

SIR JOHN HAYWARD
AN ELIZABETHAN HISTORIAN

His Life and Disappointments

By NORMAN SCARFE, M.A.

'Histories make men wise,' wrote Bacon, himself among the wisest. Yet, alone, these academic lessons were not enough; and he had been sufficiently unwise to get imprisoned in the Tower before he settled down to write his famous *History of the Reign of King Henry VII*, with all its precepts for the unteachable Stuarts. Some years earlier, he was actually discussing with Elizabeth how she should treat an almost exact contemporary of his who was in the Tower for the specific crime of declaring his firm belief in the value of history both in politics and in private life: a declaration that had been made, unfortunately, in the preface to an historical account of the deposition of King Richard II, published at the beginning of 1599, and dedicated in the warmest terms to the rebellious young earl of Essex. The book was called *The First Part of the Life and Reign of King Henry IV*;¹ its author John Hayward.

He was born in the south-east angle of Suffolk at Felixstowe or the next parish, Walton,² probably in 1564,³ the year of Shakespeare's birth at Stratford. He started humbly. He seems never to have had a recognized coat-of-arms.⁴ In his will⁵ he said:

¹ I have modernized the spelling and also, where the original served to obscure the meaning, the punctuation.

² It is curious that, though Hayward says his father left tenements and lands in Felixstowe, no Hayward was assessed in that parish for the subsidies of 1524 and 1568. In Walton, however, there was a Thomas Harward (the historian's grandfather?) worth £2 'in goods' in 1524, and a John Haywarde (his father?) worth £4 'in goods' in 1568. Their place in the lowest assessment groups fits in with our sketch of Hayward's origins: indeed, so does this unspectacular growth of their capital.

³ The later editions of Hayward's *Sanctuary of a Troubled Soul* contain an engraved portrait (see Plate XVII) of a very harrowed Hayward, with thinning hair and goatish beard: a proper Sir Andrew Aguecheek. The figures 52 were printed above the earlier (1616) portrait: surely a reference to his age. We have no record of his baptism: Walton's parish registers date only from 1577, Felixstowe's from 1653.

⁴ There is a coat of arms on the portrait—a red nebulé fesse on a silver gutté field. But at the College of Arms he has a blank shield in the book that contains his burial certificate. [Both Burke and Papworth assign to 'Sir John Hayward, the historian, temp. Eliz.,' this coat: *ar. guttée de sang a fess nebulee gu.*—Ed.]

⁵ Printed by John Bruce in his edition of Hayward's *Annals of the First Four Years of the Reign of Queen Elizabeth*, Camden Soc., 1840: pp. xli-xlvi.

A copy of the original is preserved in P.C.C.

'I give to the poor of Felixstowe, in the County of Suffolk, out of which parish I received the means of my education, twenty pounds to remain as a stock, and the profits thence arising to be converted to the use of the poor there for the time being.' The will refers to his father's intentions regarding certain tenements and lands in Felixstowe, so we may say that some of his property he had inherited. It refers also to 'my half-brother, Mr. Thomas Brandston' and to 'Ann Snell of Woolverston, daughter to my half-sister,' which implies that his mother married again, at least that she was twice married. He seems to have kept in touch with his family,⁶ and possibly came and stayed with them in Suffolk when he wanted to get away from the plague in London, or from his wife.

The parish of Felixstowe, then, provided John with the means of his education. Perhaps it was the vicar who saw that the boy had possibilities.⁷ He was sent up to Pembroke Hall, Cambridge, there graduated B.A. in 1581, M.A. in 1584, and later on proceeded D.C.L.⁸ From 1584 to 1599 we lose sight of him, though we may suppose he was doing moderately well in his legal practice in the Court of Arches:⁹ his first publication shows that he found time for his favourite pursuit—the study of ancient and modern history. It is most likely that in this period his marriage took place. If so, it must be counted the first of the two major mistakes of his recorded career. His wife was Jane Pascall of Springfield, Essex.¹⁰ The nature of their relationship is another of the things revealed by his will. It reads: 'I give to my wife the bed wherein she lieth, with all things pertaining thereunto, and two others of the meanest beds for servants, which together with all my legacies unto her, and her thirds which she may claim out of the lands in Tottenham before-mentioned, I esteem enough, in regard of the small portion she brought me; and in regard of her unquiet life and small respect towards me, a great deal too much.' She bore him only a daughter. An unquiet life seems to have suited her. She survived

⁶ He also had a sister called Ursula, who married a Winesham member of the Revett family, and whose son James benefited with her from the will.

⁷ It is uncertain who the vicar was: the Institution Books are deficient for Felixstowe. Rev. J. F. Williams, Hon. Gen. Secretary of the Norfolk and Norwich Archæological Society, has very kindly supplied me with information showing that in this period the same man often did duty as 'vicar of Walton, parson of Felixstowe and parson of Trimley St. Martin.' (Trimley St. Mary seems to have been left out.) And it is clear that a Thomas Tompson was instituted parson of Trimley St. Martin in 1565, Samuel Pettinghale in 1580, and that 'Mr.' Lawrence Habergan was instituted to all three in 1582.

⁸ Bruce, *op. cit.*, ix.

⁹ *ibid.*, xxix.

¹⁰ She was the daughter of Andrew Pascall, esquire, and sister of Sir Andrew Pascall, knight. There is no record of her marriage, as the Parish Registers of Springfield begin only at the year 1653.



(From an engraving by Pass)

John Hayward

SIR JOHN HAYWARD



TITLE PAGE, *Sanctuarie of a troubled Soule.*

(From a copy in Cambridge University Library)

him fifteen years, and in her will¹¹ owned herself to be a very aged woman. We wonder how much poor Hayward's passion for history owed to the lack of affection revealed here, and how much her unquietness was a form of protest against his other love. We must not exclude the second possibility.

What is quite certain is that this other love was no better requited. In January 1599,¹² he brought out *The First Part of the Life and Reign of King Henry IV*—another *Henry IV, Part I* in fact, (though there is no indication that Hayward had seen Shakespeare's work, which probably appeared two years earlier). Hayward's History was dedicated to the earl of Essex, in terms extravagant even for that age. It was a roaring success, the talk of the town. It was the talk, too, of the Court, and the Queen got to hear of it. What she heard failed to please her; with her it was not a success, and Hayward found himself in the Tower. He was obviously a stranger to affairs of state.

Hayward's plight was pathetic. He believed, like some of us to-day, in the use of history. His belief he stated at once in the preface to this first, fatal book of his. It begins:

'Among all sorts of humane writers there is none that have done more profit, or deserved greater praise, than they who have committed to faithful records of histories, either the government of mighty states, or the lives and acts of famous men: for by describing the order and passages of these two, and what events hath followed what counsels, they have set forth unto us not only precepts, but lively patterns, both for private directions and for affairs of state; whereby in short time young men may be instructed, and old men more fully furnished with experience than the longest age of man can afford. . . . ' How ruefully he must have regarded those words! He concluded his preface with: 'Lest I should run into the fault of the Mindians, who made their gates wider than their town, I will here close up, only wishing that all our English histories were drawn out of the dross of rude and barbarous English; that by pleasure in reading them, the profit in knowing them might more easily be attained.'

The case for the writing of history had been put before,¹³ but

¹¹ Proved in Doctors' Commons, 9 May 1642.

¹² *Stationers' Registers*, ed. Arber, iii, 134. The printer, Wolfe, under cross-examination by the Attorney-General (*State Papers Domestic*, 12/275, 28), said February. There are other respects in which his evidence lacks precision.

¹³ In 1523, Lord Berners had written in his Introduction to *Froissart*: 'What condign graces and thanks ought men to give to the writers of histories, who with their great labours have done so much profit,' etc.

never more nicely. And now the dream of the popular historian was realized: Hayward had written a history that sold as fast as it could be printed. But, although he had fulfilled his own condition and kept his book very clear of the dross of rude and barbarous English, it surely owed its unprecedented sales to the skill and perfect timing of his publisher, John Wolfe.

John Wolfe was a great publisher, an early John Murray. He had begun by fighting the monopoly of the Stationers' Company, until they bought him over and he became official printer to the City of London. He printed the first editions of Stow's *Survey of London*, of Green's *Quip for an Upstart Courtier*, and of more than one of Gabriel Harvey's satires, as well as many stories of voyages and pamphlets on foreign affairs.¹⁴ His shop was extremely well situated, hard by Gresham's great new Royal Exchange, in Pope's Head Alley, now a blank ravine between the prison-grey walls of a vast insurance block. There, not long after the Christmas of 1598, appeared the book that caused such a sensation. Within three weeks, five or six hundred copies had been sold.

At that point, the Wardens of the Stationers' Company were ordered by the Archbishop of Canterbury¹⁵ to cut out the dedication. The dedication to Essex consisted largely of Latin superlatives. Perhaps the most objectionable phrases were: 'Illustrissime comes, cuius nomen si Henrici nostri fronti radiaret, ipse et laetior et tutior in vulgus prodiret. Magnus siquidem, et presenti iudicio et futuri temporis expectatione. . .'

Five or six hundred more copies were sold shortly afterwards, presumably lacking this epistle: but one wonders if the Wardens did their work, for no copy has been traced to-day without it. Wolfe, in the enquiry that followed, said that the people were calling

¹⁴ H. R. Plomer, *The Library*, iii, (N.S.), 13-23. Wolfe had other dealings with Suffolk authors. In 1582 he had printed *The Hold of Humility* 'adjoined to' *The Castle of Courtesy*, compiled by James Yates of Belstead, who described himself as a servingman, and who the same year published with Wolfe *The Chariot of Chastity*, 'drawn to publication by Dutiful Desire, Goodwill and Commendation,' also *A Dialogue between Diana and Venus* 'with Ditties devised at sundry idle times for recreation sake.' In 1590 he published a book for Miles Mosse, the Puritan Pastor of Combes (*Miles, Christianus*), and five years later he was publishing *St. Peter's Complaint, with other Poems* by Robert Southwell the Jesuit Missionary in Suffolk. Another indication of Wolfe's readiness to further both sides of an argument was his printing in 1593 of both Thomas Nashe's *Gorgon, or the Wonderful Year*, and Gabriel Harvey's *Pierces Superogation, or A New Praise of the Old Ass*, a preparative to a larger discourse intitled *Nashe's Fame*. (See J. Harvey Bloom's *Bibliography, English Tracts Vol. I, passim*). Then there was his association with the younger Richard Hakluyt. (See *The Original Writings and Correspondence of the Two Richard Hakluyts*, Hakluyt Society, p. 53).

¹⁵ Charged, together with the Bishop of London, in the Star Chamber Ordinance of June, 1586, with the regulation of the 'trade or mystery of printing or selling of books.'

for the book exceedingly. By about Easter, he had obtained a new edition of the Doctor, wherein many things were altered. The errata, listed at the front of the first two impressions, were put right in the text, and Hayward, obviously worried, had composed a new epistle to the reader,¹⁶ vindicating himself from any intended attack on the present times where he had written of 'oppressions unlawful and intolerable'. Fifteen hundred copies of this edition had been almost ready in the Whitsun holidays, when they were taken to Bishop Bancroft of London by the Wardens, and burnt. But copies survive,¹⁷ and seventeen out of seventeen copies of the various editions all contain the notorious dedication: a sign of the value the printer attached to it. People continued to call at divers times, said Wolfe, to procure the continuation of the work, so it appears that the book may have been read for its merits as a history as well as for its possible political significance. Certainly it cannot be dismissed merely as an inflammatory political manifesto. Wolfe ended his evidence on the authentic note of the aggrieved tradesman: he had spent fourteen days printing the last edition, and he claimed to have lost every copy.¹⁸

The really remarkable thing about the publication of Hayward's book is the number of copies sold. The size of an edition in the sixteenth century, even of a popular book, was ordinarily five or six hundred copies. Here was Wolfe printing fifteen hundred at Whitsun in addition to the ten or twelve hundred sold since January. The only reasonable explanation lies in the occasion, and with that Lytton Strachey¹⁹ has made us familiar.

Essex was thirty-two. For ten years he had been the old Queen's favourite. He was spoilt, and she was reluctantly bringing herself to recognize that he was not to be trusted. But, if the Queen was having to starve her heart (it was the last bitter conquest of the woman by the queen), the people were not starving theirs, and he had been sublime as their hero ever since the dazzling Cadiz adventure of 1596. Now, early in 1599, as Essex gathered up his ominous great army for Ireland, Hayward made the one bold move of a not very dashing career. He dedicated his story of Henry Bolingbroke's successful *coup d'état* to a figure quite as popular as Bolingbroke had been, with an army much more formidable than Bolingbroke's, and a temper much less governable. No wonder Hayward was sick on the day of publication, so that Wolfe himself had to go to Whitehall with the presentation copy for Essex.²⁰ It may well have been the sickness of apprehension.

We can scarcely question that it was Wolfe who led Hayward

¹⁶ S.P. 12/274, 59.

¹⁸ S.P. 12/275, 28.

²⁰ S.P. 12/275, 28.

¹⁷ H.R. Plomer, *loc. cit.*

¹⁹ *Elizabeth and Essex.*

astray : Wolfe with his interest in selling as many copies as possible, his wide experience of publishing and the business world, and, probably, his cynical interpretation of the use, in these circumstances, of history, 'for private directions and for affairs of State.' We have it from his own mouth that the book had no epistle dedicatory when it was first brought to him.²¹ It was after some conversation between author and publisher that it was dedicated to Essex, 'he being a martial man and going to Ireland'—which was De Vere's role in the book, not Bolingbroke's. And when Hayward was examined, his interrogators were satisfied that 'Wolfe persuaded him to dedicate it to the Earl.'²² The same innocent motive persists to-day, when a military historian might have been urged by his publisher to ask Field-Marshal Earl Wavell to contribute a foreword.

An independent account of the appearance and reception of Hayward's first book is found in a private letter, dated 1 March, 1599:²³

'The Earl of Essex is crazed. . . Things do not succeed as he would wish them. . . The treatise of Henry IV is reasonably well written, the author a young man of Cambridge, toward the Civil Law. Here hath been much descanting about it, why such a story should come out at this time, and many exceptions taken, especially to the epistle, which is a short thing in Latin dedicated to the Earl of Essex, and objected to him in good earnest: whereupon there was commandment that it should be cut out of the book. Yet I have got you a transcript of it²⁴ that you may pick out the offence if you can; for my part I can pick out no such bugswords,²⁵ but that everything is as it is taken.'

That was written on 1 March. By July, Essex knew his campaign for a miserable failure against O'Neill of Tyrone's inferior force: this despite lavish support that his anxious Queen could ill afford. Desperate, he determined to defy her command and return to England. He would march on the Court to remove 'his enemies' from the Queen's presence and destroy them. He crossed at the end of September, and he rode on the Court. Elizabeth knew his

²¹ *ibid.*

²² *S.P.* 12/274, 61.

²³ John Chamberlain to Dudley Carleton. Printed Camden Society, 1st Series, lxxix, letter 18. Chamberlain's correspondence with Carleton, ambassador in Paris, provides a regular gossip-column for the period June 1597 to February 1603, a sort of *London Week-by-Week*. More letters have been published since the Camden Soc. edition.

²⁴ Perhaps this means, after all, that some copies lost the epistle.

²⁵ A word common in the late 16th century, meaning 'sinister words', literally 'bugbear words'.

mind, kept him in custody, foiled his escort. Even now, Elizabeth would pretend to give him his head if he would curb himself. But it was impossible. Fourteen months later, in February 1601, he foolishly attempted to seize Court, Tower and City.²⁶ On the afternoon of that fatal Saturday, some of his flimsier followers bribed Shakespeare's Company with 40/- to play at the Globe Theatre the deposing and killing of Richard II.²⁷ By the following year, Shakespeare had produced *Hamlet*, and it may not be idle to suppose that as he wrote the players scene he had in mind his own company's part in the performance of a real tragedy; but, for our purpose, the significance of this performance is the impression that had been made on the minds of Essex's followers by the story of the first part of Henry IV's reign. And this must go some way towards justifying Elizabeth's fury at that unfortunate appearance of Hayward's book during Essex's preparations for Ireland.

Hayward was now in the Tower. Chamberlain's verdict on the book was not shared by the Queen. Elizabeth had got to know of its popularity, and was not to be soothed. She suggested to Bacon that there were places in it that might be drawn within case of treason. Bacon replied: ²⁸ 'For treason surely I find none,' but for felony very many'. And when the Queen hastily asked him: 'Wherein?' he told her that:

'The author had committed very apparent theft; for he had taken most of the sentences of Cornelius Tacitus, and translated them into English and put them into his text. And another time, when the Queen would not be persuaded it was his writing, whose name was to it, but that it had some more mischievous author; and said, with great indignation, that she would have him racked to produce his author: I replied, "Nay, madam, he is a doctor, never rack his person, but rack his style; let him have pen, ink and paper and help of books, and be enjoined to continue the story where it breaketh off, and I will undertake by collating the styles to judge whether he was the author or no."'

Thus Bacon was able to save the wretched Hayward at least from the rack. Even four years earlier, he himself had taken good care to dedicate his own *Essays*, not to Essex, his great friend and

²⁶ Hayward's book was objected against Essex at his trial. Bacon was deputed to set forth his undutiful carriage in giving occasion to that seditious pamphlet, 'as it was termed.' The qualifying phrase is Bacon's.

²⁷ It seems likely that this was Shakespeare's own *Richard II*: the first quarto probably appeared in 1597. This play is said to have provoked Elizabeth's exclamation: 'I am Richard II: know ye not that?' Shakespeare must have been watching Hayward's fate with anxiety.

²⁸ Bacon, *Apophthegms*, 58.

patron at that time, but to his brother, Anthony Bacon. We do not know when Hayward lost his liberty, nor when he regained it. The *Acts of the Privy Council* are silent on the subject. There is one reference that records the appearance of a John Hayward of the Inner Temple before the Council on the afternoon of 17 May 1600; but that is a curious coincidence and the Hayward in question was sometime of Cliffords Inn and later of Tandridge, Surrey. The *State Papers* are much more illuminating. As early as February 1600, there is a note of the interrogatories that Chief Justice Popham devised after studying the book, and which were to be administered to Hayward. The dating of that note is perhaps not sufficiently clear to hang an argument upon, but at any rate it was not until 22 January 1601 that these interrogatories were administered to Hayward by Attorney-General Coke before Sir John Peyton in the Tower. And meanwhile there had apparently been other examinations.

There is a paper dated at the Court 11 July 1600, which is headed 'Confession of Dr. Hayward before the Lord Keeper, the Lord Admiral, Mr. Secretary and the Chancellor of the Exchequer.'²⁹ His 'confession' amounted to this. He acknowledged that the speech he had put into the mouth of Archbishop Arundel³⁰—beseeching Bolingbroke to reduce again the government of the realm to a princely freedom, and reciting precedents for such an attempt—was a speech not taken from other chronicles but inserted by himself. This device of putting imaginary speeches into the mouths of historical characters was familiar and accepted: it was, indeed, the sole device of the greatest Tudor chronicler of all, Shakespeare. It was hardly fair to try a man for inventing speeches the subject of which was well attested and established in other chronicles. But, if it was the subject-matter of the Archbishop's speech—the mention of former depositions—that was objected to, Hayward rightly pointed out to his examiners that the subject of the other lengthy speech in his book was a denunciation of the *coup d'état* and a stirring defence of Richard, made as in Shakespeare's play, by Bishop Merke of Carlisle. To this the examiners object that the good bishop is, for his pains, sent to Marshalsea and attaind by Parliament. It might have been tactless of Hayward to reply that the bishop was not rendered a less sympathetic character by his imprisonment and attainder, but that is the fact of the matter.

No one can read Hayward's *Henry IV* and feel that it is anything but a serious, impartial, well-considered account. It is 50,000 words long, and very readable: certainly not written overnight. One thing it does not do: it does not portray a triumphant Henry seated

²⁹ *S.P.* 12/275, 25: see Plate XVIII.

³⁰ Hayward, *The First Part of the Life and Reign of King Henry IV*, 66-7.

11 July 1600
 not at the Court

the confession of Doctor
 he wrote before the
 before the Lord Admirall
 the Secretary and the
 chamberlain of the almoner

25
 25 I 9/13

1 he confessed that these stories mentioned
 in the Archb. oration tending to prove
 that depots of kings and princes have
 had good success, were not taken out
 of any other oration, but inserted by
 himselfe, but said that after in the
 history the Bishop of Constance consulted
 the same but for the consultation the
 was committed to the marsh: and the
 whole went concluded against the B. opinion,
 and in both in the B. of Constance
 was attainted of treason

2 he confessed he had red. of a Benevolence
 in the time of R 3 and not before and
 yet that he inserted the same in the oration
 of R 2

3 he said that as he take it the substance
 of the consultation for reducing the Justice
 rebell, he had out of it. of making Henry

4 he affirmed that he shortly after the booke
 was printed shooke the printer thereof carried
 the same to the cole of St. and about a month
 after the copie was taken out

Edw. die

47



justly and happily in the throne of poor Richard. In this it is better history than the product of a much greater historian, the learned Bishop Stubbs, who took Henry for the hero of Volume III of the *Constitutional*—the almost too *Constitutional*—*History of England*. A good example of Hayward's historical judgment is his comment on the murder (inevitable after the deposition) of Richard: 'It was not amiss in regard of the commonwealth that he was dead; yet they who caused his death had small reason to reckon it among their good deeds.'³¹ He emphasized the moderation that was characteristic of Henry, but described how 'with great discontentment and disquiet he held the kingdom during his life: and so did his son King Henry V, in whose time by continual wars against the Frenchmen the malice of the humour was otherwise exercised and spent. But his second successor King Henry VI was dispossessed thereof,' and so on. It should be plain from this quotation whether the book may be described as a piece of encouragement to dispossess the monarch. The subsequent pages are devoted to Henry's difficulties on the Welsh and Scottish Marches. The significant last line in the book runs: 'And with these troubles the first year of King Henry IV ended.' But for all its objectivity, it had a suggestive subject, and it was thought worth while to reprint it in 1642, when deposition again became topical.

The questions, devised by Popham early in 1600, and put to Hayward by Coke in January 1601—just about a fortnight before Essex's final folly, notice—were a lawyer's questions, concerned not with the general burden of the book, but with separate sentences, taken out of their context for the purpose of finding fault. It is worth our observing that nowhere in Hayward's defence did he plead the obvious antiquarian's excuse that his book was written to commemorate the bicentenary of the accession of Henry IV. At least, there is no record of this plea, so we must conclude that the date was only a coincidence and that centenary celebrations were not yet thought of.

There is one more episode in connection with these examinations, which is revealed in the *State Papers*, and notable for the light it throws on the respect in which the law was held in the last days of Tudor rule. Dated at Chigwell, 20 July 1600, a letter³² was written to the Attorney-General by the Bishop of London's censor, who had unhappily passed Hayward's book for publication. His name was Samuel Harsnett, and he was in an advanced state of panic. As the whole of the second edition had officially been burnt, he was afraid he had been unable to compare the two as he had promised. 'My poor estate, credit, self and more than myself,' he whimpered, 'hang upon your gracious countenance, for I have my wife in

³¹ Hayward, *op. cit.*, 136.

³² *S.P.* 12/275, 31.

childbed³³ and since your messenger has been at my house she has neither eaten, drunk nor slept for fear, although I have twenty times read your most gracious letter to her.' Then he enclosed a petition, in which he proceeded to let Hayward down as rapidly as possible, although—perhaps because—they had been contemporaries at College.

'The author of *Henry IV* excuses his publication on account of its having been approved by me, but this allegation can be no excuse to him. . . .

'Though he and I were at Pembroke Hall together, he got a gentleman in my Lord of London's house to beg me to pass it as a cante³⁴ of our English chronicles phrased and flourished over only to show the author's pretty wit. . . . [Hayward may here be defended on the grounds that no writer will risk having his words slashed by a miserable censor if he can avoid it.]

'Anyway, my approval was but an inducement for my master my Lord of London to allow it, not a sufficient warrant in itself. . . .

'The epistle dedicatory was added after I saw the book. . . . [Above he has suggested that he did not bother to look at the book.]

'Lastly, I am only a poor divine, unacquainted with books and arguments of state. For my negligence I beg your mildest censure . . . as I daily heartily pray for Her Majesty and the State and for a long continuance of her blessed government over us, and wish shame and confusion to all underminers of the same.'³⁵

Her Majesty wins every time. Hayward's treatment at her hands was not calculated to inspire in him that devotion to her

³³ An excuse that has lost much of its force in an age of advanced obstetrics. But it is a curious coincidence that that grumbling civil servant, Sir Robert Naunton (of Alderton and Letheringham, Suffolk), in imminent danger of losing his office for being insufficiently polite to James I's favourite ambassador, Gondomar, wrote at length (23 Sept., 1622) to bore his patron, the Duke of Buckingham, with the piteous details of how his wife, 'is now greater of the like burthen than ever she was of any before, and looks her (*sic*) betwixt this and All Saints at the furthest; but I doubt and fear she will again come before her time, specially if she shall apprehend the loss of my place . . .' Printed in John Nichols, *History and Antiquities of the County of Leicester*, 1800, iii, p. 516.

³⁴ Section (*O.E.D.*, piece, slice).

³⁵ This miserable man became Archbishop of York (1628-1631). He was buried not at York but at Chigwell, where he is commemorated by a splendid monumental brass and a grammar school. He, too, published a book with John Wolfe in 1599. It bore the objectionable title: *A Discovery of the Fraudulent Practices of John Darrell, B.A.*, and it occurs to us that Darrell may have been another of his contemporaries at Pembroke Hall.

person which her subjects felt, almost to a man, and which is one of the most remarkable aspects of her rule. Yet it is Hayward's description of this phenomenon that Professor J. E. Neale quotes in his standard biography of Elizabeth: it is there, in Neale's *Queen Elizabeth*, that Hayward's words live still. He wrote:

' If ever any person had either the gift or the style to win the hearts of people, it was this Queen, and if ever she did express the same it was at that present, in coupling mildness with majesty as she did, and in stately stooping to the meanest sort. All her faculties were in motion, and every motion seemed a well-guided action: her eye was set upon one, her ear listened to another, her judgment ran upon a third, to a fourth she addressed her speech, her spirit seemed to be everywhere, and yet so entire in herself as it seemed to be nowhere else. Some she pitied, some she commended, some she thanked, at others she pleasantly and wittily jested, contemning no person, neglecting no office, and distributing her smiles, looks and graces so artificially that thereupon the people again redoubled the testimony of their joys, and afterwards, raising everything to the highest strain, filled the ears of all men with immoderate extolling of their Prince.' ³⁶

It is evident that Hayward, too, had fallen under the spell, despite her attitude towards him, despite his disposition against her sex, promoted, no doubt, by his unquiet wife. It is noticeable that above his motto (Fly from evil: do good), on the engraving reproduced on Plate XVI, Evil is caricatured as a woman. 'Oh wives!' he exclaims apropos of the haughty Duchess of Somerset: 'the most sweet poison, the most desired evil in the world. Certainly, as it is true as Syracides saith, that there is no malice to the malice of a woman,' and so on.³⁷ But, lest it be thought that this favourable picture of Elizabeth is an example of the way a humble man sets about ingratiating himself with his sovereign, it must be mentioned that the *Annals of Elizabeth* were written in 1612, and that dispraise of her would not have been ill taken at the court of her successor, who himself might be heard to sneer about her in public. The book testifies admirably to the historian's impartiality. Indeed, he went out of his way to mention Wentworth's acquittal in 1559 of treason, 'first for the rareness thereof . . . secondly, to manifest the justice of that time . . . under a good and moderate prince.' He was writing of events within living memory,³⁸ and the detail is fasci-

³⁶ Hayward, ed. Bruce, *op. cit.*, 6-7.

³⁷ Hayward, *The Life and Reign of King Edward VI* (1630), 84.

³⁸ He covered the first four, the formative, years of the reign.

nating. There is, indeed, too much of it when we come to the siege of Leith in 1560, but we allow Elizabethan architects their own proportions, and we must make some such concessions to their historians. We cannot begrudge Hayward the space he devoted to the destruction of the spire, the steeple and all the roofs of St. Paul's by lightning in the sultry afternoon of 4 June, 1561. 'Before the year was expired, all the long roofs were raised of new and strong timber, the most part whereof was framed in Yorkshire, and by sea conveyed to London: the charges of which work amounted to the sum of £5,982 13s. 4d.' We see at once what St. Paul's meant to Elizabethan London.

We are dependent on Hayward's own writings for the remaining fragments of our portrait of him. His next work was—we do not blame him—a treatise on the *Right of Succession*, published in 1603, and dedicated to the new monarch. It contained the usual description of the instability and misery that would attend the teaching that people may depose the sovereign or divert the succession—doctrines that he charged upon the Jesuits. He also published *An Answer to the First Part of a Certain Conference concerning Succession*, 1603. (In 1683 this again came in useful, when it was 'dedicated to the King and now reprinted for the satisfaction of the zealous promoters of the Bill of Exclusion.') Next year, 1604, he published *A Treatise of Union of the Two Realms of England and Scotland*. His practice at the Court of Arches would benefit by this publicity, even if his suit at the Court of James was at first disregarded. It would be interesting to know more about his work in the Church courts at that time, when ecclesiastical issues had the greatest constitutional significance. From the amount of property he left we can see that the work was well paid.

The treatise *Of Supremacy in Affairs of Religion* followed naturally in 1606, though it was not published until 1624. The particular circumstances out of which it grew afford us such an intimate glimpse of Hayward among his friends, one of them at least (Bishop Mathew), an important figure, that a lengthy quotation is called for:

'It happened that during the time of the Parliament held in the year 1605,³⁹ I dined, at the house of the most Reverend Toby Mathew, then Bishop of Durham, since Archbishop of York; a man of eminent esteem . . . equal both for sharpness of understanding and for sweetness . . . whose table, being much frequented by persons for different qualities well reputed, and their speeches either excited or maintained by him, had commonly the great variety of dishes answered with like variety of discourse.

³⁹ January 1606, New Style.

'The first part of the dinner was passed over in sad and sober silence, our tongues seeming to give place to the office of our teeth; and every man commending the goodness of our fare by close feeding upon the same. At the last, silence was broken, and some speeches spent in matters of conceit. In which vein one of the company took often occasion to speak of a "terrible blow", alluding to the same words in that letter whereby the late practice against His Majesty was beaten out and brought into light . . . 'Hereupon, a gentleman somewhat *more severe* by [long]⁴⁰ exercising the office of a Justice in his country, proceeded to declare what fair opportunity was thereby opened to secure ourselves from the very fury of these home-bred enemies . . . This speech was diversely taken . . . but hereto the Bishop said that as this was suddenly, so happily it was too severely spoken. And yet he seemed to admire either the fortune, or fine dexterity of the *Italians*: who having once obtained the Empire of the chiefest part of the world, and not being able to hold it one way . . . have since erected a spiritual Empire, comprising not only the whole surface of the earth, but extending to heaven [as Clement VI charged the Angels to carry their souls directly to paradise who should die upon the way towards his jubilee.]' When the Bishop had named two things that in his opinion made 'the truth of their Empire much suspected', the conversation turned to the Bill propounded to Parliament against Recusants, and to the Oath of Supremacy, respecting which, 'obscure speeches . . . bred some incertainty, while every man rather conjectured than assured what should be meant.' Hayward then drew the question, as he says, 'to a higher degree; affirming that it seemed necessary . . . that a King, who acknowledgeth no superior under God, should be acknowledged to have supreme authority under God in ecclesiastical affairs; that this is a principal point of regality. . . ; that it is a hard matter, if not impossible, for any nation, either to grow, or long time to continue, very great, wherein a foreign power holdeth the regiment in religion; that in all ancient Commonwealths and Empires it has been used; that—I could not finish that which I was about to speak, being interrupted by a confused clamour of three or four at the table, who esteemed that which I had said, not for a *Paradox*, but for an *Adox*, or flat absurdity: seeing many

⁴⁰ The words in square brackets, in this passage, were inserted in an interleaved copy of the work (now in the British Museum) by a hand that looks very much like Hayward's.

Christian countries . . . have admitted foreign government in matters of religion.

'By this time the basins and ewers were set upon the table, and all of us were attentive to the giving of thanks. After we had washed, and the cloth was taken away,' the Bishop, 'beautifying his face with a courteous smile,' renewed the conversation with some remarks in favour of Hayward's proposition, and called upon him to make it appear from history that, 'in all principal Empires and Commonwealths', the supreme authority in questions of religious discipline and ritual, but not of religious truth, 'hath been exercised by the chief power in the state.'

Without more ado, Hayward embarked on an egregiously learned discourse which, though it was 'somewhat more briefly delivered,' is the substance of this pamphlet.

He concluded with a curious exchange of glances between himself and Bishop Mathew, that seems to point to his unpopularity with the men of his own profession, as it certainly points forward to the coming struggle between Churchmen and Lawyers. (We can guess how Hayward felt about two of the most eminent lawyers, Coke and Popham.) As the book closes, the Bishop says:

'I have often marvelled (with that he cast a side countenance upon me) by what means it falleth, when in other countries the professors of . . . laws are most accomplished scholars . . . in England, only, divers of the chief of them are, or (at leastwise) are reputed to be, men of empty boldness . . . hating and opposing against those whom they think so esteemed.

'I was forward to have answered, but . . . he fell into variety of other talk; so the time being well spent, after some ceremonies of courtesy, all of us withdrew, whither our particular occasions did lead.'

After this delightful piece of table-talk, we are not surprised to find in Aubrey's *Brief Lives* that Selden's 'great friend heretofore was Mr. . . . (*sic*, in Clark's edition) Hayward', and it is disappointing to discover that the reference is to Edward Hayward, Selden's chamber-fellow.

When next we hear of John Hayward, his historical studies are by way of being rewarded. In 1610, when King James, to confute the errors of Rome, founded his college at Chelsea—'Controversy Colledge', as Laud called it—two Historiographers were appointed:⁴¹

⁴¹ 'faithfully and learnedly to record and publish to posterity all memorable passages in church or commonwealth'—Charter of Incorporation, 8 May 1610, printed in Faulkner's *Chelsea*.

Camden was one, and the other was Hayward. James' white elephant failed for lack of funds, and the appointment was rendered merely honorary. But at least it demonstrated Hayward's reputation. One of the patrons of this remarkable institution was the intelligent young Prince Henry, whose premature death made an immeasurable difference to the history of seventeenth-century England, and perhaps to our ultimate history. How it disappointed the luckless Hayward, the dedication of his next book shows.

This was the *Lives of the Norman Kings*, dedicated to the high and mighty Prince Charles, Prince of Wales. 'Most Illustrious Prince,' it begins, and goes on to describe, at tedious length, how Charles' deceased brother Henry had complained to Hayward that the English nation, inferior to none in honourable actions, should be surpassed by all in leaving the memory of them to posterity.⁴² In this prefatory dialogue, Prince Henry continues:

'We make choice of the most skilful workmen to draw or carve the portraiture of our faces and shall every artless pencil delineate the disposition of our minds? . . . Shall our honour be basely buried in the dross of rude and absurd writings? There is no monument, either so durable, or so largely extending, or so lively and fair, as that which is framed by a fortunate pen; the memory of the greatest monuments had long since perished, had it not been preserved by this means.'

Then, beautifying his face with a sober smile, he desired Hayward that against his return from the progress then at hand he would do something to remedy the deplorable state of English historiography. This stirred in Hayward not only a will but a power to perform, so that, engaging his duty far above the measure either of his leisure or of his strength, he finished the lives of these three kings of Norman race, and an account of certain years of Queen Elizabeth's reign.

At Henry's return from the progress these pieces were delivered to him at his house at St. James, and were, it is claimed, joyfully accepted. 'Not long after,' concluded Hayward, 'he died; and with him died both my endeavours and my hopes.' This recited,

⁴² Professor D. C. Douglas, in *The Development of English Medieval Scholarship* (Transactions R. Hist. Soc., 1939, p. 24n.), noticed that Hayward, 'in the preface to his remarkable *Lives of the Norman Kings*, had shown himself well aware that a study of the Norman Conquest might readily be made to serve the needs of propaganda'. Prof. Douglas has not neglected to point out that 'some more modern scholars have derived yet deeper satisfaction from a conviction that a solution to the problems of eleventh century history should be sought in the political sentiments of their own time'.

Hayward plunged into the *Life of the Conqueror* with the zest of a Lytton Strachey.

‘Robert, Duke of Normandy, the sixth in descent from Rollo, riding through Falaise, a town in Normandy, espied certain young persons dancing near the way. And as he stayed to view a while the manner of their disport, he fixed his eye especially upon a certain damosell named Arlotte; of mean birth, a skinner’s daughter, who there danced among the rest. The frame and comely carriage of her body, the natural beauty and graces of her countenance, the simplicity of her rural both behaviour and attire pleased him so well that the same night he procured her to be brought to his lodging; where he begat of her a son who was afterwards named William. I will not defile my writing with memory of some lascivious behaviour which she is reported to have used at such time as the Duke approached to embrace her. And doubtful it is, whether, upon some special note of immodesty in herself or upon hate towards her son, the English, afterwards adding an aspiration to her name (according to the natural manner of their pronouncing), termed every unchaste woman Harlot.’

Once he has cast doubt upon this legend and attracted the reader’s attention, the book develops into a good clear narrative history, founded on the chronicles of William of Malmesbury, William of Jumièges, Ingulphus, and also the Anglo-Saxon Chronicle, which, no doubt, he consulted in Sir Robert Cotton’s library. Naturally, these histories look crude beside modern studies in medieval history based on minute and scrupulous research into Domesday and the Pipe Rolls. At least, Hayward’s *Lives* are readable and full of commonsense judgments on the more limited sources at his disposal. Let us take, for instance, this passage from the *History of William Rufus* (p. 156):—

‘Assuredly, there is no greater enemy to great men, than too great prosperity in their affairs; which taketh from them all judgment and rule of themselves; which maketh them full of liberty and bold to do evil.’

How much more moderate and true this is than Lord Acton’s too-often repeated dictum! Hayward goes on:—

‘And yet I cannot conceive that this King was so bold, so careless, so shameless in vices, as many writers do report. It is certain that he doubted of some points of Religion . . . It is certain also that out of policy in State, he endeavoured to abate the tumorous greatness of the Clergy . . . These

were causes sufficient for the writers of his time [who were for the most part Clergymen] to enlarge his vices beyond the truth. . .'

This is exactly the point made by Professor V. H. Galbraith in his recent article in *History*⁴³ entitled 'Good and Bad Kings in Medieval English History'. As to the vices of William, Freeman, in the standard two-volume, Victorian *History of the Reign*, shrinks from all but the most obscure mumblings. Hayward's short description is classic:

'Then was brought into use the laying out of hair, strange fashions and disguisings in attire, and all delicacies pertaining to the body. Then were practised nice treadings, lascivious looks, and other dissolute and wanton behaviour: many effeminate persons did accompany the Court, by whose immodest demeanour the majesty of that place was much embased.'

This was indeed hardy of Hayward in view of the similar behaviour of James' circle at Court, which he was presumably describing. He concluded:

'From hence also the poison brake forth, first into the city, and afterwards into other places of the realm; for as in fishes, so in families, and so likewise in States, putrefaction commonly beginneth at the head.'

As he had anticipated, Hayward got little encouragement from Prince Charles, and probably but little from the public. Unlike Henry IV, the Norman Kings were not best-sellers. It might have been different if Shakespeare had tackled them, or even if Hayward had continued to publish with Wolfe. In the manner of a popular philosopher of the present day, Hayward turned from history to a subject that was sure to sell. *The Sanctuary of a Troubled Soul*, *David's Tears*, or *an Exposition of the Penitential Psalms*, *Christ's Prayer on the Cross for his Enemies*, are the titles of his next three works, published 1616, 1622, 1623 respectively. Their titles sufficiently explain their character. The first two ran through several editions within a few years of publication. In 1616, Hayward was admitted a Member of the College of Advocates in Doctor's Commons,⁴⁴ and three years later, with two other Doctors of Laws, he was knighted.⁴⁵ Pass's engraving portrays him at this time. (See Plate XVI)

The last work to be published in his lifetime was that on *Supremacy in Affairs of Religion*, written, as we have seen, in 1605, but not

⁴³ *History*, Vol. XXX, Sept., 1945.

⁴⁴ Coote, *Catalogue of English Civilians*, 73.

⁴⁵ *ibid.*

published till 1624,⁴⁶ the last feeble and futile year of James' reign. The Dedication, once more to Prince Charles, is pathetic in the baldness of its disappointment, its disillusion. It is as different from that first extravagant and unfortunate dedication as was the slight, pale-faced, red-nosed Charles from the Earl of Essex. Nothing could be less obsequious than his opening:

'I had long since given over the conceit of dedicating books to any great Personage. Knowing right well, that, as bad books cannot receive countenance from any, so good books need not: and finding the one and the other to be commonly answered with silence alike.'

He believed no more in the use of history, or so it seemed. But he had not really deserted to the school of popular theology. His heart was still in his history, and when he died three years later it was found that, besides the *Certain Years of Queen Elizabeth's Reign*, which he had presented to Prince Henry, he had written a complete *History of the Reign of King Edward VI*, for which he had had access to many public and official documents, including the private journal of the young king. It is the most interesting of all Hayward's works: too kind to that young monarch, but full of fascinating contemporary comment. It was published in 1630 and again in 1636. It would have been surprising if the lessons Hayward drew from history had been different from those Bacon drew in his *Henry VII*—that a strong monarch works wonders: they had the examples of the Tudors and Stuarts before their eyes. The one remaining work, the *Annals of Elizabeth*, did not appear till 1840, when it was edited by John Bruce for the Camden Society.

Hayward died at his house⁴⁷ in the Close⁴⁸ of Great St. Bartholomew's, Smithfield, on 27 June, 1627, and the next day he

⁴⁶ There was another edition in 1625. The printer of this and *David's Tears* (1622, 1623, 1625), was John Bill. The following passage from Hayward's will is interesting: 'And whereas Mr. John Bill, one of the King's Printers, hath mortgaged to me all his houses and lands lying and being in the parish of Kentishtown, within the county of Middlesex, for the sum of thirteen hundred pounds, and hath reserved the space of three years for redemption, First I will and desire my Executor to purchase the same lands out of the residue of my estate directly and fully, whereof I have entertained speech with the said Mr. Bill. . . . ' If Hayward failed to 'marry' money, he did not fail to 'make' it. This property was to go to his granddaughter Mary, only surviving child of his daughter Mary and Sir Nicholas Rowe. But this little girl died in 1634, and was buried at St. James's, Clerkenwell.

⁴⁷ Certificate of Burial, recorded in College of Arms, printed Bruce, *op. cit.* xlvii.

⁴⁸ He lived in one of the old glebe houses. This was then a fashionable residential quarter, in which Sir Walter Mildmay, Sir Roger Manwood and Sir Thomas Walsingham were all neighbours of his. His own house later became Nos. 92 and 93, the skirt manufactory of Messrs. W. C. Beetles (E. A. Webb: *The Records of Great St. Bartholomew's, Smithfield*). In 1950, Templeton's Carpets occupy a pink-brick and plate-glass pile on the site, which was devastated by the Germans in both the recent wars. The church, London's most venerable, came unhurt out of the latest inferno.

was buried in that Church. His historical writings reveal a remarkably unsuperstitious man, though this is not true of such popular works as *The Sanctuary of a Troubled Soul*, which is distinguished by a quite bewildering fervour of piety. Now he confronted his executor with:

‘ My breathless, putrifying carcase I leave to a private, unceremonious burial, where I shall hereafter appoint. And my desire is that my grave may be made eight foot deep at the least, where my bones are like to remain untouched; and I utterly dislike that my body be ripped, cut or any ways mangled after my death for experience to others. Let a monument be erected over the place of my burial at the discretion of my Executor, wherein I desire that he do not bear an oversparing hand.’

John Bruce in 1840 supplied the necessary comment here:

‘ Disappointment followed him through life and its measure was completed by the failure of this, his last, desire. His patrons successively failed him; he aimed at public employment, but without success; his books brought him little fame; he lived unhappily with his wife; his only child died at an early age; her surviving husband displeased him; his ample provision for his grandchild was rendered unavailing by her death in childhood; and, finally, after all his care to have his memory perpetuated by some costly erection, no trace can be discovered of any monument whatever.’⁴⁹

His ghost has vanished from the Close of Great St. Bartholomew's; resorted to his native Suffolk. Here he is certainly not forgotten. Fourteen years before his death, he himself, in that dedication of his *Lives of the Norman Kings*, had written:

‘ We are careful to provide costly sepulchres, to preserve our dead lives, to preserve some memory of what we have been: but there is no monument either so durable, or so largely extending, or so lively and fair as that which is framed by a fortunate pen.’

Hayward at least had a fortunate pen, and it cannot be denied that his histories have steadily extended his memory ever since the days of his life. Whether there has been a corresponding extension of human wisdom is another matter. But then it was Bacon, not Hayward, who went so far as to write: ‘ Histories make men wise.’

⁴⁹ Bruce, *op. cit.* xxxvii.