CHAPTER III.

ETHELRED.--SETTLEMENT OF THE NORMANS.--EDMUND IRONSIDE.—CANUTE.-- HAROLD HAREFOOT.--HARDICANUTE.--EDWARD THE CONFESSOR.--HAROLD.

[MN Ethelred. 978.] The freedom which England had so long enjoyed from the depredations of the Danes seems to have proceeded, partly from the establishments which that piratical nation had obtained in the north of France, and which employed all their superfluous hands to people and maintain them; partly from the vigour and warlike spirit of a long race of English princes, who preserved the kingdom in a posture of defence by sea and land, and either prevented or repelled every attempt of the invaders. But a new generation of men being now sprung up in the northern regions who could no longer disburthen themselves on Normandy; the English had reason to dread that the Danes would again visit an island to which they were invited, both by the memory of their past successes, and by the expectation of assistance from their countrymen, who, though long established in the kingdom, were not yet thoroughly incorporated with the natives, nor had entirely forgotten their inveterate habits of war and depredation. And as the reigning prince was a minor, and even when he attained to man's estate never discovered either courage or capacity sufficient to govern his own subjects, much less to repel a formidable enemy, the people might justly apprehend the worst calamities from so dangerous a crisis.

The Danes, before they durst attempt any important enterprise against England, made an inconsiderable descent by way of trial; and having landed from seven vessels near Southampton, they ravaged the country, enriched themselves by spoil, and departed with impunity. Six years after, they made a like attempt in the west, and met with like success. The invaders having now found affairs in a very different situation from that in which they formerly appeared, encouraged their countrymen to assemble a greater force, and to hope for more considerable advantages. [MN 991.] They landed in Essex, under the command of two leaders; and having defeated and slain at Maldon, Brithnot, duke of that county, who ventured, with a small body, to attack them, they spread their devastations over all the neighbouring provinces. In this extremity, Ethelred, to whom historians give the epithet of the UNREADY, instead of rousing his people to defend with courage their honour and their property, hearkened to the advice of Siricius, Archbishop of Canterbury, which was seconded by many of the degenerate nobility; and paying the enemy the sum of ten thousand pounds, he bribed them to depart the kingdom. This shameful expedient was attended with the success which might be expected. The Danes next year appeared off the eastern coast, in hopes of subduing a people who defended themselves by their money, which invited assailants, instead of their arms, which repelled them. But the English, sensible of their folly, had, in the interval, assembled in a great council, and had determined to collect at London a fleet able to give battle to the enemy [a]; though that judicious measure failed of success, from the treachery of Alfric, Duke of Mercia, whose name is infamous in the annals of that age, by the calamities which his repeated perfidy brought upon his country. This nobleman had, in 983, succeeded to his father Alfere in that extensive command; but being deprived of it two years after, and banished the kingdom, he was obliged to employ all his intrigue, and all his power, which was too great for a subject, to be restored to his country, and reinstated in his authority. Having had experience of the credit and malevolence of his enemies, he thenceforth trusted for security, not to his services, or to the affections of his fellow-citizens, but to the influence which he had obtained over his vassals, and to the public calamities, which he thought must, in every revolution, render his assistance necessary. Having fixed this resolution, he determined to prevent all such successes as might establish the royal authority, or render his own situation dependent or precarious. As the English had formed the plan of surrounding and destroying the Danish fleet in harbour, he privately informed the enemy of their danger; and when they put to sea, in consequence of this intelligence, he deserted to them, with the squadron under his command, the night before the engagement, and thereby disappointed all the efforts of his countrymen [b]. Ethelred, enraged at his perfidy, seized his son Alfgar, and ordered his eyes to be put out [c]. But such was the power of Alfric, that he again forced himself into authority; and though he had given this specimen of his character, and received this grievous provocation, it was found necessary to

intrust him anew with the government of Mercia. This conduct of the court, which in all its circumstances is so barbarous, weak, and imprudent, both merited and prognosticated the most grievous calamities. [FN [a] Chron. Sax. p. 126. [b] Chron.. Sax. p. 127. W. Malm. p. 62. Higden, p. 270. [c] Chron. Sax. p.128. W. Malm. p. 62.]

[MN 993.] The northern invaders, now well acquainted with the defenceless condition of England, made a powerful descent under the command of Sweyn, King of Denmark, and Olave, King of Norway; and sailing up the Humber, spread on all sides their destructive ravages. Lindesey was laid waste; Banbury was destroyed; and all the Northumbrians, though mostly of Danish descent, were constrained either to join the invaders, or to suffer under their depredations. A powerful army was assembled to oppose the Danes, and a general action ensued; but the English were deserted in the battle, from the cowardice or treachery of their three leaders, all of them men of Danish race, Frena, Frithegist, and Godwin, who gave the example of a shameful flight to the troops under their command.

Encouraged by this success, and still more by the contempt which it inspired for their enemy, the pirates ventured to attack the centre of the kingdom; and entering the Thames in ninety-four vessels, laid siege to London, and threatened it with total destruction. But the citizens, alarmed at the danger, and firmly united among themselves, made a bolder defence than the cowardice of the nobility and gentry gave the invaders reason to apprehend; and the besiegers, after suffering the greatest hardships, were finally frustrated in their attempt. In order to revenge themselves, they laid waste Essex, Sussex, and Hampshire; and having there procured horses, they were thereby enabled to spread through the more inland counties the fury of their depredations. In this extremity, Ethelred and his nobles had recourse to the former expedient; and sending ambassadors to the two northern kings, they promised them subsistence and tribute, on condition they would, for the present, put an end to their ravages, and soon after depart the kingdom. Sweyn and Olave agreed to the terms, and peaceably took up their quarters at Southampton, where the sum of sixteen thousand pounds was paid to them. Olave even made a journey to Andover, where Ethelred resided, and he received the rite of confirmation from the English bishops, as well as many rich presents from the king. He here promised that he would never more infest the English territories; and he faithfully fulfilled the engagement. This prince receives the appellation of St. Olave from the church of Rome; and notwithstanding the general presumption which lies either against the understanding or morals of every one who in those ignorant ages was dignified with that title, he seems to have been a man of merit and of virtue. Sweyn, though less scrupulous than Olave, was constrained, upon the departure of the Norwegian prince, to evacuate also the kingdom with all his followers.

[MN 996.] This composition brought only a short interval to the miseries of the English. The Danish pirates appeared soon after in the Severn; and having committed spoil in Wales, as well as in Cornwall and Devonshire, they sailed round to the south coast, and entering the Tamar, completed the devastation of these two counties. They then returned to the Bristol Channel; and penetrating into the country by the Avon, spread themselves over all that neighbourhood, and carried fire and sword even into Dorsetshire. [MN 998.] They next changed the seat of war; and after ravaging the Isle of Wight, they entered the Thames and Medway, and laid siege to Rochester, where they defeated the Kentish men in a pitched battle. After this victory, the whole province of Kent was made a scene of slaughter, fire, and devastation. The extremity of these miseries forced the English into councils for common defence both by sea and land; but the weakness of the king, the divisions among the nobility, the treachery of some, the cowardice of others, the want of concert in all, frustrated every endeavour; their fleets and armies either came too late to attack the enemy, or were repulsed with dishonour; and the people were thus equally ruined by resistance or by submission. The English, therefore, destitute both of prudence and unanimity in council, of courage and conduct in the field, had recourse to the same weak expedient which by experience they had already found so ineffectual: they offered the Danes to buy peace, by paying them a large sum of money. These ravagers rose continually in their demands; and now required the payment of twenty-four thousand pounds, to which the English were so mean and imprudent as to submit [d]. The departure of the Danes procured them another short interval of repose, which they enjoyed as if it were to be perpetual, without making any effectual preparations for a more

vigorous resistance upon the next return of the enemy. [FN [d] Hoveden, p. 429. Chron. Mailr. p. 150.]

Besides receiving this sum, the Danes were engaged by another motive to depart a kingdom which appeared so little in a situation to resist their efforts: they were invited over by their countrymen in Normandy, who at this time were hard pressed by the arms of Robert, King of France, and who found it difficult to defend the settlement, which, with so much advantage to themselves and glory to their nation, they had made in that country. It is probable, also, that Ethelred, observing the close connexions thus maintained among all the Danes, however divided in government or situation, was desirous of forming an alliance with that formidable people: for this purpose, being now a widower, he made his addresses to Emma, sister to Richard II., Duke of Normandy, and he soon succeeded in his negotiation. [MN 1001.] The princess came over this year to England, and was married to Ethelred [e]. [FN [e] H. Hunt. p. 359. Higden, p. 271.]

[MN Settlement of the Normans.] In the end of the ninth and beginning of the tenth century, when the north, not yet exhausted by that multitude of people, or rather nations, which she had successively emitted, sent forth a new race, not of conquerors, as before, but of pirates and ravagers, who infested the countries possessed by her once warlike sons, lived Rollo, a petty prince or chieftain of Denmark, whose valour and abilities soon engaged the attention of his countrymen. He was exposed in his youth to the jealousy of the King of Denmark, who attacked his small but independent principality; and who, being foiled in every assault, had recourse at last to perfidy for effecting his purpose, which he had often attempted in vain by force of arms [f]: he lulled Rollo into security by an insidious peace; and falling suddenly upon him, murdered his brother and his bravest officers, and forced him to fly for safety into Scandinavia. Here many of his ancient subjects, induced partly by affection to their prince, partly by the oppressions of the Danish monarch, ranged themselves under his standard, and offered to follow him in every enterprise. Rollo, instead of attempting to recover his paternal dominions, where he must expect a vigorous resistance from the Danes, determined to pursue an easier, but more important undertaking, and to make his fortune, in imitation of his countrymen, by pillaging the richer and more southern coasts of Europe. He collected a body of troops, which, like that of all those ravagers, was composed of Norwegians, Swedes, Frisians, Danes, and adventurers of all nations, who, being accustomed to a roving unsettled life, took delight in nothing but war and plunder. His reputation brought him associates from all quarters; and a vision, which he pretended to have appeared to him in his sleep, and which, according to his interpretation of it, prognosticated the greatest successes, proved also a powerful incentive with those ignorant and superstitious people [g]. [FN [f] Dudo, ex edit. Duchesne, p. 70, 71. Gul. Gemeticencis, lib. 2. cap. 2, 3. [g] Dudo, p.71. Gul. Gem. in Epist. ad Gul. Conq.]

The first attempt made by Rollo was on England, near the end of Alfred's reign; when that great monarch, having settled Gothrum and his followers in East Anglia, and others of those freebooters in Northumberland, and having restored peace to his harassed country, had established the most excellent military as well as civil institutions among the English. The prudent Dane, finding that no advantages could be gained over such a people, governed by such a prince, soon turned his enterprises against France, which he found more exposed to his inroads [h]; and during the reigns of Eudes, an usurper, and of Charles the Simple, a weak prince, he committed the most destructive ravages both on the inland and maritime provinces of that kingdom. The French, having no means of defence against a leader who united all the valour of his countrymen with the policy of more civilized nations, were obliged to submit to the expedient practised by Alfred, and to offer the invaders a settlement in some of those provinces which they had depopulated by their arms [i]. [FN [h] Gul. Gemet. lib. 2. cap. 6. [i] Dudo, p. 82.]

The reason why the Danes for many years pursued measures so different from those which had been embraced by the Goths, Vandals, Franks, Burgundians, Lombards, and other northern conquerors, was the great difference in the method of attack which was practised by these several nations, and to which the nature of their respective situations necessarily confined them. The latter tribes, living in an inland country, made incursions by land upon the Roman empire; and when they entered far into the frontiers, they were obliged to carry along with them their wives and families, whom they had no hopes of soon revisiting, and who could not otherwise participate of their plunder. This circumstance quickly made them think of forcing a settlement

in the provinces which they had overrun; and these barbarians, spreading themselves over the country, found an interest in protecting the property and industry of the people whom they had subdued. But the Danes and Norwegians, invited by their maritime situation, and obliged to maintain themselves in their uncultivated country by fishing, had acquired some experience of navigation, and in their military excursions pursued the method practised against the Roman empire by the more early Saxons: they made descents in small bodies from their ships, or rather boats, and ravaging the coasts, returned with their booty to their families, whom they could not conveniently carry along with them in those hazardous enterprises. But when they increased their armaments, made incursions into the inland countries, and found it safe to remain longer in the midst of the enfeebled enemy, they had been accustomed to crowd their vessels with their wives and children; and having no longer any temptation to return to their own country, they willingly embraced an opportunity of settling in the warm climates and cultivated fields of the south.

Affairs were in this situation with Rollo and his followers, when Charles proposed to relinquish to them part of the province formerly called Neustria, and to purchase peace on these hard conditions. After all the terms were fully settled, there appeared only one circumstance shocking to the haughty Dane: he was required to do homage to Charles for this province, and to put himself in that humiliating posture imposed on vassals by the rites of the feudal law. He long refused to submit to this indignity; but being unwilling to lose such important advantages for a mere ceremony, he made a sacrifice of his pride to his interest, and acknowledged himself, in form, the vassal of the French monarch [k]. Charles gave him his daughter, Gisla, in marriage; and that he might bind him faster to his interests, made him a donation of a considerable territory, besides that which he was obliged to surrender to him by his stipulations. When some of the French nobles informed him, that in return for so generous a present it was expected that he should throw himself at the king's feet and make suitable acknowledgments for his bounty, Rollo replied, that he would rather decline the present; and it was with some difficulty they could persuade him to make that compliment by one of his captains. The Dane commissioned for this purpose, full of indignation at the order, and despising so unwarlike a prince, caught Charles by the foot, and pretending to carry it to his mouth, that he might kiss it, overthrew him before all his courtiers. The French, sensible of their present weakness, found it prudent to overlook this insult [l]. [FN [k] Ypod. Neust. p. 417. [1] Gul Gemet. lib. 2. cap. 17.]

Rollo, who was now in the decline of life, and was tired of wars and depredations, applied himself, with mature counsels, to the settlement of his newly-acquired territory, which was thenceforth called Normandy; and he parcelled it out among his captains and followers. He followed, in this partition, the customs of the feudal law, which was then universally established in the southern countries of Europe, and which suited the peculiar circumstances of that age. He treated the French subjects, who submitted to him, with mildness and justice; he reclaimed his ancient followers from their ferocious violence; he established law and order throughout his state; and after a life spent in tumult and ravages, he died peaceably in a good old age, and left his dominions to his posterity [m]. [FN [m] Ibid. cap. 19, 20, 21.]

William I. who succeeded him, governed the duchy twenty-five years; and, during that time, the Normans were thoroughly intermingled with the French, had acquired their language, had imitated their manners, and had made such progress towards cultivation, that on the death of William, his son Richard, though a minor [n], inherited his dominions: a sure proof that the Normans were already somewhat advanced in civility, and that their government could now rest secure on its laws and civil institutions, and was not wholly sustained by the abilities of the sovereign. Richard, after a long reign of fifty-four years, was succeeded by his son of the same name in the year 996 [o]; which was eighty-five years after the first establishment of the Normans in France. This was the duke who gave his sister Emma in marriage to Ethelred, King of England, and who thereby formed connexions with a country which his posterity was so soon after destined to subdue. [FN [n] Order. Vitalis, p. 459. Gul. Gemet. lib. 4. cap. 1. [o] Order. Vitalis, p. 459.]

The Danes had been established during a longer period in England than in France; and though the similarity of their original language to that of the Saxons invited them to a more early coalition with the natives, they had hitherto found so little example of civilized manners among the English, that they retained all their ancient

ferocity, and valued themselves only on their national character of military bravery. The recent as well as more ancient achievements of their countrymen tended to support this idea; and the English princes, particularly Athelstan and Edgar, sensible of that superiority, had been accustomed to keep in pay bodies of Danish troops, who were quartered about the country, and committed many violences upon the inhabitants. These mercenaries had attained to such a height of luxury, according to the old English writers [p], that they combed their hair once a day, bathed themselves once a week, changed their clothes frequently; and by all these arts of effeminacy, as well as by their military character, had rendered themselves so agreeable to the fair sex, that they debauched the wives and daughters of the English, and dishonoured many families. But what most provoked the inhabitants, was, that instead of defending them against invaders, they were ever ready to betray them to the foreign Danes, and to associate themselves with all straggling parties of that nation. The animosity between the inhabitants of English and Danish race had from these repeated injuries risen to a great height; when Ethelred, from a policy incident to weak princes, embraced the cruel resolution of massacring the latter throughout all his dominions [q]. [MN 1002.] Secret orders were despatched to commence the execution everywhere on the same day; and the festival of St. Brice [MN Nov. 13.], which fell on a Sunday, the day on which the Danes usually bathed themselves, was chosen for that purpose. It is needless to repeat the accounts transmitted concerning the barbarity of this massacre: the rage of the populace, excited by so many injuries, sanctioned by authority, and stimulated by example, distinguished not between innocence and guilt, spared neither sex nor age, and was not satiated without the tortures as well as death of the unhappy victims. Even Gunilda, sister to the King of Denmark, who had married Earl Paling, and had embraced Christianity, was, by the advice of Edric, Earl of Wilts, seized and condemned to death by Ethelred, after seeing her husband and children butchered before her face. This unhappy princess foretold, in the agonies of despair, that her murder would soon be avenged by the total ruin of the English nation. [FN [p] Wallingford, p. 547. [q] See note [D] at the end of the volume.]

[MN 1003.] Never was prophecy better fulfilled; and never did barbarous policy prove more fatal to the authors. Sweyn and his Danes, who wanted but a pretence for invading the English, appeared off the western coast, and threatened to take full revenge for the slaughter of their countrymen. Exeter fell first into their hands, from the negligence or treachery of Earl Hugh, a Norman, who had been made governor by the interest of Queen Emma. They began to spread their devastations over the country; when the English, sensible what outrages they must now expect from their barbarous and offended enemy, assembled more early, and in greater numbers than usual, and made an appearance of vigorous resistance. But all these preparations were frustrated by the treachery of Duke Alfric, who was intrusted with the command, and who, feigning sickness, refused to lead the army against the Danes, till it was dispirited, and at last dissipated, by his fatal misconduct. Alfric soon after died; and Edric, a greater traitor than he, who had married the king's daughter, and had acquired a total ascendant over him, succeeded Alfric in the government of Mercia, and in the command of the English armies. A great famine, proceeding partly from the bad seasons, partly from the decay of agriculture, added to all the other miseries of the inhabitants. The country, wasted by the Danes, harassed by the fruitless expeditions of its own forces, was reduced to the utmost desolation; and at last [MN 1007.] submitted to the infamy of purchasing a precarious peace from the enemy, by the payment of thirty thousand pounds.

The English endeavoured to employ this interval in making preparations against the return of the Danes, which they had reason soon to expect. A law was made, ordering the proprietors of eight hides of land to provide each a horseman and a complete suit of armour; and those of three hundred and ten hides to equip a ship for the defence of the coast. When this navy was assembled, which must have consisted of near eight hundred vessels [r], all hopes of its success were disappointed by the factions, animosities, and dissensions of the nobility Edric had impelled his brother Brightric to prefer an accusation of treason against Wolfnoth, Governor of Sussex, the father of the famous Earl Godwin; and that nobleman, well acquainted with the malevolence, as well as power of his enemy, found no means of safety but in deserting with twenty ships to the Danes. Brightric pursued him with a fleet of eighty sail; but his ships being shattered in a tempest, and stranded on the coast, he was suddenly attacked by Wolfnoth, and all his vessels were burnt or destroyed. The imbecility of the king was little capable of repairing this misfortune: the treachery of Edric frustrated every

plan for future defence; and the English navy, disconcerted, discouraged, and divided, was at last scattered into its several harbours. [FN [r] There were 243,600 hides in England. Consequently the ships equipped must be 785. The cavalry was 30,450 men.]

It is almost impossible, or would be tedious, to relate particularly all the miseries to which the English were thenceforth exposed. We hear of nothing but the sacking and burning of towns; the devastation of the open country; the appearance of the enemy in every quarter of the kingdom; their cruel diligence in discovering any corner which had not been ransacked by their former violence. The broken and disjointed narration of the ancient historians is here well adapted to the nature of the war, which was conducted by such sudden inroads as would have been dangerous even to an united and well-governed kingdom, but proved fatal, where nothing but a general consternation and mutual diffidence and dissension prevailed. The governors of one province refused to march to the assistance of another, and were at last terrified from assembling their forces for the defence of their own province. General councils were summoned; but either no resolution was taken, or none was carried into execution. And the only expedient in which the English agreed, was the base and imprudent one of buying a new peace from the Danes, by the payment of forty-eight thousand pounds.

[MN 1011.] This measure did not bring them even that short interval of repose which they had expected from it. The Danes, disregarding all engagements, continued their devastations and hostilities; levied a new contribution of eight thousand pounds upon the county of Kent alone; murdered the Archbishop of Canterbury, who had refused to countenance this exaction; and the English nobility found no other resource than that of submitting every where to the Danish monarch, swearing allegiance to him [MN 1013.], and delivering him hostages for their fidelity. Ethelred, equally afraid of the violence of the enemy and the treachery of his own subjects, fled into Normandy, whither he had sent before him Queen Emma and her two sons, Alfred and Edward. Richard received his unhappy guests with a generosity that does honour to his memory.

[MN 1014.] The king had not been above six weeks in Normandy when he heard of the death of Sweyn, who expired at Gainsborough, before he had time to establish himself in his newly acquired dominions. The English prelates and nobility, taking advantage of this event, sent over a deputation to Normandy, inviting Ethelred to return to them, expressing a desire of being again governed by their native prince, and intimating their hopes, that being now tutored by experience, he would avoid all those errors which had been attended with such misfortunes to himself and to his people. But the misconduct of Ethelred was incurable; and on his resuming the government, he discovered the same incapacity, indolence, cowardice, and credulity, which had so often exposed him to the insults of his enemies. His son-in-law, Edric, notwithstanding his repeated treasons, retained such influence at court as to instil into the king jealousies of Sigefert and Morcar, two of the chief nobles of Mercia: Edric allured them into his house, where he murdered them; while Ethelred participated in the infamy of the action, by confiscating their estates and thrusting into a convent the widow of Sigefert. She was a woman of singular beauty and merit; and in a visit which was paid her, during her confinement, by Prince Edmond, the king’s eldest son, she inspired him with so violent an affection, that he released her from the convent, and soon after married her, without the consent of his father.

Meanwhile the English found in Canute, the son and successor of Sweyn, an enemy no less terrible than the prince from whom death had so lately delivered them. He ravaged the eastern coast with merciless fury, and put ashore all the English hostages at Sandwich, after having cut off their hands and noses. He was obliged, by the necessity of his affairs, to make a voyage to Denmark; but returning soon after, he continued his depredations along the southern coast: he even broke into the counties of Dorset, Wilts, and Somerset; where an army was assembled against him, under the command of Prince Edmond and Duke Edric. The latter still continued his perfidious machinations; and after endeavouring in vain to get the prince into his power, he found means to disperse the army; and he then openly deserted to Canute with forty vessels. [MN 1015.]

Notwithstanding this misfortune, Edmond was not disconcerted; but, assembling all the force of England, was in a condition to give battle to the enemy. The king had had such frequent experience of perfidy among his

subjects, that he had lost all confidence in them: he remained at London, pretending sickness, but really from apprehensions that they intended to buy their peace, by delivering him into the hands of his enemies. The army called aloud for their sovereign to march at their head against the Danes; and, on his refusal to take the field, they were so discouraged, that those vast preparations became ineffectual for the defence of the kingdom. Edmond, deprived of all regular supplies to maintain his soldiers, was obliged to commit equal ravages with those which were practised by the Danes; and after making some fruitless expeditions into the north, which had submitted entirely to Canute's power, he retired to London, determined there to maintain, to the last extremity, the small remains of English liberty. [MN 1016.] He here found every thing in confusion by the death of the king, who expired after an unhappy and inglorious reign of thirty-five years. He left two sons by his first marriage, Edmond, who succeeded him, and Edwy, whom Canute afterwards murdered. His two sons by the second marriage, Alfred and Edward, were immediately, upon Ethelred's death, conveyed into Normandy by Queen Emma.

[MN Edmond Ironside.] This prince, who received the name of Ironside from his hardy valour, possessed courage and abilities sufficient to have prevented his country from sinking into those calamities, but not to raise it from that abyss of misery into which it had already fallen. Among the other misfortunes of the English, treachery and disaffection had crept in among the nobility and prelates; and Edmond found no better expedient for stopping the farther progress of these fatal evils, than to lead his army instantly into the field, and to employ them against the common enemy. After meeting with some success at Gillingham, he prepared himself to decide, in one general engagement, the fate of his crown; and at Scoerston, in the county of Gloucester, he offered battle to the enemy, who were commanded by Canute and Edric. Fortune, in the beginning of the day, declared for him; but Edric, having cut off the head of one Osmer, whose countenance resembled that of Edmond, fixed it on a spear, carried it through the ranks in triumph, and called aloud to the English, that it was time to fly; for, behold! the head of their sovereign. And though Edmond, observing the consternation of the troops, took off his helmet and showed himself to them, the utmost he could gain by his activity and valour was to leave the victory undecided. Edric now took a surer method to ruin him, by pretending to desert to him, and as Edmond was well acquainted with his power, and probably knew no other of the chief nobility in whom he could repose more confidence, he was obliged, notwithstanding the repeated perfidy of the man, to give him a considerable command in the army. A battle soon after ensued at Assington in Essex, where Edric, flying in the beginning of the day, occasioned the total defeat of the English, followed by a great slaughter of the nobility. The indefatigable Edmond, however, had still resources; assembling a new army at Gloucester, he was again in a condition to dispute the field; when the Danish and English nobility, equally harassed with those convulsions, obliged their kings to come to a compromise, and to divide the kingdom between them by treaty. Canute reserved to himself the northern division, consisting of Mercia, East Anglia, and Northumberland, which he had entirely subdued; the southern parts were left to Edmond. This prince survived the treaty about a month. He was murdered at Oxford by two of his chamberlains, accomplices of Edric, who thereby made way for the succession of Canute the Dane to the crown of England.

[MN Canute 1017.] The English, who had been unable to defend their country, and maintain their independency, under so active and brave a prince as Edmond, could, after his death, expect nothing but total subjection from Canute, who, active and brave himself, and at the head of a great force, was ready to take advantage of the minority of Edwin and Edward, the two sons of Edmond. Yet this conqueror, who was commonly so little scrupulous, showed himself anxious to cover his injustice under plausible pretences; before he seized the dominions of the English princes, he summoned a general assembly of the states, in order to fix the succession of the kingdom. He here suborned some nobles to depose that, in the treaty of Gloucester, it had been verbally agreed either to name Canute, in case of Edmond's death, successor to his dominions, or tutor to his children (for historians vary in this particular); and that evidence, supported by the great power of Canute, determined the states immediately to put the Danish monarch in possession of the government. Canute, jealous of the two princes, but sensible that he should render himself extremely odious if he ordered them to be despatched in England, sent them abroad to his ally, the King of Sweden, whom he desired, as soon as they arrived at his court, to free him by their death from all farther anxiety. The Swedish monarch was too generous to comply with the request, but being afraid of drawing on himself a quarrel with Canute, by

protecting the young princes, he sent them to Solomon, King of Hungary, to be educated in his court. The elder, Edwin, was afterwards married to the sister of the King of Hungary, but the English prince dying without issue, Solomon gave his sister-in-law, Agatha, daughter of the Emperor Henry II., in marriage to Edward, the younger brother; and she bore him Edgar Atheling, Margaret, afterwards queen of Scotland, and Christiana, who retired into a convent.

Canute, though he had reached the great point of his ambition, in obtaining possession of the English crown, was obliged at first to make great sacrifices to it; and to gratify the chief of the nobility, by bestowing on them the most extensive governments and jurisdictions. He created Thurkill Earl or Duke of East Anglia, (for these titles were then nearly of the same import,) Yric of Northumberland, and Edric of Mercia, reserving only to himself the administration of Wessex. But seizing afterwards a favourable opportunity, he expelled Thurkill and Yric from their governments, and banished them the kingdom; he put to death many of the English nobility, on whose fidelity he could not rely, and whom he hated on account of their disloyalty to their native prince. And even the traitor Edric, having had the assurance to reproach him with his services, was condemned to be executed, and his body to be thrown into the Thames; a suitable reward for his multiplied acts of perfidy and rebellion.

Canute also found himself obliged, in the beginning of his reign, to load the people with heavy taxes, in order to reward his Danish followers: he exacted from them at one time the sum of seventy-two thousand pounds; besides eleven thousand pounds, which he levied on London alone. He was probably willing, from political motives, to mulct severely that city, on account of the affection which it had borne to Edmond, and the resistance which it had made to the Danish power in two obstinate sieges [s]. But these rigours were imputed to necessity; and Canute, like a wise prince, was determined that the English, now deprived of all their dangerous leaders, should be reconciled to the Danish yoke by the justice and impartiality of his administration. He sent back to Denmark as many of his followers as he could safely spare; he restored the Saxon customs in a general assembly of the states; he made no distinction between Danes and English in the distribution of justice; and he took care, by a strict execution of law, to protect the lives and properties of all his people. The Danes were gradually incorporated with his new subjects; and both were glad to obtain a little respite from those multiplied calamities from which the one, no less than the other, had, in their fierce contest for power, experienced such fatal consequences. [FN [s] W. Malm. p. 72. In one of these sieges, Canute diverted the course of the Thames, and by that means brought his ships above London bridge.]

The removal of Edmond's children into so distant a country as Hungary, was, next to their death, regarded by Canute as the greatest security to his government: he had no farther anxiety, except with regard to Alfred and Edward, who were protected and supported by their uncle, Richard Duke of Normandy. Richard even fitted out a great armament, in order to restore the English princes to the throne of their ancestors; and, though the navy was dispersed by a storm, Canute saw the danger to which he was exposed from the enmity of so warlike a people as the Normans. In order to acquire the friendship of the duke, he paid his addresses to Queen Emma, sister of that prince; and promised that he would leave the children whom he should have by that marriage in possession of the crown of England. Richard complied with his demand, and sent over Emma to England, where she was soon after married to Canute [t]. The English, though they disapproved of her espousing the mortal enemy of her former husband and his family, were pleased to find at court a sovereign to whom they were accustomed, and who had already formed connexions with them; and thus Canute, besides securing by this marriage the alliance of Normandy, gradually acquired, by the same means, the confidence of his own subjects [u]. The Norman prince did not long survive the marriage of Emma; and he left the inheritance of the duchy to his eldest son of the same name; who dying a year after him without children, was succeeded by his brother Robert, a man of valour and abilities. [FN [t] Chron Sax. p. 151. W. Malmes. p. 73. [u] W. Malmes. p. 73. Higden, p. 275.]

Canute, having settled his power in England beyond all danger of a revolution, made a voyage to Denmark, in order to resist the attacks of the King of Sweden; and he carried along with him a great body of the English, under the command of Earl Godwin. This nobleman had here an opportunity of performing a service by which

he both reconciled the king's mind to the English nation, and, gaining to himself the friendship of his sovereign, laid the foundation of that immense fortune which he acquired to his family. He was stationed next the Swedish camp, and observing a favourable opportunity which he was obliged suddenly to seize, he attacked the enemy in the night, drove them from their trenches, threw them into disorder, pursued his advantage, and obtained a decisive victory over them. Next morning, Canute seeing the English camp entirely abandoned, imagined that those disaffected troops had deserted to the enemy: he was agreeably surprised to find that they were at that time engaged in pursuit of the discomfited Swedes. He was so pleased with this success, and with the manner of obtaining it, that he bestowed his daughter in marriage upon Godwin, and treated him ever after with entire confidence and regard.

[MN 1028.] In another voyage, which he made afterwards to Denmark, Canute attacked Norway, and expelling the just but unwarlike Olaus, kept possession of his kingdom till the death of that prince. He had now, by his conquests and valour, attained the utmost height of grandeur; having leisure from wars and intrigues, he felt the unsatisfactory nature of all human enjoyments; and, equally weary of the glories and turmoils of this life, he began to cast his view towards that future existence, which it is so natural for the human mind, whether satiated by prosperity, or disgusted with adversity, to make the object of its attention. Unfortunately, the spirit which prevailed in that age gave a wrong direction to his devotion; instead of making compensation to those whom he had injured by his former acts of violence, he employed himself entirely in those exercises of piety which the monks represented as the most meritorious. He built churches, he endowed monasteries, he enriched the ecclesiastics, and he bestowed revenues for the support of chantries at Assington and other places, where he appointed prayers to be said for the souls of those who had there fallen in battle against him. He even undertook a pilgrimage to Rome, where he resided a considerable time; besides obtaining from the pope some privileges for the English school erected there, he engaged all the princes through whose dominions he was obliged to pass to desist from those heavy impositions and tolls which they were accustomed to exact from the English pilgrims. By this spirit of devotion, no less than by his equitable and politic administration, he gained, in a good measure, the affections of his subjects.

Canute, the greatest and most powerful monarch of his time, sovereign of Denmark and Norway, as well as of England, could not fail of meeting with adulation from his courtiers; a tribute which is liberally paid even to the meanest and weakest princes. Some of his flatterers, breaking out one day in admiration of his grandeur, exclaimed, that every thing was possible for him; upon which the monarch, it is said, ordered his chair to be set on the sea-shore, while the tide was rising; and as the waters approached he commanded them to retire, and to obey the voice of him who was lord of the ocean. He feigned to sit some time in expectation of their submission; but when the sea still advanced towards him, and began to wash him with its billows, he turned to his courtiers, and remarked to them, that every creature in the universe was feeble and impotent, and that power resided with one Being alone, in whose hands were all the elements of nature, who could say to the ocean, THUS FAR SHALT THOU GO, AND NO FARTHER; and who could level with his nod the most towering piles of human pride and ambition.

[MN 1031.] The only memorable action which Canute performed after his return from Rome was an expedition against Malcolm, King of Scotland. During the reign of Ethelred, a tax of a shilling a hide had been imposed on all the lands of England. It was commonly called DANEGELT; because the revenue had been employed either in buying peace with the Danes, or in making preparations against the inroads of that hostile nation. That monarch had required that the same tax should be paid by Cumberland, which was held by the Scots; but Malcolm, a warlike prince, told him, that, as he was always able to repulse the Danes by his own power, he would neither submit to buy peace of his enemies, nor pay others for resisting them. Ethelred, offended at this reply, which contained a secret reproach on his own conduct, undertook an expedition against Cumberland; but though he committed ravages upon the country, he could never bring Malcolm to a temper more humble or submissive. Canute, after his accession, summoned the Scottish king to acknowledge himself a vassal for Cumberland to the crown of England; but Malcolm refused compliance, on pretence that he owed homage to those princes only who inherited that kingdom by right of blood. Canute was not of a temper to bear this insult; and the King of Scotland soon found that the sceptre was in very different hands from those of

the feeble and irresolute Ethelred. Upon Canute's appearing on the frontiers with a formidable army, Malcolm agreed that his grandson and heir, Duncan, whom he put in possession of Cumberland, should make the submissions required, and that the heirs of Scotland should always acknowledge themselves vassals to England for that province [w]. [FN [w] W. Malmes p. 74.]

Canute passed four years in peace after this enterprise, and he died at Shaftesbury [x]; leaving three sons, Sweyn, Harold, and Hardicanute. Sweyn, whom he had by his first marriage with Alfwen, daughter of the Earl of Hampshire, was crowned in Norway: Hardicanute, whom Emma had borne him, was in possession of Denmark: Harold, who was of the same marriage with Sweyn, was at that time in England. [FN [x] Chron. Sax. p. 154. W. Malmes. p. 76.]

[MN Harold Harefoot. 1035.] Though Canute, in his treaty with Richard, Duke of Normandy, had stipulated that his children by Emma should succeed to the crown of England, he had either considered himself as released from that engagement by the death of Richard, or esteemed it dangerous to leave an unsettled and newly-conquered kingdom in the hands of so young a prince as Hardicanute; he therefore appointed by his will Harold successor to the crown. This prince was, besides, present to maintain his claim; he was favoured by all the Danes, and he got immediately possession of his father's treasures, which might be equally useful, whether he found it necessary to proceed by force or intrigue in insuring his succession. On the other hand, Hardicanute had the suffrages of the English, who, on account of his being born among them of Queen Emma, regarded him as their countryman; he was favoured by the articles of treaty with the Duke of Normandy; and, above all, his party was espoused by Earl Godwin, the most powerful nobleman in the kingdom, especially in the province of Wessex, the chief seat of the ancient English. Affairs were likely to terminate in a civil war; when, by the interposition of the nobility of both parties, a compromise was made, and it was agreed that Harold should enjoy, together with London, all the provinces north of the Thames, while the possession of the south should remain to Hardicanute; and till that prince should appear and take possession of his dominions, Emma fixed her residence at Winchester, and established her authority over her son's share of the partition.

Meanwhile, Robert, Duke of Normandy, died in a pilgrimage to the Holy Land, and being succeeded by a son, yet a minor, the two English princes, Alfred and Edward, who found no longer any countenance or protection in that country, gladly embraced the opportunity of paying a visit, with a numerous retinue, to their mother Emma, who seemed to be placed in a state of so much power and splendour at Winchester. But the face of affairs soon wore a melancholy aspect. Earl Godwin had been gained by the arts of Harold, who promised to espouse the daughter of that nobleman, and while the treaty was yet a secret, these two tyrants laid a plan for the destruction of the English princes. Alfred was invited to London by Harold with many professions of friendship; but when he had reached Guilford, he was set upon by Godwin's vassals, about six hundred of his train were murdered in the most cruel manner, he himself was taken prisoner, his eyes were put out, and he was conducted to the monastery of Ely, where he died soon after [y]. Edward and Emma, apprized of the fate which was awaiting them, fled beyond sea, the former into Normandy, the latter into Flanders. While Harold, triumphing in his bloody policy, took possession, without resistance, of all the dominions assigned to his brother. [FN [y] H. Hunt. p. 365. Ypod. Neustr. p. 434. Hoveden, p. 438. Chron. Mailr. p. 156. Higden, p. 277. Chron. St. Petri de Burgo, p. 39. Sim. Dun. p. 179. Abbas Rieval. p. 366, 374. Brompton, p. 935. Gul. Gem. lib. 7, cap. 11. Matth. West. p. 209. Flor. Wigorn. p. 622. Alur. Beverl. p. 118.]

This is the only memorable action performed during a reign of four years, by this prince, who gave so bad a specimen of his character, and whose bodily accomplishments alone are known to us by his appellation of HAREFOOT, which he acquired from his agility in running and walking. He died on the 14th of April, 1039; little regretted or esteemed by his subjects, and left the succession open to his brother, Hardicanute.

[MN Hardicanute. 1039.] Hardicanute, or Canute the Hardy, that is, the robust, (for he too is chiefly known by his bodily accomplishments,) though, by remaining so long in Denmark, he had been deprived of his share in the partition of the kingdom, had not abandoned his pretensions; and he had determined, before Harold's death, to recover by arms what he had lost, either by his own negligence, or by the necessity of his affairs. On

pretence of paying a visit to the queen-dowager in Flanders, he had assembled a fleet of sixty sail, and was preparing to make a descent on England, when intelligence of his brother's death induced him to sail immediately to London, where he was received in triumph, and acknowledged king without opposition.

The first act of Hardicanute's government afforded his subjects a bad prognostic of his future conduct. He was so enraged at Harold for depriving him of his share of the kingdom, and for the cruel treatment of his brother Alfred, that, in an impotent desire of revenge against the dead, he ordered his body to be dug up, and to be thrown into the Thames; and, when it was found by some fishermen, and buried in London, he ordered it again to be dug up, and to be thrown again into the river; but it was fished up a second time, and then interred with great secrecy. Godwin, equally servile and insolent, submitted to be his instrument in this unnatural and brutal action.

That nobleman knew that he was universally believed to have been an accomplice in the barbarity exercised on Alfred, and that he was on that account obnoxious to Hardicanute; and perhaps he hoped, by displaying this rage against Harold's memory, to justify himself from having had any participation in his counsels. But Prince Edward, being invited over by the king, immediately on his appearance preferred an accusation against Godwin for the murder of Alfred, and demanded justice for that crime. Godwin, in order to appease the king, made him a magnificent present of a galley with a gilt stern, rowed by fourscore men, who bore each of them a gold bracelet on his arm, weighing sixteen ounces, and were armed and clothed in the most sumptuous manner. Hardicanute, pleased with the splendour of this spectacle, quickly forgot his brother's murder; and on Godwin's swearing that he was innocent of the crime, he allowed him to be acquitted.

Though Hardicanute, before his accession, had been called over by the vows of the English, he soon lost the affections of the nation by his misconduct; but nothing appeared more grievous to them, than his renewing the imposition of Danegelt, and obliging the nation to pay a great sum of money to the fleet which brought him from Denmark. The discontents ran high in many places; in Worcester the populace rose, and put to death two of the collectors. The king, enraged at this opposition, swore vengeance against the city, and ordered three noblemen, Godwin, Duke of Wessex, Siward, Duke of Northumberland, and Leofric, Duke of Mercia, to execute his menaces with the utmost rigour. They were obliged to set fire to the city, and deliver it up to be plundered by their soldiers; but they saved the lives of the inhabitants, whom they confined in a small island of the Severn, called Bevery, till, by their intercession, they were able to appease the king, and obtain the pardon of the supplicants.

This violent government was of short duration. Hardicanute died in two years after his accession, at the nuptials of a Danish lord, which he had honoured with his presence. His usual habits of intemperance were so well known, that, notwithstanding his robust constitution, his sudden death gave as little surprise as it did sorrow to his subjects.

[MN Edward the Confessor. 1041.] The English, on the death of Hardicanute, saw a favourable opportunity for recovering their liberty, and for shaking off the Danish yoke, under which they had so long laboured. Sweyn, King of Norway, the eldest son of Canute, was absent; and as the two last kings had died without issue, none of that race presented himself, nor any whom the Danes could support as successor to the throne. Prince Edward was fortunately at court on his brother's demise; and though the descendants of Edmund Ironside were the true heirs of the Saxon family, yet their absence in so remote a country as Hungary, appeared a sufficient reason for their exclusion, to a people like the English, so little accustomed to observe a regular order in the succession of their monarchs. All delays might be dangerous; and the present occasion must hastily be embraced; while the Danes, without concert, without a leader, astonished at the present incident, and anxious only for their personal safety, durst not oppose the united voice of the nation.

But this concurrence of circumstances in favour of Edward might have failed of its effect, had his succession been opposed by Godwin, whose power, alliances, and abilities gave him a great influence at all times, especially amidst those sudden opportunities which always attend a revolution of government, and which,

either seized or neglected, commonly prove decisive. There were opposite reasons which divided men's hopes and fears with regard to Godwin's conduct. On the one hand, the credit of that nobleman lay chiefly in Wessex, which was almost entirely inhabited by English: it was therefore presumed that he would second the wishes of that people, in restoring the Saxon line and in humbling the Danes, from whom he, as well as they, had reason to dread, as they had already felt the most grievous oppressions. On the other hand, there subsisted a declared animosity between Edward and Godwin, on account of Alfred's murder, of which the latter had publicly been accused by the prince, and which he might believe so deep an offence, as could never, on account of any subsequent merits, be sincerely pardoned. But their common friends here interposed; and, representing the necessity of their good correspondence, obliged them to lay aside all jealousy and rancour, and concur in restoring liberty to their native country. Godwin only stipulated, that Edward, as a pledge of his sincere reconciliation, should promise to marry his daughter Editha; and having fortified himself by this alliance, he summoned a general council at Gillingham, and prepared every measure for securing the succession to Edward. The English were unanimous and zealous in their resolutions; the Danes were divided and dispirited: any small opposition which appeared in the assembly was browbeaten and suppressed; and Edward was crowned king, with every demonstration of duty and affection.

The triumph of the English, upon this signal and decisive advantage, was at first attended with some assault and violence against the Danes; but the king, by the mildness of his character, soon reconciled the latter to his administration, and the distinction between the two nations gradually disappeared. The Danes were interspersed with the English in most of the provinces; they spoke nearly the same language; they differed little in their manners and laws; domestic dissensions in Denmark prevented, for some years, any powerful invasion from thence, which might awaken past animosities; and as the Norman Conquest, which ensued soon after, reduced both nations to equal subjection, there is no further mention in history of any difference between them. The joy, however, of their present deliverance made such impression on the minds of the English, that they instituted an annual festival for celebrating that great event; and it was observed in some counties even to the time of Spellman [z]. [FN [z] Spellm. Glossary, in verbo HOCDAY.]

The popularity which Edward enjoyed on his accession was not destroyed by the first act of his administration, his resuming all the grants of his immediate predecessors; an attempt which is commonly attended with the most dangerous consequences. The poverty of the crown convinced the nation that this act of violence was become absolutely necessary; and as the loss fell chiefly on the Danes, who had obtained large grants from the late kings, their countrymen, on account of their services in subduing the kingdom, the English were rather pleased to see them reduced to their primitive poverty. The king's severity also towards his mother, the queen-dowager, though exposed to some more censure, met not with very general disapprobation. He had hitherto lived on indifferent terms with the princess; he accused her of neglecting him and his brother during their adverse fortune [a]; he remarked that as the superior qualities of Canute, and his better treatment of her, had made her entirely indifferent to the memory of Ethelred, she also gave the preference to her children of the second bed, and always regarded Hardicanute as her favourite. The same reasons had probably made her unpopular in England; and though her benefactions to the monks obtained her the favour of that order, the nation was not, in general, displeased to see her stripped by Edward of immense treasure which she had amassed. He confined her, during the remainder of her life, in a monastery at Winchester, but carried his rigour against her no farther. The stories of his accusing her of a participation in her son Alfred's murder, and of a criminal correspondence with the Bishop of Winchester, and also of her justifying herself by treading barefoot, without receiving any hurt, over nine burning ploughshares, were the inventions of the monkish historians, and were propagated and believed from the silly wonder of posterity [b]. [FN [a] Anglia Sacra, vol. i. p. 237. [b] Higden, p. 277.]

The English flattered themselves that, by the accession of Edward, they were delivered for ever from the dominion of foreigners; but they soon found that this evil was not yet entirely removed. The king had been educated in Normandy; and had contracted many intimacies with the natives of that country, as well as an affection for their manners [c]. The court of England was soon filled with Normans, who, being distinguished both by the favour of Edward, and by a degree of cultivation superior to that which was attained by the

English in those ages, soon rendered their language, customs, and laws, fashionable in the kingdom. The study of the French tongue became general among the people. The courtiers affected to imitate that nation in their dress, equipage, and entertainments: even the lawyers employed a foreign language in their deeds and papers [d]. But, above all, the church felt the influence and dominion of those strangers: Ulf and William, two Normans, who had formerly been the king's chaplains, were created Bishops of Dorchester and London. Robert, a Norman also, was promoted to the see of Canterbury [e], and always enjoyed the highest favour of his master, of which his abilities rendered him not unworthy. And though the king's prudence, or his want of authority, made him confer almost all the civil and military employments on the natives, the ecclesiastical preferments fell often to the share of the Normans; and as the latter possessed Edward's confidence, they had secretly a great influence on public affairs, and excited the jealousy of the English, particularly of Earl Godwin [f]. [FN [c] Ingulph. p. 62. [d] Ingulph. p. 62. [e] Chron. Sax. p. 161. [f] W. Malm. p. 80.]

This powerful nobleman, besides being Duke or Earl of Wessex, had the counties of Kent and Sussex annexed to his government. His eldest son, Sweyn, possessed the same authority in the counties of Oxford, Berks, Gloucester, and Hereford; and Harold, his second son, was Duke of East Anglia, and at the same time governor of Essex. The great authority of this family was supported by immense possessions and powerful alliances; and the abilities, as well as ambition of Godwin himself, contributed to render it still more dangerous. A prince of greater capacity and vigour than Edward would have found it difficult to support the dignity of the crown under such circumstances; and as the haughty temper of Godwin made him often forget the respect due to his prince, Edward's animosity against him was grounded on personal as well as political considerations, on recent as well as more ancient injuries. The king, in pursuance of his engagements, had indeed married Editha, the daughter of Godwin [g]; but this alliance became a fresh source of enmity between them. Edward's hatred of the father was transferred to that princess; and Editha, though possessed of many amiable accomplishments, could never acquire the confidence and affection of her husband. It is even pretended that, during the whole course of her life, he abstained from all commerce of love with her; and such was the absurd admiration paid to an inviolable chastity during those ages, that his conduct in this particular is highly celebrated by the monkish historians, and greatly contributed to his acquiring the title of Saint and Confessor [h]. [MN 1048] [FN [g] Chron. Sax. p. 157. [h] Wm. Malm. p. 80 Higden, p. 277. Abbas Rieval. p. 366, 377. Matth. West. p. 221. Chron. Thom. Wykes, p. 21. Anglia Sacra, vol. i. p. 241.]

The most popular pretence on which Godwin could ground his disaffection to the king and his administration was to complain of the influence of the Normans in the government; and a declared opposition had thence arisen between him and these favourites. It was not long before this animosity broke into action. Eustace, Count of Boulogne, having paid a visit to the king, passed by Dover in his return; one of his train, being refused entrance to a lodging which had been assigned him, attempted to make his way by force, and in the contest he wounded the master of the house. The inhabitants revenged this insult by the death of the stranger; the count and his train took arms, and murdered the wounded townsman; a tumult ensued; near twenty persons were killed on each side; and Eustace, being overpowered by numbers, was obliged to save his life by flight from the fury of the populace. He hurried immediately to court and complained of the usage he had met with: the king entered zealously into the quarrel, and was highly displeased that a stranger of such distinction, whom he had invited over to his court, should, without any just cause, as he believed, have felt so sensibly the insolence and animosity of his people. He gave orders to Godwin, in whose government Dover lay, to repair immediately to the place, and to punish the inhabitants for the crime: but Godwin, who desired rather to encourage than repress the popular discontents against foreigners, refused obedience, and endeavoured to throw the whole blame of the riot on the Count of Boulogne and his retinue [i]. Edward, touched in so sensible a point, saw the necessity of exerting the royal authority; and he threatened Godwin, if he persisted in his disobedience, to make him feel the utmost effects of his resentment. [FN [i] Chron. Sax. p. 163. W. Malm. p. 81. Higden, p. 279.]

The earl, perceiving a rupture to be unavoidable, and pleased to embark in a cause where it was likely he should be supported by his countrymen, made preparations for his own defence, or rather for an attack on Edward. Under pretence of repressing some disorders on the Welsh frontier, he secretly assembled a great

army, and was approaching the king, who resided, without any military force, and without suspicion, at Gloucester [k]. Edward applied for protection to Siward, Duke of Northumberland, and Leofric, Duke of Mercia, two powerful noblemen, whose jealousy of Godwin's greatness, as well as their duty to the crown, engaged them to defend the king in this extremity. They hastened to him with such of their followers as they could assemble on a sudden; and finding the danger much greater than they had at first apprehended, they issued orders for mustering all the forces within their respective governments, and for marching them without delay to the defence of the king's person and authority. Edward, meanwhile, endeavoured to gain time by negotiation; while Godwin, who thought the king entirely in his power, and who was willing to save appearances, fell into the snare; and, not sensible that he ought to have no farther reserve after he had proceeded so far, he lost the favourable opportunity of rendering himself master of the government. [FN [k] Chron. Sax. p. 163. W. Malm. p. 81.]

The English, though they had no high idea of Edward's vigour and capacity, bore him great affection, on account of his humanity, justice, and piety, as well as the long race of their native kings from whom he was descended; and they hastened from all quarters to defend him from the present danger. His army was now so considerable, that he ventured to take the field, and marching to London, he summoned a great council to judge of the rebellion of Godwin and his sons. These noblemen pretended at first that they were willing to stand their trial; but having in vain endeavoured to make their adherents persist in rebellion, they offered to come to London, provided they might receive hostages for their safety: this proposal being rejected, they were obliged to disband the remains of their forces, and have recourse to flight. Baldwin, Earl of Flanders, gave protection to Godwin and his three sons, Gurth, Sweyn, and Tosti; the latter of whom had married the daughter of that prince. Harold and Leofwin, two other of his sons, took shelter in Ireland. The estates of the father and sons were confiscated: their governments were given to others: Queen Editha was confined in a monastery at Warewel: and the greatness of this family, once so formidable, seemed now to be totally supplanted and overthrown.

But Godwin had fixed his authority on too firm a basis, and he was too strongly supported by alliances, both foreign and domestic, not to occasion farther disturbances and make new efforts for his re-establishment. [MN 1052.] The Earl of Flanders permitted him to purchase and hire ships within his harbours; and Godwin, having manned them with his followers, and with freebooters of all nations, put to sea, and attempted to make a descent at Sandwich. The king, informed of his preparations, had equipped a considerable fleet, much superior to that of the enemy; and the earl, hastily, before their appearance, made his retreat into the Flemish harbours [l]. The English court, allured by the present security, and destitute of all vigorous counsels, allowed the seamen to disband, and the fleet to go to decay [m], while Godwin, expecting the event, kept his men in readiness for action. He put to sea immediately, and sailed to the Isle of Wight, where he was joined by Harold, with a squadron which the nobleman had collected in Ireland. He was now master of the sea; and entering every harbour in the southern coast, he seized all the ships [n], and summoned his followers in those counties, which had so long been subject to his government, to assist him in procuring justice to himself, his family, and his country, against the tyranny of foreigners. Reinforced by great numbers from all quarters, he entered the Thames; and appearing before London, threw every thing into confusion. The king alone seemed resolute to defend himself to the last extremity; but the interposition of the English nobility, many of whom favoured Godwin's pretensions, made Edward hearken to terms of accommodation; and the feigned humility of the earl, who disclaimed all intentions of offering violence to his sovereign, and desired only to justify himself by a fair and open trial, paved the way for his more easy admission. It was stipulated that he should give hostages for his good behaviour, and that the primate and all the foreigners should be banished: by this treaty, the present danger of a civil war was obviated, but the authority of the crown was considerably impaired, or rather entirely annihilated. Edward, sensible that he had not power sufficient to secure Godwin's hostages in England, sent them over to his kinsman, the young Duke of Normandy. [FN [1] Sim. Dun. p. 186. [m] Chron. Sax. p. 166. [n] Ibid.]

Godwin's death, which happened soon after, while he was sitting at table with the king, prevented him from farther establishing the authority which he had acquired, and from reducing Edward to still greater subjection

[o]. He was succeeded in the government of Wessex, Sussex, Kent, and Essex, and in the office of steward of the household, a place of great power, by his son Harold, who was actuated by an ambition equal to that of his father, and was superior to him in address, in insinuation, and in virtue. By a modest and gentle demeanour, he acquired the good-will of Edward; at least softened that hatred which the prince had so long borne his family [p]; and gaining every day new partisans by his bounty and affability, he proceeded in a more silent and therefore a more dangerous manner, to the increase of his authority. The king, who had not sufficient vigour directly to oppose his progress, knew of no other expedient than that hazardous one, of raising him a rival in the family of Leofric, Duke of Mercia, whose son Algar was invested with the government of East Anglia, which, before the banishment of Harold, had belonged to the latter nobleman. But this policy, of balancing opposite parties, required a more steady hand to manage it than that of Edward, and naturally produced faction, and even civil broils, among nobles of such mighty and independent authority. Algar was soon after expelled his government by the intrigues and power of Harold; but being protected by Griffith, Prince of Wales, who had married his daughter, as well as by the power of his father, Leofric, he obliged Harold to submit to an accommodation, and was reinstated in the government of East Anglia. This peace was not of long duration: Harold, taking advantage of Leofric's death, which happened soon after, expelled Algar anew, and banished him the kingdom; and though that nobleman made a fresh irruption into East Anglia with an army of Norwegians, and overran the country, his death soon freed Harold from the pretensions of so dangerous a rival. Edward, the eldest son of Algar, was indeed advanced to the government of Mercia; but the balance which the king desired to establish between those potent families was wholly lost, and the influence of Harold greatly preponderated. [FN [o] See note [D] at the end of the volume. [p] Brompton, p. 948.]

[MN 1055.] The death of Siward, Duke of Northumberland, made the way still more open to the ambition of that nobleman. Siward, besides his other merits, had acquired honour to England by his successful conduct in the only foreign enterprise undertaken during the reign of Edward. Duncan, King of Scotland, was a prince of a gentle disposition, but possessed not the genius requisite for governing a country so turbulent, and so much infested by the intrigues and animosities of the great Macbeth, a powerful nobleman, and nearly allied to the crown, not content with curbing the king's authority, carried still farther his pestilent ambition; he put his sovereign to death; chased Malcolm Kenmore, his son and heir, into England; and usurped the crown. Siward, whose daughter was married to Duncan, embraced, by Edward's orders, the protection of this distressed family: he marched an army into Scotland; and having defeated and killed Macbeth in battle, he restored Malcolm to the throne of his ancestors [q]. This service, added to his former connexions with the royal family of Scotland, brought a great accession to the authority of Siward in the north; but as he had lost his eldest son, Osberne, in the action with Macbeth, it proved in the issue fatal to his family. His second son, Walthoef, appeared, on his father's death, too young to be intrusted with the government of Northumberland; and Harold's influence obtained that dukedom for his own brother Tosti. [FN [q] W. Malm. p. 79. Hoveden, p. 443. Chron. Mailr. p. 158. Buchanan, p. 115. edit. 1715.]

There are two circumstances related of Siward, which discover his high sense of honour, and his martial disposition. When intelligence was brought him of his son Osberne's death, he was inconsolable till he heard that the wound was received in the breast, and that he had behaved with great gallantry in the action. When he found his own death approaching, he ordered his servants to clothe him in a complete suit of armour; and sitting erect on the couch, with a spear in his hand, declared that in that posture, the only one worthy of a warrior, he would patiently await the fatal moment.

The king, now worn out with cares and infirmities, felt himself far advanced in the decline of life; and having no issue himself, began to think of appointing a successor to the kingdom. He sent a deputation to Hungary, to invite over his nephew, Edward, son of his elder brother, and the only remaining heir of the Saxon line. That prince, whose succession to the crown would have been easy and undisputed, came to England with his children, Edgar, surnamed Atheling, Margaret, and Christina; but his death, which happened a few days after his arrival, threw the king into new difficulties. He saw, that the great power and ambition of Harold had tempted him to think of obtaining possession of the throne on the first vacancy, and that Edgar, on account of his youth and inexperience, was very unfit to oppose the pretensions of so popular and enterprising a rival.

The animosity which he had long borne to Earl Godwin, made him averse to the succession of his son, and he could not, without extreme reluctance, think of an increase of grandeur to a family which had risen on the ruins of royal authority, and which, by the murder of Alfred his brother, had contributed so much to the weakening of the Saxon line. In this uncertainty, he secretly cast his eye towards his kinsman, William, Duke of Normandy, as the only person whose power, and reputation, and capacity, could support any destination which he might make in his favour, to the exclusion of Harold and his family [r]. [FN [r] Ingulph. p. 68.]

This famous prince was natural son of Robert, Duke of Normandy, by Harlotta, daughter of a tanner in Falaise [s], and was very early established in that grandeur from which his birth seemed to have set him at so great a distance. While he was but nine years of age, his father had resolved to undertake a pilgrimage to Jerusalem; a fashionable act of devotion, which had taken the place of pilgrimages to Rome, and which, as it was attended with more difficulty and danger, and carried those religious adventurers to the first sources of Christianity, appeared to them more meritorious. Before his departure, he assembled the states of the duchy; and informing them of his design, he engaged them to swear allegiance to his natural son, William, whom, as he had no legitimate issue, he intended, in case he should die in the pilgrimage, to leave successor to his dominions [t]. As he was a prudent prince, he could not but foresee the great inconveniences which must attend this journey, and this settlement of his succession, arising from the turbulency of the great, the claims of other branches of the ducal family, and the power of the French monarch; but all these considerations were surmounted by the prevailing zeal for pilgrimages [u]; and probably the more important they were, the more would Robert exult in sacrificing them to what he imagined to be his religious duty. [FN [s] Brompton, p. 910. [t] W. Malm. p. 95. [u] Ypod. Neust. p. 452.]

This prince, as he had apprehended, died in his pilgrimage; and the minority of his son was attended with all those disorders which were almost unavoidable in that situation. The licentious nobles, freed from the awe of sovereign authority, broke out into personal animosities against each other, and made the whole country a scene of war and devastation [w]. Roger, Count of Toni, and Alain, Count of Britany, advanced claims to the dominion of the state; and Henry I., King of France, thought the opportunity favourable for reducing the power of a vassal, who had originally acquired his settlement in so violent and invidious a manner, and who had long appeared formidable to his sovereign [x]. The regency established by Robert encountered great difficulties in supporting the government under this complication of dangers; and the young prince, when he came to maturity, found himself reduced to a very low condition. But the great qualities which he soon displayed in the field and in the cabinet gave encouragement to his friends, and struck a terror into his enemies. He opposed himself on all sides against his rebellious subjects, and against foreign invaders; and by his valour and conduct prevailed in every action. He obliged the French king to grant him peace on reasonable terms; he expelled all pretenders to the sovereignty; and he reduced his turbulent barons to pay submission to his authority, and to suspend their mutual animosities. The natural severity of his temper appeared in a rigorous administration of justice; and having found the happy effects of this plan of government, without which the laws in those ages became totally impotent, he regarded it as a fixed maxim, that an inflexible conduct was the first duty of a sovereign. [FN [w] W. Malm. p. 95. Gul. Gemet. lib. 7. cap. 1. [x] W. Malm. p. 97.]

The tranquillity which he had established in his dominions had given William leisure to pay a visit to the King of England during the time of Godwin's banishment; and he was received in a manner suitable to the great reputation which he had acquired, to the relation by which he was connected with Edward, and to the obligations which that prince owed to his family [y]. On the return of Godwin, and the expulsion of the Norman favourites, Robert, Archbishop of Canterbury, had, before his departure, persuaded Edward to think of adopting William as his successor; a counsel which was favoured by the king's aversion to Godwin, his prepossessions for the Normans, and his esteem of the duke. That prelate, therefore, received a commission to inform William of the king's intentions in his favour; and he was the first person that opened the mind of the prince to entertain those ambitious hopes [z]. But Edward, irresolute and feeble in his purpose, finding that the English would more easily acquiesce in the restoration of the Saxon line, had, in the mean time, invited his brother's descendants from Hungary, with a view of having them recognised heirs to the crown. The death of

his nephew, and the inexperience and unpromising qualities of young Edgar, made him resume his former intentions in favour of the Duke of Normandy; though his aversion to hazardous enterprises engaged him to postpone the execution, and even to keep his purpose secret from all his ministers. [FN [y] Hoveden, p. 442. Ingulph. p. 65. Chron. Mailr. p. 157. Higden, p. 279. [z] Ingulph. p. 68. Gul. Gemet lib. 7. cap. 31. Order. Vitalis, p. 492.]

Harold, meanwhile, proceeded after a more open manner in increasing his popularity, in establishing his power, and in preparing the way for his advancement on the first vacancy; an event which, from the age and infirmities of the king, appeared not very distant. But there was still an obstacle, which it was requisite for him previously to overcome. Earl Godwin, when restored to his power and fortune, had given hostages for his good behaviour, and, among the rest, one son and one grandson, whom Edward, for greater security, as has been related, had consigned to the custody of the Duke of Normandy. Harold, though not aware of the duke's being his competitor, was uneasy that such near relations should be detained prisoners in a foreign country; and he was afraid lest William should, in favour of Edgar, retain those pledges as a check on the ambition of any other pretender. He represented, therefore, to the king, his unfeigned submission to royal authority, his steady duty to his prince, and the little necessity there was, after such a uniform trial of his obedience, to detain any longer those hostages who had been required on the first composing of civil discords. By these topics, enforced by his great power, he extorted the king's consent to release them; and in order to effect his purpose, he immediately proceeded, with a numerous retinue, on his journey to Normandy. A tempest drove him on the territory of Guy, Count of Ponthieu, who, being informed of his quality, immediately detained him prisoner, and demanded an exorbitant sum for his ransom. Harold found means to convey intelligence of his situation to the Duke of Normandy; and represented, that while he was proceeding to HIS court, in execution of a commission from the King of England, he had met with this harsh treatment from the mercenary disposition of the Count of Ponthieu.

William was immediately sensible of the importance of the incident. He foresaw, that if he could once gain Harold, either by favours or menaces, his way to the throne of England would be open, and Edward would meet with no farther obstacle in executing the favourable intentions which he had entertained in his behalf. He sent, therefore, a messenger to Guy, in order to demand the liberty of his prisoner; and that nobleman, not daring to refuse so great a prince, put Harold into the hands of the Norman, who conducted him to Rouen. William received him with every demonstration of respect and friendship; and after showing himself disposed to comply with his desire, in delivering up the hostages, he took an opportunity of disclosing to him the great secret of his pretensions to the crown of England, and of the will which Edward intended to make in his favour. He desired the assistance of Harold in perfecting that design; he made professions of the utmost gratitude in return for so great an obligation; he promised that the present grandeur of Harold's family, which supported itself with difficulty under the jealousy and hatred of Edward, should receive new increase from a successor, who would be so greatly beholden to him for his advancement. Harold was surprised at this declaration of the duke; but being sensible that he should never recover his own liberty, much less that of his brother and nephew, if he refused the demand, he feigned a compliance with William, renounced all hopes of the crown for himself, and professed his sincere intention of supporting the will of Edward, and seconding the pretensions of the Duke of Normandy. William, to bind him faster to his interests, besides offering him one of his daughters in marriage, required him to take an oath that he would fulfil his promises; and in order to render the oath more obligatory, he employed an artifice well suited to the ignorance and superstition of the age. He secretly conveyed under the altar, on which Harold agreed to swear, the relics of some of the most revered martyrs; and when Harold had taken the oath, he showed him the relics, and admonished him to observe religiously an engagement which had been ratified by so tremendous a sanction [a]. The English nobleman was astonished; but dissembling his concern, he renewed the same professions, and was dismissed with all the marks of mutual confidence by the Duke of Normandy. [FN [a] Wace, p. 459, 460. MS. penes Carte, p. 354. W. Malm. p. 93. H. Hunt p. 366. Hoveden, p. 449. Brompton, p. 947.]

When Harold found himself at liberty, his ambition suggested casuistry sufficient to justify to him the violation of an oath, which had been extorted from him by fear, and which, if fulfilled, might be attended with

the subjection of his native country to a foreign power. He continued still to practise every art of popularity; to increase the number of his partisans; to reconcile the minds of the English to the idea of his succession; to revive their hatred of the Normans; and by an ostentation of his power and influence, to deter the timorous Edward from executing his intended destination in favour of William. Fortune, about this time, threw two incidents in his way, by which he was enabled to acquire general favour, and to increase the character, which he had already attained, of virtue and abilities.

The Welsh, though a less formidable enemy than the Danes, had long been accustomed to infest the western borders; and after committing spoil on the low countries, they usually made a hasty retreat into their mountains, where they were sheltered from the pursuit of their enemies, and were ready to seize the first favourable opportunity of renewing their depredations. Griffith, the reigning prince, had greatly distinguished himself in those incursions; and his name had become so terrible to the English, that Harold found he could do nothing more acceptable to the public, and more honourable for himself, than the suppressing of so dangerous an enemy. He formed the plan of an expedition against Wales; and having prepared some light- armed foot to pursue the natives into their fastnesses, some cavalry to scour the open country, and a squadron of ships to attack the seacoast, he employed at once all these forces against the Welsh, prosecuted his advantages with vigour, made no intermission in his assaults, and at last reduced the enemy to such distress, that, in order to prevent their total destruction, they made a sacrifice of their prince, whose head they cut off and sent to Harold; and they were content to receive as their sovereigns two Welsh noblemen appointed by Edward to rule over them. The other incident was no less honourable to Harold.

Tosti, brother of this nobleman, who had been created Duke of Northumberland, being of a violent tyrannical temper, had acted with such cruelty and injustice, that the inhabitants rose in rebellion, and chased him from his government. Morcar and Edwin, two brothers, who possessed great power in those parts, and who were grandsons of the great Duke Leofric, concurred in the insurrection; and the former, being elected duke, advanced with an army to oppose Harold, who was commissioned by the king to reduce and chastise the Northumbrians. Before the armies came to action, Morcar, well acquainted with the generous disposition of the English commander, endeavoured to justify his own conduct. He represented to Harold, that Tosti had behaved in a manner unworthy of the station to which he was advanced, and no one, not even a brother, could support such tyranny without participating, in some degree, of the infamy attending it; that the Northumbrians, accustomed to a legal administration, and regarding it as their birth- right, were willing to submit to the king, but required a governor who would pay regard to their rights and privileges; that they had been taught by their ancestors, that death was preferable to servitude, and had taken the field, determined to perish rather than suffer a renewal of those indignities to which they had so long been exposed; and they trusted that Harold, on reflection, would not defend in another that violent conduct, from which he himself, in his own government, had always kept at so great a distance. This vigorous remonstrance was accompanied with such a detail of facts, so well supported, that Harold found it prudent to abandon his brother’s cause; and returning to Edward, he persuaded him to pardon the Northumbrians, and to confirm Morcar in the government. He even married the sister of that nobleman [b]; and by his interest procured Edwin, the younger brother, to be elected into the government of Mercia. Tosti in rage departed the kingdom, and took shelter in Flanders with Earl Baldwin, his father-in-law. [FN [b] Order Vitalis, p. 492.]

By this marriage Harold broke all measures with the Duke of Normandy; and William clearly perceived that he could no longer rely on the oaths and promises which he had extorted from him. But the English nobleman was now in such a situation, that he deemed it no longer necessary to dissemble. He had in his conduct towards the Northumbrians, given such a specimen of his moderation as had gained him the affections of his countrymen. He saw that almost all England was engaged in his interests; while he himself possessed the government of Wessex, Morcar that of Northumberland, and Edward that of Mercia. He now openly aspired to the succession; and insisted, that since it was necessary, by the confession of all, to set aside the royal family, on account of the imbecility of Edgar, the sole surviving heir, there was no one as capable of filling the throne as a nobleman of great power, of mature age, of long experience, of approved courage and abilities, who, being a native of the kingdom, would effectually secure it against the dominion and tyranny of

foreigners. Edward, broken with age and infirmities, saw the difficulties too great for him to encounter; and though his inveterate prepossession kept him from seconding the pretensions of Harold, he took but feeble and irresolute steps for securing the succession to the Duke of Normandy [c]. While he continued in this uncertainty he was surprised by sickness, which brought him to his grave, on the fifth of January 1066, in the sixty-fifth year of his age, and twenty- fifth of his reign. [FN [c] See note [F] at the end of the volume.]

This prince, to whom the monks gave the title of Saint and Confessor, was the last of the Saxon line that ruled in England. Though his reign was peaceable and fortunate, he owed his prosperity less to his own abilities than to the conjunctures of the times. The Danes, employed in other enterprises, attempted not those incursions which had been so troublesome to all his predecessors, and fatal to some of them. The facility of his disposition made him acquiesce under the government of Godwin and his son Harold; and the abilities, as well as the power, of these noblemen enabled them, while they were entrusted with authority, to preserve domestic peace and tranquillity. The most commendable circumstance of Edward's government was his attention to the administration of justice, and his compiling, for that purpose, a body of laws, which he collected from the laws of Ethelbert, Ina, and Alfred. This compilation, though now lost, (for the laws that pass under Edward's name were composed afterwards [d],) was long the object of affection to the English nation. [FN [d] Spellm. in verbo BELLIVA.]

Edward the Confessor was the first that touched for the king's evil: the opinion of his sanctity procured belief to this cure among the people: his successors regarded it as a part of their state and grandeur to uphold the same opinion. It has been continued down to our time; and the practice was first dropped by the present royal family, who observed that it could no longer give amazement even to the populace, and was attended with ridicule in the eyes of all men of understanding.

[MN Harold. 1066. January.] Harold had so well prepared matters before the death of Edward, that he immediately stepped into the vacant throne; and his accession was attended with as little opposition and disturbance, as if he had succeeded by the most undoubted hereditary title. The citizens of London were his zealous partisans: the bishops and clergy had adopted his cause; and all the powerful nobility, connected with him by alliance or friendship, willingly seconded his pretensions. The title of Edgar Atheling was scarcely mentioned; much less the claim of the Duke of Normandy: and Harold, assembling his partisans, received the crown from their hands, without waiting for the free deliberation of the states, or regularly submitting the question to their determination [e]. If any were averse to this measure, they were obliged to conceal their sentiments; and the new prince, taking a general silence for consent, and founding his title on the supposed suffrages of the people, which appeared unanimous, was, on the day immediately succeeding Edward's death, crowned and anointed king, by Aldred, Archbishop of York. The whole nation seemed joyful to acquiesce in his elevation. [FN [e] G. Pict. p. 196. Ypod. Neust. p. 436. Order. Vitalis, p. 492. M. West. p. 221 W. Malm. p. 93. Ingulph. p. 68. Brompton, p. 957. Knyghton, p. 2339. H. Hunt. p. 210. Many of the historians say, that Harold was regularly elected by the states: some, that Edward left him his successor by will.]

The first symptoms of danger which the king discovered came from abroad, and from his own brother Tosti, who had submitted to a voluntary banishment in Flanders. Enraged at the successful ambition of Harold, to which he himself had fallen a victim, he filled the court of Baldwin with complaints of the injustice which he had suffered; he engaged the interest of that family against his brother: he endeavoured to form intrigues with some of the discontented nobles in England: he sent his emissaries to Norway, in order to rouse to arms the freebooters of that kingdom, and to excite the hopes of reaping advantage from the unsettled state of affairs on the usurpation of the new king: and that he might render the combination more formidable, he made a journey to Normandy, in expectation that the duke, who had married Matilda, another daughter of Baldwin, would, in revenge of his own wrongs, as well as those of Tosti, second, by his counsels and forces, the projected invasion of England [f]. [FN [f] Order. Vitalis, p. 492.]

The Duke of Normandy, when he first received intelligence of Harold's intrigues and accession, had been moved to the highest pitch of indignation; but that he might give the better colour to his pretensions, he sent

an embassy to England, upbraiding that prince with his breach of faith, and summoning him to resign immediately possession of the kingdom. Harold replied to the Norman ambassadors, that the oath with which he was reproached had been extorted by the well-grounded fear of violence, and could never, for that reason, be regarded as obligatory: that he had had no commission either from the late king, or the states of England, who alone could dispose of the crown, to make any tender of the succession to the Duke of Normandy; and if he, a private person, had assumed so much authority, and had even voluntarily sworn to support the duke's pretensions, the oath was unlawful, and it was his duty to seize the first opportunity of breaking it: that he had obtained the crown by the unanimous suffrages of the people; and should prove himself totally unworthy of their favour, did he not strenuously maintain those national liberties, with whose protection they had entrusted him: and that the duke, if he made any attempt by force of arms, should experience the power of an united nation, conducted by a prince, who, sensible of the obligations imposed on him by his royal dignity, was determined that the same moment should put a period to his life and to his government [g]. [FN [g] W. Malm. p. 99. Higden, p. 285. Matth. West. p. 222. De Gest. Angl. ancento auctore, p. 331.]

This answer was no other than William expected; and he had previously fixed his resolution of making an attempt upon England. Consulting only his courage, his resentment, and his ambition, he overlooked all the difficulties inseparable from an attack on a great kingdom by such inferior force, and he saw only the circumstances which would facilitate his enterprise. He considered that England, ever since the accession of Canute, had enjoyed profound tranquillity during a period of over fifty years; and it would require time for its soldiers, enervated by long peace, to learn discipline, and its generals experience. He knew that it was entirely unprovided with fortified towns, by which it could prolong the war; but must venture its whole fortune in one decisive action against a veteran enemy, who, being once master of the field, would be in a condition to overrun the kingdom. He saw that Harold, though he had given proofs of vigour and bravery, had newly mounted a throne, which he had acquired by faction, from which he had excluded a very ancient royal family, and which was likely to totter under him by its own instability, much more if shaken by any violent external impulse; and he hoped, that the very circumstance of his crossing the sea, quitting his own country, and leaving himself no hopes of retreat, as it would astonish the enemy by the boldness of the enterprise, would inspirit his soldiers by despair, and rouse them to sustain the reputation of the Norman arms.

The Normans, as they had long been distinguished by valour among all the European nations, had at this time attained to the highest pitch of military glory. Besides acquiring by arms such a noble territory in France, besides defending it against continual attempts of the French monarch and all his neighbours, besides exerting many acts of vigour under their present sovereign; they had, about this very time, revived their ancient fame, by the most hazardous exploits, and the most wonderful successes in the other extremity of Europe. A few Norman adventurers in Italy had acquired such an ascendant, not only over the Italians and Greeks, but the Germans and Saracens, that they expelled those foreigners, procured to themselves ample establishments, and laid the foundation of the opulent kingdom of Naples and Sicily [h]. These enterprises of men, who were all of them vassals in Normandy, many of them banished for faction and rebellion, excited the ambition of the haughty William, who disdained, after such examples of fortune and valour, to be deterred from making an attack on a neighbouring country, where he could be supported by the whole force of his principality. [FN [h] Gul. Gemet. lib. 7. cap. 30.]

The situation also of Europe inspired William with hopes that, besides his brave Normans he might employ against England the flower of the military force which was dispersed in all the neighbouring states. France, Germany, and the Low Countries, by the progress of the feudal institutions, were divided and subdivided into many principalities and baronies; and the possessors, enjoying the civil jurisdiction within themselves, as well as the right of arms, acted, in many respects, as independent sovereigns, and maintained their properties and privileges, less by the authority of laws than by their own force and valour. A military spirit had universally diffused itself throughout Europe; and the several leaders, whose minds were elevated by their princely situation, greedily embraced the most hazardous enterprises; and being accustomed to nothing from their infancy but recitals of the success attending wars and battles, they were prompted by a natural ambition to imitate those adventurers, which they heard so much celebrated, and which were so much exaggerated by the

credulity of the age. United, however loosely, by their duty to one superior lord, and by their connexions with the great body of the community to which they belonged, they desired to spread their fame each beyond his own district; and in all assemblies, whether instituted for civil deliberations, for military expeditions, or merely for show and entertainment, to outshine each other by the reputation of strength and prowess. Hence their genius for chivalry; hence their impatience of peace and tranquillity; and hence their readiness to embark in any dangerous enterprise, how little soever interested in its failure or success.

William, by his power, his courage, and his abilities, had long maintained a pre-eminence among those haughty chieftains; and every one who desired to signalize himself by his address in military exercises, or in valour in action, had been ambitious of acquiring a reputation in the court and in the armies of Normandy. Entertained with that hospitality and courtesy which distinguished the age, they had formed attachments with the prince, and greedily attended to the prospects of the signal glory and elevation which he promised them in return for their concurrence in an expedition against England. The more grandeur there appeared in the attempt, the more it suited their romantic spirit; the fame of the intended invasion was already diffused every where; multitudes crowded to tender to the Duke their service, with that of their vassals and retainers [i]; and William found less difficulty in completing his levies than in choosing the most veteran forces, and in rejecting the offers of those who were impatient to acquire fame under so renowned a leader. [FN [i] Gul. Pictavensis, p. 198.]

Besides these advantages, which William owed to his personal valour and good conduct, he was indebted to fortune for procuring him some assistance, and also for removing many obstacles which it was natural for him to expect in an undertaking, in which all his neighbours were so deeply interested. Conan, Count of Britany, was his mortal enemy; in order to throw a damp upon the duke's enterprise, he chose this conjuncture for reviving his claim to Normandy itself; and he required that, in case of William's success against England the possession of that duchy should devolve to him [k]. But Conan died suddenly after making this demand; and Hoel, his successor, instead of adopting the malignity, or, more properly speaking, the prudence of his predecessor, zealously seconded the duke's views and sent his eldest son, Alain Fergant, to serve under him with a body of five thousand Bretons. The counts of Anjou and of Flanders encouraged their subjects to engage in the expedition; and even the court of France, though it might justly fear the aggrandizement of so dangerous a vassal, pursued not its interests on this occasion with sufficient vigour and resolution. Philip I., the reigning monarch, was a minor; and William, having communicated his project to the council, having desired assistance, and offered to do homage, in case of his success, for the crown of England, was indeed openly ordered to lay aside all thoughts of the enterprise; but the Earl of Flanders, his father-in- law, being at the head of the regency, favoured underhand his levies, and secretly encouraged the adventurous nobility to enlist under the standard of the Duke of Normandy. [FN [k] Gul Gemet. lib. 7. cap. 33.]

The Emperor, Henry IV., besides openly giving all his vassals permission to embark in this expedition, which so much engaged the attention of Europe, promised his protection to the duchy of Normandy during the absence of the prince, and thereby enabled him to employ his whole force in the invasion of England [l]. But the most important ally whom William gained by his negotiations was the pope, who had a mighty influence over the ancient barons, no less devout in their religious principles, than valorous in their military enterprises. The Roman pontiff, after an insensible progress, during several ages of darkness and ignorance, began now to lift his head openly above all the princes of Europe; to assume the office of a mediator, or even an arbiter, in the quarrels of the greatest monarchs; to interpose in all secular affairs; and to obtrude his dictates as sovereign laws on his obsequious disciples. It was a sufficient motive to Alexander II., the reigning pope, for embracing William's quarrel, that he alone had made an appeal to his tribunal, and rendered him umpire of the dispute between him and Harold; but there were other advantages which that pontiff foresaw must result from the conquest of England by the Norman arms. That kingdom, though at first converted by Romish missionaries, though it had afterwards advanced some farther steps towards subjection to Rome, maintained still a considerable independence in its ecclesiastical administration; and forming a world within itself, entirely separated from the rest of Europe, it had hitherto proved inaccessible to those exorbitant claims which supported the grandeur of the papacy. Alexander therefore hoped, that the French and Norman barons, if

successful in their enterprise, might import into that country a more devoted reverence to the holy see, and bring the English churches to a nearer conformity with those of the continent. He declared immediately in favour of William's claim; pronounced Harold a perjured usurper; denounced excommunication against him and his adherents; and the more to encourage the Duke of Normandy in his enterprise, he sent him a consecrated banner, and a ring with one of St. Peter's hairs in it [m]. Thus were al1 the ambition and violence of that invasion covered over safely with the broad mantle of religion. [FN [l] Gul. Pict. p. 198. [m] Baker, p. 22. edit. 1684.]

The greatest difficulty which William had to encounter in his preparations, arose from his own subjects in Normandy. The states of the duchy were assembled at Lislebonne; and supplies being demanded for the intended enterprise, which promised so much glory and advantage to their country, there appeared a reluctance in many members, both to grant sums so much beyond the common measure of taxes in that age, and to set a precedent of performing their military service at a distance from their own country. The duke, finding it dangerous to solicit them in a body, conferred separately with the richest individuals in the province; and beginning with those on whose affections he most relied, he gradually engaged all of them to advance the sums demanded. The Count of Longueville seconded him in his negotiation; as did the Count of Mortaigne, Odo, Bishop of Baieux, and especially William Fitz-Osborne, Count of Breteuil, and constable of the duchy. Every person, when he himself was once engaged, endeavoured to bring over others; and at last the states themselves, after stipulating that this concession should be no precedent, voted that they would assist their prince to the utmost in his intended enterprise [n]. [FN [n] Camden. Introd. ad Britan. p. 212. 2nd edit. Gibs. Verstegan, p. 173.]

William had now assembled a fleet of three thousand vessels, great and small [o], and had selected an army of sixty thousand men from among those numerous supplies which from every quarter solicited to be received into his service. The camp bore a splendid yet a martial appearance, from the discipline of the men, the beauty and vigour of the horse, the lustre of the arms, and the accoutrements of both; but above all, from the high names of nobility who engaged under the banners of the Duke of Normandy. The most celebrated were Eustace, Count of Boulogne, Aimeri de Thouars, Hugh d'Estaples, William d'Evreux, Geoffrey de Routrou, Roger de Beaumont, William de Warenne, Roger de Montgomery, Hugh de Grantmesnil, Charles Martel, and Geoffrey Giffard [p]. To these bold chieftains William held up the spoils of England as the prize of their valour; and pointing to the opposite shore, called to them, that THERE was the field on which they must erect trophies to their name, and fix their establishments. [FN [o] Gul. Gemet. lib. 7. cap. 34. [p] Order. Vitalis, p. 501.]

While he was making these mighty preparations, the duke, that he might increase the number of Harold's enemies, excited the inveterate rancour of Tosti, and encouraged him, in concert with Harold Halfagar, King of Norway, to infest the coasts of England. Tosti, having collected about sixty vessels in the ports of Flanders, put to sea; and after committing some depredations on the south and east coasts, he sailed to Northumberland, and was there joined by Halfagar, who came over with a great armament of three hundred sail. The combined fleets entered the Humber, and disembarked the troops, who began to extend their depredations on all sides; when Morcar, Earl of Northumberland, and Edwin, Earl of Mercia, the king's brother-in-law, having hastily collected some forces, ventured to give them battle. The action ended in the defeat and flight of these two noble men.

Harold, informed of this defeat, hastened with an army to the protection of his people; and expressed the utmost ardour to show himself worthy of the crown which had been conferred upon him. This prince, though he was not sensible of the full extent of his danger, from the great combination against him, had employed every art of popularity to acquire the affections of the public; and he gave so many proofs of an equitable and prudent administration that the English found no reason to repent the choice which they had made of a sovereign. They flocked from all quarters to join his standard; and as soon as he reached the enemy at Standford, he found himself in a condition to give them battle. [MN Sept. 25.] The action was bloody; but the victory was decisive on the side of Harold, and ended in the total rout of the Norwegians, together with the

death of Tosti and Halfagar. Even the Norwegian fleet fell into the hands of Harold; who had the generosity to give Prince Olave, the son of Halfagar, his liberty, and allow him to depart with twenty vessels. But he had scarcely time to rejoice for his victory, when he received intelligence that the Duke of Normandy was landed with a great army in the south of England.

The Norman fleet and army had been assembled early in the summer, at the mouth of the small river Dive, and all the troops had been instantly embarked; but the winds proved long contrary, and detained them in that harbour. The authority, however, of the duke, the good discipline maintained among the seamen and soldiers, and the great care in supplying them with provisions, had prevented any disorder; when at last the wind became favourable, and enabled them to sail along the coast, till they reached St. Valori. There were, however, several vessels lost in this short passage; and as the wind again proved contrary, the army began to imagine that heaven had declared against them, and that, notwithstanding the pope's benediction, they were destined to certain destruction. These bold warriors, who despised real dangers, were very subject to the dread of imaginary ones; and many of them began to mutiny, some of them even to desert their colours; when the duke, in order to support their drooping hopes, ordered a procession to be made with the relics of St. Valori [q], and prayers to be said for more favourable weather. The wind instantly changed; and as this incident happened on the eve of the feast of St. Michael, the tutelar saint of Normandy, the soldiers, fancying they saw the hand of Heaven in all these concurring circumstances, set out with the greatest alacrity: they met with no opposition on their passage: a great fleet, which Harold has assembled, and which had cruized all summer off the Isle of Wight, had been dismissed, on his receiving false intelligence that William, discouraged by contrary winds and other accidents, had laid aside his preparations. The Norman armament, proceeding in great order, arrived without any material loss, at Pevensey, in Sussex; and the army quietly disembarked. The duke himself, as he leaped on shore, happened to stumble and fall; but had the presence of mind, it is said, to turn the omen to his advantage, by calling aloud that he had taken possession of the country. And a soldier, running to a neighbouring cottage, plucked some thatch, which, as if giving seisin of the kingdom, he presented to his general. The joy and alacrity of William and his whole army were so great, that they were nowise discouraged, even when they heard of Harold’s great victory over the Norwegians; they seemed rather to wait with impatience for the arrival of the enemy. [FN [q] Higden, p. 285. Order. Vitalis, p. 500. Matth. Paris, edit. Paris., anno 1644, p. 2.]

The victory of Harold, though great and honourable, had proved in the main prejudicial to his interests, and may be regarded as the immediate cause of his ruin. He lost many of his bravest officers and soldiers in the action: and he disgusted the rest by refusing to distribute the Norwegian spoils among them: a conduct which was little agreeable to his usual generosity of temper; but which his desire of sparing the people, in the war that impended over him from the Duke of Normandy, had probably occasioned. He hastened, by quick marches, to reach this new invader; but though he was reinforced at London and other places with fresh troops, he found himself also weakened by the desertion of his old soldiers, who, from fatigue and discontent, secretly withdrew from their colours. His brother Gurth, a man of bravery and conduct, began to entertain apprehensions of the event; and remonstrated with the king, that it would be better policy to prolong the war; at least, to spare his own person in the action. He urged to him, that the desperate situation of the Duke of Normandy made it requisite for that prince to bring matters to a speedy decision, and put his whole fortune on the issue of a battle; but that the King of England, in his own country, beloved by his subjects, provided with every supply, had more certain and less dangerous means of ensuring to himself the victory; that the Norman troops, elated on the one hand with the highest hopes, and seeing, on the other, no resource in case of a discomfiture, would fight to the last extremity; and being the flower of all the warriors of the continent, must be regarded as formidable to the English: that if their first fire, which is always the most dangerous, were allowed to languish for want of action; if they were harassed with small skirmishes, straitened in provisions, and fatigued with the bad weather and deep roads during the winter season which was approaching, they must fall an easy and a bloodless prey to their enemy: that if a general action were delayed, the English, sensible of the imminent danger to which their properties, as well as liberties, were exposed from those rapacious invaders, would hasten from all quarters to his assistance, and would render his army invincible: that at least, if he thought it necessary to hazard a battle, he ought not to expose his own person, but reserve, in case of

disastrous accidents, some resource to the liberty and independence of the kingdom: and that having once been so unfortunate as to be constrained to swear, and that upon the holy relics, to support the pretensions of the Duke of Normandy, it were better that the command of the army should be intrusted to another, who not being bound by those sacred ties, might give the soldiers more assured hopes of a prosperous issue to the combat.

Harold was deaf to all these remonstrances: elated with his past prosperity, as well as stimulated by his native courage, he resolved to give battle in person; and for that purpose he drew near to the Normans, who had removed their camp and fleet to Hastings, where they fixed their quarters. He was so confident of success, that he sent a message to the duke, promising him a sum of money if he would depart the kingdom without effusion of blood: but his offer was rejected with disdain; and William, not to be behind with his enemy in vaunting, sent him a message by some monks, requiring him either to resign the kingdom, or to hold it of him in fealty, or to submit their cause to the arbitration of the pope, or to fight him in single combat. Harold replied, that the God of battles would soon be the arbiter of all their .differences [r]. [FN [r] Higden, p. 286.]

[MN 14th October.] The English and Normans now prepared themselves for this important decision; but the aspect of things on the night before the battle was very different in the two camps. The English spent the night in riot, and jollity, and disorder; the Normans in silence, and in prayer, and in the other functions of their religion [s]. On the morning, the duke called together the most considerable of his commanders, and made them a speech suitable to the occasion. He represented to them, that the event which they and he had long wished for was approaching; the whole fortune of the war now depended on their swords, and would be decided in a single action: that never army had greater motives for exerting a vigorous courage, whether they considered the prize which would attend their victory, or the inevitable destruction which must ensue upon their discomfiture: that if their martial and veteran bands could once break those raw soldiers, who had rashly dared to approach them, they conquered a kingdom at one blow, and were justly entitled to all its possessions as the reward of their prosperous valour: that, on the contrary, if they remitted in the least their wonted prowess, an enraged enemy hung upon their rear, the sea met them in their retreat, and an ignominious death was the certain punishment of their imprudent cowardice: that by collecting so numerous and brave a host, he had ensured every human means of conquest; and the commander of the enemy, by his criminal conduct, had given him just cause to hope for the favour of the Almighty, in whose hands alone lay the event of wars and battles: and that a perjured usurper, anathematized by the sovereign pontiff, and conscious of his own breach of faith, would be struck with terror on their appearance, and would prognosticate to himself that fate which his multiplied crimes had so justly merited [t]. The duke next divided his army into three lines: the first, led by Montgomery, consisted of archers and light-armed infantry: the second, commanded by Martel, was composed of his bravest battalions, heavy armed, and ranged in close order: his cavalry, at whose head he placed himself, formed the third line; and were so disposed, that they stretched beyond the infantry, and flanked each wing of the army [u]. He ordered the signal of battle to be given; and the whole army, moving at once, and singing the hymn or song of Roland, the famous peer of Charlemagne [w], advanced, in order, and with alacrity, towards the enemy. [FN [s] W. Malm. p. 101. De Gest. Angl. p. 332. [t] H. Hunt. p. 368. Brompton p. 959. Gul. Pict. p. 201. [u] Gul. Pict. p. 201. Order. Vital. p. 501. [w] W. Malm. p. 101. Higden, p. 286. Matth. West. p. 223. Du Cange's Glossary, in verbo CANTILENA ROLANDI.]

Harold had seized the advantage of a rising ground, and having likewise drawn some trenches to secure his flanks, he resolved to stand upon the defensive, and to avoid all action with the cavalry, in which he was inferior. The Kentish men were placed in the van, a post which they had always claimed as their due: the Londoners guarded the standard: and the king himself, accompanied by his two valiant brothers, Gurth and Leofwin, dismounting, placed himself at the head of his infantry, and expressed his resolution to conquer or to perish in the action. The first attack of the Normans was desperate, but was received with equal valour by the English; and after a furious combat, which remained long undecided, the former, overcome by the difficulty of the ground, and hard pressed by the enemy, began first to relax their vigour, then to retreat; and confusion was spreading among the ranks, when William, who found himself on the brink of destruction, hastened with a select band to the relief of his dismayed forces. His presence restored the action; the English were obliged to

retire with loss; and the duke, ordering his second line to advance, renewed the attack with fresh forces, and with redoubled courage. Finding that the enemy, aided by the advantage of ground, and animated by the example of their prince, still made a vigorous resistance, he tried a stratagem, which was very delicate in its management, but which seemed advisable in his desperate situation, where, if he gained not a decisive victory, he was totally undone: he commanded his troops to make a hasty retreat, and to allure the enemy from their ground by the appearance of flight. The artifice succeeded against those inexperienced soldiers, who, heated by the action, and sanguine in their hopes, precipitately followed the Normans into the plain. William gave orders, that at once the infantry should face about upon their pursuers, and the cavalry make an assault upon their wings, and both of them pursue the advantage which the surprise and terror of the enemy must give them in that critical and decisive moment. The English were repulsed with great slaughter, and driven back to the hill; where, being rallied by the bravery of Harold, they were able, notwithstanding their loss, to maintain their post, and continue the combat. The duke tried the same stratagem a second time with the same success; but even after this double advantage, he still found a great body of the English, who, maintaining themselves in firm array, seemed determined to dispute the victory to the last extremity. He ordered his heavy-armed infantry to make an assault upon them; while his archers placed behind, should gall the enemy, who were exposed by the situation of the ground, and who were intent on defending themselves against the swords and spears of the assailants. By this disposition he at last prevailed: Harold was slain by an arrow while he was combating with great bravery at the head of his men: his two brothers shared the same fate: and the English, discouraged by the fall of those princes, gave ground on all sides, and were pursued with great slaughter by the victorious Normans. A few troops, however, of the vanquished had still the courage to turn upon their pursuers; and attacking them in deep and miry ground, obtained some revenge for the slaughter and dishonour of the day. But the appearance of the duke obliged them to seek their safety by flight; and darkness saved them from any farther pursuit by the enemy.

Thus was gained by William, Duke of Normandy, the great and decisive victory of Hastings, after a battle which was fought from morning till sunset, and which seemed worthy, by the heroic valour displayed by both armies, and by both commanders, to decide the fate of a mighty kingdom. William had three horses killed under him; and there fell near fifteen thousand men on the side of the Normans: the loss was still more considerable on that of the vanquished; besides the death of the king and his two brothers. The dead body of Harold was brought to William, and was generously restored without ransom to his mother. The Norman army left not the field of battle without giving thanks to Heaven in the most solemn manner for their victory; and the prince, having refreshed his troops, prepared to push to the utmost his advantage against the divided, dismayed, and discomfited English.

APPENDIX I.

THE ANGLO-SAXON GOVERNMENT AND MANNERS.

FIRST SAXON GOVERNMENT.--SUCCESSION OF THE KINGS.--THE WITTENAGEMOT.-- THE ARISTOCRACY.--THE SEVERAL ORDERS OF MEN.—COURTS OF JUSTICE.-- CRIMINAL LAW.--RULES OF PROOF.--MILITARY FORCE.--PUBLIC REVENUE.-- VALUE OF MONEY.--MANNERS.

The government of the Germans, and that of all the northern nations, who established themselves on the ruins of Rome, was always extremely free; and those fierce people, accustomed to independence and inured to arms, were more guided by persuasion than authority, in the submission which they paid to their princes. The military despotism, which had taken place in the Roman empire, and which, previously to the irruption of those conquerors, had sunk the genius of men, and destroyed every noble principle of science and virtue, was unable to resist the vigorous efforts of a free people; and Europe, as from a new epoch, rekindled her ancient spirit, and shook off the base servitude to arbitrary will and authority under which she had so long laboured. The free constitutions then established, however impaired by the encroachments of succeeding princes, still preserve an air of independence and legal administration, which distinguish the European nations; and if that

part of the globe maintain sentiments of liberty, honour, equity and valour, superior to the rest of mankind, it owes these advantages chiefly to the seeds implanted by those generous barbarians.

[MN First Saxon government.] The Saxons, who subdued Britain, as they enjoyed great liberty in their own country, obstinately retained that invaluable possession in their new settlement; and they imported into this island the same principles of independence which they had inherited from their ancestors. The chieftains (for such they were, more properly than kings or princes) who commanded them in those military expeditions, still possessed a very limited authority; and as the Saxons exterminated, rather than subdued, the ancient inhabitants, they were indeed transplanted into a new territory, but preserved unaltered all their civil and military institutions. The language was pure Saxon; even the names of places, which often remain while the tongue entirely changes, were almost all affixed by the conquerors; the manners and customs were wholly German; and the same picture of a fierce and bold liberty, which is drawn by the masterly pencil of Tacitus, will suit those founders of the English government. The king, so far from being invested with arbitrary power, was only considered as the first among the citizens; his authority depended more on his personal qualities than on his station; he was even so far on a level with the people, that a stated price was fixed for his head, and a legal fine was levied upon his murderer, which, though proportionate to his station, and superior to that paid for the life of a subject, was a sensible mark of his subordination to the community.

[MN Succession of the kings.] It is easy to imagine, that an independent people, so little restrained by law and cultivated by science, would not be very strict in maintaining a regular succession of their princes. Though they paid great regard to the royal family, and ascribed to it an undisputed superiority, they either had no rule, or none that was steadily observed, in filling the vacant throne; and present convenience, in that emergency, was more attended to than general principles. We are not, however, to suppose that the crown was considered as altogether elective; and that a regular plan was traced by the constitution for supplying, by the suffrages of the people, every vacancy made by the demise of the first magistrate. If any king left a son of an age and capacity fit for government, the young prince naturally stepped into the throne: if he was a minor, his uncle, or the next prince of the blood, was promoted to the government, and left the sceptre to his posterity: any sovereign, by taking previous measures with the leading men, had it greatly in his power to appoint his successor: all these changes, and indeed the ordinary administration of government, required the express concurrence, or at least the tacit acquiescence, of the people; but possession, however obtained, was extremely apt to secure their obedience, and the idea of any right, which was once excluded, was but feeble and imperfect. This is so much the case in all barbarous monarchies, and occurs so often in the history of the Anglo-Saxons, that we cannot consistently entertain any other notion of their government. The idea of an hereditary succession in authority is so natural to men, and is so much fortified by the usual rule in transmitting private possessions, that it must retain a great influence on every society, which does not exclude it by the refinements of a republican constitution. But as there is a material difference between government and private possessions, and every man is not as much qualified for exercising the one, as for enjoying the other, a people, who are not sensible of the general advantages attending a fixed rule, and apt to make great leaps in the succession, and frequently to pass over the person, who, had he possessed the requisite years and abilities, would have been thought entitled to the sovereignty. Thus, these monarchies are not, strictly speaking, either elective or hereditary; and though the destination of a prince may often be followed in appointing his successor, they can as little be regarded as wholly testamentary. The states by their suffrage may sometimes establish a sovereign; but they more frequently recognize the person whom they find established: a few great men take the lead; the people, overawed and influenced, acquiesce in the government; and the reigning prince, provided he be of the royal family, passes undisputedly for the legal sovereign.

[MN The Wittenagemot.] It is confessed, that our knowledge of the Anglo-Saxon history and antiquities is too imperfect to afford us means of determining, with certainty, all the prerogatives of the crown and privileges of the people, or of giving an exact delineation of that government. It is probable, also, that the constitution might be somewhat different in the different kingdoms of the Heptarchy, and that it changed considerably during the course of six centuries, which elapsed from the first invasion of the Saxons till the Norman conquest [a]. But most of these differences and changes, with their causes and effects, are unknown to us. It

only appears, that at all times, and in all the kingdoms, there was a national council, called a Wittenagemot, or assembly of the wise men, (for that is the import of the term,) whose consent was requisite for enacting laws, and for ratifying the chief acts of public administration. The preambles to all the laws of Ethelbert, Ina, Alfred, Edward the Elder, Athelstan, Edmond, Edgar, Ethelred, and Edward the Confessor; even those to the laws of Canute, though a kind of conqueror, put this matter beyond controversy, and carry proofs everywhere of a limited and legal government. But who were the constituent members of this Wittenagemot has not been determined with certainty by antiquaries. It is agreed, that the bishops and abbots [b] were an essential part; and it is also evident, from the tenour of those ancient laws, that the Wittenagemot enacted statutes which regulated the ecclesiastical as well as civil government, and that those dangerous principles, by which the church is totally severed from the state, were hitherto unknown to the Anglo-Saxons [c]. It also appears, that the aldermen, or governors of counties, who, after the Danish times, were often called earls [d], were admitted into this council, and gave their consent to the public statutes. But besides the prelates and aldermen, there is also mention of the Wites, or Wise-men, as a component part of the Wittenagemot; but who THESE were, is not so clearly ascertained by the laws or the history of that period. The matter would probably be of difficult discussion, even were it examined impartially; but as our modern parties have chosen to divide on this point, the question has been disputed with the greater obstinacy, and the arguments on both sides have become, on that account, the more captious and deceitful. Our monarchical faction maintain, that these WITES, or SAPIENTES, were the judges, or men learned in the law; the popular faction assert them to be representatives of the boroughs, or what we now call the Commons. [FN [a] We know of one change, not inconsiderable, in the Saxon constitution. The Saxon Annals, p. 49, inform us, that it was in early times the prerogative of the king to name the dukes, earls, aldermen, and sheriffs of the counties. Asser, a contemporary writer, informs us, that Alfred deposed all the ignorant aldermen, and appointed men of more capacity in their place. Yet the laws of Edward the Confessor, Sec. 35, say expressly, that the Heretoghs or dukes, and the sheriffs, were chosen by the freeholders in the folkmote, a county court, which was assembled once a year, and where all the freeholders swore allegiance to the king. [b] Sometimes abbesses were admitted; at least, they often sign the king's charters or grants. Spellm. Gloss. in verbo PARLIAMENTUM. [c] Wilkins, passim. [d] See note [G] at the end of the volume.]

The expressions employed by all ancient historians, in mentioning the Wittenagemot, seem to contradict the latter supposition. The members are almost always called the PRINCIPES, SATRAPAE, OPTIMATES, MAGNATES, PROCERES; terms which seem to suppose an aristocracy, and to exclude the Commons. The boroughs also, from the low state of commerce, were so small and so poor, and the inhabitants lived in such dependence on the great men [e], that it seemed nowise probable they would be admitted as a part of the national councils. The Commons are well known to have had no share in the governments established by the Franks, Burgundians, and other northern nations; and we may conclude that the Saxons, who remained longer barbarous and uncivilized than those tribes, would never think of conferring such an extraordinary privilege on trade and industry. The military profession alone was honourable among all those conquerors; the warriors subsisted by their possessions in land; they became considerable by their influence over their vassals, retainers, tenants, and slaves; and it requires strong proof to convince us that they would admit any of a rank so much inferior as the burgesses, to share with them in the legislative authority. Tacitus indeed affirms, that among the ancient Germans, the consent of all the members of the community was required in every important deliberation; but he speaks not of representatives; and this ancient practice, mentioned by the Roman historian, could only have place in small tribes, where every citizen might, without inconvenience, be assembled upon any extraordinary emergency. After principalities became extensive; after the difference of property had formed distinctions more important than those which arose from personal strength and valour, we may conclude, that the national assemblies must have been more limited in their number, and composed only of the more considerable citizens. [FN [e] Brady's Treatise of English Boroughs, p. 3, 4, 5, &c.]

But though we must exclude the burgesses, or Commons from the Saxon Wittenagemot, there is some necessity for supposing that this assembly consisted of other members than the prelates, abbots, aldermen, and the judges or privy council. For as all these, excepting some of the ecclesiastics [f], were anciently appointed by the king, had there been no other legislative authority, the royal power had been in a great measure

absolute, contrary to the tenour of all the historians, and to the practice of all the northern nations. We may therefore conclude, that the more considerable proprietors of land were, without any election, constituent members of the national assembly; there is reason to think that forty hides, or between four and five thousand acres, was the estate requisite for entitling the possessor to this honourable privilege. We find a passage in an ancient author [g], by which it appears, that a person of very noble birth, even one allied to the crown, was not esteemed a PRINCEPS (the term usually employed by ancient historians, when the Wittenagemot is mentioned) till he had acquired a fortune of that amount. Nor need we imagine that the public council would become disorderly or confused by admitting so great a multitude. The landed property of England was probably in few hands during the Saxon times; at least during the latter part of that period; and as men had hardly any ambition to attend those public councils, there was no danger of the assembly's becoming too numerous for the despatch of the little business which was brought before them. [FN [f] There is some reason to think, that the bishops were sometimes chosen by the Wittenagemot, and confirmed by the king. Eddius, cap. 2. The abbots in the monasteries of royal foundation were anciently named by the king; though Edgar gave the monks the election, and only reserved to himself the ratification. This destination was afterwards frequently violated; and the abbots, as well as bishops were afterwards all appointed by the king; as we learn from Ingulph, a writer contemporary with the conquest. [g] Hist. Eliensis, lib. 2 cap. 40.]

It is certain, that, whatever we may determine concerning the constituent members of the Wittenagemot, in whom, with the king, the legislature resided, the Anglo-Saxon government, in the period preceding the Norman conquest, was become extremely aristocratical; the royal authority was very limited; the people, even if admitted to that assembly, were of little or no weight and consideration. We have hints given us in historians, of the great power and riches of particular noblemen: and it could not but happen, after the abolition of the Heptarchy, when the king lived at a distance from the provinces, that those great proprietors, who resided on their estates, would much augment their authority over their vassals and retainers, and over all the inhabitants of the neighbourhood. Hence the immeasurable power assumed by Harold, Godwin, Leofric, Siward, Morcar, Edwin, Edric, and Alfric, who controlled the authority of the kings, and rendered themselves quite necessary in the government. The two latter, though detested by the people, on account of their joining a foreign enemy, still preserved their power and influence; and we may therefore conclude, that their authority was founded, not on popularity, but on family rights and possessions. There is one Athelstan, mentioned in the reign of the king of that name, who is called Alderman of all England, and is said to be half-king; though the monarch himself was a prince of valour and abilities [h]. And we find, that in the latter Saxon times, and in these alone, the great office went from father to son, and became in a manner hereditary in the families [i]. [FN [h] Hist. Rames. Sec. 3, p. 387. [i] Roger Hoveden, giving the reason why William the Conqueror made Cospatric Earl of Northumberland, says, NAM EX MATERNO SANGUINE ATTINEBAT AD EUM HONOR ILLIUS COMITATUS. ERAT ENIM EX MATRE ALGITHA, FILIA UTHREDI COMITIS. See also Sim. Dun. p. 205. We see in those instances the same tendency towards rendering offices hereditary, which took place, during a more early period, on the continent, and which had already produced there its full effect.]

The circumstances attending the invasions of the Danes would also serve much to increase the power of the principal nobility. Those freebooters made unexpected inroads on all quarters; and there was a necessity that each county should resist them by its own force, and under the conduct of its own nobility and its own magistrates. For the same reason that a general war, managed by the united efforts of the state, commonly augments the power of the crown; those private wars and inroads turned to the advantage of the aldermen and nobles.

Among that military and turbulent people, so averse to commerce and the arts, and so little inured to industry, justice was commonly very ill administered, and great oppression and violence seem to have prevailed. These disorders would be increased by the exorbitant power of the aristocracy; and would, in their turn, contribute to increase it. Men, not daring to rely on the guardianship of the laws, were obliged to devote themselves to the service of some chieftain, whose orders they followed, even to the disturbance of the government, or the injury of their fellow-citizens, and who afforded them, in return, protection from any insult or injustice by

strangers. Hence, we find by the extracts which Dr. Brady has given us from Domesday, that almost all the inhabitants, even of towns, had placed themselves under the clientship of some particular nobleman, whose patronage they purchased by annual payments, and whom they were obliged to consider as their sovereign, more than the king himself, or even the legislature [k]. A client, though a freeman, was supposed so much to belong to his patron, that his murderer was obliged by law to pay a fine to the latter, as a compensation for his loss; in like manner as he paid a fine to the master for the murder of his slave [l]. Men who were of a more considerable rank, but not powerful enough each to support himself by his own independent authority, entered into formal confederacies with each other, and composed a kind of separate community, which rendered itself formidable to all aggressors. Dr. Hickes has preserved a curious Saxon bond of this kind, which he calls a SODALITIUM, and which contains many particulars characteristical of the manners and customs of the times [m]. All the associates are there said to be gentlemen of Cambridgeshire, and they swear before the holy relics to observe their confederacy, and to be faithful to each other: they promise to bury any of the associates who dies, in whatever place he had appointed; to contribute to his funeral charges, and to attend at his interment; and whoever is wanting in this last duty, binds himself to pay a measure of honey. When any of the associates is in danger, and calls for the assistance of his fellows, they promise, besides flying to his succour, to give information to the sheriff; and if he be negligent in protecting the person exposed to danger, they engage to levy a fine of one pound upon him: if the president of the society himself be wanting in this particular, he binds himself to pay one pound; unless he has the reasonable excuse of sickness, or of duty to his superior. When any of the associates is murdered, they are to exact eight pounds from the murderer; and if he refuse to pay it, they are to prosecute him for the sum at their joint expense. If any of the associates who happens to be poor kill a man, the society are to contribute, by a certain proportion, to pay his fine: a mark a-piece if the fine be seven hundred shillings; less if the person killed be a clown or ceorle; the half of that sum, again, if he be a Welshman. But where any of the associates kills a man, wilfully and without provocation, he must himself pay the fine. If any of the associates kill any of his fellows in a like criminal manner, besides paying the usual fine to the relations of the deceased, he must pay eight pounds to the society, or renounce the benefit of it; in which case, they bind themselves, under the penalty of one pound, never to eat or drink with him, except in the presence of the king, bishop, or alderman. There are other regulations to protect themselves and their servants from all injuries, to revenge such as are committed, and to prevent their giving abusive language to each other; and the fine, which they engage to pay for this last offence, is a measure of honey. [FN [k] Brady's Treatise of Boroughs, p. 3, 4, 5, &c. The case was the same with the freemen in the country. See Pref. to his Hist. p. 8, 9, 10, &c. [1] LL. Edw. Conf. Sec. 8. apud Ingulph. [m] Dissert. Epist. p. 21.]

It is not to be doubted but a confederacy of this kind must have been a great source of friendship and attachment; when men lived in perpetual danger from enemies, robbers, and oppressors, and received protection chiefly from their personal valour, and from the assistance of their friends or patrons. As animosities were then more violent, connexions were also more intimate, whether voluntary or derived from blood: the most remote degree of propinquity was regarded: an indelible memory of benefits was preserved: severe vengeance was taken for injuries, both from a point of honour, and as the best means of future security: and the civil union being weak, many private engagements were contracted in order to supply its place, and to procure men that safety which the laws and their own innocence were not alone able to insure to them.

On the whole, notwithstanding the seeming liberty, or rather licentiousness, of the Anglo-Saxons, the great body even of the free citizens, in those ages, really enjoyed much less true liberty, than where the execution of the laws is the most severe, and where subjects are reduced to the strictest subordination and dependence on the civil magistrate. The reason is derived from the excess itself of that liberty. Men must guard themselves at any price against insults and injuries; and where they receive not protection from the laws and magistrate, they will seek it by submission to superiors, and by herding in some private confederacy which acts under the direction of a powerful leader. And thus all anarchy is the immediate cause of tyranny, if not over the state, at least over many of the individuals. Security was provided by the Saxon laws to all members of the Wittenagemot, both in going and returning, EXCEPT THEY WERE NOTORIOUS THIEVES AND ROBBERS.

[MN The several orders of men.] The German Saxons, as the other nations of that continent, were divided into three ranks of men, the noble, the free, and the slaves [n]. This distinction they brought over with them into Britain. [FN [n] Nithard. Hist. lib. 4.]

The nobles were called thanes; and were of two kinds, the king's thanes and lesser thanes. The latter seem to have been dependent on the former; and to have received lands, for which they paid rent, services, or attendance in peace and war [o]. We know of no title which raised any one to the rank of thane, except noble birth and the possession of land. The former was always much regarded by all the German nations, even in their most barbarous state; and as the Saxon nobility, having little credit, could scarcely burthen their estates with much debt, and as the Commons had little trade or industry by which they could accumulate riches, these two ranks of men, even though they were not separated by positive laws, might remain long distinct, and the noble families continue many ages in opulence and splendour. There were no middle ranks of men that could gradually mix with their superiors, and insensibly procure to themselves honour and distinction. If by any extraordinary accident a mean person acquired riches, a circumstance so singular made him be known and remarked; he became the object of envy, as well as of indignation, to all the nobles; he would have great difficulty to defend what he had acquired; and he would find it impossible to protect himself from oppression, except by courting the patronage of some great chieftain, and paying a large price for his safety. [FN [o] Spellm. Feuds and Tenures, p. 40.]

There are two statutes among the Saxon laws which seem calculated to confound those different ranks of men; that of Athelstan, by which a merchant, who had made three long sea voyages on his own account, was entitled to the quality of thane [p]; and that of the same prince, by which a ceorle or husbandman, who had been able to purchase five hides of land, and had a chapel, a kitchen, a hall, and a bell, was raised to the same distinction [q]. But the opportunities were so few, by which a merchant or ceorle could thus exalt himself above his rank, that the law could never overcome the reigning prejudices; the distinction between noble and base blood would still be indelible; and the well-born thanes would entertain the highest contempt for those legal and factitious ones. Though we are not informed of any of these circumstances by ancient historians, they are so much founded on the nature of things, that we may admit them as a necessary and infallible consequence of the situation of the kingdom during those ages. [FN [p] Wilkins, p. 71. [q] Selden, Titles of Honour, p. 515. Wilkins, p. 70.]

The cities appear by Domesday-book to have been at the Conquest little better than villages [r]. York itself, though it was always the second, at least the third [s], city in England, and was the capital of a great province, which never was thoroughly united with the rest, contained but one thousand four hundred and eighteen families [t]. Malmsbury tells us [u], that the great distinction between the Anglo-Saxon nobility, and the French or Norman was, that the latter built magnificent and stately castles; whereas the former consumed their immense fortunes in riot and, hospitality, and in mean houses. We may thence infer, that the arts in general were much less advanced in England than in France; a greater number of idle servants and retainers lived about the great families; and as these, even in France, were powerful enough to disturb the execution of the laws, we may judge of the authority acquired by the aristocracy in England. When Earl Godwin besieged the Confessor in London, he summoned from all parts his huscarles or houseceorles and retainers, and thereby constrained his sovereign to accept of the conditions which he was pleased to impose upon him. [FN [r] Winchester, being the capital of the West Saxon monarchy, was anciently a considerable city. Gul. Pict. p. 210. [s] Norwich contained 738 houses, Exeter 315, Ipswich 538, Northampton 60, Hereford 146, Canterbury 262, Bath 64, Southampton 84, Warwick 225. See Brady of Boroughs, p. 3, 4, 5, 6, &c. These are the most considerable he mentions. The account of them is extracted from Domesday-book. [t] Brady's Treatise of Boroughs, p. 10. There were six wards, besides the archbishop's palace; and five of these wards contained the number of families here mentioned, which, at the rate of five persons to a family, makes about 7000 souls. The sixth ward was laid waste. [u] p. 102. See also, De Gest. Angl. p. 333.]

The lower rank of freemen were denominated ceorles among the Anglo-Saxons; and, where they were industrious, they were chiefly employed in husbandry: whence a ceorle and a husbandman became in a

manner synonymous terms. They cultivated the farms of the nobility or thanes, for which they paid rent; and they seem to have been removeable at pleasure. For there is little mention of leases among the Anglo-Saxons; the pride of the nobility, together with the general ignorance of writing, must have rendered these contracts very rare, and must have kept the husbandmen in a dependent condition. The rents of farms were then chiefly paid in kind [w]. [FN [w] LL. Inae, Sec. 70. These laws fixed the rents for a hide; but it is difficult to convert it into modern measures.]

But the most numerous rank by far in the community seems to have been the slaves or villains, who were the property of their lords, and were consequently incapable themselves of possessing any property. Dr. Brady assures us, from a survey of Domesday-book [x], that in all the counties of England, the far greater part of the land was occupied by them, and that the husbandmen, and still more the socmen, who were tenants that could not be removed at pleasure, were very few in comparison. This was not the case with the German nations, as far as we can collect from the account given us by Tacitus. The perpetual wars in the Heptarchy, and the depredations of the Danes, seem to have been the cause of this great alteration with the Anglo-Saxons. Prisoners taken in battle, or carried off in the frequent inroads, were then reduced to slavery; and became, by right of war [y], entirely at the disposal of their lords. Great property in the nobles, especially if joined to an irregular administration of justice, naturally favours the power of the aristocracy; but still more so if the practice of slavery be admitted, and has become very common. The nobility not only possess the influence which always attends riches, but also the power which the laws give them over their slaves and villains. It then becomes difficult, and almost impossible, for a private man to remain altogether free and independent. [FN [x] General Preface to his Hist. p. 7, 8, 9 &c. [y] LL. Edg. Sec. 14 apud Spellm. Conc. vol. 1. p. 471.]

There were two kinds of slaves among the Anglo-Saxons; household slaves, after the manner of the ancients, and praedial, or rustic, after the manner of' the Germans [z]. These latter resembled the serfs, which are at present to be met with in Poland, Denmark, and some parts of Germany. The power of a master over his slaves was not unlimited among the Anglo-Saxons, as it was among their ancestors. If a man beat out his slave's eye or teeth, the slave recovered his liberty [a]: if he killed him, he paid a fine to the king, provided the slave died within a day after the wound or blow; otherwise it passed unpunished [b]. The selling of themselves or children to slavery was always the practice among the German nations [c], and was continued by the Anglo-Saxons [d]. [FN [z] Spellm. Gloss. in verb. SERRUS [a] LL. Aelf. Sec. 20. [b] Ibid 17. [c] Tacit. de Morib. Germ. [d] LL. Inae, Sec. 11 LL. Aelf. Sec. 12.]

The great lords and abbots among the Anglo-Saxons possessed a criminal jurisdiction within their territories, and could punish without appeal, any thieves or robbers whom they caught there [e]. This institution must have had a very contrary effect to that which was intended, and must have procured robbers a sure protection on the lands of such noblemen as did not sincerely mean to discourage crimes and violence. [FN [e] Higden, lib. 1. cap. 50. LL. Edw. Conf. Sec. 26. Spellm. Conc. vol. i. p. 415. Gloss. in verb. HALIGEMOT ET INFANGENTHEFE.]

[MN Courts of justice.] But though the general strain of the Anglo-Saxon government seems to have become aristocratical, there were still considerable remains of the ancient democracy, which were not indeed sufficient to protect the lowest of the people, without the patronage of some great lord, but might give security, and even some degree of dignity, to the gentry, or inferior nobility. The administration of justice, in particular, by the courts of the decennary, the hundred, and the county, was well calculated to defend general liberty, and to restrain the power of the nobles. In the county courts, or shiremotes, all the freeholders were assembled twice a year, and received appeals from the inferior courts. They there decided all causes, ecclesiastical as well as civil; and the bishop, together with the alderman or earl, presided over them [f]. The affair was determined in a summary manner, without much pleading, formality, or delay, by a majority of voices; and the bishop and alderman had no farther authority than to keep order among the freeholders, and interpose with their opinion [g]. Where justice was denied during three sessions by the hundred, and then by the county court, there lay an appeal to the king's court [h]; but this was not practised on slight occasions. The alderman received a third of the fines levied in those courts [i]; and as most of the punishments were then pecuniary, this perquisite formed

a considerable part of the profits belonging to his office. The two-thirds also which went to the king, made no contemptible part of the public revenue. Any freeholder was fined who absented himself thrice from these courts [k]. [FN [f] LL. Edg. Sec. 5. Wilkins, p. 78. LL. Canut. Sec. 17. Wilkins, p. 136. [g] Hickes, Dissert. Epist. p. 2, 3, 4, 5, 6, 7, 8. [h] LL. Edg Sec. 2. Wilkins, p. 77. LL. Canut. Sec. 18. apud Wilkins, p. 136. [i] LL. Edw. Conf. Sec. 31. [k] LL. Ethelst. Sec. 20.]

As the extreme ignorance of the age made deeds and writings very rare, the county or hundred court was the place where the most remarkable civil transactions were finished, in order to preserve the memory of them, and prevent all future disputes. Here testaments were promulgated, slaves manumitted, bargains of sale concluded; and sometimes, for greater security, the most considerable of these deeds were inserted in the blank leaves of the parish bible, which thus became a kind of register too sacred to be falsified. It was not unusual to add to the deed an imprecation on all such as should be guilty of that crime [l]. [FN [1] Hickes, Dissert. Epist.]

Among a people, who lived in so simple a manner as the Anglo-Saxons, the judicial power is always of greater importance than the legislative. There were few or no taxes imposed by the states; there were few statutes enacted; and the nation was less governed by laws than by customs, which admitted a great latitude of interpretation. Though it should therefore be allowed that the Wittenagemot was altogether composed of the principal nobility, the county courts, where all the freeholders were admitted, and which regulated all the daily occurrences of life, formed a wide basis for the government, and were no contemptible checks on the aristocracy. But there is another power still more important than either the judicial or legislative; to wit, the power of injuring or serving by immediate force and violence, for which it is difficult to obtain redress in courts of justice. In all extensive governments, where the execution of the laws is feeble, this power naturally falls into the hands of the principal nobility; and the degree of it which prevails cannot be determined so much by the public statutes, as by small incidents in history, by particular customs, and sometimes by the reason and nature of things. The Highlands of Scotland have long been entitled by law to every privilege of British subjects; but it was not till very lately that the common people could in fact enjoy these privileges.

The powers of all the members of the Anglo-Saxon government are disputed among historians and antiquaries; the extreme obscurity of the subject, even though faction had never entered into the question, would naturally have begotten those controversies. But the great influence of the lords over their slaves and tenants, the clientship of the burghers, the total want of a middling rank of men, the extent of the monarchy, the loose execution of the laws, the continued disorders and convulsions of the state; all these circumstances evince that the Anglo-Saxon government became at last extremely aristocratical; and the events, during the period immediately preceding the conquest, confirm this inference or conjecture.

[MN Criminal law.] Both the punishments inflicted by the Anglo-Saxon courts of judicature, and the methods of proof employed in all causes, appear somewhat singular, and are very different from those which prevail at present among all civilized nations.

We must conceive that the ancient Germans were little removed from the original state of nature: the social confederacy among them was more martial than civil: they had chiefly in view the means of attack or defence against public enemies, not those of protection against their fellow-citizens: their possessions were so slender and so equal, that they were not exposed to great danger; and the natural bravery of the people made every man trust to himself, and to his particular friends, for his defence or vengeance. This defect in the political union drew much closer the knot of particular confederacies; an insult upon any man was regarded by all his relations and associates as a common injury; they were bound by honour, as well as by a sense of common interest, to revenge his death, or any violence which he had suffered: they retaliated on the aggressor by like acts of violence; and if he were protected, as was natural and usual, by his own clan, the quarrel was spread still wider, and bred endless disorders in the nation.

The Frisians, a tribe of the Germans, had never advanced beyond this wild and imperfect state of society; and

the right of private revenge still remained among them unlimited and uncontrolled [m]. But the other German nations, in the age of Tacitus, had made one step farther towards completing the political or civil union. Though it still continued to be an indispensable point of honour for every clan to revenge the death or injury of a member, the magistrate had acquired a right of interposing in the quarrel, and of accommodating the difference. He obliged the person maimed or injured, and the relations of one killed, to accept of a present from the aggressor and his relations [n], as a compensation for the injury [o], and to drop all farther prosecution of revenge. That the accommodation of one quarrel might not be the source of more, this present was fixed and certain, according to the rank of the person killed, or injured, and was commonly paid in cattle, the chief property of those rude and uncultivated nations. A present of this kind gratified the revenge of the injured family, by the loss which the aggressor suffered; it satisfied their pride, by the submission which it expressed; it diminished their regret for the loss or injury of a kinsman, by their acquisition of new property; and thus general peace was for a moment restored to the society [p]. [FN [m] LL. Fris. tit. 2. apud. Lindenbrog. p. 491. [n] LL. Aethelb. Sec. 23. LL. Aelf. Sec. 27. [o] Called by the Saxons MOEGBOTA. [p] Tacit. de Morib. Germ. The author says, that the price of the composition was fixed; which must have been by the laws and the interposition of the magistrates.]

But when the German nations had been settled some time in the provinces of the Roman empire, they made still another step towards a more cultivated life, and their criminal justice gradually improved and refined itself. The magistrate, whose office it was to guard public peace, and to suppress private animosities, conceived himself to be injured by every injury done to any of his people; and besides the compensation to the person who suffered, or to his family, he thought himself entitled to exact a fine called the Fridwit as an atonement for the breach of peace, and as a reward for the pains which he had taken in accommodating the quarrel. When this idea, which is so natural, was once suggested, it was willingly received both by sovereign and people. The numerous fines which were levied augmented the revenue of the king; and the people were sensible that he would be more vigilant in interposing with his good offices, when he reaped such immediate advantage from them; and that injuries would be less frequent, when, besides compensation to the person injured, they were exposed to this additional penalty [q]. [FN [q] Besides paying money to the relations of the deceased, and to the king, the murderer was also obliged to pay the master of a slave or vassal a sum as a compensation for his loss. This was called the MANBOTE. See Spell. Gloss. in verb. FREDUM, MANBOT.]

This short abstract contains the history of the criminal jurisprudence of the northern nations for several centuries. The state of England in this particular, during the period of the Anglo-Saxons, may be judged of by the collection of ancient laws, published by Lambard and Wilkins. The chief purport of these laws is not to prevent or entirely suppress private quarrels, which the legislature knew to be impossible, but only to regulate and moderate them. The laws of Alfred enjoin, that if any one know that his enemy or aggressor, after doing him an injury, resolves to keep within his own house, AND HIS OWN LANDS [r], he shall not fight him till he require compensation for the injury. If he be strong enough to besiege him in his house, he may do it for seven days without attacking him; and if the aggressor be willing, during that time, to surrender himself and his arms, his adversary may detain him thirty days; but is afterwards obliged to restore him safe to his kindred, AND BE CONTENT WITH THE COMPENSATION. If the criminal fly to the temple, that sanctuary must not be violated. Where the assailant has not force sufficient to besiege the criminal in his house, he must apply to the alderman for assistance; and if the alderman refuse aid, the assailant must have recourse to the king; and he is not allowed to assault the house till after this supreme magistrate has refused assistance. If any one meet with his enemy, and be ignorant that he was resolved to keep within his own lands, he must, before he attack him, require him to surrender himself prisoner, and deliver up his arms; in which case he may detain him thirty days: but if he refuse to deliver up his arms, it is then lawful to fight him. A slave may fight in his master's quarrel: a father may fight in his son's with any one, except with his master [s]. [FN [r] The addition of these last words in Italics appears necessary from what follows in the same law. [s] LL. Aelfr. Sec. 28 Wilkins, p. 43.]

It was enacted by King Ina, that no man should take revenge for an injury till he had first demanded compensation, and had been refused it [t]. [FN [t] LL. Inae, Sec. 9.]

King Edmond, in the preamble to his laws, mentions the general misery occasioned by the multiplicity of private feuds and battles; and he establishes several expedients for remedying this grievance. He ordained that if any one commit murder, be may, with the assistance of his kindred, pay within a twelvemonth the fine of his crime; and if they abandon him, he shall alone sustain the deadly feud or quarrel with the kindred of the murdered person: his own kindred are free from the feud, but on condition that they neither converse with the criminal, nor supply him with meat or OTHER NECESSARIES: if any of them, after renouncing him, receive him into their house, OR GIVE HIM ASSISTANCE, they are finable to the king, and are involved in the feud. If the kindred of the murdered person take revenge on any but the criminal himself, AFTER HE IS ABANDONED BY HIS KINDRED, all their property is forfeited, and they are declared to be enemies to the king and all his friends [u]. It is also ordained, that the fine for murder shall never be remitted by the king [w]; and that no criminal shall be killed who flies to the church, or any of the king's towns [x]; and the king himself declares, that his house shall give no protection to murderers, till they have satisfied the church by their penance, and the kindred of the deceased, by making compensation [y]. The method appointed for transacting this composition is found in the same law [z]. [FN [u] LL. Edm. Sec. 1. Wilkins, p. 73. [w] LL. Edm. Sec. 3. [x] Ibid. Sec. 2. [y] Ibid. Sec. 4. [z] Ibid Sec. 7.]

These attempts of Edmond, to contract and diminish the feuds, were contrary to the ancient spirit of the northern barbarians, and were a step towards a more regular administration of justice. By the Salic law, any man might, by a public declaration, exempt himself from his family quarrels: but then he was considered by the law as no longer belonging to the family; and he was deprived of all right of succession, as the punishment of his cowardice [a]. [FN [a] Tit. 63.]

The price of the king's head, or his weregild, as it was then called, was by law thirty thousand thrimsas, near thirteen hundred pounds of present money. The price of the prince's head was fifteen thousand thrimsas; that of a bishop's or alderman's, eight thousand; a sheriff's four thousand; a thane's or clergyman's, two thousand; a ceorle's, two hundred and sixty-six. These prices were fixed by the laws of the Angles. By the Mercian law, the price of a ceorle's head was two hundred shillings; that of a thane's six times as much; that of a king's six times more [b]. By the laws of Kent, the price of the archbishop's head was higher than that of the king's [c]. Such respect was then paid to the ecclesiastics! It must be understood, that where a person was unable or unwilling to pay the fine, he was put out of the protection of law, and the kindred of the deceased had liberty to punish him as they thought proper. [FN [b] Wilkins, p. 71, 72. [c] LL. Elthredi, apud Wilkins, p. 110.]

Some antiquarians [d] have thought, that these compensations were only given for manslaughter, not for wilful murder: but no such distinction appears in the laws; and it is contradicted by the practice of all the other barbarous nations [e], by that of the ancient Germans [f], and by that curious monument above mentioned, a Saxon antiquity, preserved by Hickes. There is indeed a law of Alfred's, which makes wilful murder capital [g]; but this seems only to have been an attempt of that great legislator towards establishing a better police in the kingdom, and it probably remained without execution. By the laws of the same prince, a conspiracy against the life of the king might be redeemed by a fine [h]. [FN [d] Tyrrel, Introduction, vol. i. p.126. Carte, vol. i. p. 366. [e] Lindenbrogius, passim. [f] Tac. de Mor. Germ. [g] LL. Aelf. Sec. 12. Wilkins, p. 29. It is probable that by wilful murder Alfred means a treacherous murder, committed by one who had no declared feud with another. [h] LL. Aelf. Sec. 4 Wilkins, p. 35.]

The price of all kinds of wounds was likewise fixed by the Saxon laws: a wound of an inch long under the hair, was paid with one shilling; one of a like size in the face, two shillings: thirty shillings for the loss of an ear, and so forth [i]. There seems not to have been any difference made, according to the dignity of the person. By the laws of Ethelbert, any one who committed adultery with his neighbour's wife, was obliged to pay him a fine, and buy him another wife [k]. [FN [i] LL. Elf. Sec. 40. See also, LL. Ethelb. Sec. 34, &c. [k] LL. Ethelb. Sec. 32.]

These institutions are not peculiar to the ancient Germans. They seem to be the necessary progress of criminal jurisprudence among every free people, where the will of the sovereign is not implicitly obeyed. We find them

among the ancient Greeks during the time of the Trojan war. Compositions for murder are mentioned in Nestor's speech to Achilles in the ninth Iliad and are called APOINAI. The Irish, who never had any connexions with the German nations, adopted the same practice till very lately; and the price of a man's head was called among them his ERIC; as we learn from Sir John Davis. The same custom seems also to have prevailed among the Jews [l]. [FN [l] Exod. cap. xxi. 29, 30.]

Theft and robbery were frequent among the Anglo-Saxons. In order to impose some check upon these crimes, it was ordained, that no man should sell or buy any thing above twenty-pence value, except in open market [m]; and every bargain of sale must be executed before witnesses [n]. Gangs of robbers much disturbed the peace of the country; and the law determined, that a tribe of banditti, consisting of between seven and thirty-five persons, was to be called a TURMA, or troop: any greater company was denominated an army [o]. The punishments for this crime were various, but none of them capital [p]. If any man could track his stolen cattle into another's ground, the latter was obliged to show the tracks out of it, or pay their value [q]. [FN [m] LL. Aethelst. Sec. 12. [n] Ibid. Sec. 10, 12. LL. Edg. apud Wilkins, p. 80. LL. Ethelredi, Sec. 4 apud Wilkins, p. 103. Hloth. and Eadm. Sec. 16. LL. Canut. Sec. 22. [o] LL. Inae, Sec. 12. [p] LL. Inae, Sec. 37. [q] LL. Aethelst. Sec. 2. Wilkins, p. 63.]

Rebellion, to whatever excess it was carried, was not capital, but might be redeemed by a sum of money [r]. The legislators, knowing it impossible to prevent all disorders, only imposed a higher fine on breaches of the peace committed in the king's court, or before an alderman or bishop. An alehouse too seems to have been considered as a privileged place; and any quarrels that arose there were more severely punished than elsewhere [s]. [FN [r] LL. Ethelredi, apud Wilkins, p. 110. LL. Aelf. Sec. 4. Wilkins, p. 35. [s] LL. Hloth. and Eadm. Sec. 12, 13. LL. Ethelr. apud Wilkins, p. 117.]

[MN Rules of proof.] If the manner of punishing crimes among the Anglo-Saxons appear singular, the proofs were not less so; and were also the natural result of the situation of the people. Whatever we may imagine concerning the usual truth and sincerity of men who live in a rude and barbarous state, there is much more falsehood, and even perjury among them, than among civilized nations; virtue which is nothing but a more enlarged and more cultivated reason, never flourishes to any degree, nor is founded on steady principles of honour, except where a good education becomes general; and where men are taught the pernicious consequences of vice, treachery, and immorality. Even superstition, though more prevalent among ignorant nations, is but a poor supply for the defects in knowledge and education: our European ancestors, who employed every moment the expedient of swearing on extraordinary crosses and relics, were less honourable in all engagements than their posterity, who, from experience, have omitted those ineffectual securities. This general proneness to perjury was much increased by the usual want of discernment in judges, who could not discuss an intricate evidence, and were obliged to number, not weigh, the testimony of the witnesses [t]. Hence the ridiculous practice of obliging men to bring compurgators, who, as they did not pretend to know any thing of the fact, expressed upon oath, that they believed the person spoke true; and these compurgators were in some cases multiplied to the number of three hundred [u]. The practice also of single combat was employed by most nations on the continent as a remedy against false evidence [w]; and though it was frequently dropped, from the opposition of the clergy, it was continually revived from experience of the falsehood attending the testimony of witnesses [x]. It became at last a species of jurisprudence: the cases were determined by law, in which the party might challenge his adversary, or the witnesses, or the judge himself [y]: and though these customs were absurd, they were rather an improvement on the methods of trial which had formerly been practised among those barbarous nations, and which still prevailed among the Anglo-Saxons. [FN [t] Sometimes the laws fixed easy general rules for weighing the credibility of witnesses. A man whose life was estimated at 120 shillings, counterbalanced six ceorles, each of whose lives was only valued at 20 shillings, and his oath was deemed equivalent to that of all the six. See Wilkins, p. 72. [u] Praef. Nicol. ad Wilkins, p 11. [w] LL. Burgund. cap. 45. LL. Lomb. lib. 2. tit. 55, cap. 34. [x] LL. Longob. lib. 2. tit. 55. cap. 23. apud Landenb. p. 661. [y] See Desfontaines and Beaumanoir.]

When any controversy about a fact became too intricate for those ignorant judges to unravel, they had

recourse to what they called the judgment of God; that is, to fortune: their methods of consulting this oracle were various. One of them was the decision of the CROSS: it was practised in this manner: when a person was accused of any crime, he first cleared himself by oath, and he was attended by eleven compurgators. He next took two pieces of wood, one of which was marked with the sign of the cross, and wrapping both up in wool, he placed them on the altar, or on some celebrated relic. After solemn prayers for the success of the experiment, a priest, or, in his stead, some unexperienced youth, took up one of the pieces of wood, and if he happened upon that which was marked with the figure of the cross, the person was pronounced innocent; if otherwise, guilty [z]. This practice, as it arose from superstition, was abolished by it in France. The emperor, Lewis the Debonnaire, prohibited that method of trial, not because it was uncertain, but lest that sacred figure, says he, of the cross should be prostituted in common disputes and controversies [a]. [FN [z] LL. Frison. tit. 14. apud Lindenbrogium, p. 496. [a] Du Cange, in verb. CRUX.]

The ordeal was another established method of trial among the Anglo- Saxons. It was practised either by boiling water or red-hot iron. The former was appropriated to the common people; the latter to the nobility. The water or iron was consecrated by many prayers, masses, fastings, and exorcisms [b]; after which the person accused either took up a stone sunk in the water [c] to a certain depth, or carried the iron to a certain distance; and his hand being wrapped up, and the covering sealed for three days, if there appeared, on examining it, no marks of burning, he was pronounced innocent; if otherwise, guilty [d]. The trial by cold water was different: the person was thrown into consecrated water; if he swam, he was guilty; if he sunk, innocent [e]. It is difficult for us to conceive how any innocent person could ever escape by the one trial, or any criminal be convicted by the other. But there was another usage admirably calculated for allowing every criminal to escape who had confidence enough to try it. A consecrated cake, called a corsned, was produced; which if the person could swallow and digest he was pronounced innocent [f]. [FN [b] Spellm. in verb. ORDEAL. Parker, p. 155. Lindenbrog. p 1299. [c] LL. Inae, Sec. 77. [d] Sometimes the person accused walked barefoot over red-hot iron. [e] Spellm. in verb. ORDEALIUM. [f] Spellm. in verb. CORSNED Parker, p. 156. Text. Roffens. p. 33.]

[MN Military force.] The feudal law, if it had place at all among the Anglo-Saxons, which is doubtful, was not certainly extended over all the landed property, and was not attended with those consequences of homage, reliefs [g], wardship, marriage, and other burdens, which were inseparable from it in the kingdoms of the continent. As the Saxons expelled, or almost entirely destroyed, the ancient Britons, they planted themselves in this island on the same footing with their ancestors in Germany, and found no occasion for the feudal institutions [h], which were calculated to maintain a kind of standing army, always in readiness to suppress any insurrection among the conquered people. The trouble and expense of defending the state in England lay equally upon all the land; and it was usual for every five hides to equip a man for the service. The TRINODA NECESSITAS, as it was called, or the burden of military expeditions, of repairing highways, and of building and supporting bridges, was inseparable from landed property, even though it belonged to the church or monasteries, unless exempted by a particular charter [i]. The ceorles or husbandmen were provided with arms, and were obliged to take their turn in military duty [k]. There were computed to be two hundred and forty-three thousand six hundred hides in England [l]; consequently, the ordinary military force of the kingdom consisted of forty-eight thousand seven hundred and twenty men; though, no doubt, on extraordinary occasions, a greater number might be assembled. The king and nobility had some military tenants, who were called Sithcun-men [m]. And there were some lands annexed to the office of alderman, and to other offices; but these probably were not of great extent, and were possessed only during pleasure, as in the commencement of the feudal law in other countries of Europe. [FN [g] On the death of an alderman, a greater or lesser thane, there was a payment made to the king of his best arms; and this was called his heriot: but this was not of the nature of a relief. See Spellm. of Tenures, p. 2. The value of this heriot fixed by Canute's laws, Sec. 69. [h] Bracton de Acqu. rer. domin. lib. 2. cap. 16. See more fully Spellman of Feuds and Tenures, and Craigius de jure feud. lib. 1. dieg. 7. [i] Spellm. Conc. vol. i. p. 256. [k] Inae, Sec. 51. [l] Spellm. of Feuds and Tenures, p. 17. [m] Spellm. Conc. vol. i. p. 195.]

[MN Public revenue.] The revenue of the king seems to have consisted chiefly in his demesnes, which were

large; and in the tolls and imposts which he probably levied at discretion on the boroughs and seaports that lay within his demesnes. He could not alienate any part of the crown lands, even to religious uses, without the consent of the states [n]. Danegelt was a land-tax of a shilling a hide, imposed by the states [o], either for payment of the sums exacted by the Danes, or for putting the kingdom in a posture of defence against those invaders [p]. [FN [n] Spellm. Conc. vol. i. p. 340. [o] Chron. Sax p. 128. [p] LL. Edw. Con. Sec. 12.]

[MN Value of money.] The Saxon pound, as likewise that which was coined for some centuries after the Conquest, was near three times the weight of our present money: there were forty-eight shillings in the pound, and five pence in a shilling [q]; consequently, a Saxon shilling was near a fifth heavier than ours, and a Saxon penny near three times as heavy [r]. As to the value of money in those times, compared to commodities, there are some, though not very certain, means of computation. A sheep, by the laws of Athelstan, was estimated at a shilling; that is, fifteen pence of our money. The fleece was two fifths of the value of the whole sheep [s]; much above its present estimation; and the reason probably was, that the Saxons, like the ancients, were little acquainted with any clothing but what was made of wool. Silk and cotton were quite unknown: linen was not much used. An ox was computed at six times the value of a sheep; a cow at four [t]. If we suppose that the cattle in that age, from the defects in husbandry, were not so large as they are at present in England, we may compute that money was then near ten times of greater value. A horse was valued at about thirty-six shillings of our money, or thirty Saxon shillings [u]; a mare a third less A man at three pounds [w]. The board wages of a child the first year was eight shillings, together with a cow's pasture in summer, and an ox's in winter [x]. William of Malmesbury mentions it as a remarkably high price, that William Rufus gave fifteen marks for a horse, or about thirty pounds of our present money [y]. Between the years 900 and 1000, Ednoth bought a hide of land for about a hundred and eighteen shillings of our present money [z]. This was little more than a shilling an acre, which indeed appears to have been the usual price, as we may learn from other accounts [a]. A palfrey was sold for twelve shillings about the year 966 [b]. The value of an ox in King Ethelred's time was between seven and eight shillings; a cow about six shillings [c]. Gervas of Tilbury says, that in Henry I.'s time, bread which would suffice a hundred men for a day was rated at three shillings, or a shilling of that age; for it is thought that, soon after the Conquest, a pound sterling was divided into twenty shillings: a sheep was rated at a shilling; and so of other things in proportion. In Athelstan's time a ram was valued at a shilling, or four pence Saxon [d]. The tenants of Shireburn were obliged, at their choice, to pay either sixpence or four hens [e]. About 1232, the Abbot of St. Alban's going on a journey, hired seven handsome stout horses; and agreed, if any of them died on the road, to pay the owner thirty shillings a-piece of our present money [f]. It is to be remarked, that in all ancient times the raising of corn, especially wheat, being a species of manufactory, that commodity always bore a higher price, compared to cattle, than it does in our times [g]. The Saxon Chronicle tells us [h], that in the reign of Edward the Confessor, there was the most terrible famine ever known; insomuch that a quarter of wheat rose to sixty pennies, or fifteen shillings of our present money. Consequently it was as dear as if it now cost seven pounds ten shillings. This much exceeds the great famine in the end of Queen Elizabeth, when a quarter of wheat was sold for four pounds. Money in this last period was nearly of the same value as in our time. These severe famines are a certain proof of bad husbandry. [FN [q] LL. Aelf. Sec. 40. [r] Fleetwood’s Chron. Pretiosum, p. 27, 28, &c. [s] LL. Inae, Sec. 69. [t] Wilkins, p 66. [u] Ibid. p. 126. [w] Ibid. [x] LL. Inae, Sec. 38. [y] p. 121. [z] Hist. Rames, p. 415. [a] Hist. Eliens. p. 473. [b] Ibid. p. 471. [c] Wilkins, p. 126. [d] Ibid. p. 56. [e] Monast. Anglic. vol. ii. p. 528. [f] Mat. Paris. [g] Fleetwood, p. 83, 94, 96, 98. [h] p. 157.]

On the whole, there are three things to be considered, wherever a sum of money is mentioned in ancient times. First, the change of denomination, by which a pound has been reduced to the third part of its ancient weight in silver. Secondly, the change in value by the greater plenty of money, which has reduced the same weight of silver to ten times less value compared to commodities; and consequently a pound sterling to the thirtieth part of the ancient value. Thirdly, the fewer people and less industry, which were then to be found in every European kingdom. This circumstance made even the thirtieth part of the sum more difficult to levy, and caused any sum to have more than thirty times greater weight and influence, both abroad and at home, than in our times; in the same manner that a sum, a hundred thousand pounds, for instance, is at present more difficult to levy in a small state, such as Bavaria, and can produce greater effects on such a small community, than on

England. This last difference is not easy to be calculated: but allowing that England has now six times more industry, and three times more people than it had at the Conquest, and for some reigns after that period, we are upon that supposition to conceive, taking all circumstances together, every sum of money mentioned by historians, as if it were multiplied more than a hundredfold above a sum of the same denomination at present.

In the Saxon times, land was divided equally among all the male children of the deceased, according to the custom of Gavelkind. The practice of entails is to be found in those times [i]. Land was chiefly of two kinds, bockland, or land held by book or charter, which was regarded as full property, and descended to the heirs of the possessor; and folkland, or the land held by the ceorles and common people, who were removable at pleasure, and were indeed only tenants during the will of their lords. [FN [i] LL Aelf. Sec. 37, apud Wilkins, p. 43.]

The first attempt which we find in England to separate the ecclesiastical from the civil jurisdiction, was that law of Edgar, by which all disputes among the clergy were ordered to be carried before the bishop [k]. The penances were then very severe; but as a man could buy them off with money, or might substitute others to perform them, they lay easy upon the rich [l]. [FN [k] Wilkins, p. 83. [l] Wilkins, p. 96, 97. Spellm. Conc. p. 473.]

[MN Manners.] With regard to the manners of the Anglo-Saxons we can say little, but that they were in general a rude uncultivated people, ignorant of letters, unskilled in the mechanical arts, untamed to submission under law and government, addicted to intemperance, riot, and disorder. Their best quality was their military courage, which yet was not supported by discipline or conduct. Their want of fidelity to the prince, or to any trust reposed in them, appears strongly in the history of their later period; and their want of humanity in all their history. Even the Norman historians, notwithstanding the low state of the arts in their own country, speak of them as barbarians, when they mention the invasion made upon them by the Duke of Normandy [m]. The Conquest put the people in a situation of receiving slowly, from abroad, the rudiments of science and cultivation, and of correcting their rough and licentious manners. [FN [m] Gul. Pict. p. 202.]

CHAPTER IV.

CONSEQUENCES OF THE BATTLE OF HASTINGS.--SUBMISSION OF THE ENGLISH.--SETTLEMENT OF THE GOVERNMENT.--KING'S RETURN TO NORMANDY.--DISCONTENTS OF THE ENGLISH.--THEIR INSURRECTIONS.--RIGOURS OF THE NORMAN GOVERNMENT.--NEW INSURRECTIONS.--NEW RIGOURS OF THE GOVERNMENT.-- INTRODUCTION OF THE FEUDAL LAW.--INNOVATION IN ECCLESIASTICAL GOVERNMENT.--INSURRECTION OF THE NORMAN BARONS.--DISPUTE ABOUT INVESTITURES.--REVOLT OF PRINCE ROBERT.--DOMESDAY-BOOK.--THE NEW FOREST.--WAR WITH FRANCE.--DEATH AND CHARACTER OF WILLIAM THE CONQUEROR.

[MN 1066. Consequences of the battle of Hastings.] Nothing could exceed the consternation which seized the English, when they received intelligence of the unfortunate battle of Hastings, the death of their king, the slaughter of their principal nobility and of their bravest warriors, and the rout and dispersion of the remainder. But though the loss which they had sustained in that fatal action was considerable, it might have been repaired by a great nation; where the people were generally armed, and where there resided so many powerful noblemen in every province, who could have assembled their retainers, and have obliged the Duke of Normandy to divide his army, and probably to waste it in a variety of actions and rencounters. It was thus that the kingdom had formerly resisted, for many years, its invaders, and had been gradually subdued, by the continued efforts of the Romans, Saxons, and Danes; and equal difficulties might have been apprehended by William in this bold and hazardous enterprise. But there were several vices in the Anglo-Saxon constitution, which rendered it difficult for the English to defend their liberties in so critical an emergency. The people had in a great measure lost all national pride and spirit, by their recent and long subjection to the Danes; and as