V.—*Message from King James I. to the Earl of Somerset, in the case of Sir Thomas Overbury, sent on the 29th of December, 1615, through Sir George More, Lieutenant of the Tower: communicated from the Manuscripts at Loseley by*
JAMES MORE MOLYNEUX, Esq. F.S.A.

(Read March 1st, 1866.)

On Friday the 29th of December the King his Ma^{tie} sent for the Lieutenant of the Tower, and in his Ma^{ties} w^ddrawing chamber sayed unto hym—

I wold have yoⁿ to tell yo^r prisoner that I am sory to see that he continues still to take the wrong course to his owne hurt in this buisines, as he hath don sins the beginning of it. For whereas I have appointed Commissioners to examine hym, and to deale in all matters concerning the case of S^r Tho. Overbury; the Duke of Lenox being one, a noble man of myne owne blood, and alwayes a frend well affected to hym; the Lo. Chauncelo^r the second, a grave and a wise man, a counsellor and a great officer well deserving in the place of justice w^e he holdes; the Lo. Zouch the third, an auncient Baron, and a mā voide of all partialitie; and the fowrth the Lo. Chief Justice by his place; he hath refused by them to make knowen his desires unto me, and, pretending that by the Lo. Knollis, and the Lo. Hay, he would communicate matter of great importans unto me concerning my servises, fit for me to know w^t speede, and that neither of the criminall nor civill part of the cause for w^e he is restrained, nor of anything thereunto belonging he wold speake unto them; his speeche nevertheles to them was onely of that cause, and not of any other matter worth the speaking of, wherein he did nedelesly abuse me, offer wrong to those Commissioners, and therby did hurt to hym self. And whereas he sayeth that I have delt rigorously w^t hym in committing hym to the Tower, there to be a close prisoner, not being convicted or accused of treason, where the custome hath bin to committ persons of his quallitie to som such place as Yorke Howse or som gentleman's keeping, and not to such a prison as the Tower is; to this I say that, for matter of contempt, and suspicōn of light offences, it hath bin the custome to committ men of his quallitie to such a place as Yorke Howse, as was don in the case of the late Erle of Essex. But that is not his case; the offenses for w^e he is in question is a murther of the

fowlest kinde, neere approaching unto treason (he that was murthered being my prisoner), and the proofes against hym alleaged by the Commissioners very pregnant, in so much that at my being at Roiston I was informed there was a great murmure amongst the people that justice was stayed, in that he was not sent to the Tower; and alsoe the Privie Counsell had an inclinaço (as I understood by diverse of them) to committ hym to the Tower, if I wold give them leave, bicause they thought the Commissioners durst not; w^c I wold not permit; so that neither by me nor my direction he was committed to that place, but by the Commissioners to whome I had committed the examinaço of the case of S^r Tho. Overbury, leaving it to them to bayle or to commit, as they shold finde cause according to the course of justice, who, after due examinaço of hym and of the cause, found the suspiço against hym so vehement, and the proofes so pregnant, as that holding the course of justice, the cause itself did enforce them (as they say) to commit hym to the Tower, he having givẽ great cause of suspiço against hym self, when, by his tres or warrant to make search *for the writings*^a of one M^{rs} Hyde, he had taken the tres of Turner and others. So as his commitment to the Tower was the act of the commissioners, and not myne; w^c by them being don according to justice, and for matter of prooffe not to be made knowẽ before hand to me, I might not resist, especially considering howe the coñon people had expressed their joye for the justice don against Weston, sayeng that the King shold have subsidies and whatsoever he wold require; that the bells had bin ronge thoroughe out all the citie; and that the Lo. Maio^r and the Aldermẽ by the Recorder had signified to me the great comfort they receaved in the justice don, acknowleging their great happines in living under the goveřment of such a King, and wold them selves have come unto me to give me publick thanckes, if I had not forbidden it. If therfore I shold have stopped the course of justice against hym in this case of Overbury, who was committed to the Tower, and there kept a close prisoner by my coñmaundment, and cold not have bin so murthered if he had not bin kept close, I might have bin thought to be the aucthor of that murder, and so be made odiousse to all posteritie. Neither hath he cause to thinck hym self rigorously delt w^t in being sent to the Tower, to w^c place many great persons have bin coñmitted for felony, and, afterwarde appearing to be cleere, have bin set at libertie w^tout disgrace.

Nowe concerning my tres, of w^c he sayed to the Lo. Knollis, and the Lord Hays, that he had given some to S^r Ro. Cotton to be delivered to me, and som

^a "In the hous" was first written, but erased, and the other words substituted.

he had kept to deliver unto me hym self; S^r Ro. Cotton hath confessed that he delivered them unto hym to be kept, and to be redelivered to hym selfe, if he shold live; or otherwise, if he shold miscary, then to be givē to me, w^c tres being by S^r Ro. Cotton delivered to a womā, the same have bin taken and brought to me; whereas if his meaning had bin to have sent me those tres, he might have sent them unto me when first he was restrained to his chamber, or when he was in the custodie of S^r Olliver S^t John, or after that he had bin examined by the Lordes and was in the Tower, in causing them to be sealed up and sent to the Lordes to be delivered unto me.

As for the other tres w^c for poisons and antidotes he wrote to Inglesse, I never herd of them, until three or fower dayes after he was in the Tower, and finding it to be but an idle tale, and to have no good grounde, I made noe accompt thereof. And concerning the castyng of my nativitie w^c he sayes he first discovered unto me, yoⁿ may say unto hym, that I remēber he told me something of the casting of my nativitie by Inglesse, but that myne was cast by Inglesse I never herd of it sins by any body, neither doe I beleeve that he did cast my nativity, but onely my eldest sonne that is w^t God, and of that I neither did nor doe make accompt, neither needes he thinck that for that he shall be called to accompt.

The next part of his message is a desire first for his wife, that she might not be brought to an open triall, but that she might be kept in som private corner all the dayes of her life, sins she is the mother of a child; to w^c I say that his desire is unseasonable, untill it shall appeare whether she be cleere or guiltie; if she be cleere he needes not feare to have her tried, and if uppō doubtfull proof she shall be found guiltie, and her offenses not appeare to be manifest, I shold be unwilling to suffer the lawe to be executed against her, for it might be in that case as in the case of one whose dagger was found sticking in the body of a man that was murdered, and yet the murder was not done by hym, but by another who had borrowed and taken the dagger. But if it shall plainly appeare that she is very fowle, as is generally conceived and reported that she is, as being the author and procurer of that murder, then I thinck justice may not be stayed, and he shold have just cause to be glad that he is freed from so wicked a womā. Therfor if she be innocent he needes not feare, and if she be so fowly guiltie as is alleged, humble confession of her fault, both to God and the King, must preceade the pleading for pdon. As for hym self there is no cause why he shold desire not to come to triall if the proofes be so pregnant that they require it, for being innocent uppon triall he will be cleered, and so being justified shall receive noe

disgrace, as w^t many great psons it hath fallen out w^c have bin committed to the Tower and being tried have bin cleered for the like offenses. But if he be guiltie (as God forbid) then must he take a course by his humble confessiō to pleade for mercy, I being to followe the example of Almighty God, who doth not forgive sinnes untill they be confessed and sorrowed for, noe more can I shewe mercy where innocency is stood uppō, and the offenses not made knownen by confessiō unto me; and if he shold be convicted by lawe, he needes not take such a desperat resoluçō as rather to give cause to die then live after it, for that many have bin convicted of felony w^tout accompting it so great a disgrace unto them; but indeed if he shold be convicted of treason and ingratitude against my person, then I cold not blame hym to accompt his convictiō in that nature worse than a thousand deaths unto hym.

And whereas he desires me to acquaint hym beforehand w^t the thinges that ar to be layed to his charge, besides that it is so farre against the consciens and hono^r of a King to doe it, it is altogether impossible for me so to doe, althoughe I had never so good a will to doe it, for the chief justice refuses absolutely to serve in his place, as I told hym self at Roiston, if I shall be acquainted w^t any articles concerning blood, before the partie come to his publick triall, and I hope he wold not have me thought to be a conspirer w^t hym or any m^a for the eluding of justice.

Lastly yo^a shall say unto hym that if hereafter he shall desire to moove any matter for favo^r I will that he make the same knowē by the Lo. Commissioners unto me, who ar as well to be used as meanes of favo^r for hym as they have already used som pointes of rigor as he conceaves it towards hym, and that he seeke noe other meanes wherby to informe me wherein he shall doe wrong to those Lordes, and give them occaçō to thinke the worse both of hym and of his cause, assuring hym that by their meanes his sutes shall be more acceptable to me then by any other.

(*In dorso.*) This is S^r George More's own
hand writing when he was
Lieut. of the Tower in
King James the First time.