast thou not borne a subicct within her highnes dominions? Wast thou not made Priest by authority, deriued from the Pope at *Parris*? and afterwards camest thou not

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traiterously in to this realme, to withdraw her Maiesties subiects from their obedience, is this no offence? No (quoth he) I came not willingly into this realme, I was drawn in against my will, and brought in by force. *Weldon* (quoth a learned and godly Preacher, there present) abuse not the people with such vntruthes. I was my seife at thy arraignment, where it was prooued to thy face, yt thou first caniest into this land of thine own voluntary, sent in by the direction of the Pope, or his substitutes, and then thou bceing apprehended, and committed, where the law might haue iustly bin executed vpon thee äs a Traitor, her Maiesty, of her free clemency, pardoned thy life, ondy bannished thee her dominions. After that, thou camcst in y^c second time, and then being apprehended, thou cunningly and craftily didst abuse aucthority, pretending thy seif to be cnuerted, & promising to continue a Protestant during thy life, thou wast not onely enlarged & set at liberty, but hadst mony also giue thee to supply thy wäts, & defray thy charges: After all this, thou didst secretly conuay thy seife into *Flaunders*, meaning (äs it was to be coniectured) to kill the Earle of *Leicester*: which his Honour beeing aduertised of, caused thee to bee apprehended, and sent euer into *England*. Whercfore sith thy treacherie & hipocrisy is so nntorius, stand not now vpon Apologies and protestations to iustifie thy seife: but hearken vnto the charitable & godly exhortation made vnto thee by Maister Shiriffe: aske God and her Maiesty forgiuenes, frö the bottome of thy hart, that we may al be witnesses of thy conuersion. I haue (quoth he) don nothing but äs a Romaine Catholique priest ought to do, by y^c direction of our most holy Father the Pope being the head of the Church: who onely hath aucthoritie ouer al persons, and in all causes Ecclesiasticall, äs both by the word of God, counsailes, Fathers, and all antiquitie it hath bene, and is to bee graunted: and in this Catholique Romaine religion I will die, and willingly shead my blood. Thy answer (quoth

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the Preacher) although it putteth mee in smale hope to do thee good, yet hast it should do the hearers härme: I wil (by M. Sheriffes patience) sith wee haue so much time, and the executioner is not yet come, a little examine it, that so thy folly and falshood may the more appeare, and both thou and thy fellowes be armen, if not to sorrow, which I wish, yet at the hast to shame and silence. Thy answer (äs I conceiue it (may be reduced to these three heads: first, a Pharisicall iustification uf thine üwn doings. Secondly: a false Suggestion of the Popes authority. Thirdly: a finall resolution, to die äs thou hast liued: that is, an enemy to God and his Church, and a Traitor to thy prince & countrey. To the first thou saiest, thou hast done äs a Romaine Catholique priest ought to do. Such Epythelons giuen to Priests or priesthood I neuer hard: The scriptures mention onely three priesthoods: of *Mdchisedech*, proper onely to Christ: of *Aaron*, determined at the comming of Christ: & of the new testament, which priesthood onely is Catholique: that is, common or vniuersall to the whoh Church of God, and euery member of the same: according to the saieng of *S. Peter: vos estis regale sacerdotum*: you are a royall priesthood. If thou meane by a Romaine priest, a priest professing the faith which the church of Rome held for the first. 600. yeares after christ. Albeit, our faith be not tied to persons nor places, but groüded on Christ lesus the corner stone, yet would to God thou didst trulie professe y* faith: then shuld we soone agree, that Church of Rome was a persecuted Church, not a persecuting Church. The Bishops thereof did not make Martyrs, äs these doe nowe, but were martired themselues to the number of 25. in order one after another, being elected not by factious conspiring, not by power, or parts taking, nor by mony or frends making, äs they be now: but by y^e free voices of y^e people & of the charge, with the approbation & consent of the Emperour: & äs for the title, iurisdiction and Institution of doctrin which the church of Roms now holdeth: (to speake

1.Pet.2.5.

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ro, 8. 39.

1, Pet. 5. 3-
2. Cor. 1. 24.

Math. n. 19

nothing of their maner of life & conuersation, for that were too odious:) I say, y^t neither these, nor any of these, euer descended from y⁶ primitiue age of y^G Apostles, or from their succession: so that, although it hath the name of the Church Apostolical, and doth bring foorth a long genealogie of outwarde succession from the Apostles, äs the Pharisies did in Christ hys time, bring theyr discent from *Abraham* theyr Father: yet this is onelie in name, and not in matter or effect: So that äs Christ saied of the Pharisies, that they were the children, not of Abraham, but of the deuill: so may I say, that this Church of Rome now present, with this title, iurisdiction and doctrine, now vsed, can not be fathered vpon the Apostles, nor deserueth to be called by that name of primitiue Church, but that it hath an other author & that yuu are Scismaticks, that haue departed frö the antient faith of the Church of Rome, and not wee. To the second part of thy answeere, concerning the aucthoritie of the Pope, whom thou saiest to bee supream head ouer the Church, I would knowe of thee whence hee challengeth this his aucthoritie? For that (quoth *Weldon*) he is heir vnto *Prtr*. Why then (quoth the Preacher) I will answeere thee äs *Barnard* answered *Eugcnius*: in his 237. Epistle *ad Eugcnium papam*: *Verus haeres Petri, dictt cum Petro, non dominantes in derum, sed fyrma facta gregi. Verus successor Pauli dicet cum Pauly, non dominamur fidei vestrae, sed adiutores sumus gaudii vestri. Verus discipulus Christi, audiet Christum dicenttm Sf docentem: estote mites quia ego mitis sum*: In English thus, The true heire of *Peter*, wil say with *Peter*: we are not Lords ouer the whole congregation, but are examples vnto the flocke. The true successour of *Paule*, will say with *Paule*: wee are not Lords ouer your faith, but we are furtherers of your ioy. The true disciple of Christ, wil hear his Maister teaching and saing: *Be you humble and meeke, for I am humble and meeke*. Thus thou hearest by the aucthority of 5. *Barnard*, a learned and auintient father: (because you

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Papists stand so much vpon fathers) how the Pope your most holy father, is neyther heire vnto *Peter*, nor successour vnto *Paule*, nor yet the disdple of Christ, and therefore wee might say boldly, and may say trulye, that he is Antechrist, whose doctrine is hereticallie corrupted, whose title is falsely grounded, and whose iurisdiction is presumptuously vsurped.

And where thou saiest, that the Popes sole aucthority, in causes Ecclesiasticall, may be prooued by the word of God, counsailes, fathers, and all anti^uitie: thou sinnest in lieng, either of ignorance, if thou know not the truth, or of malicious impudecy, if thou know it and wilt not confesse it: for by all these it will appeare, that not the Pope, but the Prince hath had, and ought to haue the supream aucthority in all causes within their own dominions: yea, euen ouer the bishops themselues. And albeit, I must haue regard to the tinie, for thou art come hither to die, and not I to dispute: yet for Scriptures, *Dnwd* beeing a king numbrel all the Priestes and Leuites, and disposed them into 24. Orders or courses, as they came about: which institution, *Esechias*, being also a king afterward, renewed: which continued from *Dauid* euen till the time of *Zachary*, at the comming of Christ, beeing of *Abias* course, which was the eight order. Did not *Salomon* a king, displace *Abiathar* the priest by his kingly power, and placed *Sadoch*? Did not *lehosphat* and *losias* beeing kinges, appoint Leuits and Priestes? And in the new testament, did not Christ himselfe both giue and teach, tribute to be giuen to *Caesar*: to CB^{rrr} I say, and not to the high Priest? Did hee graunt *Pilate* to haue aucthoritie ouer his owne person, and that from God? Againe, declaring the kings of nations to haue dominion ouer them, and willing his disciples not to do SD, dooth he not giue vs to vnderstand the difference betweene the regiment of his spirituall kingdome, and of the kingdomes of this world, willing all worldly states tu be subiect vnto the superior rulers and Magistrates: in whose regiment is dominion and subiection, and not in the

J. Par. 28.13

2. Reg. 18. 3.

Luke I.

3. Beg. 6.
10.19

Rom. 13.

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other? And doth not S. *Paul* say: *let euery soule be subiect to the higher powers?* Upon which words, both *Chrisostome* and *Theophilact* do note, that neither Pope, Cardinall, Patriarke, Byshop, Fryer, Moonke, Martyr or man, is excepted or exempted: *Vniuersos erudit siue Saccrdos ille sit, siue Monarchus, siue Apostolus, vt se principibus subdant:* He teacheth all sorts (say they) whether he be priest, Moonke, or Apostle, that they should subnit themselues vnto their Princes. And dooth not Saint *Augustine* writing *ad Bonifaciuwij* say in like sort? *Quicumque legibus imperatoris, qui pro dei veritate feruntur, obtinporare non vult, acquirit grande supplicium:* that is: whosoeuer refuseth the lawes of the Emperour, which make for the truth of God, incurreth the daunger of great punishment: And in another place, writing to *Cresconius*, hath hee not these words? *In hoc enim reges sicut eis diuinitus paecipitur, deo seruiunt, in quantum reges, si in suo regno bona iubeant, mala prohibeant, non solinn qitae pertincnt ad linmancim societaem, vcrum quae ad diuinam religionem. &c.* That is: kings according äs it is enioined them of God, doo serue God in that they are kings, if they in their kingdome, commaund those things that bee guod, and forbid those thinges that be euil: such äs appertaine not onely to humane Society, but also to Gods Religion. And to come to your owne doctors.

Dooth not *Thomas of Aquine* describing the office of a king, say thus? *Hoc officium Rex se suscepisse cognoscat, vt sit in regnoj sicut in corpore anima, & sicut deus in mundo.* Let a king vnderstand yt he hath taken this office vppon him, to bee (in his kingdome) äs the soule within the body, and äs God in the worlde. And äs for counsels: in the counsell of *Nice*, which was holden Anno 340. the 6. Canon of the said counsell we finde it thus decreed. That in euery prouince and precinct, some one Church and Bishoppe of the Same, was appointed to haue the iurisdiction of other Churches about (*secundum morem antiquum*) that is, after the auntient cus-

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tome, äs the wordes of the counsell do purport: so that the Bishop of *Alexandria* should haue power, ouer *Libia* and *Pentapolis*. For asmuch äs the bishop of Rome hath the like in some maner, and SD likewise in *Antiocli*, *Jerusalem*, and other countries, let such order be kept (sayeth the decree) that none of the *Mctropvltinne* Cities, bee defrauded of the dignity due and proper vnto them.

In this decree, where the Bishop of *Alexandria*, *Jerusalem*, and *Antioch*, are ioyned together in one like maner of dignity, with the Bishoppe of Rome: there appeareth no difference of honour to bee meant therein, much lesse any soueraintie allowed him.

After this, followed a generall counsell in *Affrick*, called the sixt Counsell of *Carthage*, holden Anno 420. where were assembled two hundreth and seuteene Bishops: Among whome was Saint *Augustine* himselfe: this Counsell continued the space of fiue years, wherein was great contention, about the Supreamacie and iurisdiction of Rome, the Bishoppe whereof, was then *Zosimus*: this *Zosimus* the Romaine Bishop, had receiued the same time into the communion of yt Church, without any examination, one that came to complaine vnto him out of *sffricke*, iiamed *Apiarius* a Priest, whome *Aurelius* the Metrapolitan, with the Counsell of *Aphrike*, had woorthelie excommunicated, for hys detestable conditions before.

Upon this, *Zozimus*, after hee had shewed this fauor to *Apiarius*, for that hee dyd appeale vnto him, sendeth to the Councell hys messengers to wit *Faustus* Bishoppe of *Potentyne*, and two Priestes of the Church of Roome, named *Philippus* and *Asellus* with thys request, that not onely *Apiarius* whom hee had absouled, might bee receiued of them againe, but that it might also bee lawfull for Bishops or Priestes to appeale from the sentence of theyr *Metropolitanes*, and of the Councel, to the Sea of Roome: Alleading for himselfe, the wordes (äs hee pretended) taken out of the *Nicene* Councell.

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The Councill of *Carthage* Hearing this, and remembring no such thing in the Councill of *Nice* to haue been decreed: ani yet not suspecting the Bishop of Roome to dare to falsefie the wordes of that Councill: writeth againe to *Zozimus*, declaring that they neuer reade (to theyr remembraunce) in theyr common Latine Exempler of the *Nicene* Councill, any such Cannon: Yet notwithstanding for quietnes sake, they would obserue the same, (for the tyme) till they might procure the originall Coppies of that Counsell, to bee sent to them from *Constantinople*, *Alexandria* and *Antioch*: to the lyke effect afterward they wrote to Pope *Boniface* which then succeeded *Zosimiis*: And thirdlie also, to *Celestinus*, which shortlie after succeeded *Boniface*.

In the meane time, this foresayde Councill, sent theyr Legates *Mnrcellus* and *Innocentiis*, to *Atticus* Patriarcke of *Constantinople*, and to *Cyrrilhts*, Patriarcke of *Alexandria*, for the autentirjue coppies in Grecke of the sayd *Nycene* Councill: and after due examination, fynding there no such president as *Zozimus* and hys successours *Bonifacius*, and *Celestimts* pretenrted, they wrote a sharpe Letter to the sayd *Celestinns*, declaring vnto hym that they had perused all the Coppies of the Councill of *Nice*, and could find no such canon, as he and his predecessors had falsely alledged, and therewithal resiting the saicl cannon befDre mentioned, rleclarcd how the decrees of the *Nicene* councell, had vpon iust causes and great considerations, committed all unrl singuler persons Ecclesiasticall, aswell Byshnppes as other, vnto the charge of their Metropolitanes: for that the fathers of that counsell did well foresee that all controuersies might there best bee ended where they were begun: and that therefore they ought not to runne tD any forraigne iudge, or seeke further for outlandish helpe, as though God woulde inspire his iustice and truth of examining vnto one Bishoppe, and denie it to a multitude congregated in a whole counsel: or as though the grace of God would be prest and readie in one prouince, but not in an other

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to instruct his ministers, both prudently to understand judgement, and constantly to maintain the same. Wherefore, as by these and other reasons, they thought it not convenient for them to bring their matters over unto Rome, SD, neyther was it to be found (saied they) by any counsell of the olde fathers decreed, that any legats shold be sent from Rome to them, for deciding their cntrouersies: and therefore exhorted they the said Bishop of Roome, that hee woulde not induce, *fumosiim typum secitli in ecdesiam Christi, quae lucem simplicitatis, & humilitutis praefert, iis qui dcum diligimt*: that is: that hee would not induce the swelling pride of the world, into the Church of Christ: which Church sheweth and giueth the light of simplicitie and of humilitie to such as loue to see God. And as for the malefactor *Afiarius*, whome the Bishop of Rome, had absolued and receiued to the communion of the Church, this counsel afterward found him culpable, and therefore proceeded against him, brought him to open confession of his faults, and so iniointed him due penance for his demerits: notwithstanding the absolution and inconsiderate cleering of the Bishoppe of Rome, before proceeding. There was also celebrated an other counsel, called, *Sinodus Meleuitana* about the yeare 442. where it was decreed vnder paine of excommunication, that no Minister, Priest, or Bishop, should appeale ouer the seato the Bishop of Ronie: and thus thou seest (*Weldon*) howe the counsels make against thee. To these might I ad infinit other authorities out oE the fathers, beside lawes imperiall, of *Honoriits, Iustinian, Lodouicus Pius, Carolus magnus*, and diuers others: to speake nothing of the auntient estates of this realnie, whereby may appeare, how falsely thou affirmest the Pope to haue been acknowledged in all times, & of all persons supreme head of the Church: but th'executioner is come, and time passeth away. Wherefore to the last parte of thy answer, thy wilfulnes and obstinate, we all are sorry for it, and thou oughtest (in conscience) to be ashamed of it: Thou thinkest (peraduenture) to gaine among

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the Papists y^e name of a Martyr: but remember, it is not *poena*, but *causa, quae facit niartyrem*, not y⁶ punishment, but the cause, that maketh ye martyr: wherefore recöcile thy seif to God, submit thy seife to her Maiestie, repent thee of thy sins, pray äs a Christian shnuld, that is with a deep feeling of thy sinne w[^]ut dispaire, and a stedfast hope in y^e mercy of God, sealed vp in the bloud of Christe lesus, without presüption: & (so) will we all pray with thee, and for thee. I desire (quoth *WMon*) all Cathüliques, to pray for me: And so begä to mumble vp certain praiers in Latin. The Preacher (seeing his obstinacie) willed the people to lift vp their hartes in prayer, and so made this prayer following.

The prayer at Wddon his cxcution.

Amvng all othcr thy bcncfïts, in the aboindance of thie mercies, bountifullye bestowed vpon vs, (O most grativus God and loiting Father) ute honor thy Maiestie, and praise thy holy namc, for that when we sät in darkenes, and in the shadowe of death, it pleascd thee (of thy Fatherly kindenes) to open our eyes, and to dischse vnto vs the beautifull beames of thy glorious Gospel, and cleer light of thy holy woord: through the which we haue secne (to oursingulercomfort) the great difference between trueth and falshood, betweene faith and opinion, between religion and superstition, betwecn thvse holye r.rrrciscs enioyncdvs, by thy erpresse commaundement, and the vciin deuiscs of our idle fantasies, finally between the happy daics which we now cnioy, and that miserable time which the we spcnt in ignorance and errour. And the more doo wc praise thee for Thy great mercies extended toivard vs in this behalfe, for that we see with sorrow, how these silly soules are yet detayned in their palpable blindenes, nay (äs we feare) in thy iust iudgementes giuen vp (for their vnthankfulnes) intö a reprobate minde- and yet, for that, while there is life there is hope, and for that the loue of Christe, dooth

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binde vs to loue our bretheren äs Christe hath loucd vs: we most humbly beseech thee in the namc and for the merites of thy Sonne Christe lesus, to bc merciful vnto thc, to open their eyes, that they may see, and to mollify their hartes, that they may belecue, to alter their willes that they may embrace, thy holy trneth. Take frö them (o Lord) the stony hart, and giue them a fleshy hart: and sith thy sonne Christ lesus is the only way that erreth not, the only trueth that decieueth not, the onely life that wastcth not, poitre downc thy graces on them, that they disdayming all hope and confidence in them-selues, and vtterly renouncing all mans merits or meanes, may flye onely to thy mercy in the death and passion of thy Sonne Christe lesus.

Moreouer, where their sinnes arc (in thy inste iitdgementcs,) now müde manifest to thc worldr, eitcn their great and greeuous sinnes, committed against thy maicstie, against the sacred person of our drcad soucraigne Onrcne Elisabeth, agamst this state and Realme of England: eilen those sinnes, for the which they haue been iitstly condemncd, and are now worthely to be rxemtcd, and those sinnes for thc which they cannot possibly be pardoncd, vnlrse they be from thc bottomc of their hartes both sorrowefull for them, and ashamed of them: therefore O Lord, strike them thorowe with thy feare, cast them downe with a due and deepe cousideration of their horrible offences, giue them melting hartes, make them tremble at thy iudgementes, that they may confesse their faultes, and acknowledge their greeuous offenccs to thce and her Maiesty: And so (dcare fatherreccitte) them to mcrcy, washe them in the bloud of thy Sonne Christe lesus: and though their sinnes be äs red äs scarlet: make the äs white äs snowe: that how soeuer the law hath determined of their naturall liues, yet challenge thy own in them, rebuke that proud enemy that hath so long abused them, and finally make them pertakers of euerlasting life, through lesus Christe our

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Lord, in whome we call vpö thee, and pray vnto thee äs he hath taught vs saying: Dur Fa. &c.

Then the executioner was commaunded to doo his dutye.

The c.recution of Hartley,

After *Weldons* execution, the other prisoners were brought to *Hollywell*, nigh the Theater, where *Hartley* was to suffer. The preacher ceased not all the way to perswade him to repetäce, and to aske her maiesty forgiuenes, and when they were come to the place of executiö appointed for *Hartley*, he was willed to prepare him seife to dye. I am (quoth he) willing and resolued to dye, hoping (by this my short pain and suffering) to enter into euerlasting glorie. Remember *Hartley*, (quoth the Preacher) what was saide to thy fellowe. It is not the paine, but the cause, that maketh the Martyr, thou hast greuously offended God, her Maiestie, and this whole land: thou comdest hither to dye, not as a martyr, but äs a traitor, for high treason: Because, that contrary bothe to the lawes of God and this Realme, thou (sente in by our common enemy the Pope,) hast sought to seduce her Maiesties subiectes, to withdrawe them from their obedience, to our dread soueraigne Queene *Elisabeth*, whom y^e Lord long preserue ouer vs: to moue them to rebellyon, and to prepare them to *ioynz* with the forraine enemye, that should come to inuade vs: besides those perticuler treasons, vouched yesterday to thy face, for cöspiring (with others) to surprise her Maiesties Tower of London, and to fire this famous Citie. These are horrible tresons, & therfore äs we all say with *S. Augustine*, *De verbis apostoli sermone 2. Dei miserecordia nos coronat, non enim digni fuimus, quos vocaret, vvcatvs iustificaret, iustificatos glorificaret*, It is the mercy of God that crowneth vs, for we were not woorthy of our calling, nor being called of our iustification, nor being iustified of our glorification, & with the same *Augustine*, *Epist. 52. Nihil sumus per nos peccata nostra sunt, merita autem dei, suplicium nobis debetur*

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et cum premium venerit dona sua coronabit, non merita nostra. We are nothing of our selues, our sins are our own, but our merits are gods, we haue deserued nothing but death, and when our reward shall come, God will crowue his owne giftes not our merits. For that our woorks (if they be good) are Gods and not ours, doone of duety, and therefore voide of desert, for the creature cannot binde the creator, nor man, deserue of God: And therefore saye with *S. Paule*, in the *J.* to the *Ephesians*, that by grace we are saued, not of our selues, *Ephe. 2.* it is the gifte of God, and conimeth not of workes: And with the same *Saint Paule, Rom. n.* If it be of grace, it is no more *Rom. n. 6.* of woorkes, or eis were grace no more grace: So thy woorks, being thus made manifest to the worlde, thou oughtest to be sorry for them, and ashamed of them especialle, (if there be in thee any sparke of Gods grace) thou oughtest with all hartly sorrowe and vnfained Submission, to aske God and her Maiesty forgienes, for these thy horrible treasons, entended against her. If (quoth *Hartley*) I haue offended her highnes, I aske her forgienes. If thou haue (quoth *Maister Sheriffe*) it is well known, that thou hast highly offended both God and her, and hast committed treason against her. If (quoth he) to exercise the function of a Romaine catholique Preestc be treason, then haue I committed treason. Well (quoth the Preacher) thou hast heard what hath been said to thy fellow: we come not hether to dispute with thee, the law (thou seest) hathpassed vpon thee, thou haste been indi:ted, araigned, and (by lawfull triall) found guiltye of high treason, and hadst iudgement to suffer as a traitor, saue that her Maiestie hath dispensed with some parte of thy iudgement: It remaineth that thou prepare thy seife to dye: if thou wilt, we will praye with thee: (SD thou praye in English) and as a good Christian should doo: I wil (rjuoth *Hartley*) praye in Latin, and I desire you not to praye with me, yet (quoth the Preacher) we will pray for thee, wherupon he made then also this prayer following, the people ioyning with him in great feruencie.

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The praier at Hartleyes execution.

Rom. i

Albeit we humbly acknowledge thy iudgements (most mightye Lord) hww soeuer secret, yet alwaies to be iust: in that thy wrath is reitealed from the heaucns, againste dl vngodlines and vnrightuousnts of mm: which knowledging thee to be God, yet glorify thce not äs God: but become vaine in their imaginations, turning thy trueth vnto a lye, woorshipping & seruing the creature, and forsaking thee their creator, which art to be praised for euer: & therefore we doo not meruaile, though thou haue thus in thy iustice giuen vp these froward persons (for the time) int o a reprobate minde, seeing they are presumptuous, dispising gouernement, & (standing in their oiunc conceiptcs) faerenot to speake cuill of them that are in authoritie, nor to opposc thäelnes against thce and thine v, n-noynted: Yct: sith thou art the (röd of mercye, that willcth not the death of a sinner, but rather that he should turne from Ins iuickedncs and liitc, and sith thy holy apostle, not only* commaüded vs_f to make deprecatiös and supplications, for mir seines, but intmissions also for others: and to pray for all men, yca cuen our cncmics' and sith that äs the tree falleth so it lyeth, and äs the day of death Icaueth mm, so the day of iudycment nutst finde tlicm. JVc seeing the Mindenes, may sorrowing and lamenting the wilfulnes, of these froward and obstinate persons, whom, neither the deepe feeling of their greccioits sinncs, nor the starcfüll considwation of thy iust iudgements, nor the prcscent expectation, andfearr of death it seife, hath yet sufficiently hmnbled, or brought to the acknowledgment, much Icsse the forthinking, of their great and notorioits offncnes: doo most humbly bcseech thee (and that for Christe his sake) that äs thou art not onlye the searcher, but the rulcr of all mens harts, so it may please thee (at this time) to shcw the power ä^l presence of thy holy spirit, in mol-lifying the htirdnesse, and redaying the frowardnes of these stubborn and irrepentant sinners: that cösidering they haue not only sinned against heauen and against thee, but

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against thy whole Church, within this Realme of England: and especiallye, againste the principall piller theroff WUT dread soueraigne Queene Elisabeth: and seeing that there is left the now no further time (being by the iust censure of lau* cnt off) to satisfy the congregation by reformatiö of their liitcs: yct at least by their moittthes (the messengers of their minds) they may out of the abundance of their hartes, and iwith the inward tonch and testimony of their consdence, voide of all hipocrade, make it now eitident and apparant vnto vs, how sorie and ashamed they are, of their disobedience towards thee_f of their dishyalte towards our most godly & gracious Princes, & of their trcchrous fractiscs against their natitrall cuntrie of England, That, they fearing thy heauy wrath and iust iudgement, for their great and grceiiioits sinnes, wiay feclē thy sweet mercies, & most comfortable promises in forgiuenes of the säe: and so (iwith the thee_f that hung on the Crosse receiued to fauour) they may inhcrite thy euerlasting Kingdome, through Icsns Christe onr Lord, to whome with thee and the holy Ghoste be all praise and thanks-giiting now and for euer, Amen.

After the end wherof the saide *Hartley* was executed äs the first.

The execution of Sutton.

Then was the last man *Sutton* conuaied to *Clarkenwell*, where he was appointed to dye: the preacher traailing still vry earnestly to bring- him to conformety, wherein he so much preuailed, yt there was great hope conceiued both by Maister SheriflFe and him, that the prisoner would haue been conuerted, because he disdaimcd diuers pointes of popery which before he held: prayed for her Maiestie, affirming that he would fight in her cause against what pope or potetate soeuer, howbeit, this seemeil (afterward to) be but fained in hope of life, for when he had requested maister Sheriff y* he might be respited for a day or two, and haue Conference with

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the learned, für the better setting of bis conscience: and they very charitably had sent back to know the opiniun of the Lord cheefe Iustice of England, and her Maiesties attourney generall, what might be doon therin, who being glad to heare therof, were willing he should be stayed, and gaue such order: Yet (after all this) the said *Sittton* being onely required to submit him seife like a good subiect tu her Maiesties authoritie, and acknowledge her highnes according ta his dutye, to be supreme gouernor aswell in all causes äs ouer all persons, (for that he before had graunted) he being thus required both by M, Sheriffe and the Preacher, and promise made vnto him, that so his life should be respited: he stooode für a while äs it were in a double what he might doo, and after said, that he durst nut acknowledge that: because the church of Rome did not graut it: and I must (quoth he) remaine in the vnity of the Church, or eis I cannot be saued, for so saith S. *Augustinc*. That is (quoth the preacher) in y^e vnity of the Church of Christe, not of the Church of Rome: for the vnity of wicked persons is 110 vnity, but a conspiracie. We must follow peace, but it must be in holynes if we will see the Lord, well yet (quoth *Sutton*) S, *Augustine* saith äs I say. I pray thee (quoth the Preacher) let nie heare S, *Augustine*. The woordes which he alleged are written by S, *Augustine* in his Epistle *Contra Dvnatistas*, the woords these. *Quisquis a catholicu tcclesia fuerit srprcratits, qüantiimlibet laudabiliter se viuere existimet, /?o; solo scelere quod a Christi vnitare disiunctus est, non habebit vitam: sed ira dei manet super eum.* And I pray thee (quoth the Preacher) what doo these woordes make either for thee or against vs? These are S, *August*, woords. Whosoeuer is seperated from the Catholique Church, although he otherwaies behaue him seife neuer so laudably, yet in this one offence because he is seperated from the vnity of the Church he shal not haue life, but the wrath of God remaineth vpon him. Why? we graunt all this, and ad heerunto (if thou wilt) that which the same S. *Augustine*

Heb. 12.

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hath in another place. *Non habebit deum patrem qui non agnoscit ecclesiam matrem.* He shal neuer haue God for bis fa[t]her, that wil not acknowledge y^e Church for his mother. But this is (äs I said before) spoke of the Church of Christ, not of y^e Church of Rome, which Churche is his bodye, whereof he speaketh *loh 15.*

Abide in mv, and I in you: äs the braunch cannot beare fruit of it seife, except it abide in the vine, no more can ye, except ye abide in me. I am the vine: ye are the braunches, he that abideth in me and I in him, the same bringeth foorth much fruit: If a man abide not in me, he is cast foorth äs a braunch, that withereth: &c. Heerby thou maist see, or you at y^e least (good people) doo see. (*For he that is ßthy, let him bc ßthy still.*) ApOC. 22. That it is the Church of Christe, that is the piller of trueth, whence we must haue direction, and the arke of *Nonh*, wherin we shall haue saluation, euen wcn all y^e wicked shall be drowned. But to thee *Sutton* (quoth he) I feare thou hast dissembled w¹ vs all this while, and therefore (good i)enple) let vs pray & leaue him to God. Whervpon the preacher then also made a godly prayer, after y^e which the prisoner persisting in his wilfulnes was forthwith executcd.

The Prayer at Sitttons cxccutivn.

Wee haue I carned (O Lord) out of thy holy wword, hoiv fearefull a thing it is to fall into thy hand, and how hard for him to be recouered, that was once lightned with thy grace, and hauing tasted of thy trueth, dooth afterward fall away äs an Apostata, and by laying hand to the Plough and looking back againe: dooth not only make him seife vnmeet for thy kingdome, but dooth wucifie againe the Lord Iesus, and make a mocke of him' And therefore in the agony and bitternes of our soules, we pityng the dangerous, and (without recptace) damnable estate of this miserable creature, sometime a professor of thy name, but now a defaser of thy ghry, cut off (through his due deserts) not only from life naturall, but Heb. 6

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*(if he dye in this obstinacie) from all hope of saluation heere-
after: Doo (in the name of thy Sonne Christe Iesus) most
humbly beseeche thee, to be mercifull vnto him, and so h
deare the darkenes of his vnderstüding by the light of thy
heauenly grace, so to mollefy the hardnes of his hart, by the
Apoc. 2. Operation of thy holy spirit, that he (remembring from
whence he is flden) may repent and doo the first woork: that
he (disclayming and renouncing M felowship with the ante-
christian sinagog) and those vnfruitfull woorkes of darke-
nes, maye setke the vnitye, which is in veretye: and follow
He. 12. 14 that peace which is ioyned with holynes: submitting him seife
to all manner of ordinance of men euer for thy sake, tendering
his obedience not ofseruile feare, but in the affection of Chvr-
1. Pet. 2. ety, nor for feare of death, or hope of life, but for the loue
of righteousnes: And seeing the benefits and blessinges which
thou hast pleitfully powred on this Realme of England, vnder
the milde government of our dread Soueraigne Lady, Queene
Elisabeth, are in number so manye, in consideration so
waightie, in vse so necessarye, in prooffe so comfortable, and
hitherto in thy great mercy so continuall: äs no eye can be so
blinded but it must see the, nor any hart should be so hardned,
but it should acknowledge the: That he (among others) hau-
ing had so good experiece of them, may now with a woüded
conscience & greeued soule, for that through his owne wiuked-
nes and wretchednes, he hath cut off him seife from further
fruition of them, from the botome of his hart aske, both thee
fr her Maiesty forgiuenes: and dbeit the law hath pronounced
him vnwoorthy of longer life on the earth: yet he may be re-
ceiued into the Heauens, and so made pertaker, of euerlasting
glory, through a liuely faith in the death & blood sheding of
thy Sonne Christe Iesus, in whose name we call vpon thee and
pray vnto thee äs he hath taught vs: saying.*

Our Father. &c.

24 Octob. 1588.

FINIS.

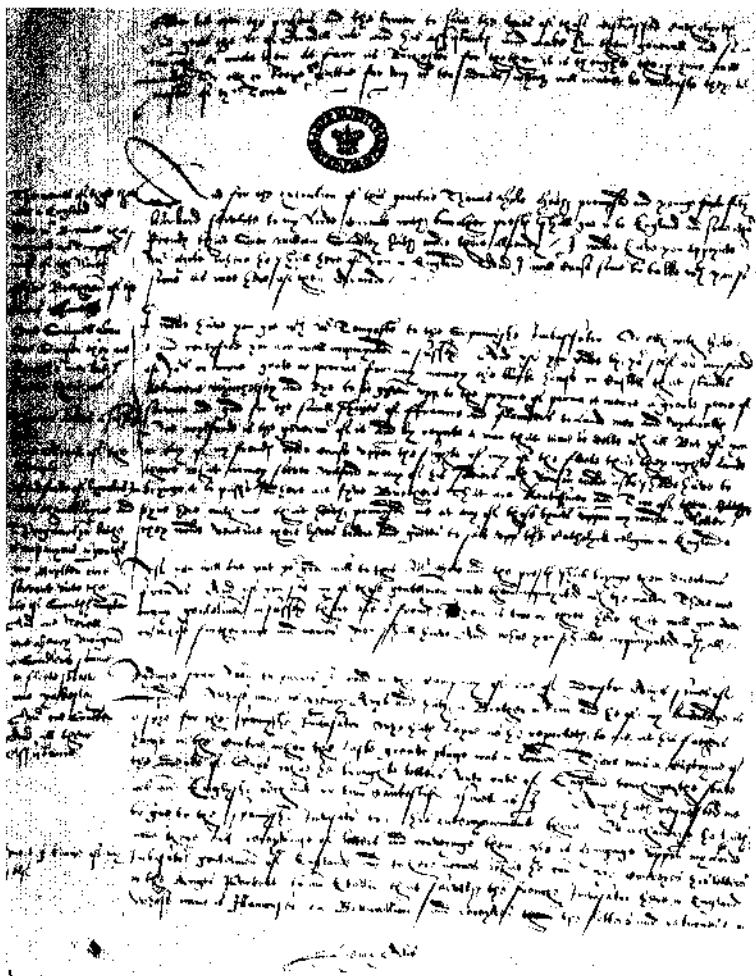
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Roger Walton's Report on the Tower Plot

[The page contains several paragraphs of handwritten text in cursive script, which is extremely faded and difficult to decipher. A circular seal or stamp is visible on the left side of the page, partially overlapping the text.]

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APPENDIX V

Bibliographical Information

CHAPTER I

ALIST of priories for women in England will be found in Power, Eileen, *Medieval English Nunneries*, pp. 685 ff. Maps of London, on which appear locations and many features of the topography of the London priories, will be found in Mitton, G. E., *Maps of Old London*. Kingsford, C. L., *A Survey of London by John Stow*, also furnishes valuable information both in Stow's text, and in Kingsford's notes and map. On St. Helen's Priory, the best work is *The Parish of St. Helen, Bishopsgate*, Part I, published as Volume IX of the London County Council Survey of London. Volume VIII of the same series is *The Parish of St. Leonard, Shoreditch*, in which are collected excellent maps and plans by which to locate the details of Holywell Priory. The topography of this priory is also minutely established in Braines, W. W., *Holywell Priory and the Site of the Theatre, Shoreditch* (2nd ed., 1923). Perhaps the most satisfactory work upon the Priory of St. Mary, Clerkenwell, still remains Dugdale, William, *Monasticon Anglicanum* (1846), Volume IV. The maps in Mitton and Kingsford aid considerably here.

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CHAPTER II

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CHAPTER IV

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CHAPTER V

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