

had been avowed by the Saxon laws, were still continued, and were not yet wholly illegal [h]. [FN [c] Gul. Gemet. lib. 8. cap. 29. [d] W. Malm. p. 179. [e] Sim. Dunelm p. 231. Brompton, p. 1000. Flor. Wigorn. p. 653. Hoveden, p. 471. [f] Sim. Dunelm. p. 231. Brompton, p. 1000. Hoveden, p. 471. Annal. Waverl. p. 149. [g] LL. Hen. I. Sec, 18, 75. [h] Ibid. Sec. 82.]

Among the laws granted on the king's accession, it is remarkable that the reunion of the civil and ecclesiastical courts, as in the Saxon times, was enacted [i]. But this law, like the articles of his charter, remained without effect, probably from the opposition of Archbishop Anselm. [FN [i] Spellm. p. 305. Blackstone, vol. iii. p. 63. Coke, 2 Inst. 70.]

Henry, on his accession, granted a charter to London, which seems to have been the first step towards rendering that city a corporation. By this charter, the city was empowered to keep the farm of Middlesex at three hundred pounds a year, to elect its own sheriff and justiciary, and to hold pleas of the crown: and it was exempted from scot, Danegelt, trials by combat, and lodging the king's retinue. These, with a confirmation of the privileges of their court of hustings, wardmotes, and common halls, and their liberty of hunting in Middlesex and Surrey, are the chief articles of this charter [k]. [FN [k] Lambardi Archaionomia ex edit. Twisden. Wilkins, p. 235.]

It is said [l], that this prince, from indulgence to his tenants, changed the rents of his demesnes, which were formerly paid in kind, into money, which was more easily remitted to the exchequer. But the great scarcity of coin would render that commutation difficult to be executed, while at the same time provisions could not be sent to a distant quarter of the kingdom. This affords a probable reason why the ancient kings of England so frequently changed their place of abode: they carried their court from one place to another, that they might consume upon the spot the revenue of their several demesnes. [FN [l] Dial. de Scaccario, lib. 1. cap. 7.]

## CHAPTER VII.

STEPHEN.

ACCESSION OF STEPHEN--WAR WITH SCOTLAND.--INSURRECTION IN FAVOUR OF MATILDA.--STEPHEN TAKEN PRISONER.--MATILDA CROWNED.—STEPHEN RELEASED. --RESTORED TO THE CROWN.--CONTINUATION OF THE CIVIL WARS.--COMPROMISE BETWEEN THE KING AND PRINCE HENRY.—DEATH OF THE KING.

[MN 1135.] In the progress and settlement of the feudal law, the male succession to fiefs had taken place some time before the female was admitted; and estates being considered as military benefices, not as property, were transmitted to such only as could serve in the armies, and perform in person the conditions upon which they were originally granted. But when the continuance of rights, during some generations, in the same family, had in a great measure, obliterated the primitive idea, the females were gradually admitted to the possession of feudal property; and the same revolution of principles which procured them the inheritance of private estates naturally introduced their succession to government and authority. The failure, therefore, of male heirs to the kingdom of England and duchy of Normandy seemed to leave the succession open, without a rival, to the Empress Matilda; and as Henry had made all his vassals, in both states, swear fealty to her, he presumed that they would not easily be induced to depart at once from her hereditary right, and from their own reiterated oaths and engagements. But the irregular manner in which he himself had acquired the crown might have instructed him, that neither his Norman nor English subjects were as yet capable of adhering to a strict rule of government; and as every precedent of this kind seems to give authority to new usurpations, he had reason to dread, even from his own family, some invasion of his daughter's title which he had taken such pains to establish.

Adela, daughter of William the Conqueror, had been married to Stephen, Count of Blois, and had brought him several sons, among whom Stephen and Henry, the two youngest, had been invited over to England by the late king, and had received great honours, riches, and preferment, from the zealous friendship which that prince bore to every one that had been so fortunate as to acquire his favour and good opinion. Henry, who had betaken himself to the ecclesiastical profession, was created Abbot of Glastonbury and Bishop of Winchester; and though these dignities were considerable, Stephen had, from his uncle's liberality, attained establishments still more solid and durable [a]. The king had married him to Matilda, who was daughter and heir of Eustace Count of Boulogne, and who brought him, besides that feudal sovereignty in France, an immense property in England, which, in the distribution of lands, had been conferred by the Conqueror on the family of Boulogne. Stephen also by this marriage acquired a new connexion with the royal family of England; as Mary, his wife's mother, was sister to David the reigning King of Scotland, and to Matilda, the first wife of Henry, and mother of the empress. The king, still imagining that he strengthened the interests of his family by the aggrandizement of Stephen, took pleasure in enriching him by the grant of new possessions; and he conferred on him the great estate forfeited by Robert Mallet in England, and that forfeited by the Earl of Mortaigne in Normandy. Stephen, in return, professed great attachment to his uncle; and appeared so zealous for the succession of Matilda, that when the barons swore fealty to that princess, he contended with Robert, Earl of Gloucester, the king's natural son, who should first be admitted to give her this testimony of devoted zeal and fidelity [b]. Meanwhile he continued to cultivate, by every art of popularity, the friendship of the English nation; and many virtues, with which he seemed to be endowed, favoured the success of his intentions. By his bravery, activity, and vigour, he acquired the esteem of the barons: by his generosity, and by an affable and familiar address, unusual in that age among men of his high quality, he obtained the affections of the people, particularly of the Londoners [c]. And though he dared not to take any steps towards his farther grandeur, lest he should expose himself to the jealousy of so penetrating a prince as Henry; he still hoped that, by accumulating riches and power, and by acquiring popularity, he might in time be able to open his way to the throne. [FN [a] Gul. Neubr. p. 360. Brompton, p. 1023. [b] W. Malm. p. 192.]

No sooner had Henry breathed his last, than Stephen, insensible to all the ties of gratitude and fidelity, and blind to danger, gave full reins to his criminal ambition, and trusted that, even without any previous intrigue, the celerity of his enterprise, and the boldness of his attempt, might overcome the weak attachment which the English and Normans in that age bore to the law and to the rights of their sovereign. He hastened over to England; and though the citizens of Dover, and those of Canterbury, apprized of his purpose, shut their gates against him, he stopped not till he arrived at London, where some of the lower rank, instigated by his emissaries, as well as moved by his general popularity, immediately saluted him king. His next point was to acquire the good will of the clergy; and by performing the ceremony of his coronation, to put himself in possession of the throne, from which he was confident it would not be easy afterwards to expel him. His brother, the Bishop of Winchester, was useful to him in these capital articles: having gained Roger, Bishop of Salisbury, who, though he owed a great fortune and advancement to the favour of the late king, preserved no sense of gratitude to that prince's family, he applied, in conjunction with that prelate, to William, Archbishop of Canterbury, and required him, in virtue of his office, to give the royal unction to Stephen. The primate, who, as all the others, had shown fealty to Matilda, refused to perform this ceremony; but his opposition was overcome by an expedient equally dishonourable with the other steps by which this revolution was effected. Hugh Bigod, steward of the household, made oath before the primate, that the late king, on his deathbed, had shown a dissatisfaction with his daughter Matilda, and had expressed his intention of leaving the Count of Boulogne heir to all his dominions [d]. [MN 1135. 22d. Dec.] William, either believing, or feigning to believe, Bigod's testimony, anointed Stephen, and put the crown upon his head; and from this religious ceremony that prince, without any shadow either of hereditary title, or consent of the nobility or people, was allowed to proceed to the exercise of sovereign authority. Very few barons attended his coronation [e]; but none opposed his usurpation, however unjust or flagrant. The sentiment of religion, which, if corrupted into superstition, has often little efficacy in fortifying the duties of civil society, was not affected by the multiplied oaths taken in favour of Matilda, and only rendered the people obedient to a prince, who was countenanced by the clergy, and who had received from the primate the rite of royal unction and consecration [f]. [FN [c] W. Malm. p. 179. Gest. Steph. p. 928. [d] Matt. Paris, p. 51. Diceto, p. 505. Chron. Dunst. p. 23. [e] Brompton, p.

1023. [f] Such stress was formerly laid on the rite of coronation, that the monkish writers never give any prince the title of king till he is crowned; though he had for some time been in possession of the crown, and exercised all the powers of sovereignty.]

Stephen, that he might farther secure his tottering throne, passed a charter, in which he made liberal promises to all orders of men: to the clergy, that he would speedily fill all vacant benefices, and would never levy the rents of any of them during the vacancy; to the nobility, that he would reduce the royal forests to their ancient boundaries, and correct all encroachments; and to the people, that he would remit the tax of Danegelt, and restore the laws of King Edward [g]. The late king had a great treasure at Winchester, amounting to a hundred thousand pounds; and Stephen, by seizing this money, immediately turned against Henry's family the precaution, which that prince had employed for their grandeur and security: an event which naturally attends the policy of amassing treasures. By means of this money, the usurper ensured the compliance, though not the attachment, of the principal clergy and nobility; but not trusting to this frail security, he invited over from the continent, particularly from Britany and Flanders, great numbers of these bravoos or disorderly soldiers, with whom every country in Europe, by reason of the general ill police and turbulent government, extremely abounded [h]. These mercenary troops guarded his throne by the terrors of the sword; and Stephen, that he might also overawe all malecontents by new and additional terrors of religion, procured a bull from Rome, which ratified his title, and which the pope, seeing this prince in possession of the throne, and pleased with an appeal to his authority in secular controversies, very readily granted him [i]. [FN [g] W. Malmes. p. 179. Hoveden, p. 482. [h] W. Malm. p. 179. [i] Haglustadt, p. 259, 313.]

[MN 1136.] Matilda, and her husband Geoffrey, were as unfortunate in Normandy as they had been in England. The Norman nobility, moved by an hereditary animosity against the Angevins, first applied to Theobald, Count of Blois, Stephen's elder brother, for protection and assistance; but hearing afterwards that Stephen had got possession of the English crown, and having many of them the same reasons as formerly for desiring a continuance of their union with that kingdom, they transferred their allegiance to Stephen, and put him in possession of their government. Lewis the younger, the reigning King of France, accepted the homage of Eustace, Stephen's eldest son, for the duchy; and the more to corroborate his connexions with that family, he betrothed his sister, Constantia, to the young prince. The Count of Blois resigned all his pretensions, and received, in lieu of them, an annual pension of two thousand marks; and Geoffrey himself was obliged to conclude a truce for two years with Stephen, on condition of the king's paying him, during that time, a pension of five thousand [k]. Stephen, who had taken a journey to Normandy, finished all these transactions in person, and soon after returned to England. [FN [k] M. Paris, p. 52.]

Robert, Earl of Gloucester, natural son of the late king, was a man of honour and abilities; and as he was much attached to the interests of his sister, Matilda, and zealous for the lineal succession, it was chiefly from his intrigues and resistance that the king had reason to dread a new revolution of government. This nobleman, who was in Normandy when he received intelligence of Stephen's accession, found himself much embarrassed concerning the measures which he should pursue in that difficult emergency. To swear allegiance to the usurper appeared to him dishonourable, and a breach of his oath to Matilda: to refuse giving this pledge of his fidelity, was to banish himself from England, and be totally incapacitated from serving the royal family, or contributing to their restoration [l]. He offered Stephen to do him homage, and to take the oath of fealty; but with an express condition, that the king should maintain all his stipulations, and should never invade any of Robert's rights or dignities: and Stephen, though sensible that this reserve, so unusual in itself, and so unbefitting the duty of a subject, was meant only to afford Robert a pretence for a revolt on the first favourable opportunity, was obliged, by the numerous friends and retainers of that nobleman, to receive him on those terms [m]. The clergy, who could scarcely, at this time, be deemed subjects to the crown, imitated that dangerous example: they annexed to their oaths of allegiance this condition, that they were only bound so long as the king defended the ecclesiastical liberties, and supported the discipline of the church [n]. The barons, in return for their submission, exacted terms still more destructive of public peace, as well as of royal authority: many of them required the right of fortifying their castles, and of putting themselves in a posture of defence; and the king found himself totally unable to refuse his consent to this exorbitant demand [o]. All

England was immediately filled with those fortresses, which the noblemen garrisoned either with their vassals, or with licentious soldiers, who flocked to them from all quarters. Unbounded rapine was exercised upon the people for the maintenance of these troops; and private animosities, which had with difficulty been restrained by law, now breaking out without control, rendered England a scene of uninterrupted violence and devastation. Wars between the nobles were carried on with the utmost fury in every quarter; the barons even assumed the right of coining money, and of exercising, without appeal, every act of jurisdiction [p]; and the inferior gentry, as well as the people, finding no defence from the laws during this total dissolution of sovereign authority, were obliged for their immediate safety, to pay court to some neighbouring chieftain, and to purchase his protection, both by submitting to his exactions, and by assisting him in his rapine upon others. The erection of one castle proved the immediate cause of building many others; and even those who obtained not the king's permission, thought that they were entitled, by the great principle of self-preservation, to put themselves on an equal footing with their neighbours, who commonly were also their enemies and rivals. The aristocratical power, which is usually so oppressive in the feudal governments, had now risen to its utmost height, during the reign of a prince, who, though endowed with vigour and abilities, had usurped the throne without the pretence of a title, and who was necessitated to tolerate in others the same violence, to which he himself had been beholden for his sovereignty. [FN [l] W Malmes. p. 179. [m] Ibid. M. Paris, p. 51. [n] W. Malm. p. 179. [o] Ibid. p. 180. [p] Trivet, p. 19 Gill. Neub. p. 372. Chron. Heming. p. 487. Brompton, p. 1035.]

But Stephen was not of a disposition to submit long to these usurpations, without making some effort for the recovery of royal authority. Finding that the legal prerogatives of the crown were resisted and abridged, he was also tempted to make his power the sole measure of his conduct; and to violate all those concessions which he himself had made on his accession [q], as well as the ancient privileges of his subjects. The mercenary soldiers, who chiefly supported his authority, having exhausted the royal treasure, subsisted by depredations; and every place was filled with the best grounded complaints against the government. [MN 1137.] The Earl of Gloucester, having now settled with his friends the plan of an insurrection, retired beyond sea, sent the king a defiance, solemnly renounced his allegiance, and upbraided him with the breach of those conditions which had been annexed to the oath of fealty sworn by that nobleman [r]. [MN 1138. War with Scotland.] David, King of Scotland, appeared at the head of an army in defence of his niece's title, and penetrating into Yorkshire, committed the most barbarous devastations on that country. The fury of his massacres and ravages enraged the northern nobility, who might otherwise have been inclined to join him; and William, Earl of Albemarle, Robert de Ferrers, William Piercy, Robert de Brus, Roger Moubray, Ilbert Lacey, Walter l'Espece, powerful barons in those parts, assembled an army with which they encamped at North-Allerton, and awaited the arrival of the enemy. [MN 22d. Aug.] A great battle was here fought, called the battle of the STANDARD, from a high crucifix, erected by the English on a waggon, and carried along with the army as a military ensign. The King of Scots was defeated, and he himself, as well as his son Henry, narrowly escaped falling into the hands of the English. This success overawed the malecontents in England, and might have given some stability to Stephen's throne, had he not been so elated with prosperity as to engage in a controversy with the clergy, who were at that time an overmatch for any monarch. [FN [q] W. Malm. p. 180. M. Paris, p. 51. [r] W. Malm. p. 180.]

Though the great power of the church, in ancient times, weakened the authority of the crown, and interrupted the course of the laws, it may be doubted, whether, in ages of such violence and outrage, it was not rather advantageous that some limits were set to the power of the sword, both in the hands of the prince and nobles, and that men were taught to pay regard to some principles and privileges. The chief misfortune was, that the prelates on some occasions acted entirely as barons, employed military power against their sovereign or their neighbours, and thereby often increased those disorders which it was their duty to repress. The Bishop of Salisbury, in imitation of the nobility, had built two strong castles, one at Sherborne, another at Devizes, and had laid the foundations of a third at Malmesbury: his nephew, Alexander, Bishop of Lincoln, had erected a fortress at Newark: and Stephen, who was now sensible from experience of the mischiefs attending these multiplied citadels, resolved to begin with destroying those of the clergy, who, by their function, seemed less entitled than the barons to such military securities [s]. [MN 1139.] Making pretence of a fray which had arisen

in court between the retinue of the Bishop of Salisbury and that of the Earl of Britany, he seized both that prelate and the Bishop of Lincoln, threw them into prison, and obliged them by menaces to deliver up those places of strength which they had lately erected [t]. [FN [s] Gul. Neubr. p. 362. [t] Chron. Sax. p. 238. W. Malmes. p. 181.]

Henry, Bishop of Winchester, the king's brother, being armed with a legatine commission, now conceived himself to be an ecclesiastical sovereign, no less powerful than the civil; and, forgetting the ties of blood which connected him with the king, he resolved to vindicate the clerical privileges, which, he pretended, were here openly violated. [MN 30th Aug.] He assembled a synod at Westminster, and there complained of the impiety of Stephen's measures, who had employed violence against the dignitaries of the church, and had not awaited the sentence of a spiritual court, by which alone, he affirmed, they could lawfully be tried and condemned, if their conduct had anywise merited censure or punishment. [u]. The synod ventured to send a summons to the king charging him to appear before them, and to justify his measures [w]; and Stephen, instead of resenting this indignity, sent Aubrey de Vere to plead his cause before that assembly. De Vere accused the two prelates of treason and sedition; but the synod refused to try the cause, or examine their conduct, till those castles, of which they had been dispossessed, were previously restored to them [x]. The Bishop of Salisbury declared that he would appeal to the pope; and had not Stephen and his partisans employed menaces, and even shown a disposition of executing violence by the hands of the soldiery, affairs had instantly come to extremity between the crown and the mitre [y]. [FN [u] W. Malm. p. 182. [w] Ibid. M Paris, p. 53. [x] W. Malm. p. 183. [y] Ibid.]

While this quarrel, joined to so many other grievances, increased the discontents among the people, the empress, invited by the opportunity, and secretly encouraged by the legate himself, landed in England with Robert Earl of Gloucester, and a retinue of a hundred and forty knights. She fixed her residence at Arundel Castle, whose gates were opened to her by Adelais, the queen-dowager, now married to William de Albini, Earl of Sussex; and she excited, by messengers, her partisans to take arms in every county of England. [MN 1139. 22d Sept. Insurrection in favour of Matilda.] Adelais, who had expected that her daughter-in-law would have invaded the kingdom with a much greater force, became apprehensive of danger; and Matilda, to ease her of her fears, removed, first to Bristol, which belonged to her brother Robert, thence to Gloucester, where she remained under the protection of Milo, a gallant nobleman in those parts, who had embraced her cause. Soon after Geoffrey Talbot, William Mohun, Ralph Lovel, William Fitz-John, William Fitz-Alan, Paganell, and many other barons, declared for her; and her party, which was generally favoured in the kingdom, seemed every day to gain ground upon that of her antagonist.

Were we to relate all the military events transmitted to us by contemporary and authentic historians, it would be easy to swell our accounts of this reign into a large volume: but those incidents, so little memorable in themselves, and so confused both in time and place, could afford neither instruction nor entertainment to the reader. It suffices to say, that the war was spread into every quarter, and that those turbulent barons, who had already shaken off, in a great measure, the restraint of government, having now obtained the pretence of a public cause, carried on their devastations with redoubled fury, exercised implacable vengeance on each other, and set no bounds to their oppressions over the people. The castles of the nobility were become receptacles of licensed robbers; who, sallying forth day and night, committed spoil on the open country, on the villages, and even on the cities, put the captives to torture, in order to make them reveal their treasures; sold their persons to slavery; and set fire to their houses, after they had pillaged them of every thing valuable. The fierceness of their disposition, leading them to commit wanton destruction, frustrated their rapacity of its purpose; and the property and persons even of the ecclesiastics, generally so much revered, were at last, from necessity, exposed to the same outrage which had laid waste the rest of the kingdom. The land was left untilld; the instruments of husbandry were destroyed or abandoned; and a grievous famine, the natural result of those disorders, affected equally both parties, and reduced the spoilers as well as the defenceless people to the most extreme want and indigence [z]. [FN [z] Chron. Sax. p. 238. W. Malmes. p. 185. Gest. Steph p. 961.]

[MN 1140.] After several fruitless negotiations and treaties of peace, which never interrupted these destructive

hostilities, there happened at last an event, which seemed to promise some end of the public calamities. Ralph, Earl of Chester, and his half-brother, William de Roumara, partisans of Matilda, had surprised the castle of Lincoln; but the citizens, who were better affected to Stephen, having invited him to their aid, that prince laid close siege to the castle, in hopes of soon rendering himself master of the place, either by assault or by famine. The Earl of Gloucester hastened with an army to the relief of his friends; and Stephen, informed of his approach, took the field with a resolution of giving him battle. [MN 1141. 2d Feb.] After a violent shock, the two wings of the royalists were put to flight; and Stephen himself, surrounded by the enemy, was at last, after exerting great efforts of valour, borne down by numbers, and taken prisoner. [MN Stephen taken prisoner.] He was conducted to Gloucester; and though at first treated with humanity was soon after, on some suspicion, thrown into prison and loaded with irons.

Stephen's party was entirely broken by the captivity of their leader, and the barons came in daily from all quarters, and did homage to Matilda. The princess, however, amidst all her prosperity, knew that she was not secure of success unless she could gain the confidence of the clergy; and as the conduct of the legate had been of late very ambiguous, and shown his intentions to have rather aimed at humbling his brother than totally ruining him, she employed every endeavour to fix him in her interests. [MN 2d March.] She held a conference with him in an open plain near Winchester, where she promised, upon oath, that if he would acknowledge her for sovereign, would recognize her title as the sole descendant of the late king, and would again submit to the allegiance which he, as well as the rest of the kingdom, had sworn to her, he should in return be entire master of the administration, and, in particular, should, at his pleasure, dispose of all vacant bishoprics and abbeys. Earl Robert, her brother, Brian Fitz-Count, Milo of Gloucester, and other great men, became guarantees for her observing these engagements [a]; and the prelate was at last induced to promise her allegiance, but that still burdened with the express condition, that she should, on her part, fulfil her promises. He then conducted her to Winchester, led her in procession to the cathedral, and with great solemnity, in the presence of many bishops and abbots, denounced curses against all those who cursed her, poured out blessings on those who blessed her, granted absolution to such as were obedient to her, and excommunicated such as were rebellious [b]. Theobald, Archbishop of Canterbury, soon after came also to court, and swore allegiance to the empress [c]. [FN [a] W. Malm. p. 187. [b] Chron. Sax. p. 242. Contin. Flor. Wig. p. 676. [c] W. Malmes p. 187.]

[MN Matilda crowned.] Matilda, that she might farther ensure the attachment of the clergy, was willing to receive the crown from their hands; and instead of assembling the states of the kingdom, the measure which the constitution, had it been either fixed or regarded, seemed necessarily to require, she was content that the legate should assemble an ecclesiastical synod, and that her title to the throne should there be acknowledged. The legate, addressing himself to the assembly, told them, that in the absence of the empress, Stephen, his brother, had been permitted to reign, and, previously to his ascending the throne, had induced them by many fair promises, of honouring and exalting the church, of maintaining the laws, and of reforming all abuses: that it grieved him to observe how much that prince had, in every particular, been wanting to his engagements; public peace was interrupted, crimes were daily committed with impunity, bishops were thrown into prison and forced to surrender their possessions, abbeys were put to sale, churches were pillaged, and the most enormous disorders prevailed in the administration: that he himself, in order to procure a redress of these grievances, had formerly summoned the king before a council of bishops; but, instead of inducing him to amend his conduct, had rather offended him by that expedient: that, how much soever misguided, that prince was still his brother, and the object of his afflictions; but his interests, however, must be regarded as subordinate to those of their heavenly Father, who had now rejected him, and thrown him into the hands of his enemies: that it principally belonged to the clergy to elect and ordain kings; he had summoned them together for that purpose and having invoked the divine assistance; he now pronounced Matilda, the only descendant of Henry, the late sovereign, Queen of England. The whole assembly by their acclamations or silence, gave, or seemed to give, their assent to this declaration [d]. [FN [d] W. Malmes. p. 188. This author, a judicious man, was present, and says, that he was very attentive to what passed. This speech, therefore, may he regarded as entirely genuine.]

The only laymen summoned to this council, which decided the fate of the crown, were the Londoners; and

even these were required not to give their opinion but to submit to the decrees of the synod. The deputies of London, however, were not so passive: they insisted that their king should be delivered from prison; but were told by the legate, that it became not the Londoners, who were regarded as noblemen in England, to take part with those barons, who had basely forsaken their lord in battle, and who had treated the holy church with contumely [e]: it is with reason that the citizens of London assumed so much authority, if it be true, what is related by Fitz-Stephen, a contemporary author, that that city could at this time bring into the field no less than eighty thousand combatants [f]. [FN [e] W. Malmes. p. 188. [f] P. 4. Were this account to be depended on, London must at that time have contained near four hundred thousand inhabitants, which is above double the number it contained at the death of Queen Elizabeth. But these loose calculations, or rather guesses, deserve very little credit. Peter of Blois, a contemporary writer, and a man of sense, says there were then only forty thousand inhabitants in London, which is much more likely. See Epist. 151. What Fitz-Stephen says of the prodigious riches, splendour, and commerce of London, proves only the great poverty of the other towns of the kingdom, and indeed of all the northern parts of Europe.]

London, notwithstanding its great power, and its attachment to Stephen, was at length obliged to submit to Matilda; and her authority, by the prudent conduct of Earl Robert, seemed to be established over the whole kingdom: but affairs remained not long in this situation. That princess, besides the disadvantages of her sex, which weakened her influence over a turbulent and martial people, was of a passionate, imperious spirit, and knew not how to temper with affability the harshness of a refusal. Stephen's queen, seconded by many of the nobility, petitioned for the liberty of her husband; and offered that, on this condition, he should renounce the crown and retire into a convent. The legate desired that Prince Eustace, his nephew, might inherit Boulogne and the other patrimonial estates of his father [g]: the Londoners applied for the establishment of King Edward's laws, instead of those of King Henry, which, they said, were grievous and oppressive [h]. All these petitions were rejected in the most haughty and peremptory manner. [FN [g] Brompton, p. 1031. [h] Contin. Flor. Wig. p. 577. Gervase, p. 1355.]

The legate, who had probably never been sincere in his compliance with Matilda's government, availed himself of the ill-humour excited by this imperious conduct, and secretly instigated the Londoners to a revolt. A conspiracy was entered into to seize the person of the empress; and she saved herself from the danger by a precipitate retreat. She fled to Oxford: soon after she went to Winchester; whither the legate, desirous to save appearances, and watching the opportunity to ruin her cause, had retired. But having assembled all his retainers, he openly joined his force to that of the Londoners, and to Stephen's mercenary troops, who had not yet evacuated the kingdom; and he besieged Matilda in Winchester. The princess, being hard pressed by famine, made her escape; but in the flight, Earl Robert, her brother, fell into the hands of the enemy. This nobleman, though a subject, was as much the life and soul of his own party, as Stephen was of the other; [MN Stephen released.] and the empress, sensible of his merit and importance, consented to exchange the prisoners on equal terms. The civil war was again kindled with greater fury than ever.

[MN 1142.] Earl Robert, finding the successes on both sides nearly balanced, went over to Normandy, which, during Stephen's captivity, had submitted to the Earl of Anjou; and he persuaded Geoffrey to allow his eldest son, Henry, a young prince of great hopes, to take a journey into England, and appear at the head of his partisans. This expedient, however, produced nothing decisive. Stephen took Oxford after a long siege [MN 1143.]: he was defeated by Earl Robert at Wilton: and the empress, though of a masculine spirit, yet being harassed with a variety of good and bad fortune, and alarmed with continual dangers to her person and family, at last retired into Normandy, whither she had sent her son some time before. [MN 1146. Continuation of the civil wars.] The death of her brother, which happened nearly about the same time, would have proved fatal to her interests, had not some incidents occurred which checked the course of Stephen's prosperity. This prince, finding that the castles built by the noblemen of his own party encouraged the spirit of independence, and were little less dangerous than those which remained in the hands of the enemy, endeavoured to extort from them a surrender of those fortresses; and he alienated the affections of many of them by this equitable demand. The artillery also of the church, which his brother had brought over to his side, had, after some interval, joined the other party. Eugenius III. had mounted the papal throne; the Bishop of Winchester was

deprived of the legatine commission, which was conferred on Theobald, Archbishop of Canterbury, the enemy and rival of the former legate. That pontiff also, having summoned a general council at Rheims, in Champagne, instead of allowing the church of England, as had been usual, to elect its own deputies, nominated five English bishops to represent that church, and required their attendance in the council. Stephen, who, notwithstanding his present difficulties, was jealous of the rights of his crown, refused them permission to attend [i]; and the pope, sensible of his advantage in contending with a prince who reigned by a disputed title, took revenge by laying all Stephen's party under an interdict [k]. [MN 1147.] The discontents of the royalists, at being thrown into this situation, were augmented by a comparison with Matilda's party, who enjoyed all the benefits of the sacred ordinances; and Stephen was at last obliged, by making proper submissions to the see of Rome, to remove the reproach from his party [l]. [FN [i] Epist. St. Thom. p. 225. [k] Chron. W. Thorn. p. 1807. [l] Epist St. Thom. p. 226.]

[MN 1148.] The weakness of both sides, rather than any decrease of mutual animosity, having produced a tacit cessation of arms in England, many of the nobility, Roger de Moubray, William de Warenne, and others, finding no opportunity to exert their military ardour at home, enlisted themselves in a new crusade, which, with surprising success, after former disappointments and misfortunes, was now preached by St. Bernard [m]. But an event soon after happened which threatened a revival of hostilities in England. Prince Henry, who had reached his sixteenth year, was desirous of receiving the honour of knighthood; a ceremony which every gentleman in that age passed through before he was admitted to the use of arms, and which was even deemed requisite for the greatest princes. He intended to receive his admission from his great-uncle, David, King of Scotland; and for that purpose he passed through England with a great retinue, and was attended by the most considerable of his partisans. He remained some time with the King of Scotland; made incursions into England; and by his dexterity and vigour in all manly exercises, by his valour in war, and his prudent conduct in every occurrence, he roused the hopes of his party, and gave symptoms of those great qualities which he afterwards displayed when he mounted the throne of England. [MN 1150.] Soon after his return to Normandy, he was, by Matilda's consent, invested in that duchy; and upon the death of his father, Geoffrey, which happened in the subsequent year, he took possession both of Anjou and Maine, and concluded a marriage, which brought him a great accession of power, and rendered him extremely formidable to his rival. Eleanor, the daughter and heir of William, Duke of Guienne and Earl of Poictou, had been married sixteen years to Lewis VII. King of France, [MN 1152.] and had attended him in a crusade, which that monarch conducted against the infidels; but having there lost the affections of her husband, and even fallen under some suspicion of gallantry with a handsome Saracen, Lewis, more delicate than politic, procured a divorce from her, and restored her those rich provinces, which by her marriage she had annexed to the crown of France. Young Henry, neither discouraged by the inequality of years, nor by the reports of Eleanor's gallantries, made successful courtship to that princess, and, espousing her six weeks after her divorce, got possession of all her dominions as her dowry. The lustre which he received from this acquisition, and the prospect of his rising fortune, had such an effect in England, that, when Stephen, desirous to ensure the crown to his son Eustace, required the Archbishop of Canterbury to anoint that prince as his successor, the primate refused compliance, and made his escape beyond sea, to avoid the violence and resentment of Stephen. [FN [m] Hagulst. p. 275, 276.]

[MN 1153.] Henry, informed of these dispositions in the people, made an invasion on England. Having gained some advantage over Stephen at Malmesbury, and having taken that place, he proceeded thence to throw succours into Wallingford, which the king had advanced with a superior army to besiege. A decisive action was every day expected; when the great men of both sides, terrified at the prospect of farther bloodshed and confusion, interposed with their good offices, and set on foot a negotiation between the rival princes. The death of Eustace, during the course of the treaty, facilitated its conclusion; [MN Compromise between the king and Prince Henry.] an accommodation was settled, by which it was agreed, that Stephen should possess the crown during his lifetime, that justice should be administered in his name, even in the provinces which had submitted to Henry, and that this latter prince should, on Stephen's demise, succeed to the kingdom, and William, Stephen's son, to Boulogne and his patrimonial estate. After all the barons had sworn to the observance of this treaty, and done homage to Henry, as to the heir of the crown, that prince evacuated the



kingdom; [MN Death of the king, Oct. 25, 1154.] and the death of Stephen, which happened the next year, after a short illness, prevented all those quarrels and jealousies which were likely to have ensued in so delicate a situation.

England suffered great miseries during the reign of this prince: but his personal character, allowing for the temerity and injustice of his usurpation, appears not liable to any great exception; and he seems to have been well qualified, had he succeeded by a just title, to have promoted the happiness and prosperity of his subjects [n]. He was possessed of industry, activity, and courage, to a great degree; though not endowed with a sound judgment, he was not deficient in abilities; he had the talent of gaining men's affections; and notwithstanding his precarious situation, he never indulged himself in the exercise of any cruelty or revenge [o]. His advancement to the throne procured him neither tranquillity nor happiness; and though the situation of England prevented the neighbouring states from taking any durable advantage of her confusions, her intestine disorders were to the last degree ruinous and destructive. The court of Rome was also permitted, during those civil wars, to make farther advances in her usurpations; and appeals to the pope, which had always been strictly prohibited by the English laws, became now common in every ecclesiastical controversy [p]. [FN [n] W. Malm. p. 180. [o] M. Paris, p. 51. Hagul. p. 312. [p] H. Hunt. p. 395.]

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## CHAPTER VIII.

### HENRY II.

STATE OF EUROPE--OF FRANCE.--FIRST ACTS OF HENRY'S GOVERNMENT-- DISPUTES BETWEEN THE CIVIL AND ECCLESIASTICAL POWERS.—THOMAS À BECKET, ARCHBISHOP OF CANTERBURY.--QUARREL BETWEEN THE KING AND BECKET.-- CONSTITUTIONS OF CLARENDON.--BANISHMENT OF BECKET.--COMPROMISE WITH HIM.--HIS RETURN FROM BANISHMENT.--HIS MURDER--GRIEF AND SUBMISSION OF THE KING.

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[MN 1154. State of Europe] The extensive confederacies by which the European potentates are now at once united and set in opposition to each other, and which, though they are apt to diffuse the least spark of dissension throughout the whole, are at least attended with this advantage, that they prevent any violent revolutions or conquests in particular states, were totally unknown in ancient ages; and the theory of foreign politics, in each kingdom, formed a speculation much less complicated and involved than at present. Commerce had not yet bound together the most distant nations in so close a chain: wars, finished in one campaign, and often in one battle, were little affected by the movements of remote states: the imperfect communication among the kingdoms, and their ignorance of each other's situation, made it impracticable for a great number of them to combine in one project or effort: and above all, the turbulent spirit and independent situation of the barons or great vassals in each state gave so much occupation to the sovereign, that he was obliged to confine his attention chiefly to his own state and his own system of government, and was more indifferent about what passed among his neighbours. Religion alone, not politics, carried abroad the views of princes; while it either fixed their thoughts on the Holy Land, whose conquest and defence was deemed a point of common honour and interest, or engaged them in intrigues with the Roman pontiff, to whom they had yielded the direction of ecclesiastical affairs, and who was every day assuming more authority than they were willing to allow him.

Before the conquest of England by the Duke of Normandy, this island was as much separated from the rest of the world in politics as in situation; and except from the inroads of the Danish pirates, the English, happily confined at home, had neither enemies nor allies on the continent. The foreign dominions of William connected them with the king and great vassals of France; and while the opposite pretensions of the pope and emperor in Italy produced a continual intercourse between Germany and that country, the two great monarchs of France and England formed, in another part of Europe, a separate system; and carried on their wars and negotiations, without meeting either with opposition or support from the others.