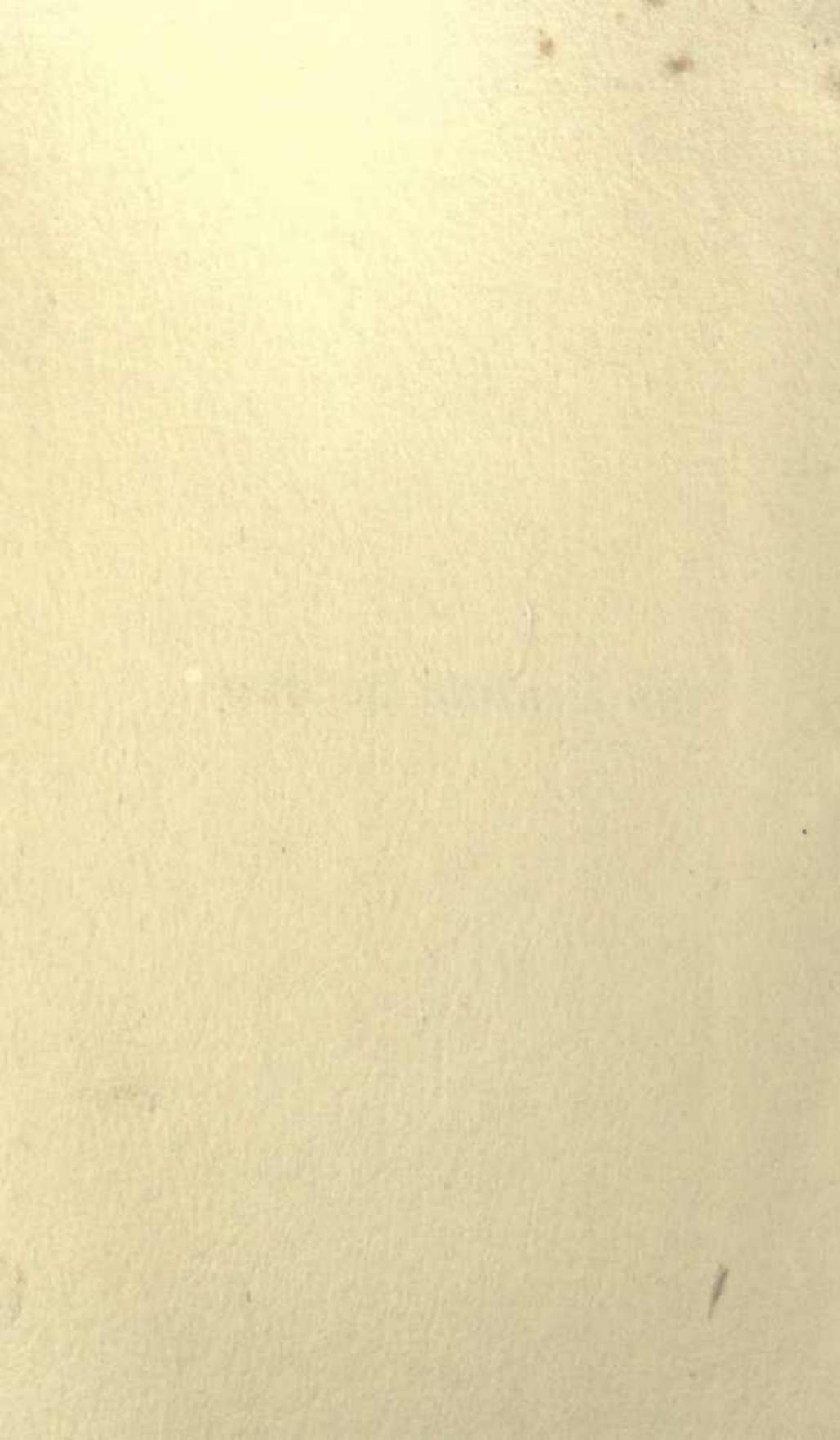




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C. K. OGDEN

THE AMAZING DUCHESS





*Elizabeth Duchess of Hamilton
(The Beautiful Miss Gunning)*

THE AMAZING DUCHESS

*BEING THE ROMANTIC HISTORY OF
ELIZABETH CHUDLEIGH*

MAID OF HONOUR, THE HON. MRS. HERVEY,
DUCHESS OF KINGSTON, AND COUNTESS OF
BRISTOL

By CHARLES E. PEARCE

AUTHOR OF "LOVE BESIEGED," "THE BUNGALOW UNDER THE LAKE," ETC.

WITH THIRTY-FOUR ILLUSTRATIONS
INCLUDING TWO PHOTOGRAVURES

IN TWO VOLUMES
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THE AMAZING DUCHESS

CHAPTER I

The judgment of the Ecclesiastical Court held to be decisive—The Archbishop of Canterbury grants a special licence—Elizabeth's second marriage—Unfounded rumours—The great Douglas cause—The letters of Thomas Whitehead, the duke's valet.

ELIZABETH was now, rightly or wrongly, Duchess of Kingston. Her elevation gave great offence to the ladies of the Court. They had no objection to tolerate and recognise Miss Chudleigh as mistress of the duke, but when his grace made her "his wife" they were highly indignant. The reason, of course, was plain. As Miss Chudleigh they condescended to be amused by her, and accept her hospitality, and they could patronise her or not as they pleased, but as the Duchess of Kingston she was of their own rank, and took precedence of many of them, and they were perfectly well aware she was not the woman to be snubbed without retaliating.

The effect of the judgment of the Consistory Court on public opinion was adverse to the newly made duchess, and her enemies made the most of it. The decision enabled her to marry the duke—no one

could deny that—but how it was obtained was another matter. Captain Hervey had nothing to gain and everything to lose by defending the suit. It was no advantage to him to be Elizabeth's husband, rather the reverse. Why did he not let judgment go by default? The question is not difficult to answer. Had he not put in a defence the contention of the lady would have placed him in a somewhat odious light. If only for the sake of appearances, then, it was necessary for him to persist in his assertion that he had been really married to Miss Chudleigh. The public at that time knew nothing of Anne Cradock, and the easiest explanation of the situation was the suggestion that the "notorious Miss Chudleigh" had connived with her husband in an "arrangement" by which he was to take part in the jactitation farce to secure the freedom which they both desired. People were ready enough to believe anything to the detriment of Miss Chudleigh, but no one ventured to assert that she had not a legal right to enter into matrimony. One of her biographers, in somewhat involved language, puts the matter thus :

"During the life of the duke, a space of five years, not a doubt was promulged, or a legal step taken to impeach this marriage. The civilians (*i.e.* the doctors of civil law), tenacious of their jurisdiction, had held that the decree of the judges was not liable to be disturbed by any extrinsic Court, and the duchess rested perfectly contented under their opinions, which though certainly sanctified by an acquiescence of ages, will presently appear to have been founded in pre-

sumption, and contrary to the wise superintending power of the common law of the land."

It is not to be supposed that Elizabeth was not perfectly well aware of the rumours afloat concerning her, and she was too shrewd to flaunt herself in the public eye by any extravagant proceeding in regard to her marriage with the duke. The biographer whom we have just quoted says "the marriage was solemnised with the utmost magnificence"; but this was not the case. The decision of the Consistory Court was given on February 10th, and on March 8th, barely four weeks afterwards, the marriage took place. To have made the affair one of pomp and ceremony would have been to court rebuffs on every side. As a matter of fact, both the date and the place were kept secret, and until Lord Masham asked permission of the King to be relieved from his court duties so that he might attend the Duke of Kingston's wedding and "give Mrs. Chudleigh away" no one knew where or when the affair was to come off. Lord Masham was a close friend of the duke's. They were boon companions, and on more than one occasion got drunk together; while Lady Masham, when she was Miss Charlotte Dives, was maid of honour with Miss Chudleigh to the Princess of Wales. The fact of the marriage taking place in mid-Lent was one of the points made by Foote in his *Trip to Calais*, the play which very naturally brought on him the dire resentment of the duchess, as will be related in its proper place.

So quiet was the affair kept that, notwithstanding the rumours current, many refused to accept the news as

true. Lady Mary Coke was quite sceptical, in spite of what should have been positive evidence—the wearing of wedding favours. She writes a few days after the marriage: “At eight o’clock went to Northumberland House. The duchess had said it was to be a private party, but she received the company in the Gallery and owned she expected a hundred people. She shew’d me a letter from Edinburgh giving an account of the great rejoicings on the news being received of Mr. Douglas having carried his cause. Some of the Duke of Kingston’s relations coming in with favours, I said to Lady Mary Fitzgerald, ‘I see a great many favours; I think this late event outdoes all the extraordinary ones that this year has produced.’ She agreed with me, but with a smile she said she thought she ought to have had a favour. ’Tis most certain Mrs. Chudleigh is her sister-in-law, and as certain that she is not the Duke of Kingston’s wife. Prince Ernest said that the Duke of Kingston had sent favours to him and his brother and asked me whether he should have worn it. My answer was that, as he had done me the honour to ask my advice, I should think his highness need not wear it till their Majesties wore theirs.”

The “rejoicings” in consequence of “Mr. Douglas having carried his cause” were not without interest to the newly made Duchess of Kingston. She was now on an equality with the “beautiful Miss Gunning” whom the Duke of Hamilton married in such breathless haste at midnight in Keith’s chapel. The duke was dead, and the duchess had married again and was now Duchess of Argyll. The Douglas “cause” was

one which touched her grace very nearly simply because it concerned the interests of her first husband's family, and she was very zealous in fighting on behalf of the Douglas-Hamiltons, who had laid claim to the Douglas estates on the failure of the elder male line of the great house of Douglas. The lawsuit was long and costly, and fierce was the feud of controversy. The efforts of the Beautiful Duchess were in vain, for ultimately the Douglas-Hamiltons were defeated, apparently to the satisfaction of the majority of Scotsmen, and no doubt to the disgust of her grace of Hamilton and Argyll. Naturally the non-success of the lady who had in a way once been her rival could not have been unpleasing to her grace of Kingston. We cannot resist giving a characteristic story of the times in reference to this lawsuit which agitated so many aristocratic circles, and, together with "Mrs. Chudleigh," furnished a subject for conversation. The heroine of the story is the Beautiful Duchess and the narrator an eighteenth-century lady whose letters have been published under the title of "Gleanings from an Old Portfolio." "Lady Harriet," writes the lady in question, "surprises me by saying she has been here with the Duchess of Douglas [who lived here till she died] and I am not a little entertained with some anecdotes she told me this morning of the Douglas cause. The duchess, she said, after warming herself with a cup or two after supper, began one night to talk very freely of her own life and adventures, among other things relating her marriage with the duke, their parting reconciliation, but when she came to the great point she declared she always favoured Mr. Douglas; but what gave her first

a desire of supporting him to the utmost was a visit she made to the Duchess of Argyll, whom she found lolling in her usual nonchalant manner upon a settee and beating the devil's tattoo with one leg over the other. Down she set herself opposite, and for some time tried to enter into conversation, till at last tired with the other's careless, contemptuous manner and impertinent answers. 'I looked her,' said she, 'in the face and thought to myself! Ay; play awa' with that bonny fit! Play awa' and show your leg, and what a bonny ankle ye ha'! Gif my duke were alive it micht cast dust in his e'en, but troth! I am a woman like yourself, and I'll gar ye rue your wagging your fute at me!'" So much for old stories.

The success of Mr. Douglas afforded Elizabeth's staunch friend, the Duchess of Queensberry, an opportunity of showing her strong individuality. She gave a ball in his honour, and, in inviting Lady Mary Coke, told her "she would not have a bone [meaning she admitted no hoops], not even in her chickings; they were, she said, to be boned before they came to table." It may be taken for granted that no lady dared to disobey the orders of the despotic duchess, and that for once hoops were tabooed.

Walpole with great alacrity circulated a statement—given on the authority of Lord Frederick Campbell—that the Archbishop of Canterbury had refused to grant a licence for the marriage of the Duke of Kingston. He was misinformed, and the duchess gave a totally different version in her defence before the Lords. However, when the time came for the ceremony there was evidently a hitch somewhere, if Thomas Whitehead,

who for years was the duke's valet, describes the scene accurately.

Whitehead compiled a series of "letters" published in 1792, the title-page of the little volume running as follows: "Original Anecdotes of the late Duke of Kingston and Miss Chudleigh, *alias* Mrs. Hervey, *alias* Countess of Bristol, *alias* Duchess of Kingston, interposed with memoirs of several of the Nobility and Gentry now living. Written in a series of letters to a gentleman by Thomas Whitehead, many years servant to the Duke of Kingston and now musician at Bath." The "Advertisement" otherwise the Preface, informs the reader that "the following letters were written at the desire and for the amusement of a particular friend. The author having since been much reduced both in health and circumstances, was advised to publish them as a means of adding to the little he now gets by his profession. He was encouraged in this idea by the rapid sale of a book entitled 'Authentic Memoirs, etc.,' containing but a collection from old newspapers and magazines. However, he never would have troubled the world with the present publication but for some disappointments and ill-treatment he experienced; which the reader will discover in the body of the work. Thus candidly confessing the motives that induced him to appear in print, he relies on the public for protection, acknowledging his incapacity as an author, but assuring them that, as this is the *first*, so shall it be the *last time* of his appearance in that character."

Whitehead is the typical domestic to be found in every great eighteenth-century household. Sly, observant, full of grumbling, always on the look-out for his own

interest, ever ready to take the side that paid him best, and, we doubt not, cringing or insolent according to circumstances, Mr. Thomas Whitehead might have stepped direct from Swift's "Directions to Servants." Although Whitehead at times indulges in scurrility and coarseness, always aimed at his mistress, while he is very rambling as to dates and occurrences, there is no reason to doubt the general truth of many of his statements. Here and there the pictures he draws of the domestic life of his master and mistress are piquant and ill-natured enough, but for the most part they do not read like exaggerations, and we give the letters *in extenso* wherever it is possible, and without altering the author's phraseology and mis-spelling of names. It will be noticed that with Whitehead Pierrepont is always Pierrepoint and Medows Meadows.

LETTER I

"She had great influence over his grace ; the duke doted on her ; she knew it well, and took advantage of it by tying him down, so that whenever she should prove herself a *single* woman he should either marry her or forfeit ten thousand pounds per ann. during her life. Some few years before her second marriage she was informed that the captain paid his devoirs to Miss Moysey, of Bath, and soon after she received a message from him, begging her to consent to a divorce, and promising her a handsome gratuity. Her answer was, not all the powers on earth could or should persuade her to it ; that she would keep as she was on purpose to plague him. She knew she

had the duke fast in her toils, and began about this time to set her art to work. She took a journey to Lanston [Lainston] for the certificate of her marriage with Captain Hervey. Being arrived at the house of the Rev. Mr. Auress [Amis] (the clergyman that performed the ceremony), Mrs. Auress informed her she could not be admitted to see her husband, as he was given over by the physicians—they did not expect his life from one minute to the other. This was no hindrance to her, as she soon forced herself into his room and accomplished her wish. This point being gained, her cunning soon made her mistress of the register-book, the leaf of which that mentioned her marriage she tore out. Being thus possessed of both certificate and register, on her return to town she employed Dr. Collier, of Doctor's Commons, and defied the captain. 'Now,' says she, 'I can either be Countess of Bristol or Duchess of Kingston, which I please.' Dr. Collier's harvest now began; he was continually invited to dinners and jaunts to Pierrepoint Lodge—in short, nothing could be done without the doctor. These intimacies continued till the marriage of her and the duke became no secret, the rumour of which, reaching the Bishop of Bristol's ears in Ireland, he hurried over to prevent it, if not too late, well knowing, should it take place, it would give his brother an opportunity of marrying Miss Moysey, of Bath, which (should they have issue) would prevent his (the bishop's) children from enjoying the paternal estate, the captain being the eldest brother. Miss Chudleigh soon received intelligence of the bishop's arrival in London;

this set her wits to work to find the Duke of Kingston and be married that very day, which she eventually accomplished.

“I make no doubt, sir, but you think it extraordinary odd, as Captain Hervey wanted to get a divorce, that he did not endeavour to prove a crim. con. with the duke, but that would have been impossible unless she had been pregnant, while the duke, his grace, being always on his guard, and so extremely cautious that, the twelve years before he married, I never saw him kiss her lips, not even when he took leave of her at Harwich, at her taking shipping for Saxony to pay a visit to the Electoress, nor at her return to England, I being present each time. He took particular care to bolt his chamber door on going to bed, either in town or country; indeed, when Miss C. had been at Thoresby or Pierrepoint Lodge the housemaids have frequently brought me a white pocket handkerchief *of the duke's*, which they said, with a smile, they found in making *her* bed. I believe this to be the strongest proof he could have obtained, had he sued for a divorce.”

Mr. Whitehead, it will be seen, starts with what nowadays would be called a “sensation.” The “tying down” of the duke and the forfeiting of “ten thousand pounds per ann.,” we are disposed to think, are fairy tales, and so also is the offer of Captain Hervey to present his wife with a handsome gratuity if she would but assent to a divorce. This is a variation on the original fable. Hitherto it was

Miss Chudleigh who wanted to bribe Captain Hervey, now it is Captain Hervey who is bribing Miss Chudleigh. The popular and inaccurate version of the business of the register is repeated, but in a more muddled form, and Miss Chudleigh's defiance of the captain and her triumphant utterances are simply inventions. Whitehead apparently disliked Dr. Collier, for no other reason than that he was the proctor engaged by Miss Chudleigh to conduct the jactitation suit. Dr. Collier does not seem to have acted otherwise than in a legal and regular manner. Elizabeth's statement to the Lords was that, after the Consistory Court had given its decision, she sent a message to the Archbishop of Canterbury by Dr. Collier asking his grace whether she was free, and that the archbishop, after taking time to consider the matter, told Dr. Collier that, in his opinion, she was a single woman, and might marry again, and, in confirmation of his sentiments, the archbishop granted a special licence. It is quite certain that she and the duke were married under this licence, and, justified by the opinion of the highest prelate in the land, Miss Chudleigh, as she believed herself to be, might well go through the marriage ceremony with confidence.

Whitehead's reference to the Bishop of Derry is, in a way, borne out by a passage in a letter from the Countess Temple to her husband. Lady Temple writes: "They say the Bishop of Derry is coming to annul the match, and that he has a living witness to produce." Was this "living witness" Anne Cradock? Had the bishop heard of Anne, and did

he want to spite his brother, with whom he was on bad terms? This is quite possible, and it may be that Elizabeth, apprehending some interference from the bishop, hurried on the marriage, and that his lordship, finding he had been forestalled, abandoned his journey. At all events, there is no evidence that he left Ireland, nor that he took any steps to stay the ceremony. As for the last portion of the letter, it may be dismissed as an echo of tittle-tattle in the servants' hall.

CHAPTER II

A hurried marriage—Whitehead's description of the wedding—The duchess is presented at Court—Her wonderful dress—A cold reception by Queen Charlotte—The duchess's lady attendants.

IN Whitehead's second letter is given the only account of the duke's wedding which is known to exist. We have only Whitehead's word for what happened, but we cannot help thinking it reads true. It is easy to understand the valet's laments over the step his grace was about to take and his dismal forebodings. The Duke of Kingston was one of the easiest-natured men possible, and Mr. Whitehead for twelve years had done pretty much as he liked, and probably had never neglected an opportunity of feathering his nest. This happy state of things was now at an end. The day of the wedding was the beginning of a new experience. He was to leave the duke's house in Arlington Street, where, in the servants' hall, he had been looked up to as a personage in favour with the duke and of great importance in consequence, and be lodged in Kingston House under the control of the autocratic duchess. It must have been intensely galling to the gentleman's gentleman, and it is not wonderful that he took every opportunity

of revenging himself when, pen in hand, he sat down to outdo the "Authentic Detail."

LETTER II

"The day of marriage, which ought to be the beginning of happiness, proved the beginning of sorrow to the duke; which will appear in the following facts. The ceremony was performed in the duke's dressing-room, at his grace's house in Arlington Street, in the parish of St. Margaret, Westminster, about eight o'clock in the evening, on the 8th day of March, 1769.

"In the morning of that day Sir James Laroche waited on the duke to breakfast, and take a walk into the city, which they frequently did. About one o'clock the same day Miss C. — called in her *vis-à-vis*, to enquire if the duke was at home. The porter informed her of his going out with Sir James. She immediately departed in search of him, and at about half-past three (which was his grace's usual time) returned again, seemingly much agitated. The porter was ordered to call Whitehead. When I came to her she asked if I knew where the duke was gone. I told her he was gone into the city with Sir James, but to what part I knew not. She ordered her carriage to turn about and go to Knightsbridge. It was near five o'clock before his grace and Sir James returned, which was very late, as he seldom exceeded the hour of four. In about an hour she returned, and was ushered into the duke's apartment, he being just come home. Ten minutes afterwards all the footmen and chairmen

were dispatched to different parts, for lawyers, clergymen, etc., etc.; and in two hours they were all assembled. Just before the ceremony began I was desired to inform those upper servants, who wished to see it performed, that they might go into the duke's dressing-room. I believe not one of his grace's servants, except myself, took advantage of this invitation; nor should I, had it not been by his command, for it was to me the worst ceremony I ever saw in my life. When it was over the duke desired me to order his coach immediately, at the same time told me to put up his dressing-things and a few other articles to send to Knightsbridge, and to be there myself as soon as possible. This being settled, and the company all departed, I took leave of my good twelve-years' fellow-servants, to mix with others whom I knew to be hypocritical, and at a house where I durst speak my mind to no one, except a footman that went with us. By the time I got to this unwelcome place, to me, the dinner and supper (being one meal), was brought into the steward's, or rather the house-keeper's room. You may believe me, sir, when I tell you that I had but little stomach to this repast, though that was the last day of my board wages. The first toast given was, 'May the single be married, and the married happy!' As I could not dissemble, I took the liberty to change it to "May the married be single, and the single happy!" They seemed thunder-struck, but asked me no questions. Soon after I was shewn the duke's dressing-room, when the maid gave me a night-cap for his grace, trimmed with the finest point lace. 'What is this?' said the duke to me

when he came to undress. I answered, 'The duchess sent it and desired your grace would wear it.' This was the first time I had the honour of calling her *duchess*; it was uttered very faintly. The next morning he did not look with that cheerfulness as usual the twelve years before; I never saw him appear so dejected. When I went to dress him he presented me with the cap, saying, 'Here, Whitehead, take this; never let me see it again.' Alas! I thought the cap would not fit him.

“. . . For a few months after the time was chiefly taken up in preparing the duchess's wedding suit, for her appearance at Court. She was so loaded with jewels, pearls, etc., that she could scarcely move: indeed, it was thought that no bride ever appeared at St. James's so richly dressed. When the bustle of visiting, etc., was over, the duke made his will, and it was signed at Kingston House by three very *creditable, respectable* men. There, sir, were L——s, a linen-draper, who then kept a shop not a hundred miles from Coventry Street, Haymarket; Sip——i, a performer on the violoncello, since turned wine merchant; and one E——s, an apothecary at Knightsbridge. These gentlemen, it was observed, might have done well enough for a cobbler, not for a duke; but, indeed, they were of the duchess's acquaintance; the two last travelled abroad with her a few years before the duke married, and were very necessary attendants, for often at dinner her grace, willing to convince her guests of the goodness of her viands, overcharged, brought on a vomiting: she then retired, and the apothecary was very useful.

“ . . . The Jew musician used to attend her grace after an extra glass in the afternoon, while she dozed on the sofa. She had an excellent strong tone through her nostrils when asleep, which overpowered his instrument ; but while awake rather through her throat piano. . . . This morning the maids were whispering and tittering to each other. I soon arrived at the bottom of the secret, which was this : The duchess, undressing the wedding night, speaking to her maid, says : ‘ What do you think, Sally ? ’ ‘ I don’t know, ma’am. ’ ‘ Ma’am, indeed ! Don’t you know that I’m a duchess now ? I desire, therefore, you will remember for the future to pay me the respect due to my rank by answering me “ Yes,” or “ No, and please your grace,” or “ I will, and please you, my lady duchess. ” ’ The girl begged pardon, and promised to remember her grace’s instructions.”

It would appear that Elizabeth’s second marriage was as hurried and as scrambling as her first. If Whitehead’s account is true, and there is no reason why it should not be, the affair suggests an eighteenth-century comedy more than a scene in real life. We have all the elements of drama in the duke sallying forth as usual for a placid constitutional with his friend, Sir James Laroche (who afterwards stood bail for the duchess in the time of her great trouble), in the hasty visit of the lady on matrimonial thoughts intent, in her vexation at finding her prospective husband absent, in her excited and fruitless chase after him up and down the town, in her return in the afternoon, probably boiling over with passion at her failure. We may be

pretty sure Whitehead was not inclined to give her much information, and one can imagine the lady speeding back to her Knightsbridge house more determined than ever to finish the business that very day. What had happened to make the marriage a matter of such urgency? Was she really afraid of the coming of the Bishop of Derry? There is no information on this point. One of Elizabeth's strongly marked characteristics was her self-reliance and individuality. She asked no one's advice when faced with a crisis, but went her own secretive, masterful way. The circumstances connected with her marriage to the duke are as elusive as those of every other episode of her eventful life.

It is, however, very clear that, once married, the duke and duchess were constant companions. Immediately after the ceremony she carried him off to Kingston House, and from that time to his death, a little more than four years after, they were seldom separated. Whitehead's insinuations as to her tyranny are not to be accepted without question. The Duke of Kingston's brain was never robust, and there is every probability that at the time of his marriage the creeping paralysis, or palsy, as it was called, was beginning to assert itself. The duchess was always with him, probably because she recognised the necessity of constant watchfulness.

From the very first the gentleman's gentleman makes no secret of his hatred towards his mistress, and one can imagine his sneer and his disgust when he had to speak of her for the first time as "duchess," even though "it was uttered very faintly." The fellow

evidently fancied himself a humorist, and hence the introduction of the sprightly talk from the servants' hall. His comments on the preparations of the duchess for her presentation at Court on her marriage are probably well founded. Elizabeth does not appear to have had a particularly cordial reception at the Court. The Countess of Temple, describing the drawing-room and the presentation of the duchess, says : " The King hardly spoke to the bride, the Queen little more. Lord Bristol did not appear. Augustus chose to be there, and said he came to take one look at his widow. She had a white-and-silver [dress] and pearl lappets, which were the most curious piece of workmanship that was ever seen ; they looked like the finest Brussels point. Nobody ever saw such before. The pearl gown is not finished." Lady Temple adds : " Politics subside, and nobody talks of anything but the Chudleigh farce, which may end in a tragedy. The Duke of Kingston gets drunk every day with Lord Masham, which must be to drown care, for that vice has never been reckoned amongst his faults." Of the wondrous lappets, Walpole sarcastically says they were worn " as a proof of her purity and poverty." Lord Masham was a Lord of the King's Bedchamber. When he died, in 1776, the Barony of Masham became extinct.

In his third letter, Whitehead harks back to the journey Elizabeth took to Saxony for the benefit of her health, as she alleged, but really to get rid of her ill-humour, and to read the inconstant duke a lesson in consequence of the affair of the little milliner of Cranbourne Alley. The valet is provokingly erratic

in his reminiscences, and oftentimes one has to judge by the context when and where the incidents he is relating took place.

LETTER III

“I think I cannot amuse you better at present than by giving you a description of the coach ordered for the Saxony journey, as mentioned in my last letter. It was bespoke of Mr. Wright, in Long Acre. You must observe, this was Miss C.’s first journey thither while she was maid of honour. There was not a foreign ambassador at our Court but Miss C. provided an entertainment for, at some time or other; amongst whom was one from the Electoress of Saxony. The high character he gave his mistress of Miss C. induced her highness to send her a pressing invitation to her Court, which she readily accepted. Accordingly the carriage was ordered of Mr. W., as aforesaid. This was to convey her over the Alps, etc., in her continental journey. It was to hold four or five persons on occasion; to be made very strong, without a box (instead of which a large trunk was contrived, to hold her clothes, with a seat on the cover, having elbows and back like an easy-chair: it was fixed on the spring of the fore-carriage). Her domestics were a manservant of her own and the Marquis of Granby’s hussar, who, by permission of the marquis, attended her through the country—he being well acquainted with it, having been in the German service some time before. He was a very active, clever, handsome fellow, and a great favourite with the marquis, so that he



GEORGE III. ON HIS ACCESSION

always attended him wherever he went ; he was with him at his unfortunate death, afterwards, at Scarborough. I need not acquaint you, sir, that the marquis was one of the most free-hearted noblemen, both in house-keeping and private charities ; 'tis a pity this should accelerate his much-lamented death, which certainly was the case. I shall proceed (begging your pardon for this small digression) to mention Miss C.'s other attendants. She had at this time a Miss Bate, daughter of Captain Shuckburgh's wife, by a former husband, and sister of Sir George Shuckburgh ; she was her companion many years before, and a few years after, her marriage with the duke, but was obliged at last to take French leave, owing to the ill-treatment she received. This was about a year after I quitted the duke's service, for the same reason, and came to reside in Bath. There was likewise companion to Miss C. at the same time a Miss Penrose, daughter of the Rev. W. Penrose, of Penryn, in Cornwall. Of both these ladies I intend to give you some account hereafter. . . . That summer the duke visited Weymouth for the pleasure of bathing. This place his grace is very fond of ; he much regretted the absence of Miss C., being a very shy man, and not fond of new faces. Miss Bell Chudleigh, her cousin, was then at Weymouth [her mother lived about twenty miles from there, at Chalmington, twelve miles from Dorchester]. Whether she was placed there to watch the duke, or not, I cannot say, but I am certain they need not have doubted his constancy, as I could, I think, safely swear that he never knew any other woman after his first connection with Miss C.—an instance of fidelity which but few in his

grace's situation would have shown for her. Miss Bell had some ladies with her, whose names I have now forgotten. She was the only female his grace visited during his stay there. He generally rode in the morning, after bathing, until dinner-time, and in the afternoon paid Miss Bell a visit to tea. The duke was ever fond of keeping good hours."

The travelling carriage which Mr. Whitehead describes with more freedom and attention to details than we dare reproduce would seem to have been very much like that constructed for Buonaparte for use while on his campaigns. No doubt it was convenient enough, and unless the valet has had recourse to his invention (and malice), was a proof of the lady's originality.

The Marquis of Granby's hussar who acted as Elizabeth's attendant was, according to Sir Joshua Reynolds, a Swiss in the Hessian Hussars. He was said to have rendered some timely service in action to the Marquis of Granby, who, in consequence, employed and befriended him. He accompanied Lord Granby to England after the close of the German War, continuing as his lordship's devoted attendant until the former's death. The marquis was a friend of the duke's, and lived in Rutland House, next to Miss Chudleigh's house in Knightsbridge.

Miss Bell Chudleigh belonged to a branch of the family settled in Dorsetshire. By this time his grace apparently had got tired of the milliner, and, having sent her about her business, was amusing himself at Weymouth, which the King was beginning

to patronise. Whitehead, of course, cannot resist a thrust at Elizabeth, and his insinuation that she had put her cousin to spy on the duke is wholly without foundation. The remark that 'the duke was ever fond of keeping good hours' bears out Lady Temple's statement as to his habits of sobriety.

CHAPTER III

The duchess's musical evenings—Miss Bate and Miss Penrose—The heroine of Windsor Castle stairs—Whitehead rakes up an old scandal and adds a new one—The Duke of Kingston's Light Horse : its history—Field, the duchess's lawyer.

LETTER IV. is evidently intended to throw discredit upon the duchess, by a side-issue. It is quite outside the thread of the narrative, and may be left in the obscurity which befits it.

LETTER V

“ Miss Chudleigh's second journey to the Electoress of Saxony was, I believe, two years only after the first. The duke was at that time at his seat at Thoresby, and Miss C. with him on a visit, which she often paid him in the summer when she was not in waiting. She had not been there more than a week before she received a letter from the Electoress (which was forwarded from her house at Knightsbridge under cover to the duke) informing her that her highness was taken ill of the small-pox, and could not die in peace without once more beholding her dear Miss Chudleigh, and begging she would immediately set out for her palace. A great bustle

now commenced. Miss C. gave orders to prepare all things for her departure, as she intended to set off that very night for Knightsbridge, which she did. Miss Bate was to attend her, she having been with her on her first foreign journey.

“. . . As I promised in a former letter to give you some further account of this young lady, I think this place not very improper for that purpose. I have already acquainted you with her parentage; she was a very agreeable young woman. On Col. Shuckburgh's decease, her mother enjoyed the widow's pension till her death, when it was continued to Miss Bate, at the instance of Miss Chudleigh. This was one good act of hers, however, you will say; but, sir, she afterwards forfeited the applause she would otherwise have deserved by endeavouring to get Mr. Field, the attorney, to make a codicil to the duke's will, wherein he had left Miss Bate £60 per annum for her life. This was just before his death. Had Mr. Field consented, the major part of the will would have been set aside, and Miss Bate become one of the sufferers. She was an excellent singer, had a strong, pleasing voice, and a very good method. At Miss C.'s private concerts she sung with Miss Brent, pupil to the late Dr. Arne; their voices were so much alike that, were you in the next room, you would have found it impossible to distinguish one from the other. Miss Bate sung 'The Soldier tired,' and 'I know that my Redeemer liveth,' most admirably. She resembled Miss Brent as much in stature and features as in voice. Soon after the duke's death Miss Bate's ill-treatment obliged her to quit the

duchess, as already related ; she came to Bath, and soon married the Rev. Mr. Williams, of Lad-Dock, near Truro, in Cornwall, whom she certainly makes happy, being mistress of an amiable temper and disposition.

“ . . . Of Miss Penrose I can only say that she was a beautiful, fine-grown young woman, about nineteen or twenty. She became the favourite of the duchess on Miss Bate's leaving her ; was with her grace in France, where she soon experienced the same treatment as her predecessor. This determined her to follow her example, which she accomplished not long after, in getting well married, and returning to her parents in Cornwall.

“ . . . As the duchess had now but one maid of honour left (the name her upper maids usually went by) she raised her to succeed Miss Penrose. This young woman she brought from Plymouth ; her surname, or parentage, I am unacquainted with, as she always went by the name of Betty. She was of short stature, but had a very pretty face. Betty being with the duchess, while Miss C., in Saxony, a footman of hers, highly favoured on account of his musical abilities (who used to play a second horn to Lilly, whose son the duchess promoted to be her page afterwards in France), paid his addresses to her ; his name was Presly, a German. Betty received his devoirs very favourably, though he was as ordinary a man as ever you saw. Miss C. was soon informed of their mutual attachment by one of her spies, and poor Betty lost her lover by the following stratagem. Miss C. sent for Presly, told him she had left something at Calais,

which he must return for, as he was the only person she could confide in ; desired him to pack up what things he should want on his journey, while she finished her letter, which he must deliver to her steward, Mr. —, the instant he arrived. When the steward received it, he found another letter directed to Kingston House, with orders to send Presly immediately ; which he did, telling him that what Miss C. wanted was left there. After refreshing himself he set off for England, and at Kingston House delivered it to Mr. Williams ; this contained *his discharge* in Miss Chudleigh's own handwriting ; however, he soon got a much better place.

“. . . The duke, finding Miss C. was determined to set off that night, ordered his horses to her carriage, to drive her to Nottingham ; this, I have observed in a former letter, was twenty-three miles over the the forest. It was twelve o'clock when she set out, a very dark night, and not one mile of turnpike road ; however, the boys, by going it so often, took her safe to Sims's, the 'Black-moor's-head,' in about five hours. While she was gone this journey Colonel Litchfield and Captain George Brown were continually with the duke : these gentlemen had apartments at his grace's house whenever he resided in Nottinghamshire ; they were both officers in the regiment of light horse which the duke raised during the rebellion in the year 1745, and the first ever raised in England. I believe the duke's stay at Thoresby, after Miss C.'s departure, might be near three weeks ; during that period he appeared more thoughtful than usual. The colonel and captain, guessing at the cause of his

uneasiness, took the liberty of addressing him on the subject : 'My lord, Elizabeth, the servant of Miss Chudleigh, is a fine young woman; we wish your grace would . . . marry her. You do not want a fortune, -but an heir to your estate. . . .' The duke turned a deaf ear to their advice. Miss C. so hung on his heart that it was out of the power of any to persuade him to shake her off. Had he followed their instructions I think he would have lived many years longer than he did, as I am confident that he never enjoyed a week's happiness after his unfortunate marriage. This young woman's name was Elizabeth Skinner; she was (as I have heard the story) left in a basket, when an infant, at the door of Mrs. Chudleigh, then housekeeper at Windsor Castle, who brought her up and gave her a good education; she was supposed to be the illegitimate child of one of Miss Chudleigh's brothers who was in the army, and killed abroad. At the age of sixteen Miss C. took her for one of her maids of honour, as she called her upper maids. Indeed, it was currently reported by some people that she was Miss Chudleigh's own child by the duke; that she lay in of her at a house she then had at Finchley. If so, she was very deficient in maternal tenderness, as I really believe she broke the poor girl's heart. She died at Thoresby, the year after the duke's marriage. The day before her death I went to see her; she told me she was very ill, and, if she quitted this life, she hoped the duchess would behave better to her successor. Within half an hour of her decease she sat up in her chamber, but soon desired to be put to

bed; she there asked for pen, ink, and paper; which being brought, she took the pen in her hand, attempted to write, and died in a moment. The duchess seemed to be shocked at the news of her death; ordered everything to be ready for the funeral, and said: 'Poor Elizabeth! she shall have a monument.' Perhaps her grace might have bespoken one, but the mason forgot to make it, and, to her honour be it mentioned, poor Elizabeth was ordered to be buried close to the park pales. I saw her grave when I left Thoresby, about three years afterwards; there was no monument or tomb-stone; and, should any of her remains be found hereafter, it will be thought (not without reason) she destroyed herself, being interred the north side of the chapel."

Whitehead here takes up an old scandal. The story of the finding of an infant on the stairs leading to Mrs. Chudleigh's apartment in Windsor Castle we have already dealt with (see vol. i. p. 176), and was doubtless true; but there is no foundation for the rumour connecting the affair with Elizabeth.

The Duke of Kingston's Light Horse, which the duke raised at his own expense during the rebellion of 1745, deserves a passing notice. The regiment rendered good service throughout the rebellion and practically originated the reinstatement of light dragoon regiments which had fallen somewhat into disrepute in the British Army. The horses were distinguished by long tails, an example followed in 1747 by "Cumberland's Dragoons," a fashion afterwards abandoned when cavalry chargers were docked

to an absurd and cruel degree, and on more than one critical occasion, as Mr. Walter Evelyn Sutton tells us, the consequent torment of flies came near to stampeding them at the battle of Culloden. Kingston's Light Horse greatly distinguished itself in this engagement, and three troopers in it, Nottingham butchers by trade, were credited with killing fourteen of the enemy.

Shortly after marching south to Leicester, it was disbanded, to be revived after a fashion in the early part of George III.'s reign, when it was called Elliot's Light Horse (now the 15th King's Hussars). Previous to the organisation of "Honeywood's" and "Elliot's" Light Horse, light cavalry had been during a considerable time out of vogue in the British Army. A light troop only was attached to certain heavy dragoon regiments, but the services of "Kingston's Light Horse" during the rising of '45, and the "Duke of Cumberland's Dragoons" during the Flanders campaign of 1747, had proved the efficiency of this arm. "Elliot's" was a sort of lineal descendant of both of these regiments and was recruited from a superior class to that ordinarily available, and, strange to say, included a large body of *ci-devant* tailors.

In his reference to Miss Bate, Whitehead is the characteristic tale-bearer of vague whispers, and we are left in doubt as to what the young lady's ill-treatment by the Duchess was. If the words mean anything at all, Whitehead would seem to be thinking of her legacy and regarded as a grievance something which never happened. Elizabeth's negotiations with Field took

place while the duke was lying at the point of death, and she was then so entirely engrossed by the crisis in her affairs, she was not likely to give Miss Bate a thought. Miss Penrose proved to be a traitress to her mistress in regard to Foote, as will be seen later on.

The attorney Field, who makes his appearance at intervals through a series of years, was evidently quite in the confidence of Elizabeth and no doubt knew the true story of her marriage. It may be that Elizabeth acted on his advice when she took the fateful journey to Lainston to settle the question of the register, and it is pretty certain that it was he who suggested utilising the antiquated process of jactitation of marriage. Such a suggestion could only have come from a lawyer. Field was useful to Elizabeth in ways other than in questions of law. He helped her to raise money when she was in debt and difficulty, and she gave him a letter of attorney by virtue of which he received her salary (which was £400 and not £600 as Walpole states), as maid of honour, no doubt by way of repayment of the loans she had effected. Later on Mr. Field played a most important part in several vital matters.

As to the story of Elizabeth Skinner, the foundling of Windsor Castle, being a better wife for the Duke than Elizabeth, it reads remarkably like the conclusion which servants chattering about the affairs of their master and mistress might come to. No doubt Whitehead used his eyes and his ears, but he is hardly likely to have overheard the conversation which he sets down with such precision, accompanied by plain speaking

which we deem unnecessary to quote. At the same time, in the free talk which men indulged in over their wine in those days, it is quite possible the colonel and the captain might have suggested something of the kind to their host. The malice contained in the last words of the letter is pretty evident.

CHAPTER IV

Whitehead's letters continued—A reminiscence of Madame de la Touche—The duchess's passion for angling—A day's fishing at Rickmansworth—Whitehead's allegations against Dr. Collier, the duchess's proctor—How the duke and duchess journeyed to Weymouth—Whitehead's stories of the duchess's tyranny.

MR. WHITEHEAD is fond of reverting to the halcyon times when everything was easy for him and no questions were asked as to where the money went. He dwells with fond remembrance on the days of Madame de la Touche, and does not omit to draw a comparison between the French lady and the duchess, of course to the disadvantage of the latter. But according to a reference to Madame in a French biography of the duchess, one of the reasons given by the duke why he was anxious to sever his association with her was the lady's extravagance. Probably she never troubled Whitehead to give an account of his expenditure, and naturally she would be popular. The careless, good-natured duke, who would rather pay twice over than dispute a tradesman's account, was exactly the kind of master to suit Mr. Whitehead, who, we may be sure, always had a keen eye for his "perks." When the duchess came on the scene no

doubt she "wanted to know, you know," greatly to Mr. Whitehead's disgust.

LETTER VI

"You have often heard me mention Madame la Touche. I saw some lines written in one of the pavilions, on the right side of the large cascade, opposite the southern part of the house at Thoresby, supposed to be by her; they were:

"There is a lady in this pavilion who wishes the Duke of Kingston a good wife.

"Give me the duke, and ask me what's my bliss.

I'd clasp him in my arms and answer, This.

I would not part with what my arms enfold

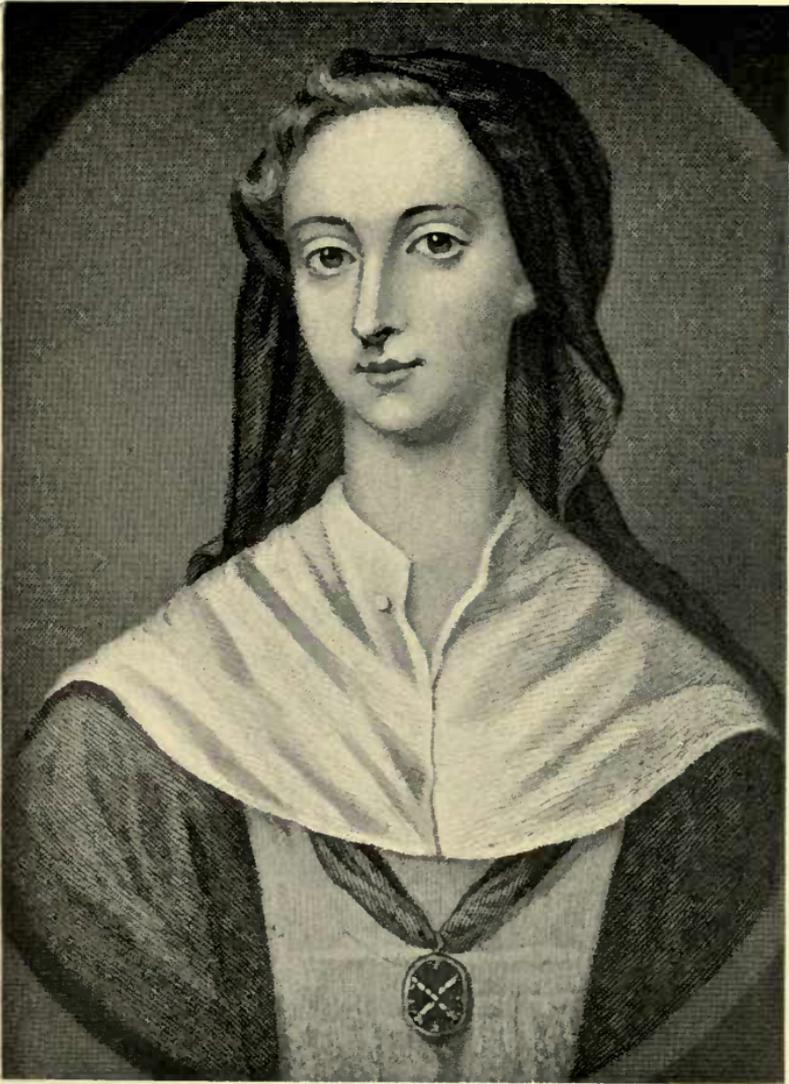
For rocks of diamonds, or for hills of gold.'

"Madame la Touche was a fine, comely woman, of a brown complexion and black hair; the duke fell in love with her at Paris, in his younger days. She was the wife of some person of consequence; an elopement soon took place. A vessel being ready to receive her, the captain, whose name was Joncœur, brought her to England, and had apartments given him by the duke at his house in Arlington Street, where he continued till he died, as he durst not return to France. Madame la Touche did the honours of the duke's table like a duchess for many years, had the love of all the neighbourhood for her bountiful disposition; yet she rather added to, than lessened his grace's fortune, by good economy. When Miss Chudleigh began her fascinating arts his passion for La Touche became cooler every day, till their separation; on her departure

for France there was not a dry eye amongst the poor people near Thoresby. She had a small cottage and menagerie (*ménage*?) in Cocklewood [which wood is mentioned in *The Miller of Mansfield*] within view of Allerton and the church and spire of Edwinstow. Here she used to employ her leisure hours; her chief delight was in pleasing the duke and endeavouring to make him happy. What a wide difference between her and her successor! the latter always teasing him for money to throw away in jewels, or other finery, except what she deposited in the French funds, which was very considerable, and driving his friends from his house and person, whilst the former welcomed them with unaffected complacency and respect. She died in France about a year or two before the duke's marriage. The woman servant she took abroad with her was a native of Edwinstow, her name Betty Bean. At her mistress's death Betty Bean returned to her native village (Madame de Beghn) with an annuity sufficient to keep her for life. In the room where Captain Joncœur died hung the portrait of Madame la Touche. When the duchess, some years after, had taken everything from Arlington Street house that she chose—this apartment was Mr. Poynter's—she told him he might take that picture. He thanked her grace, accepted it, and I make no doubt but he has it to this day, in memory of her goodness to the duke and family. I should have remarked to you, sir, that after La Touche's elopement from France the duke never revisited Paris, for fear of the resentment of her friends; 'tis reported they burnt him in effigy.

“A circumstance or two just occurs to my memory, that happened before Miss Chudleigh’s marriage with his grace, which shewed her dislike to me, though for what reason I know not, as I always paid her proper respect ; indeed, rather more before than after she was duchess. On a journey from the West, we put up at the ‘Red Lion’ in Bagshot. The moment I got off my horse I chose a chamber for the duke. When I had got the bed made, and his grace’s things properly disposed, Miss C. desired to be shown the rooms. ‘Whose room is this?’ said she, pointing to the duke’s. When the maid informed her that I had chosen it for his grace she began abusing me to her, and her own woman, telling them I was an impudent fellow to dare choose before her. Now, whether this was to blind the chambermaid of the inn, or not, I cannot tell, but should rather think it was, as she fixed upon the very next room for herself.

“Another time she was with the duke in Buckinghamshire, at an old mansion that belonged to his estate near Ainslip (? Ruislip). His grace sent me to the town, while he took an airing on horseback. As I passed through the yard, in company of some of Miss C.’s servants, Miss C. was angling in the well. However incredible this may seem, it is positively true. At my return she was in the same situation. I do not believe she caught many fish ; would to Heaven her hook had not been baited for the duke ! When she saw me she uttered a whole volley of abuse, saying she would inform his grace I had taken the servants out a-drinking ; that I was



CATHERINE HYDE, DUCHESS OF QUEENSBERRY

a sottish, idle fellow. It was in vain to answer her ; she would not hear a word."

LETTER VII

"When Miss Chudleigh quitted her villa at Finchley she took Percy Lodge, near Colnbrook, for the convenience of receiving the duke's visits more privately, till her house was finished at Knightsbridge. This was a delightful spot, though a few days soon tired them. When this was the case, cold provisions were got ready, to take the next morning to a little farmhouse near Rickmansworth, close to the water, where was the best trout-fishing and the largest and finest coloured fish. Hither they repaired in his grace's coach, passing away the time till evening, when they returned to Percy Lodge, frequently without catching a single fish. This was the usual jaunt every other day, till Miss C. was obliged to attend in waiting. The next summer, her house at Knightsbridge being finished, Percy Lodge was given up ; the piece of water near Rickmansworth was then taken by the duke at the yearly rent of £10, of one farmer Budd—though, poor fellow! he did not deserve the name of *farmer*, for of all the poverty-struck places I ever saw, this was the worst. A new route now took place : the party to Budd's farm set out from London of an afternoon, lying at the White Horse at Uxbridge, where they met Miss Chudleigh and companion, with a man and maid-servant. I took care to provide plenty of cold victuals and beer, that poor Budd's family might have a bellyful (which I believe was seldom the case, but

upon these occasions), sending the provisions to the little farm, with plenty of rum for Miss C. *to put in her shoes*. I have known her use two quarts in a day, being obliged to change her clothes twice or thrice during that time, standing from morning till evening in the wet, sometimes, too, without catching a single fish. When they began angling I set about preparing a stew of chickens (always acting as cook on these occasions) which was done in a silver pan, fixed in a box about twice the size of a large tea-chest, keeping it hot, till wanted, by an iron-heater put in the box. After dinner, by the time the empty things were packed up and sent away, coffee and tea succeeded, which soon brought on night, when we returned to our inn. This continued sometimes for three or four days successively, if they met with sport. I believe every pound of fish they caught, on an average, cost the duke five guineas, as he never grudged any expense attending these parties. I knew him pay Lowe, fishing-tackle maker, in Drury Lane, a bill of £50. Soon after Lowe's death his executors brought another account of the same articles. I informed his grace he had paid it to Mr. Lowe himself; that I saw the receipt given at the bottom of the bill, and if he would search the box where those bills were kept that he paid himself he would certainly find it. He answered he did not know where to look for it immediately, but believed he had paid it. However, it did not signify; and he paid it over again: thus he lost £50. These jaunts to Budd's did not last very long; for, on the purchasing of Pierrepont Lodge, Budd's water was given

up, to the poor man's sorrow and my comfort : for, as Hodge says in *The Maid of the Mill*, 'I had a wearisome time of it.'"

LETTER VIII

"A few days after the duke's marriage his grace asked me if I knew where Dr. Collier lived. I told him I did not. He directed me, and said, 'Take that; it contains £300. You must see the doctor yourself and give it into his own hands.' Accordingly I waited on him at his apartments in Doctor's Commons. He received me very politely and desired I might be seated while he examined the contents. On opening the letter he seemed surprised, changed countenance several times, and at last told me it required no answer. I believe he expected as many *thousands*, through the influence of the duchess. But her turn was now served—his assistance was no longer wanted; consequently no more invitations or presents for the doctor. I heard him mutter something to another limb of the law as I went out, intimating, as near as I could understand, that he would be even with them yet. In a day or two afterwards we were ordered to remove to Pierrepoint Lodge, in Surrey, till the preparations were ready for their graces' appearance at Court. We set off, accompanied by Miss Bell Chudleigh, Miss Bate, and servants. The only person that seemed pleased with this journey was the duchess, as at every inn we stopped the landlord or landlady complimented them with, 'God bless ye both, my Lady Duchess

and my Lord Duke! May you long be happy!’ She smiled with an inward satisfaction; but the duke, I believe, had ere this been convinced of his mistake in giving up his freedom to one who was too artful for him. However, it was now too late to reflect. I think I have before informed you that, from the time of his wedding till I quitted his service, four years, I never saw him cheerful as before, but always sighing and thoughtful. We stayed at Pierrepont Lodge a fortnight, and then departed for Kingston House (which was commonly called before this time Miss Chudleigh’s), Paradise Row, Knightsbridge. Her grace was not much troubled with staying at home to receive the compliments of the nobility and gentry, as usual on such occasions. Not a single lady of quality or fashion paid her a visit, except the Duchess of Queensberry and Lady Marsham [Masham]. The latter had been fellow-servant with Miss C., if I may be allowed the expression, as maid of honour to the Princess-Dowager of Wales; her maiden name was Dives.

“The next journey we took was to Weymouth, of which place his grace was particularly fond (as I have remarked before) on account of bathing in the sea. Taking the city of Bath in our way, we stopped some few days at the Alley Baths, a house belonging to the duke; here the duchess began to unmask and shew her authority. She engaged a pair of chairmen at 12*s.* each per week. One week was expired, though their stay was to have been but a few days. The second day of the next week orders were given to prepare for continuing the journey; and the next day, just at the

duke's dressing time, the duchess ordered me to go to the Mayor, and know of him if she was obliged to pay her chairmen for a fortnight, as she would leave Bath a few days before the time. I thought this very mean, and answered her, I was preparing his grace's dressing and begged she would excuse me from going ; that her own servants were below, and quite at leisure. I then left her, and retired to the dressing-room, whither the duke soon followed and told me her grace insisted on my going. I therefore obeyed her commands, though much against my will, by waiting on his worship (Mr. Alderman Chapman), who informed me that, as the agreement stood, the duchess must certainly pay for the fortnight. I returned not a little pleased with my answer ; told it to the duke, and heard no more of the affair.

“ The next evening his grace ordered me to have the carriages, etc., ready by ten o'clock the morning following ; he should rise early, he said, and dress, that the duchess might not wait. Everything was ready at the time appointed, but her grace, who ever endeavoured to thwart the duke's punctuality, dispatched her servants for different tradesmen to shew her articles which she had no manner of reason for ; thus prolonging the time till one o'clock, when they set off for Weymouth. I believe, during this time, the duke was up and down stairs fifty times, with gloomy looks, but said nothing ; he felt the matrimonial chains gall him severely. It was one o'clock in the morning before we reached our inn ; and a dismal one it was, without fires, or lights, the landlord being gone to bed. However, we knocked him up, and continued there till

eleven in the morning, when we set out, and arrived at Mrs. Templeman's at Weymouth early in the evening, the lodgings his grace usually resided at. He bathed but a few times, and did not seem to enjoy the place as formerly. The Rooms, then kept by De la Motte, they frequented but little, and saw no company during their stay, which was but short. The time now drew near for our return to Kingston House ; the duke addressed me, saying, 'Whitehead, are my things all ready? I shall have the wheels running round to-morrow morning by six o'clock at farthest, as I cannot bear to see so many people crowding about the carriage always when we set off ; by going so early, we may avoid them. Call me at five, to give me time to prepare for the journey.' Everything being ready at the time appointed, the duchess, with her usual affection for his grace, began throwing all his things she could reach from the coach into the street, and made her footman take out the rest, saying, 'What does that fellow mean (meaning me) by incumbering the carriage before my baggage is properly disposed of?' One of the duke's footmen came and informed me of what had happened. I immediately acquainted his grace, though by this time he plainly saw the sport himself : alas ! it was sad sport to him. I never saw him with a more downcast look : he walked backwards and forwards from the porch where the coach stood to the hall, and never uttered a word till the servant had replaced the different articles. There were by this time near an hundred persons assembled round the door, who witnessed my good lord's disgrace. The duchess turned with her usual dissimulation to the duke, saying, 'I am ready ; come,

my dear lord, shall we go?' Who answered, 'My dear ma'am, if you please,' shewing no resentment of his ill-treatment. Indeed, he was ever of a placid disposition."

The story of Whitehead's visit to Dr. Collier must be accepted with reservation. Collier was the proctor who acted for Elizabeth in the jactitation suit, and that the duke should pay his fees was only natural. Whitehead may have been sent with the money, but that Dr. Collier "changed countenance several times" and that he should mutter "that he would be even with them yet" is extremely unlikely. Whitehead's malice in insinuating that Dr. Collier had been in secret collusion with his client and that he expected "thousands" for proving that the ceremony at Lainston was no marriage is too evident. At the time Whitehead was sent to Dr. Collier—assuming, of course, that this was the case—the valet could not have known the history of that marriage. No one did until the trial for bigamy took place. When the duke was married Anne Cradock was an unknown person, and solely on her evidence, given seven years after Whitehead's visit to the proctor, was it made evident that, had Captain Hervey chosen to produce her as a witness for his defence the Consistory Court would never have decided in favour of Elizabeth. Whatever the talk may have been at first, it was finally accepted that the jactitation suit was conducted fairly and squarely, and no slur was ever cast on Dr. Collier.

The duke's depression and gloom referred to by Whitehead were attributed by the earlier biographers to the "tyranny" exercised over him by the duchess.

Was it tyranny or wifely solicitude? Creeping paralysis is not a question of a few weeks, but of a lengthened period. It is more than probable that already the duke was showing signs of the decay which brought about his death, and that the alleged "harrying" on the part of the duchess was due to her desire to counteract his fits of melancholy. The solemn moralisings which the author of the "Life and Memoirs" indulges in when summing up the situation may be taken to represent the attitude of most of the writers who have essayed to satisfy the cravings of the public for "revelations" concerning "the notorious Elizabeth Chudleigh." "Let us now look," remarks the sententious scribe, "to the character of his grace of Kingston, and consider it in comparison with a few traits of his duchess's disposition. The inquiry will illustrate this observation, that love is not the result of admiration from persons possessing similar dispositions, but may submit where the parties are of minds diametrically opposite. The duke was mild, generous, unassuming, and modest in the extreme. Ostentation he detested, and of pride he was devoid. As a husband, he blended with the ardour of love the sincerity of friendship; and the happiness of his wife seemed the great end of his views. The duchess was presumptuous, vain, imperious, and passionate. In the height of pride and insolence she would often compare herself to Juno. She was ostentatious to excess, yet meanly avaricious and cunning, and a dupe to the grossest flattery. Connected with such a woman, it cannot be supposed that such a man as the Duke of Kingston could enjoy connubial happiness; but his duchess had so fascinated

his mind, and obtained such despotic sway over his reason, as enabled her to turn his understanding to every measure her passions, inclinations, or caprice dictated."

Does not this read as if the author had more regard for his stilted language than for truth? It is worthy of note that not one of the gossiping letter-writers of the day, the Walpoles, the Delanys, the Cokes, who were in touch with the duke and duchess and their surroundings, have a word to say bearing out the assertions of the anonymous biographers who wrote after the death of the duchess and who were dependent upon what they could pick up, possibly from discharged servants. This fact alone ought to make one slow to believe the version of the married life of the duke hitherto accepted without question.

CHAPTER V

A trip to Plymouth—Whitehead's squabble with the duchess—Christmas at Pierrepont Lodge—How the evenings were spent—The duchess's black boy—A merry party at *The Beggar's Opera*—Miss Brent, the popular vocalist—Sir John Fielding and David Garrick.

TOWARDS the end of the ninth letter Mr. Whitehead excels himself. After exasperating the duchess beyond endurance by refusing to obey her orders he sneaks away, "leaving the good duke to her fury," as he puts it. On second thoughts he graciously consents to "comply with the duchess's request," adding, with superb condescension, "as the only means of giving my worthy and honoured master some small cessation from the clamours of an unruly tongue." The estate mentioned near Ivybridge, no doubt, is the property purchased by Colonel Chudleigh previous to Elizabeth's birth.

It is to be regretted that there is not a description of Whitehead himself from the pen of the duchess. Some entertaining reading, one may be sure, would have been the outcome; but it is one of the singular features of the history of Elizabeth that there is little emanating from herself outside an autobiographical sketch, her address at the trial, the letters written

during the controversy with Foote, of which it may be doubted whether she was the author, and a fragment of a correspondence with one of the adventurers of whose wiles she became the prey when getting on in years. During her whole life Elizabeth Chudleigh seems to have been a centre of interest, of curiosity, of gossip; but we rarely get near the real Elizabeth, and all that we know has been passed through the sieve of other people's opinions and prejudices. In judging her, therefore, considerable allowance must be made for this fact.

LETTER IX

“We are now got back to Kingston House. Nothing happened worth mentioning during this journey. I shall leave the domestic occurrences of Kingston for the present, and give you some account of our next excursion, which was to Plymouth. When we arrived there a messenger was dispatched from the ‘King’s Arms,’ the inn we put up at, to Mount Gold, a pleasant cot belonging to the widow of Captain Yeo, to acquaint her of their arrival. The messenger soon returned, desiring to have the happiness of seeing their graces as soon as convenient to them, and that they might bring such of their servants as were most necessary about their persons. The house being so small could only accommodate two men attendants and a maid. Accordingly the carriage was ordered to take them, and another for those servants who were to attend. It being but a little distance from Plymouth, we soon arrived at a small,

but neat place, clean and compact, with a most delightful view of the sea in front, Mount Edgcumbe, and Plymouth on the right, to the west; and on the east a view of Mr. Parker's country seat, a gentleman well known on the turf, and famous for breeding many capital racers. I think no situation can be more delightful, especially at the flowing of the tide.

“Mrs. Yeo received her visitors with the greatest pleasure, and so hearty a welcome was extended to each of their attendants that in a few days there seemed a change in every one's countenance; even the duke began to be cheerful, and lost his usual melancholy. His hostess, by her attention and hospitality, diffused a spirit of love and harmony through the whole house; at least, I cannot account for so sudden a change any otherwise. During the whole time of our stay here, which was near three weeks, the weather proved remarkably fine; this gave their graces an opportunity of enjoying many select parties, both by land and water. One in particular I had the pleasure of being present at, which was a trip to see the Eddystone lighthouse: the late Admiral Spry was of the party; but, to our great disappointment, when we were within a league of the lighthouse the tide turned. As it was now against us, and the sea rough, the waves running high, the admiral said it was in vain to attempt to land, and advised them to tack about for the village of Cawsand, on the south-east side of Mount Edgcumbe. He ordered the men to get some lines ready, as they got nearer land, to try for mackerel; and in the meantime entertained the company with the history of the lighthouse. He

said two or three men were stationed there for a month, though sometimes it would be two or more before they could be relieved on account of the difficulty of getting near the rock; that they had plenty of salt provisions and other necessaries, and in the winter-time abundance of every sort of wild-fowl; they pot down what they can, and use the rest while fresh, throwing the stale ones into the sea. In a dark, stormy night, the wind setting off land, if it is within a point or two of the lighthouse, these birds so darken the windows that the men are obliged to watch with poles, killing many, and keeping the rest as well as they can from the lights. While the admiral was thus entertaining us our men had drawn up some few mackerel, and before we landed they caught about three dozen; some of them were split open, salted, and laid on the deck until we came on shore, when they were broiled. I never ate them in such perfection before or since. When the company had sufficiently refreshed themselves they re-embarked on board one of the admiral's barges, which was soon at Plymouth, where they landed, well pleased with this little voyage; some few remaining here, but the admiral departed to Stonehouse, and the duke and duchess to Mount Gold.

“Our time being now expired at Mount Gold, I had orders from the duke to pack up and bespeak post-horses for the morning following. As there lived a person at Plymouth who was coachman formerly to the duchess, when Miss Chudleigh, on her quitting her lodgings in St. James's Street, and after she removed to her new house at Knightsbridge, I ordered

the horses of him. When they were brought Black Jack (the nickname he usually went by) came with his men to see everything right; taking a saddle-horse for himself to see his old master and mistress, as he called them, the first stage. The duke remembered him, and talked to him in the yard some time. After taking leave of our generous hostess we set off, but had not reached above two miles before the old storm arose; the duchess ordered her coach to stop, and asked where was Whitehead? On being told I was in the coach behind she desired I might be called. When I came to her she was busily employed in taking the duke's things out and strewing them about in the road, as she had done once before. 'Pray,' said she, 'who ordered you to ride in that coach?' I answered I did not think of hiring a saddle-horse, as there was room for one in the coach. 'No, sir,' said she, 'you shall ride upon the box. Now, sir, it is proper I should inform you that the duke's travelling coach was made with a box over a large boot; very easy for the footman to take turns about when on a long journey.' I begged her grace would allow me to go this stage at least as I began. She then began with the duke, who was silent all the time. 'There, my lord,' said she (pointing to the articles she had thrown about the road), 'your things will be spoiled. Did you ever see such shameful packing? I insist that he rides on the box.' I immediately walked off to the carriage behind, leaving the good duke to her fury. At the next stage his grace expressed his wishes that I would comply with the duchess's request, which I readily acquiesced in, as

the only means of giving my worthy and honoured master some small cessation from the clamours of an unruly tongue. As we were now come to Ivybridge it put me in mind of an estate the duchess used to talk much about; which enabled her, while maid of honour, to live in that style of elegance she did. This estate is within four miles of Ivybridge, and called Chudleigh Farm. I believe it may be worth about £200 per annum, not more. This was the mighty income that supported her in such splendour.

“To proceed. After sleeping here that night, the duchess ordered the carriage for herself, the duke, and one only of her servants to attend them. I here took no notice of the box, but ordered a saddle-horse for myself, and set off for Exon, where we lay that night at the hotel, and the next morning proceeded on our journey to Kingston House.”

LETTER X

“I shall now give you some account of an ungrateful fellow that was raised from a labourer to be the duke's bailiff at Pierrepoint Lodge. He was first employed as gardener to Miss Chudleigh at Knightsbridge, a few years before her marriage with the duke. This man's name was Dicks. He had a wife who lived servant to one of the King's footmen, till Miss C. hired her for housekeeper. On his promotion to be gardener he became suddenly a man of consequence, and kept company with those he formerly worked for as labourer. Miss C. had as good a garden, and as well stocked

with fruit and vegetables, as any in Knightsbridge, or within ten miles of the place. As she was often from home, and the servants on board wages, this fellow would never give them any garden stuff, though it was contrary to his mistress's express orders, as she desired they might have what was necessary for their use. Being thus treated, they were determined to watch him narrowly. There was a door at the bottom of the pleasure-ground, adjoining the garden that led into the Brompton Road, where many gardeners lived, by whom he was often noticed, on market-days, to load a cart and drive to Covent Garden. They remarked to one of Miss C.'s servants that it was very mean of their mistress to send her garden stuff to market for sale, when so many poor gardeners in the neighbourhood were almost starving. They replied, it was entirely without her consent or knowledge. And as this was a discovery they ardently wished for, Dicks was soon after discharged, and obliged to return to his labouring once more, till the duke bought Clinton Lodge, near Farnham, in Surrey, of the Duke of Newcastle, afterwards called Pierrepoint Lodge; when this fellow was strongly recommended to his grace by Miss Chudleigh as gardener, notwithstanding his late dismissal from her service.

“The duke was so delighted with this place, its situation, distance from London, and other circumstances, that he began making many improvements. He built an excellent kitchen and many conveniences, made a good coach-road over the heath to Farnham, and erected a ball-room capable of holding thirty couples to dance with ease; it had two parlours on the south side,



EVELYN PIERREPONT, DUKE OF KINGSTON

and two bed-chambers over them. When all was finished Miss C. and a large party of her friends were invited here to spend the Christmas holidays. Warner, the harper, and Prosser, the violin, both excellent country-dance players, were employed. The first ball began Christmas Eve, which was opened with a minuet by the duke and Miss C. His grace then called the first dance, on finishing of which, Miss C. retired to the bottom; he then took the second lady, and so on, till he had danced with every one in the room, which sometimes amounted to thirteen, seldom less than eight or nine. On any deficiency the upper servants were called to make up the number wanting. This ball continued every night, Sundays excepted, for *one month*. I believe you think I now exaggerate a little, but I assure you I do not. A fine snow lay on the ground almost the whole time, so that there was but little stirring out. The ball was generally over at eleven o'clock; and at twelve, after stopping, the company retired to their several apartments.

“I beg leave now to proceed with the story of Mr. Dicks. The duke began to employ a great number of men, and Dicks was appointed to overlook and pay them. He likewise bought the hay, corn, etc., and in the course of two or three years was seen at every diversion round the country, elegantly dressed with plate buttons, and everything answerable. One day Mr. Clark, an apothecary of Farnham, called to inquire after the duke's health. As his grace was then out a-shooting I took the liberty of asking the gentleman to refresh himself in the steward's room, which he accepted, and in conversation asked me how his grace

liked the breed of pigs he gave him. He told me they were a particular sort, made a present to him by the Bishop of Winchester. I promised to ask the duke on his return. When I had given Mr. Clarke's message to him he recollected, he said, the pigs, but never tasted them. This led to an inquiry, wherein it was proved Dicks had sold them with several litters ; and, on examining his accounts, not only pigs, but corn and hay, and several other articles, went the same road. He was accordingly discharged ; but his good mistress Miss C. took him again, and he was with her, after the duke's marriage, as gardener at Kingston House. His grace's dressing-room faced the court-yard where Dicks frequently crossed. I have often heard him fetch a deep sigh, saying : ' D—n that fellow. Shall I never be rid of him ? ' I think nothing can be a stronger proof that the good duke was not his own master.

“ At this time the black boy lived with the duchess, whom she brought up from the age of five or six years. Whether she bought him or received him as a present, I know not ; but I should rather think the latter. She was so fond of this boy that she dressed him in an elegant style, taking him with her to most public places she frequented ; especially to the play, where he sat in the boxes with her. This was at the time *The Beggar's Opera* had such a run, and when Miss Brent was the chief vocal favourite with the public. Miss Chudleigh and her party attended almost every night, and drank tea in their box, making such a noise, and disturbing both the performers and the audience so repeatedly, that at last

they were determined to rout her. This they effected by giving her a smart paragraph in the newspapers, after which she was received at the theatre with hissings, groanings, and such strong marks of disapprobation that she and her whole party were obliged to decamp before the opera was over ; not appearing there for some years after."

Whitehead shows to much better advantage when he drops his malice and forgets the chatter of the servants' hall. Christmas in the eighteenth century was honoured to the full if, as Whitehead says in his tenth letter, dancing was indulged in every night for a whole month, and the calling in of the upper servants to make up a set gives one a glimpse of the country life of a great nobleman in those days which is not unpleasing.

There is no corroboration elsewhere of the unruly behaviour of Miss Chudleigh and her friends at the opera, unless Whitehead is alluding to the nervous attack which seized the lady on the occasion referred to by Walpole. Miss Chudleigh, like many other fine ladies of the period, was subject to fits. Mr. Walter Sichel, in his life of Sheridan, speaks of her once being carried screaming in a fit along the Bath Road, a statement not readily accepted if it rests on Walpole's fantastical description of the duke's funeral.

The mention of the black boy touches upon one of the fashionable fads of the times. Every great lady of town had her black boy, generally from the West Indies, the principal islands of which had just then come into our possession. These boys could

be bought for a small sum, and Hogarth has left an enduring record of the craze in several of his pictures. Miss Chudleigh's black boy somewhat disgraced himself—as indeed did the majority of these young gentlemen when they grew up after years of petting—and at the age of eighteen was sent back to the West Indies. This was after the duke's marriage.

Miss Brent, who was often Elizabeth's guest at Pierrepont Lodge, was the daughter of a fencing-master, and the favourite pupil of Dr. Arne, taking a high position among the vocalists of her day. Arne composed much of his later and more florid music for her after his wife, a very popular singer, retired from public life. She possessed great versatility, and her rôles ranged from *The Beggar's Opera*, in which she took the part of Polly, to oratorio. She was an excellent exponent of Handel, and sang in *Jephtha* in 1758, and took part with Tenducci in selections from *Samson* and other of Handel's oratorios at Ranelagh in 1764. Mrs. Papendieck, a musician herself, speaks with enthusiasm of her singing in *Artaxerxes*, the songs in which were written for her by Arne, and she was also a great favourite at the Hereford, Gloucester, and Worcester Festivals. She had a voice of great power, flexibility, and sweetness. Though at one time her income was large, her days ended in poverty. She died in lodgings on Vauxhall Walk in 1802, and for months previous to her death was so poor that Fawcett, the actor, used to give her a dinner every Sunday, sometimes cheering the heart of the once popular vocalist by the present of a bit of finery, of which we are told she was very fond.

LETTER XI

“In my last letter I acquainted you of a Christmas spent at Pierrepoint Lodge, in Surrey ; forgetting at that time the names of the visitors, which now occur to my memory, and were as follows, viz. : Miss Chudleigh, Miss Bell Chudleigh, her cousin, Miss Bate, Miss Fielding, daughter of the author of “Tom Jones,” and niece of Sir John Fielding, the Bow Street magistrate ; Sir James Laroche and lady ; Captain Moreau, his lady and son ; Rev. Dr. Cotton, of Winchester, and son ; Colonel Montessor, Governor of Tilbury Fort ; and Master Richard Shuckburgh, brother-in-law to Miss Bate, who was a great favourite of Miss Chudleigh’s, being brought up with her from an infant in petticoats. When in that state she frequently took him to the play, where he learnt many speeches by heart, repeating them afterwards to Mr. Garrick.

“Miss Fielding was of a good stature, about twenty years of age, a sweet temper, and great understanding ; but in a deep decline. She had been a visitor and companion to Miss C. for some years. Colonel Montessor, who was between fifty and sixty years old, paid his addresses to her, and in a few months afterwards they were married ; which so displeased Miss C. that she never saw them after. If the colonel had not married her I believe she would never have got a husband ; being, poor lady, the colour of a ghost—a mere skeleton, with such coughings and spittings as would have turned the stomach of a coal-heaver. Her uncle, Sir John, and Miss C. were very intimate,

so much that she and the duke seldom missed the examination of any felon brought before the magistrate. Indeed Miss C.'s carriage and the duke's were as well known in Bow Street as any of Sir John's thief-takers. Even the coachmen were ashamed to attend them, waiting so many hours amongst a nest of thieves and thief-takers. Sir John and his lady were invited one summer with Miss C. and some few more, to spend a week at Pierrepont Lodge."

Sir John Fielding was a very active magistrate, but in regard to *The Beggar's Opera* he allowed his zeal to outrun his discretion, and his protests against the elevation of thievery on the stage amused the town considerably. In *The London Chronicle* we read: "It is humorously reported that the correspondence between Sir John Fielding and Mr. Garrick respecting *The Beggar's Opera* commenced with the former officially desiring of the latter that Macheath might be hanged, agreeable to the dark complexion of his crimes. The manager, in return, pleasantly remarked that it did not seem his interest at present to carry conviction to such lengths, whatever might be the knight's, and therefore, without he could point out how he might likewise gain four-score hard pounds by every execution of his favourite hero, he must beg leave to waive a ceremony so disagreeable in every point of view." This allusion to the profit yielded by executions no doubt was a hit at the very questionable methods by which magistrates in those days were paid. Until 1792 at Bow Street (at which both Sir John and his brother, the novelist, sat), an

office which dates from 1770, and at Worship Street, dating from 1778, the magistrates were paid by fees. These were obtained in a manner so disgraceful that the magistrates were given the name of "trading justices," or "basket justices," in allusion to the kind of bribes—baskets of game—they accepted. Old Townsend, the celebrated Bow Street runner, said: "The plan used to be to issue warrants, and to take up all the poor devils in the streets, and then there was the bailing of them, 2s. 4d. each, which the magistrate had. In taking up one hundred girls they would make, at 2s. 4d. each, £11 13s. 4d. They sent none of them to gaol, for the bailing of them was so much better." No wonder that under such rule thieves and blacklegs thrived!

Sir John Fielding at this time (1772) was old and remarkable for his fatness and blindness. He was attacked for venality and partiality, and Garrick's retort must have struck home. For political purposes rumours of a pretended foreign plot to burn Portsmouth dockyard were circulated, and two or three perfectly harmless individuals were arrested to keep up the fiction, and caricatures were published reflecting on the magistrates who lent themselves to the designs of the court party. In a satirical list of imaginary masquerade characters in *The Westminster Magazine* for December 1772 the watchful, but now blind magistrate is thus introduced: "Argus, whose eyes were sealed by Mercury, Sir J. Fielding." The caricature alluded to is entitled, "The blind justice and the secretaries One-eye and No-head examining the old woman and the little girl about

the firing of Portsmouth dockyard." Justice herself is represented as fat and bloated, and as venal as her official representative. The latter, blind as he is, addresses himself to the prisoners: "I see plainly you are guilty; you have a hanging look." One of the secretaries of state, who has his eye covered, adds: "Somebody must be hanged for this, right or wrong, to quiet the mob and save our credit." The other secretary, being represented not only intellectually but bodily without a head, says nothing. The woman accused replies: "No more than your worships have; I'm a poor, honest woman. My betters know more of the fire than I."

Notwithstanding his age and infirmities, Fielding was occupying his position at Bow Street during the time of the Gordon riots in 1779.

CHAPTER VI

Life and amusements at Thoresby—The lake and its singular fleet—Lord Byron and his hounds—The duchess ignored by the county ladies—The duchess discharges her servants wholesale—Whitehead's narrow escape—Lord Byron's fatal duel with Mr. Chaworth.

THE twelfth letter is one of the most interesting of the series. We are inclined to put up with Mr. Whitehead's egotism and self-importance for the sake of his description of Thoresby and of the duke's life there as a country gentleman, both before and after his marriage. The duke's amiability and generous nature no doubt made him exceedingly popular. Whitehead's account of the oddly assorted fleet on the lake, from the model of a fifty-gun frigate to the Scarborough cobbles, explains the somewhat cryptic expression in the quaint description of the Thoresby lake as a "fine sheet of water bearing vessels of *no great burthen*," given by Throsby in his edition of Thoroton's "Nottinghamshire." The italics are Throsby's, and are probably used with ironic intention. Mr. Throsby was not friendly to Miss Chudleigh. He deliberately ignores her by name, but he probably had her in his mind by his contemptuous reference to the appearance of the

lake when the duke got together his queer collection of boats for the amusement of the lady and her friends.

LETTER XII

“Thoresby, in Nottinghamshire, is one of the most beautiful inland spots in all England. The park is fifteen measured miles round. The nearest house to the duke's is the inn at Palethorp, belonging to his estate, with a few cottages for labourers. The house is an elegant building, erected by Mr. Carr, architect, of York, and finished the year after the duke married. As his grace kept racehorses, it was a pretty sight every Sunday (the duke's public day) to see them dressed, with their riders in crimson clothes trimmed with white, to the number of eighteen or more. Westward of the house is a large lake, near a mile in length and a quarter of a mile broad, with an island near the top. It contained a large flat-bottomed yacht, with a cabin capable of dining twelve persons; a little sailing-boat, half-decked; a Dutch one, with lee-boards. These were all dressed on public days with their colours. I have often seen them sail round the island and back again; but the Dutch packet was the fleetest, by reason of the lee-boards, which kept her up to the wind. There was likewise a model of a fifty-gun frigate, about fifteen feet long, with brass guns and everything complete. She was built at Jacob's Wells, near Bristol, and purchased by Sir James Laroche for £1,600, who presented her to the duke, and conveyed her over-

land to Thoresby. Besides these vessels, there were several Scarborough cobbles, boats, and canoes. When they all moored near the house, at the bottom of the lake adjoining the little battery, they had the appearance of a fleet. The lake emptied itself underground, and, appearing again at the end of a riding, formed a beautiful cascade into a round basin; running from thence into a canal, you lost sight of it near the kennels, down a second cascade, till it crossed the high-road from Nottingham to Blithe.

“The kennels were near a mile from the mansion, by looking through the arch of which you had a beautiful view of all the buildings, offices, water, and shipping. The park was stocked with plenty of deer, reckoned the finest flavoured venison in England. There were likewise about eight or ten head of red deer, but these latter, often straying in the forest of Sherwood, Lord Byron, who then kept the King’s stag-hounds, would pursue them into Thoresby Park, which so disturbed the herd that his grace was at last determined to destroy them, which he did. Before this happened his lordship’s hounds had driven one of the outlying red deer into the lake; this was while his grace was at dinner. As the stag baffled their utmost attempts to take him, Lord Byron sent to the duke to lend a boat for that purpose. His grace ordered the captain of his vessel to lend no boat, or any other assistance, saying, ‘As the hounds had driven him in, they might drive him out again.’ His lordship was not much beloved of the duke, or any of his neighbours. His grace could not forget the death of his friend Mr.

Chaworth, whom Lord Byron killed at the 'Star and Garter' tavern, Pall Mall, then kept by Fenmore. Mr. Chaworth breakfasted with the duke on the morning of his death. As they went out, I followed them to the porter's lodge. On their way thither Mr. Chaworth invited his grace to dine with him and the Nottingham Club that day; but, finding that Lord Byron was of the party, the duke declined the invitation, saying, 'You will excuse me; you know I do not like his company.' When his grace came home that night to bed I informed him of Mr. Chaworth's unfortunate death. 'I am extremely sorry,' he replied, 'and am happy I was not of the party.'

"When the house at Thoresby was almost finished, the duke and duchess arrived, yet not a lady of fashion came to pay her grace a visit; the Duchess of Norfolk declared she would *never* visit her, as did many other ladies of the country adjoining; therefore cards were sent to those gentlemen of small fortune who had wives, inviting them to Thoresby for a few days. This was often the case, or she would have had but very few female visitors. However, these attended soon, without any further invitation, on public days; the reason of which being on Sundays was owing to some dislike to the company of the clergy. I must confess I did not wonder at this, after the duke's marriage with Miss Chudleigh.

"After being at Thoresby a short time the duchess declared to Mr. Sherring, the land-steward, that she should part with all the duke's old servants, as she did not like them. (She knew they were acquainted

with her past tricks.) Mr. Sherring represented the impropriety of such an act, as some of them were born in the family, and others had lived in it many years : but, finding her determined on their discharge, he advised her to do it gradually, lest it might give umbrage to the duke. She accordingly began with Mr. Simpson, the architect, who had lived with his grace above ten years, managed the building of the house according to Mr. Carr's plan already mentioned, and given great satisfaction. She intercepted and broke open his letters : one was from a gentleman in Lincolnshire, wishing to see him about erecting a hot-house. Now, the duke always permitted him to make the most of his profession, so that he did not neglect his grace's business. This indulgence the duchess would not allow ; she quarrelled with him every day, abusing him more like a fish-woman than a lady, till at last he quitted the duke's service.

“She next attempted your humble servant, though not with equal success. One morning his grace desired me to remove his clothes from their former place to his wardrobe in a new part of the house, while he was out a-shooting ; told me that he should not take either of his footmen with him that day, that they might assist me. The instant he was gone the two men and myself set about our orders. The duchess met the men with a load as they crossed the court-yard and made them take it back. I was on some steps reaching the upper shelves when she entered ; she took hold of the flap of my coat and pulled me off, abusing me in her usual manner, for daring, as she said, to remove anything without ‘her’

permission. I told her it was by the duke's orders, and I should certainly obey them. She then left me in a dreadful passion. . . . She was one evening afterwards at cards in company with Sir James Laroche and Lady, Sir Francis Molyneux (she little thought, at that time, she should ever be his prisoner), Colonel Litchfield, Captain George Brown, and many more of his grace's intimate friends. Having made some mistake, it was observed, and the trick challenged by her opponents ; but, notwithstanding their assertion was corroborated by her own partner, she would not give it up, and her fury increased to that degree on being opposed that she abused every one in the room (the poor duke not daring to say a word), and at last ordered them all to quit the house. Sir James and Lady went early the next morning, without taking leave of her, and before dinner-time not one of the rest remained. I met Captain George Brown as he was going, who told me what had happened overnight. My good lord was now left without a gentleman to speak to. However, the day following a messenger was dispatched with a letter to Colonel Litchfield, who was his grace's particular friend and companion. On his return to Thoresby the duke was again made happy.

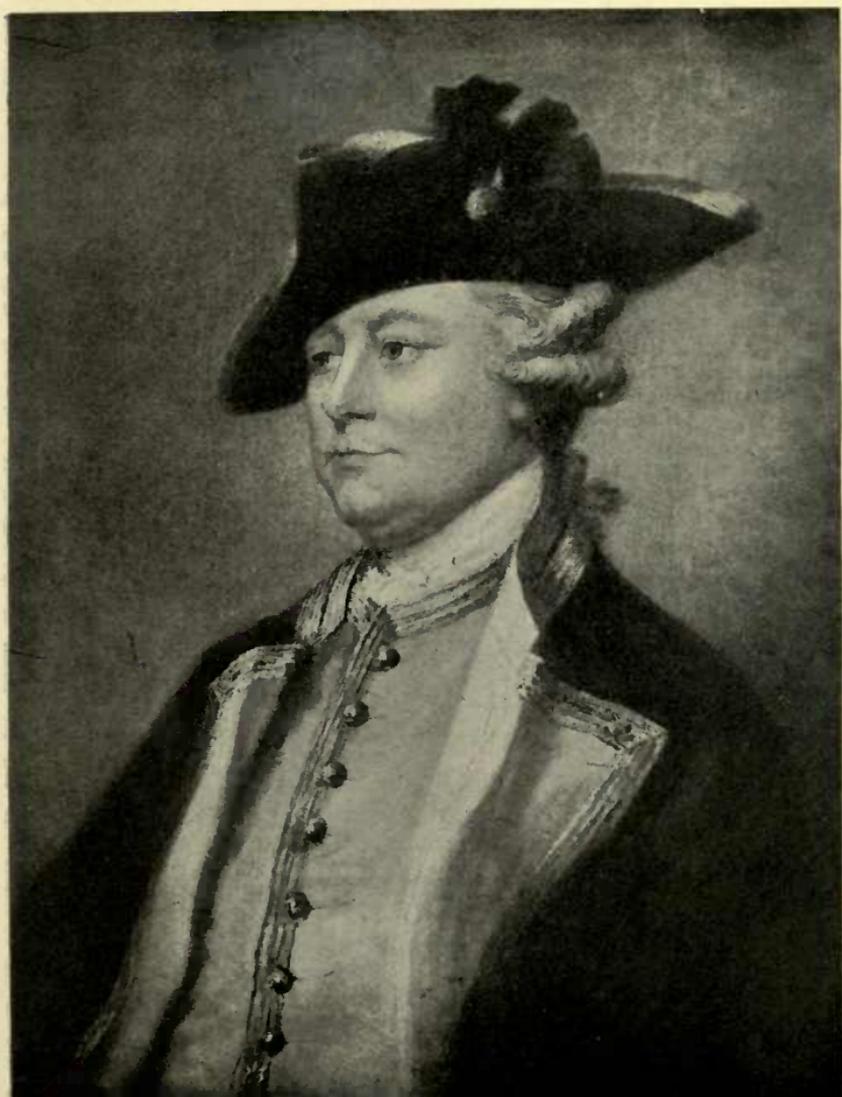
The *maîtres d'hotel*, or house-stewards, as we called them, the duchess frequently changed ; she had three in two years. Her friend, the Duchess of Queensberry, recommended one of these, whose name was Graham. This fellow, to gain favour with his new mistress, used to salt legs and shoulders of mutton for the servants' hall, and frequently sent them stinking

meat—so bad that whole joints were thrown into the hog-tub. Indeed, myself and a few more knew his character before he came, but durst not acquaint his grace, for fear of the resentment of the duchess, who would have called it malice. One night, being hastily called to wait on the duke, knowing his grace to be very impatient, I fell down the first flight of stairs, owing to the carelessness of the steward's-room man in not lighting the lamp as usual. As I reproved him for his neglect rather sharply, his grace afterwards inquired the reason; on my telling him, he said I should have acquainted Graham. I answered, he was of so infamous a character that I would never speak to him on any account. 'No?' said his grace, 'then we must part. Besides,' he continued, 'you never inform me of what's going on in the house.' I told him I never would see him robbed, or wronged in anything; but, if any little incident was to be mentioned, his grace must devote all his time to hear complaints. This I thought as derogatory to his dignity as it was contrary to my temper and disposition. 'Whitehead,' says he, 'we must part.' I comforted myself as well as I could, by reflecting on my faithful service, and relying on the promises made by the duke to provide for me for life, if I quitted him; however, the next morning Colonel Litchfield informed me the duke thought no more of the affair. Indeed, I had fully acquitted him in my mind of any harshness towards me, as I well knew my old friend the duchess was at the bottom of the business, at the instigation, perhaps, of this Graham, whom I soon afterwards had the satisfaction of

seeing discharged, and hooted out of the park by the stable-boys.

“Graham learnt her grace some tricks during the short time he staid in the family; but this was needless, as she had plenty of them before. When the duke was a bachelor, the poor people came from the neighbouring villages and cottages every Monday (the day after the public day), bringing their pitchers for the pot-liquor and broken victuals, and never went empty away; but the scene was now changed—the hog-tub was the only receiver of her grace’s bounty. The poor passing their late hospitable benefactor’s house, on their way to his grace of Newcastle, where they were ever sure of relief, was not a pleasing sight to any humane mind. Our steward’s room was now allowed but two bottles of wine at dinner, and one at supper, for sixteen people; no servant permitted to see a friend, or to ask them into the steward’s room. She ordered the curtains to be taken down, that she might see all over the room; as the second best staircase commanded a full view of it, if the servants were not gone to bed before their graces went upstairs she would send down orders for that purpose, saying she would have no guzzling at that time of night. The porter had special orders to send from the gate every person who wanted any favour or assistance. Indeed, if the hearty curses of the poor did her grace any good, she never failed to enjoy enough of them.”

The storm described in the last letter seems to have done much to clear the air and bring Mr. Whitehead to



CAPTAIN THE HON. AUGUSTUS HERVEY (AFTERWARDS EARL OF BRISTOL)

his senses. He probably regarded himself as indispensable to the duke, and to receive notice to go must have made him think twice about his demeanour towards the duchess. However this may be, he certainly does her justice in some aspects of her character, and displays much shrewdness in his observations, despite his lament over "the bad purposes" to which her grace applied her common sense—meaning, apparently, her want of appreciation of Mr. Whitehead himself. Undoubtedly Elizabeth was autocratic, and understood what was due to her rank, and it is equally clear that she had a great deal to put up with from the old servants, who, we may be sure, were well practised in the arts of petty annoyance. The situation was exactly what was to be expected, and the duchess saw perfectly well that there was no other course but to make a clean sweep of the entire staff, including the immaculate Mr. Thomas Whitehead. He remained, it is true, but he was evidently much subdued.

Thoresby does not appear to have roused Walpole to enthusiasm. "I don't wonder," he writes in 1777, after the trial of the duchess, and she had left England, never to return, "Lord Ossery preferred Thoresby to the three old dukeries. So did I, and did not admire it much either. . . . Merry Sherwood is a trist region, and wants a race of outlaws to enliven it, and as Duchess Robin Hood had run her country, it has little chance of recovering its ancient glory." It is not strange that the estate, with its forest surroundings, struck Walpole as sad. The cynical philosopher was not happy away from his curios and bric-à-brac, and his world of gossip and slander.

Whitehead is either unaccountably incorrect in his reference to the profligate Lord Byron, and his quarrel and fatal duel with Mr. Chaworth, or is more careless and rambling than usual. It was impossible in the old coaching days for Mr. Chaworth to have breakfasted with the duke at Thoresby in the morning, and in the evening of the same day to have fought his duel with Lord Byron at the "Star and Garter," Pall Mall. Mr. Chaworth, who was a neighbour of the duke's in Nottinghamshire, was staying in London at the time, and it may very well be that it was at Kingston House where he had breakfast. This was in 1765, in the early days of the duke's passion for Elizabeth.

The story of the fatal duel is well told by Mr. Alfred Hutton in his interesting book "The Sword and the Centuries." Mr. Hutton says that Lord Byron and Mr. Chaworth had always been on friendly terms, and that, whenever they repaired to London, it was their custom to dine or sup, in company with other county friends, at the "Star and Garter" tavern in Pall Mall, where they had established what was known among themselves as the "Nottinghamshire Club." There was a very wide difference between the simple but select club of the last century but one and the palatial building of this present period. In the eighteenth century it was the habit of gentlemen of similar tastes or occupations to form a little social circle of their own. They agreed with the proprietor of some fashionable, or at least respectable inn or tavern, to reserve a special room for their use, from which the ordinary customer was, of course, excluded. The members of the little society *clubbed together* for their meals and

other requirements, by which means they ensured better service and attention than if they had dined separately elsewhere.

On January 26th, 1765, Lord Byron and Mr. Chaworth dined at their club with a party of some ten or twelve county friends, when, being all of them landed proprietors and sportsmen, the conversation naturally came round to the subject of game and the preservation thereof. Mr. Chaworth was of opinion that such a sinner as a poacher should be drastically dealt with, while Lord Byron held out that it was far better to let him alone, and allow the rabbits and hares to look after themselves. This led to a somewhat heated argument, when Mr. Chaworth exclaimed : "Why, if it were not for Sir Charles Sedley and myself, you would have no game at all at your place." Lord Byron retorted by offering to bet £100 that he could show more hares and rabbits than Mr. Chaworth. The latter gentleman promptly took up the wager, and, according to one of his historians, rather pointedly called for pen and ink to make a record of it, an action which might, but really ought not to, have nettled his lordship to some degree. Others of the party, however, intervened with the opinion that the bet had better not be booked, because the matter was one upon which it was impossible to come to any decision. Lord Byron, whose temper was fast getting the better of him, asked heatedly : "Where is Sir Charles's property ? I know nothing of any land of his." Mr. Chaworth replied with equal warmth : "Why, Nuttal, to be sure : some of my people sold it to him, and, if you are not satisfied, you

can easily find him and ask himself ; he lives in Dean Street, and your lordship knows where to find me also.”

After this they quieted down again, resumed their seats, and continued in good-humoured conversation for another hour, when Mr. Chaworth left the room, followed by Lord Byron, who said he wished to speak to him, called a waiter, and bade him show them into an unoccupied room, which the man did, leaving on the table a tallow candle, and no other light. The two gentlemen shut the door, and, after some further words, drew their swords and attacked one another. Mr. Chaworth made a lunge, and, having pierced and entangled his sword in Lord Byron's waistcoat, thought he had severely wounded him, and, believing the affair to be over, paused in order to extricate his weapon, whereupon Lord Byron drew his hand back as far as he could, and, with his shortened sword, stabbed Mr. Chaworth in the belly. The clash of arms brought back those members of the club who had not left the house, and with them the landlord. They speedily disarmed and separated the combatants, when Mr. Chaworth was seen to be seriously hurt. A surgeon was sent for, who, after due examination, pronounced the wound to be a mortal one. Lord Byron was arraigned on the charge of wilful murder, but the Peers found him guilty only of manslaughter, on which he claimed the benefit of a statute of the time of King Edward VI., by which he was discharged, and thus got away scot-free. Shortly after this affair a *rencontre* became impossible, as the constant wearing of the sword as a necessary part of a gentleman's dress went out of fashion.

LETTER XIII

“The usual amusement of the duchess in the morning of a wet day when at Thoresby was a concert, during the performance of which she generally indited her letters, having several pens employed at the same time in different languages. She would talk likewise to Mr. Simpson, the architect, about some alterations, and yet be very attentive to the music; would often cry, ‘Bravo! bravo, Miss Bate; do me the favour of singing that again. Mr. Main (the librarian) you write so and so. Mrs. — you write —, and you Miss —, etc.’

“This was all done by her with the greatest ease and perspicuity imaginable. I never heard of her equal, she being endowed with an uncommon share of sense, though too often it was employed to very bad purposes. The band generally consisted of the following performers, viz.: Mr. Markordt, harpsicord; a servant, as music-master; Colonel Glover, first violin; Mr. Zun, second violin; groom of the chamber, myself, tenor; the duke’s valet, Mr. Siprihni, violoncello; Mr. Lilly, sen., first horn, footman to the duchess; Mr. Presly, second horn, footman likewise; and Miss Bate sung.

“When their graces expected company to tea and cards, the music was ordered to play them upstairs into the drawing-room, her three maids of honour to attend and usher the ladies into her presence, being at those times ranged in a row, according to precedence. When tea was over, and the visitors ready for cards, the music ceased.

“At dinner-time, and in company of a dozen or more, I have often known the duchess rise from the table, having stuffed most immoderately, go into the adjoining room, leaving the door open . . . presently returning to her company smiling and say : ‘I beg your pardon, a fit of the gout just took me in the stomach ; but I am now much better.’

“‘We are extremely happy to hear that your grace is better ; you must have another glass of Madeira. Pray fill her grace a good bumper, and we will take one to drink to her better health.’

“‘Indeed, it will be too much for me.’

“‘Oh no, your grace *must* have it ; it will do you good.’

“‘Well, if you insist.’

“After the bumpers had gone round the conversation recommenced. ‘Now your grace must endeavour to eat a bit ; your stomach being empty, it will do you infinite service.’

“The dinner and dessert being over, and well washed down with plenty of her favourite liquor, ‘Well, my good duchess, how does your grace now ?’

“‘I think I find myself a very little better ; and, if this good company will excuse me, I will retire to the next room.’

“‘By all means, if it will be conducive to your grace’s health.’

“Her maids of honour were then called, the duke attended her to the room, and when she was settled on the sofa he returned, ordering the door to be shut. As the company were generally now more quiet than usual, for fear of disturbing her slumbers, she, in

return for such complaisance, entertained them with the melody of her throat and nostrils till tea-time. When she re-entered the room she would be much better, except a violent head-ache that troubled her ; thus she continued, with a white pocket-handkerchief tied round her head till cards began. Now, should any trick of Dame Fortune discompose her sweet temper (which was but too often the case), if the company escaped, the servants were sure of feeling the effects of her resentment the remainder of the evening. It was her usual custom in hot weather, while at table, to rise from her chair, and fan herself, by taking hold of her petticoats and well shaking them.

“ Her grace was ever complaining of a pain in her stomach and head, though it could not be wondered at, for she never allowed nature sufficient time to digest her victuals. Between breakfast and dinner-time, while airing in the park, I have known her order the carriage home five or six times, and take tea, chocolate, sweet cakes, and Madeira, or some other damper, every time she returned.

“ I cannot help venturing one instance of her cunning, though I believe other ladies have found this trick answer their ends as well as the duchess ; it was this. When she wanted a sum of money of the duke, to remit abroad to the funds, or for some other purpose, if she found any difficulty in procuring it—which was sometimes the case, as she kept his grace as poor as a mouse—she would order her maid to tell Whitehead that the duke was to lie in such a room, therefore he must see the bed ready that night. One of her maids must now attend, and sit up with her every

night, not leaving her even in the day-time without another supplying her place ; nor were they suffered to quit the room, though his grace might wish to speak to her on particular business ; thus keeping him at a distance, till she had gained her point, though it were a month or more."

CHAPTER VII

A day's shooting in the eighteenth century—Whitehead receives a rebuke—A journey across country—The wardrobe of an eighteenth century valet—Whitehead's grumbles—The second marriage of Mrs. Amis, the Lainston's clergyman's widow—The duke's marriage not an unhappy one—The duke's illness and last moments—Alleged attempt of the duchess to substitute a second will—An improbable story.

SPORT, so far as shooting was concerned, must have been more enjoyable and more exciting a hundred and fifty years ago than it is to-day. It was certainly less artificial and less monotonous, though the bags were not so big. Game was not strictly preserved, and the birds were in their natural wildness; there was no army of keepers and beaters to make the shooting easier for the "quality," and there was nothing like the wholesale slaughter which is now called "shooting." A day's shooting at Thoresby meant hard work, a steady aim, pleasant companionship, a healthy appetite, and a good dinner at what we should now call an early hour. The duke seems to have been a model host, allowing his guests to do pretty much as they liked—a freedom which they do not appear to have abused. Whitehead indulges in one of his frequent laments over these happy days;

but, apart from this, he has little to say about the duchess. Probably by this time he had discovered the uselessness of resisting the masterful lady, and had acknowledged himself beaten.

Letter XIV may be omitted as containing much irrelevant matter and we pass on to—

LETTER XV

“His grace was one of the first noblemen who discovered their attachment to the present illustrious family on the throne by the raising of a regiment to assist his Majesty’s forces in crushing the rebellion in 1745. He was endowed with many shining virtues ; indeed, could he ever have had his will, the severe tongue of slander herself could never have impeached his conduct. Never was a man happier than the duke before he parted with his freedom. He could then enjoy the company of his friends, which he did at Thoresby in the shooting season ; at that time the Marquis of Granby, Lord Robert Sutton, Colonel Mordaunt (who was one of his grace’s officers in his regiment and brother to the Earl of Peterborough), the honourable Mr. Bellisy (brother to Lord Falconbridge), Colonel Litchfield, Captain George Brown, Sir Charles Sedley, and many others, to the number of twelve or fourteen. The duke was generally the first up in the morning, giving orders to call the gentlemen. After breakfast they were divided into small parties, taking different routes, first fixing the place and hour of meeting for refreshment. The horses were then

loaded with canteens, containing cold provisions of all kinds, and several stewpans for warming, which was oftener done under a hedge than at a farmhouse. Dinner was ordered at six o'clock; the servants'-hall dinner was at one, for the stablemen, footmen, etc. I have frequently counted above a hundred set down at once. The steward's-room dinner was at two. This table would not disgrace a gentleman of ten thousand a year. If a gentleman called while the duke was out a-sporting, if the steward's-room dinner was ready they dined with us. The servants were then at board wages, which were never taken off, though his grace provided everything during the company's stay with him. At these times, if he went on a visit ever so long, the servant who attended him enjoyed the same indulgence. I believe there are few like him at this day. When the duke and his company returned to dinner, their conversation chiefly turned on sporting. His grace was reckoned the best nobleman shot in England, except Lord Ravensworth, whom the duke sometimes visited at Denaby Dale, in Yorkshire. After they had finished their bottle, cards or conversation took place till supper-time, when some cold things were served up—in particular a loin of mutton, which Lord Robert Sutton was so fond of that he never sat down to supper without one. It would do you good to see with what appetite he ate it; I have seen him scrape the bones of a small one entirely himself. His grace seldom exceeded the hour of twelve, retiring and leaving the gentlemen to enjoy their bottle as long as they thought proper. Thus every one was pleased during their stay.

“Sometimes they took a trip to Holme Pierrepont for variety. The duke had not such visits *then* as he was obliged to put up with after his marriage. He had not the least pride in his composition ; would converse with his most menial servant with the greatest affability and good-nature. Polite to all, having no vulgarity about him ; never swore, or called any one out of his name. In return, he expected his orders to be obeyed most scrupulously. He was very whimsical in dressing in the country. I have known him change his shooting-dress four times in a morning before he went out, returning often to change something or other. I shall give you a list of articles taken to Pierrepont only for one week’s shooting, viz. : Six frocks or jackets ; 12 waistcoats, different sorts ; 30 pair of breeches ; 20 pair of different sorts of stockings ; 15 shirts ; 6 pair of boots ; 6 pair of half-boots ; 6 pair of spatter-dashes ; 6 pair of shoes ; 6 pair of gloves ; 3 hats ; with other things in proportion. Add to these his guns, etc. So that his carriage was loaded, inside and out, like a stage-coach.

“The year after his marriage the duke took his duchess with him to Holme Pierrepont estate, worth, as I have been informed, ten thousand pounds per annum ; the pasturage being very good, and only four miles from Nottingham. One day’s residence did for her grace ; she would not stay there on any account. The church being so near the house, she said, it put her in mind of her mortality : to think her remains must lie there made her very unhappy. She therefore returned to Thoresby the next day, desiring her *dear lord* would stay there till the Saturday

following with the rest of the gentlemen, making themselves as easy as they could in her absence; though she might have spared herself that speech, they being always much happier without her company than with it."

The sixteenth letter is the shortest in the collection, but it contains one or two touches which are full of meaning. Whitehead unconsciously betrays himself in his true character, that of an indolent, "pampered menial," with more regard for his own comfort than for the comfort of his master. It is quite refreshing to find the duke asserting himself; and one can imagine Whitehead comparing notes with his fellow-servant Poynter, and taking the lesson of the latter's experience to heart.

LETTER XVI

"I cannot forbear giving you some little account of the tiresome journeys I have frequently taken while in his grace's service. Coming from London to Thoresby, his grace intended to lie that night at Mr. Crabtree's, the 'George,' at Grantham, which is one hundred and ten miles; the stone stands close to the gateway. The Rev. Richard Sutton, of Kelham, accompanied the duke, who always called him Dicky. We left London at eight o'clock in the morning and arrived at Grantham at six in the evening. There had been a wedding kept that day at Crabtree's; and the house being dirty, his grace would not stay, but ordered the horses on immediately for Newark, thirteen

miles further, to the sign of the 'Duke of Kingston's Arms.' When he got there a company or two of soldiers were just come to town, and all the rooms were taken up by the officers; we therefore went on to Scarthingmore, within three miles of Tuxford. This house was built by the duke for drovers, etc. One Wadsworth took it, who had been waiter at Marmaduke Skerry's, commonly called Duke Skerry, who kept the 'George Inn' at Stamford. As Wadsworth was much respected, and the house likely to succeed as an inn, his grace ordered several additions to be made, which rendered it fit to accommodate any travellers of what rank or respectability soever. This was thirteen miles further, and within ten miles of Thoresby, seven of which were across the country. The duke therefore determined to stay here the night, especially as it was now past eleven o'clock. I made his grace's bed, which I always did myself on a journey. After supper he asked me 'if I had put his sheets and mattress on?' I answered, I put on the sheets; but, there being a very good mattress, I had not put his grace's on. 'Then,' said he, 'put it on immediately.' I was obliged therefore to remake the bed, though very much fatigued with so long a journey. We reached Thoresby the next morning at twelve o'clock.

"When I mentioned this circumstance to Mr. Poynter, 'What's that,' says he, 'to what happened to me during the rebellion? His grace had a tent-bedstead, which was put up every night during the march. I left it behind, and was obliged to go back twenty miles to fetch it before he would go to bed.'

This made me remember not to neglect anything for the future.

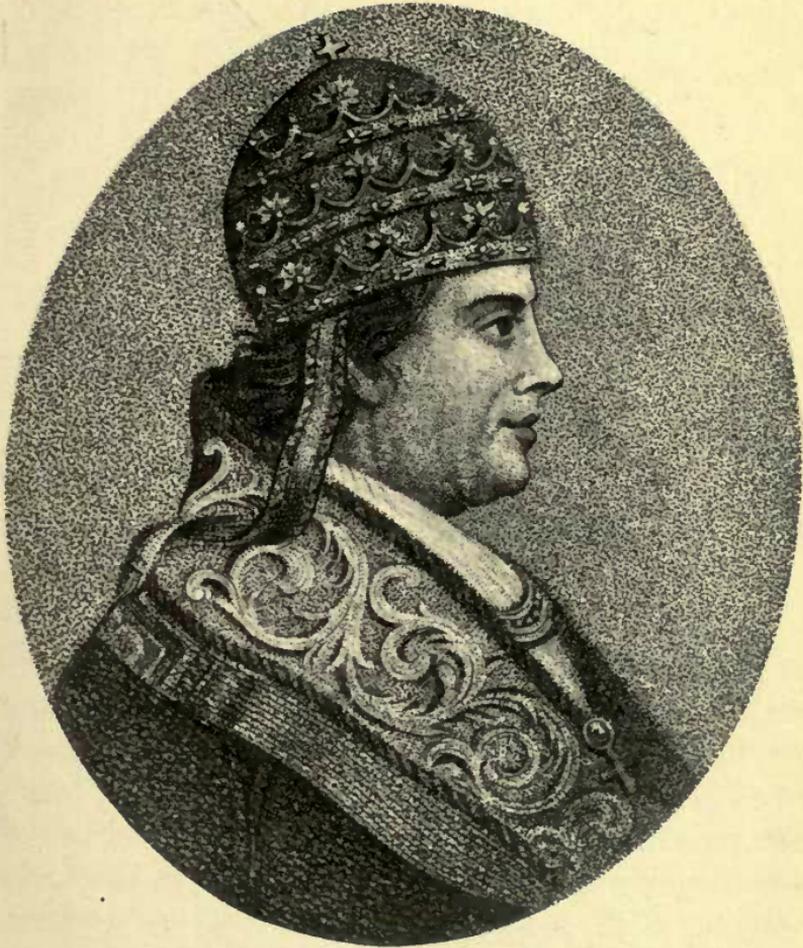
"Another time his grace came from London on purpose to dine with Lord Robert Sutton, according to promise: this was one hundred and twenty-six miles. When we reached Duke Skerry's, at Stamford, his grace had a mild refreshment. Having rode ninety miles, I thought he would have excused me from waiting on him at table; but he insisted on my attendance. We then proceeded on our journey to Lord Sutton, and arriving just as the second course was serving in.

"His grace, with Dr. Richard Sutton, being determined another time to go from Thoresby to Newmarket in one day, sent his carriage the preceding evening to Duke Skerry's, at Stamford, with two footmen to be ready the next morning, intending to ride thither on horseback himself. I must confess I felt myself a little piqued in not being allowed to go in the carriage the evening they departed, it being a great way to ride horseback to Newmarket. However, we set off early the next morning across the country, as though on a fox-chase, for Grantham, to the inn with this couplet written on the signpost, which holds a beehive:

"Two rarities are, Grantham, only thine:
A lofty steeple and a living sign.

"Here the post-chaise was ordered for the duke and the doctor to take them to Stamford, where we were no sooner arrived than the duke told me I might have the chaise if I pleased. I believe I was wrong

in refusing his kind offer ; but I thanked his grace, telling him, as I had rode so far, I would endeavour to reach Newmarket on horseback, which I elected. After his grace had gone to bed that night I searched his pockets (which I always did before I put away his clothes) ; I found six guineas. When he came to dress the next morning, as usual, I gave him the money, together with some papers and a few shillings. He returned the money, saying, ‘Here, Whitehead, you had a hard journey yesterday ; take this for your resolution.’ Though I every night took papers as well as money from his pockets, yet I can safely swear to deny the whole time of my servitude I never once looked at the inside of any letter they contained. . . . During the sixteen years that I served the duke I had but two lots of clothes given me ; the first amounted to fifty and the second to ninety pounds, though his grace, when Mr. Poynter was his valet, gave his wardrobe regularly the Saturday before Easter Newmarket Meeting and the Saturday before October Meeting—never less than twenty pounds at a time. At the duke’s decease his wardrobe was not worth less than £2,000. This, I might say, I had been working for day and night—in riding post, this and many more disagreeable journeys during my servitude. At his grace’s marriage, when Mr. Fozard left him, I should have followed his example had not the duke promised to provide for me. When I mentioned his promise his grace replied : ‘Never speak to me again on this subject ; I certainly will take care of you that you shall never want.’ He died within a twelvemonth after I quitted his service, to the



POPE CLEMENT XIV. (GANGANELLI)

disappointment of the hopes and wishes of your very humble servant."

The full and correct reading of the rhymed sign of the "Beehive Inn" at Grantham runs as follows :

Stop, traveller! this wondrous sign explore,
And say, when thou hast viewed it o'er,
"Grantham, now two rarities are thine :
A lofty steeple and a *living sign*."

The sign of the Beehive is to be found elsewhere (there is a hostelry in Walworth known by this name), and, according to Mr. F. W. Hackwood, is nearly always accompanied by some such rhyme.

The resigned tone of the sixteenth letter shows that the end of Whitehead's service was near at hand. In his next epistle he makes an interesting reference to Mrs. Amis, who played so important a part in the preparation of the register at Winchester when Elizabeth was anxious to be in possession of proofs of her marriage to Captain Hervey. Apparently the duchess had considered it advisable to look after the widow of the clergyman who had performed the ceremony at Lainston Church. Mrs. Amis married Phillips, the duke's butler, and, as Whitehead relates, the duchess obtained for Phillips the position of steward of one of the duke's estates in Nottinghamshire. Mrs. Phillips, no doubt, told her husband the story of the secret marriage, and the ex-butler, confident in the hold he had over the duchess, took advantage of his knowledge to give himself airs and

squeeze money out of the poor tenants. Whitehead does not appear to have read the report of the trial in Westminster Hall, or he surely would have remembered that Mrs. Phillips gave evidence adverse to the duchess, evidence discredited by an assertion that her husband left the duke's service of his own accord, it being established that he was discharged. The reason for his dismissal is given by Whitehead.

LETTER XVII

“Mrs. Auress [Mrs. Amis], the widow of the clergyman who married Captain Hervey to Miss Chudleigh (as mentioned in my first letter), coming to London soon after her husband's death, was often invited to Knightsbridge by Miss C., who made very much of her, for reasons that I need not mention. At that time one Thomas Phillips lived with the duke as butler, whom Miss C. soon contrived to get married to Mrs. Auress [Mrs. Amis]. She had provided him with a place, which was steward of the Holme Pierrepont estate, having a house given him within fifty yards of the duke's. Here they resided till near two years after his grace's marriage. Phillips now assumed the great man, screwing the tenants so intolerably that they made heavy complaint of him. He would take hay, straw, or poultry from them, as he pleased. A poor woman's sow, with a litter of young pigs, were taken away and sent to Nottingham market by him, where they were sold, never returning any of the money, the poor woman being afraid to

remonstrate with him, as he threatened to turn any of the duke's tenants out of their farm who gave him the least offence. This latter story being told to his grace, with many more, he went to Home Lane, to the inn belonging to his grace's estate, kept by Mr. Sandy, and ordered dinner. During the preparation he looked over his young stud, as he always kept his brood-mares there in paddocks, the pasturage being very good. He likewise fattened all his own beef. When a drove of Scotch cattle came through Palethorpe, the landlord of the inn, who formerly was groom to Madame la Touche, picked out as many of the pollards as he thought his grace might want and turned them into the park (never letting cattle with horns be with the stud) till the fat ones were wanted; the others were then driven to Holme Pierrepoint, where they were soon fattened. His grace, returning to dinner, discoursed with Mr. Sandy and questioned him concerning the stories about Phillips. Finding them true, he was soon afterwards discharged. Phillips then took a house at Bristol, living on what he had squeezed from the poor tenants about four years, and then died. What became of his wife I know not.

“The year after I left the duke part of his grace's stud was sold by auction by Mr. Sandy, so much to the satisfaction of the duke, and finding no one more capable of taking the stewardship at Holme Pierrepoint, being well acquainted with the estate, he was appointed to that office immediately, and continues in the same station now, under the Honourable Charles Pierrepoint. I know I have been blamed for leaving

his grace ; but I could not brook the treatment I continually received from the duchess."

So much for Mr. Thomas Whitehead and his revelations. To the last he preserves his attitude of injured innocence, posing as the faithful servant whose devotion is unappreciated by a wicked and designing woman. How long he remained in the duke's service after the marriage he does not tell us ; probably not so long as the letters might lead one to suppose. When all he has to say against the duchess is summed up, his indictment does not amount to very much ; strip it of a few coarse allusions, and it is reduced to fits of anger caused (and fully justified in all probability) by the valet's own insolence and disobedience. On rare occasions Whitehead is moved to do his mistress justice, perhaps unintentionally, and if so his insight into her character is the more noticeable. In one of his concluding letters he says : "The last time the duke and duchess came to Bath she took lodgings of Mrs. Hodgkinson, in the Orange Grove, for one month ; but, not finding them agreeable, she removed before the expiration of the time agreed on to the Abbey Bath House, from whence she again removed his grace to the centre house on the South Parade, where he died. During his illness she sat by his side when any of the faculty or others entered, with a Prayer-book in her hand. His convulsions were so strong that three men could hardly hold him, biting his tongue almost through. Some time after his grace's death Mrs. Hodgkinson expected to be paid for the full time the lodgings

were engaged ; was informed by the duchess she would never agree to it. As she was very obstinate in everything, she said, in parting, she would not have her will disputed ; therefore, rather than pay this just demand, she made her a present a short time afterwards of a piece of plate ten times the value of the cheque. This circumstance, amongst many others, proved her worth of the motto under her coat of arms, *Aut vincit aut perit.*"

It is difficult to find the ground on which Elizabeth's biographers based their charge that the duke was harried and hurried to the grave by the duchess. The various lives of "Miss Chudleigh" were published three years before Whitehead compiled his "Letters," and it is not to be supposed that the ex-valet, interested in everything that concerned his old master and mistress, did not read these productions, which were sold in such numbers as to bring in large profits to the booksellers. Yet what corroboration is there in Whitehead of such a statement as this? "At nearly the expiration of five years after his marriage the duke was afflicted with a paralytic stroke, probably the consequence of the continual irritation under which his nerves had suffered from matrimonial discontent. In this condition he was hurried about by his duchess in journeys from one place to another, under the pretence that change of air would prove salutary to his health."

If any one could have known of the "matrimonial discontent" under the effects of which the duke was supposed to be pining away it ought to be Whitehead. But what he has to say concerning the demeanour of

the duchess towards her husband is really of a very trivial character, and, in Mr. Whitehead's opinion, of not nearly so much importance as her grace's demeanour towards himself.

It is not without significance that, from the time of the marriage of the duke in March 1769 to the fatal turn his failing health took in the autumn of 1773, the aristocratic letter-writers who, previous to Elizabeth's becoming a duchess, were never tired of enlivening their letters with stories of her doings, do not, save in one instance, mention either her or the duke. The exception is provided by Lady Mary Coke. Lady Mary could not, of course, write of the duchess without a sneer, but there is nothing in the letter discreditable to Elizabeth or that suggests the tyranny of which she was accused. Lady Mary, writing from Vienna, says: "The lady who calls herself Duchess of Kingston wrote a letter to the Electoress after the duke was struck with palsy, that if he recovered she should carry him next year to the Bathes of Carlsbad, in Bohemia, and should take Dresden on the way. If he dyed the affliction she shou'd be in would make those Bathes absolutely necessary to re-establish her health; so that, at all events, she would see the Electoress next summer. When first I came they told me the Electoress wou'd certainly speak to me about her. I told them my answer was ready; that I had very little acquaintance with that lady, which I imagined wou'd put an end to the discussion. Accordingly she did mention her, but in no way that embarrassed me the least. She said she had had a letter from the Duchess of Kingston that mentioned the duke's illness. She feared, she added, her anxiety for

him wou'd injure her own health. I answer'd my letters from England mentioned the Duke of Kingston being attacked with paralytic disorder. This succeeded. She never renewed the discussion." Lady Mary's manner was probably more significant than her words. The Electoress showed her good sense by her silence.

All things considered, it seems a fair inference that the married life of the duke and duchess was not an unhappy one ; that they passed the time quietly in the country, and that Elizabeth was doing her best to care for a man whose decaying powers must have been evident. At any rate, until positive evidence of the "harrying" process is forthcoming we prefer to believe that Elizabeth has been maligned, and that she was not the tyrannical, grasping woman her detractors have tried to picture her. Walpole, in a passing mood of repentance, puts the matter fairly in the letter to be quoted presently, when he repeated the Countess of Uppin Ossory's words : " Much will be said that she does deserve, and more that she does not."

One thing is very certain : that after the marriage there was an end to the junketings at Kingston House, and to Elizabeth's extravagant eccentricities. Had she plunged into the excesses to which her enemies have asserted she was addicted would there not have been some record of the fact ? But from the time of her marriage in 1769 to the duke's death in 1773 the letter-writers are silent as to her doings or movements. This silence is all the more remarkable because at that time the rage in London for masquerades was at its height, and had the newly made duchess preserved the frivolity and love of excitement with which her days as

Miss Chudleigh were marked it is certain that, had she been inclined to take her share in what was going on in the gay world of London, the duke would have been powerless to prevent her.

The entertainments at Mrs. Cornelys' rooms in Soho were in 1770-71 patronised by the aristocratic leaders of fashion and the belles and beaux vie with each other in the wearing of outrageous costumes. *The Public Advertiser* gives a graphic account of one of these functions. "Monday night," we read, "the principal nobility and gentry of this kingdom, to the number of near eight hundred, were present at the masked ball at Mrs. Cornelys' in Soho-square, given by the gentlemen of the Tuesday Night's Club, held at the 'Star and Garter' Tavern in Pall-mall. Soho-square and adjacent streets were lined with thousands of people, whose curiosity led them to get a sight of the persons going to the Masquerade; nor was any coach or chair suffered to pass unreviewed, the windows being obliged to be let down, and lights held up to display the figures to more advantage. At nine o'clock the doors of the house were opened, and from that time for about three or four hours the Company continued to pour into the Assembly. At twelve the lower rooms were opened; in these were prepared the side-boards, containing sweetmeats and a cold collation, in which elegance was more conspicuous than profusion. The feast of the night was calculated rather to gratify the eye than the stomach, and seemed to testify the conductor's sense of its being prepared almost on the eve of Ash Wednesday. The richness and brilliancy of the dresses were almost beyond imagination; nor

did any assembly ever exhibit a collection of more elegant and beautiful female figures. Among them were Lady Waldegave, Lady Pembroke, the Duchess of Hamilton, Mrs. Crewe, Mrs. Hodges, Lady Almeria Carpenter, etc. Some of the most remarkable figures were—a Highlander (Mr. R. Conway); a double man, half Miller, half Chimney Sweep (Sir R. Phillips); a Political Bedlamite, run mad for Wilkes and Liberty, and No. 45, a figure of Adam in flesh coloured silk, with an apron of fig leaves; a Druid (Sir W. W. Wynne); a figure of Somebody; a figure of Nobody; a running Footman, very richly dressed, with a cap set with diamonds, and the words 'Tuesday Night's Club' in the front (the Earl of Carlisle); His Royal Highness the Duke of Gloucester in the old English habit, with a star on his cloak; Midas (Mr. James, the painter); Miss Monckton, daughter to Lord Gallway, appeared in the character of an Indian Sultana, in a robe of cloth of gold, and a rich veil. The seams of her habit were embroidered with precious stones, and she had a magnificent cluster of diamonds on her head; the jewels she wore were valued at £30,000."

Possibly the gentleman who went as Adam remembered the sensation caused by Miss Chudleigh's Iphigenia, and determined to go one better. However this may be, the only part which concerns us is that, in all the notices of these masquerades—and the newspapers of that date are full of them—there is no mention of the Duchess of Kingston. Considering the curiosity she always excited, a curiosity stimulated by the circumstances of her marriage with the duke, the journalists, like the letter-writers, would have been only too glad

to seize upon the slightest thing to chronicle concerning the "notorious Elizabeth Chudleigh." But the journals are as barren as the letters during the whole time of the married life of the duke and duchess.

During the duke's illness, on September 24th, the alarming reports of his health caused Walpole to break his long silence. We have him writing to the Earl of Strafford thus: "Her Grace of Kingston's glory approaches to consummation in a more worldly style. The duke is dying, and had given her the whole estate, seventeen thousand a year. I am told she has already notified the contents of the will and made offers of the sale of Thoresby. Pious matrons have various ways of expressing decency."

Here Walpole gives the keynote of the abuse which was afterwards showered upon the duchess. Because she looked after herself in regard to the duke's will, which she had a perfect right to do, she has been denounced as an adventuress and a schemer. We hold that Elizabeth conscientiously believed that she was the duke's legal wife, and, having this belief, she only did what every wife would have done in her place. It must not be forgotten that her marriage with the duke raised a host of bitter enemies against her. The duke's relations and connections were furious to think that nearly £20,000 a year was passing from them, and it may be accepted without question that the Pierrepoints and the Medowes, who were the next of kin, did not keep their sentiments to themselves. So when it was rumoured that the duke was lying at the point of death excitement ran high, not only in the family

circle but outside it, on the subject of his will. It was, in fact, the one topic of the fashionable gossips.

Bearing all this in mind, we approach the story of the duchess's conduct during the last moments of her husband. We are told that when she discovered death was imminent she dispatched a messenger to London to bring down her friend Mr. Field, the lawyer, post-haste to Bath. What happened after Mr. Field's arrival we give in the words of Elizabeth's biographer of 1789. How the author came to know what most certainly must have been a confidential transaction has never been settled. The only person likely to be informed of what took place was Mr. Field himself, and he was in no position to contradict the biographer, for in 1789 the lawyer was dead. "Her business with this gentleman of the law," says the author of the "Life and Memoirs," "was of a curious nature. The duke had made a will, by which he cut off his elder nephew, and entailed his estate upon a younger. For this will she would have substituted another, which she had prepared without the duke's knowledge, and which she desired Mr. Field to procure his grace to sign, and to witness it himself. The difference between these two wills, as they respected the duchess, was this : by the first will the duke had bequeathed the income of his estate to his duchess for life, expressly under condition of her continuing a widow ; by the second will this restriction was taken away. That a woman turned fifty should consider restraint from matrimony a grievance is rather extraordinary ; but more particularly such a woman as her grace, who considered the ceremony merely useful from its legal operation, and

never considered it as a religious union. When Mr. Field was introduced to the duke he found his grace's intellect materially affected. A transient knowledge of his intimates and domestics were the only signs of mental ability that remained. Mr. Field, of course, remonstrated with the duchess on the danger and dishonesty of introducing a will to a man so debilitated in mind ; and in return received very severe reprehension from her grace. He, however, quitted the house, and to his honesty and honour his client owed everything the law afterwards allowed her to possess."

We give this story for what it is worth, and whether it is true or false or garbled it is impossible to decide ; all we need remark is that not a shred of corroboration is to be found anywhere. Whitehead once more makes his appearance in connection with the duke's last illness. What he says forms the concluding portion of the letter, the first half of which appears above.

"When the duke came afterwards to Bath, where he died, I was informed of his arrival and illness by one of his servants, who likewise told me his grace wanted very much to see me ; that he enquired for me two or three times a day. I went immediately to his house, sending a servant to inform the duchess (as no one durst wait on his grace, nor even carry a message to him, without her leave). She sent me word to call the next morning. When I attended, the same orders were sent for calling in the evening, and then in the morning again. This continued for three days, without ever letting me see him, though the servant informed me that his grace was always asking for me, taking it unkind I did not wait upon him. He durst

not acquaint him with my unsuccessful attempts for that purpose, for fear of his kind lady's resentment. I then wrote a letter begging Dr. Rains to deliver it to my honoured master, though to no purpose; he durst not. This Dr. Rains the duke had a great opinion of, having brought him from Thoresby. I next wrote to the duchess begging the favour of attending on his grace during his illness; being so long used to his person, and better acquainted with his manner than the servant who then waited on him. This was he whom the duchess recommended from Lord Barrington, as already mentioned. I believe she foresaw she might want his lordship's assistance. She sent me answer that when she wanted me she would send for me. As I almost now despaired of seeing my dear lord, I was determined to make one grand push for that purpose. Accordingly I went the next morning and entered a room on the left hand, as you go into the Abbey bath-house. In about two minutes I heard the duke at the top of the stairs enquiring 'Where's Whitehead?' the duchess at the same time asking if he would have his chair brought in. 'No,' said he, 'I want to see Whitehead.' I instantly rushed past her grace, who endeavoured to stop me at the bottom of the staircase, asking me where I was going. I met the good duke with tears in my eyes. I never saw a man so altered in so short a time. The duchess hurried him immediately into the chair, obliging me to go away; and I never spoke to him afterwards."

CHAPTER VIII

Death of the duke—His will—The duchess's grief ridiculed—The funeral of a great nobleman—Elaborate ceremonial—Embarrassing position of the duchess—She sets out for Rome—Is hospitably received by Clement XIV.—The duchess's yacht on the Tiber—Entertainments in her honour at Rome.

THE duke died at Bath on September 23rd, 1773, and immediately the fashionable letter-writers reopened their batteries of raillery, making fine sport with the funeral and the grief of the duchess. Walpole's wit is none the less venomous because of his long neglect of the lady who was once the pet target for his shots. In a letter to the Countess of Upper Ossory he says : " I do not agree with your ladyship that the Duchess of Kingston will have recourse to the protection of the King of Prussia. His Majesty has not shown such partiality to Hymen as implies a propensity to bigamy. It might be charity to continue her maid of honour, after she was married and had two children, and was starving at Chudleigh House, like poor fat Mrs. Pritchard in *Jane Shore* ; but every Court is neither so pious nor so gallant as to wear favours every time a virgin loses her vestality. I am charmed with what you say, *that much will be said that she does deserve, and more that she does not.* One may always

venture to bet that the world's ill-nature will out-do anybody's ill-deeds ; and I am persuaded that Nero and Cæsar Borgia will, as well as Richard III., come out much better characters at the Day of Judgment, and that the *pious* and *grave* will be the chief losers at that solemnity. I have not yet heard the Duke and Duchess's will. She moved to town with the pace of an interment, and made as many halts between Bath and London as Queen Eleanor's corpse. I hope, for mercy, she will not send for me to write verses on all the crosses she shall erect where she and the horses stopped to weep ; but I am in a panic, for I hear my poor lines at Amptill are already in the papers. Her black crape veil, they say, contained a thousand more yards than that of Mousseline la Serciuse, and at one of the inns where her grief baited she was in too great an agony to descend at the door, and was slung into a bow-window, as Mark Antony was into Cleopatra's monument. . . . The duchess is a miracle of moderation ! She has only taken the whole real estate for her own life, and the personal estate for ever. Evelyn Medows is totally disinherited. The whole real estate, after Andromache, the duke gives to the next brother (who took Hermione), and, in failure of his heirs, to his three brothers in succession ; and, in default of issue thence, to the Duke of Newcastle's second son, Lord Thomas Clinton. Wortley Montagu gets an estate of £1,200 a year that was settled on him. There are small legacies to the amount of £1,200, and Mr. Brand is not mentioned. Still, the most curious part I am yet to learn : my letters do not tell me what *style*, as the heralds call it, he has proclaimed his heiress."

Evelyn Medows was the next of kin and the one who felt the effects of the duke's will most keenly. He was the eldest son of Philip Medows by Lady Frances Pierrepont, sister of the late Duke of Kingston. His "next brother" was Captain Charles Medows, who took the name of Pierrepont in 1778 when he succeeded to the duke's estates and was created Viscount Newark in 1796 and Earl Manvers in 1806. The Lord Thomas Pelham-Clinton mentioned was second son of the second Duke of Newcastle, whom he succeeded in 1794, and Mr. Thomas Brand was the duke's uncle by marriage.

A week later Walpole returns to the charge: "I cannot yet tell you positively, Madam, whether the Duke of Kingston has indited the duchess by all her *aliases* or not. I believe so, positively, for two days, but I heard to-night that the will was made before they were married. I will not swear to this, nor to what I heard farther, that her first husband has been seen coming out of her house since she arrived. I do not mean his ghost, for the first husband is not dead, though the second is. I hope it is true, and that Augustus Hervey will be as like Cato as two peas, and take his Portia again after the loan of her."

Mrs. Delany's pen is not idle on the subject. She gives her friend, Mrs. Port, a sprightly piece of gossip, dashed with pious moralising, in the following: "Everybody gapeing for the Duke of Kingston's will —£4,000 a year he settled on her at his *marriage* (if *such* it may be allowed); her widow'd grace fell into fits at *every turn* on the road from Bath: *true*



THOMAS PELHAM, DUKE OF NEWCASTLE

affection and gratitude surely cannot inhabit such a breast? ”

The Dowager-Countess of Gower is also full of the burning topic. She writes to Mrs. Delany : “ The Dss of K—— ! (*alias* Mrs. H.) must have been struck wth a whim for ye D to apear a Grand Seignior before he died. She and her six women attending wth all humility gives me an idea of a seraglio. Wth all her ceremony, ye water must have lost its vertue before it reached ye D.”

The water alluded to by the Countess was from the river Jordan. At one time this water was used for the royal christenings ; for what purpose it was employed in connection with the duke we are left in doubt. Probably it was intended for washing the corpse ; but if so it is difficult to believe it could have arrived in time.

The Hon. Mrs. Boscawen contributes her mite of gossip to the general fund thus : “ The Duke of Newcastle had the custody of the D. of K.’s will, but the Dss was so ill (of grief) that she cou’d not bear to have it open’d ! At length the D. of N. said he cou’d wait no longer and appointed last Friday for Mr. Medows to meet him at Kingston (*alias* Chudleigh House). He went ; his sons remain’d at the outside of the gate walking to and fro with their cousin, Spencer Boscawen, for whom this account came (I think, too, Mr. Brand was at the opening of the will) ; Mr. Medows (the father) came out but cou’d not speak for tears. His eldest son, Mr. Evelyn Medows, is totally disinherited, and is cut off with £ 500 left him in a codicil. Boscawen could not be positive in this

circumstance. Mr. Eve. Medows express'd no concern at his disappointment: his father was excessively affected."

The will was executed on the fifth day of July 1770, and the following are the extracts which relate to the duchess: "I do by this will ratify and confirm a settlement, which I made of the annual sum, or yearly rent charge, of *four thousand pounds*, on *my wife, Elizabeth, Duchess of Kingston*; and that the said sum should be unto and to the use of the said Elizabeth, Duchess of Kingston, *my wife*, and her assigns, for and during the term of her natural life, *in case she so long continues my widow, and unmarried, and no longer*. And my said wife shall be permitted *during her widowhood*, to receive and take the whole yearly rents, and profits, of all the manors, lands, and hereditaments, before devised, if full satisfaction, recompence and discharge of and for so much of the said annual sum, or yearly rent charge of *four thousand pounds*, as shall grow due during her widowhood, but in *case my said wife shall determine her widowhood during her life*, then I shall give and devise the same to *Charles Medows*, second son of *Phillip Medows*.

"Also I give and bequeath to my said wife, *Elizabeth, Duchess of Kingston*, all my *furniture, pictures, plate, jewels, china, arrears of rent, and all other my effects, and personal estate*, of what nature or kind soever, for *her own proper use absolutely*, and as and for *her own goods, chattels and effects for evermore*."

It is not unwelcome, after the ill-nature of the letter-writers, to read the sober account of the pro-

ceedings given in *The London Chronicle* of October 19th: "On Tuesday were interred in the family vault at Holme Pierrepont, in Nottinghamshire, the remains of his Grace the Duke of Kingston. The procession from Bath which set out on Wednesday last was as follows: Six mutes. A coach with four clergymen. The Coronet and cushion, carried on the state-horse by the Duke's Gentleman, attended by two Grooms and two Pages. The plume of feathers. The hearse. Six bearers on horseback. The coach with his Grace's stewards as Mourners. Ditto with the Duke's servants as Mourners. A coach with his Tenants. Another ditto. The Duke's tradesmen on horseback, 36 in number. Thirty-two men bearing truncheons, viz.: four to each coach, and eight to the hearse, which was richly ornamented with escutcheons of his Grace's arms, and upon each coach a Ducal Coronet. The coaches were drawn by six horses each. The coffin is covered with crimson velvet, and on the breast-plate his Grace's titles are thus inscribed: 'The Most High, Mighty, and Most Noble Prince Evelyn Pierrepont, Duke of Kingston upon Hull, Marquis of Dorchester, Earl of Kingston upon Hull, Viscount Newark, Baron Pierrepont of Holme Pierrepont, Knight of the Most Noble order of the Garter, and General in His Majesty's Army, Died the 23rd day of September 1773. Aged 61 years.' The corpse lay in state at the principal inns at every stage on the road; and was met on the borders of the county and attended by vast numbers of Gentlemen, etc., to shew their respect to so valuable a man."

Whitehead has left an account of his share in the

funeral, not forgetting to air a grievance in his customary manner and complaining that the duchess furnished him with no mourning, and would not pay his travelling expenses, together with collateral damages to recompense him for the "loss of my business." He says: "After the duke's death, the duchess sent for me, and asked me to accompany his funeral as one of the chief mourners, Mr. Poynter being the other, who met us at Loughborough, near Nottingham, on his way from London to Holme Pierrepont. The next day we arrived at Bunny, where, resting to arrange some matters a short time, we again departed for Holme Pierrepont, within four miles of which we were met by the Duke of Newcastle (an intimate friend of his late grace) and about a hundred more noblemen and gentlemen of his particular acquaintance; upwards of fifty carriages, with three times the number of horsemen, the foot people lining the road all the way with men, women, and children an incredible number. I have never saw so many on such an occasion, either before or since. After a little refreshment at Holme Pierrepont, the process began. As the house joined the churchyard, they had not far to walk. When the corps was deposited in the vault with his ancestors, the Duke of Newcastle pressed my shoulder, saying, 'Whitehead, this is a sorry meeting: you have lost a good friend, and I an agreeable companion.'

"Being desired by the duchess herself to attend the funeral, I made no doubt of her grace's reimbursement for the expenses of putting myself in mourning, and other necessaries for the journey; together with

the loss of my business. However, I never got a sixpence or thanks for my trouble. I wrote several times to the duchess, but never could obtain an answer. I likewise sent a letter to France, directed to Captain Evelyn Meadows, who was then the greatest favourite with her grace (the duchess doing nothing without first consulting him), but this application was equally unsuccessful as the former ones. Perhaps the conscience of the duchess reproached her for the injury she did the captain, in setting the duke against him, and persuading his grace to leave his estate from him; he being the next heir at law, if the duke had died without a will. He was the eldest son of Lady Frances Meadows, the duke's eldest sister; whom, during the whole time that I lived with his grace, he never saw. Mr. Meadows, Mr. Charles Meadows, now Mr. Pierrepoint, General Meadows, who is now in the West Indies, and two other brothers, were permitted to see the duke within four years of his marriage; but the porter had particular orders never to let in the captain on any account whatever. I have been informed (but one cannot vouch for the truth of the story) that Captain Evelyn had disoblged Miss Chudleigh, by using ill some young lady of her acquaintance, whom he paid his addresses to. I never heard the reason of his grace's dislike to his sister, and her husband, or the other three sons; but find it continued till his death. The first time the duchess sent for Captain Evelyn to France she dispatched a favourite servant whom she first took as a chairman into her service, but soon promoted him to be her footman and chief confidant, till her marriage with

the duke, when he was made butler in the room of Mr. Fozard, who resigned. This person, whose name was Williams, was to wait on the captain and bring him to France in her yacht, that waited at Dover for that purpose ; but the Captain then rejected her offer, and would not go. This I had from Mr. Williams' own mouth afterwards at Bath."

Whitehead adds a little item of information respecting the duke's will, which is very likely to be true : "I must remark that the wary duchess, foreseeing what might be the consequence of the duke's death should she survive him, had caused him to write every word of the will relating to herself *with his own hand.*"

Elizabeth's position in court and aristocratic circles after the death of the duke was embarrassing and uncomfortable. The general opinion was that she had coerced the duke into making a will in her favour, but direct evidence of this is wanting, and, looking at the matter apart from personal feeling, it does not seem extraordinary that his grace should have left her his wealth voluntarily. The duke was evidently at variance with the next heir, Evelyn Medows, and it was but natural he should show his affection for the duchess, who, if the truth could be ascertained, might, for the reasons already put forward, have devoted herself to him. However, at the time no one would venture to take this line of argument ; the late duke's relations and friends were up in arms against her, and Elizabeth's own supporters held aloof. She had been absent from the Court more than four years, and had lost touch with many with whom she had been closely associated. She saw plainly enough that to remain in England was

but to court snubs and insults. It is true that, with an income of nearly £20,000 a year, the enjoyment of the duke's landed property for life, and his personalty hers absolutely, she could afford to be indifferent to gibes and innuendoes; but her spirit was too high to permit her to remain in the cold shade of neglect, and she determined to seek new worlds to conquer. Whitehead's nineteenth letter throws a little light on her doings at this turn of her affairs. He says:

“When Sir Charles Sedley came to Bath the spring after the duke's death, as he was generally laid up with the gout, and I always a great favourite of his, he sent for me and told me the duchess had written him a letter to Nuttal, sending it by one of her grooms, desiring to have the pleasure of his company at Thoresby in his way to Newmarket, having something particular to communicate. When he waited on her, he found the apartments stripped of everything of value, so that it put him in mind of Sharpe's lodgings in the *Lying Valet*. She kept him up till three o'clock in the morning telling what grievances she had sustained: that it had cost her sixteen hundred pounds in law since the duke's death, which was but five months; that Lord Mansfield had the chief part of it. She added she had been so ill-treated since her worthy lord's decease that she was determined to quit this vile country and reside in France, where she should have proper respect shown her; for that reason she had sent all the best of the furniture, with the pictures and plate, except the gilt plate belonging to the church (which, by-the-by, she dispatched with the rest but was obliged to return it, saying she did not know

it was in her possession). The duke's service of plate was one of the richest in the kingdom. Sir Charles told me it was out of respect to his late grace that he called to see her, than from any regard to her, as he well knew her deceit. . . . I have known Sir Charles go to the post office in Lombard Street to purchase letters whose owners could not be found, diverting himself and company with the contents." If Sir Charles Sedley's favourite amusement was the opening of other people's letters, even though he may have paid for them, the charge of deceit he brings against the duchess does not come very well from his mouth.

Elizabeth did not go to France as Whitehead suggests, but to Rome, and there were many inducements to tempt her thither. She hated everything that was commonplace, and at that moment the pontifical chair was occupied by a very exceptional man, John Vincenti Antony Ganganelli, better known as Clement XIV. Ganganelli was the son of a physician, and was elected Pope in 1769, at a time when almost all the European Powers were meditating attacks on the Papal authority. Ganganelli was remarkably broad in his views, but diplomatic and tactful at the same time. He began with a conciliatory policy, and gradually wore down all hostility, but only by a concession which was of vital consequences to the Catholic Church. The great public event of Ganganelli's pontificate was the final suppression of the order of Jesuits. After a mature deliberation on the subject for four years, he signed the brief for this purpose on July 21st, 1773, and the suppression was succeeded by an immediate reconciliation with the discontented Courts.

The step was not taken without care to supply what was lost, and Clement provided successors to the Jesuits in the institutions for education of which they had obtained the chief management. After this event he fell into a declining illness, was racked by excruciating pains, and worn to a skeleton. Poison was suspected, and it is said that Clement himself knew the cause.

At the time, however, of the visit of the Duchess of Kingston Clement was at the height of his powers. The famous edict of suppression had been in force a few months, and the Pope was the most talked of man throughout Europe. He was not merely a diplomatist and reformer—a spoliator many members of his Church would possibly call him—but he was distinguished by his urbanity and his simplicity. “A monk’s life,” he is reported to have once said, “is to be directed by his rule, but the wants of his subjects point the hours of a sovereign.” When he was told that he ought to keep a more splendid table he said that “Neither St. Peter nor St. Francis had taught him to dine splendidly”; yet upon occasion he could entertain guests with proper dignity, and even magnificence. But in the midst of pomp and ceremony he preserved his simplicity of character and his humorous turn of conversation, and loved nothing so much as to chat at ease with his old friends. “I have been [said he one evening] a prince and a pope all day; that I may not be quite suffocated, let me now be Father Ganganelli again.”

This mixture of a due appreciation of the responsibilities of high dignity and state with striking personal qualifications appealed strongly to Elizabeth’s love for

unconventionality—an unconventionality which, when it was necessary, she could drop and be as exacting in the matter of etiquette as the occasion demanded. It is worthy of note that the three great personages who honoured the duchess with their friendship had much in common. Clement XIV., Frederick the Great, and Catherine II. of Russia, while observant of the restrictions of rank, and of the homage due to that rank, delighted in unbending whenever they could do so with propriety. That the Duchess of Kingston succeeded in ingratiating herself with each is a tribute not only to her charm and fascination, but to the powers of her mind and originality of thought. She would not have been tolerated simply on account of her wealth had she been vain and empty-headed, or the scheming adventuress such as her biographers have represented her.

The Pope received Elizabeth with the utmost cordiality, endowed her with many privileges, enjoyed only by princes, and lodged her in the palace of one of the cardinals. The duchess was quite equal to entertaining a pope, and, in return for his hospitality and distinction, spent money right royally in the diversions she afforded the inhabitants of Rome. Even here she has not escaped ill-natured criticism, and one of the anonymous scribes could not allude to her lavish expenditure without gratuitously adding “notwithstanding her avarice.” We are told that “She had built an elegant yacht in England, which she had brought into Italy under the direction of a gentleman who had served in the British Navy; and this vessel, with considerable labour and an immense

expense, was conveyed up the Tiber. The modern Romans crowded from all parts. To the degenerate Italians an English yacht was as great a curiosity as the ancient vessels of the Carthaginians were to their renowned and virtuous ancestors."

The accounts of the magnificent reception given Elizabeth by the Pope, and of her flinging away thousands of the duke's money, reached England, and maddened the disappointed Evelyn Medows and his friends. Walpole's friend, Sir Horace Mann, was travelling in Italy at the time, and Walpole thus writes to him: "What think you of that pompous piece of effrontery and imposture, the Duchess of Kingston? Is there common sense in her ostentation and grief, and train of black crape and band of music? I beg you would not be silent on that chapter; it is as comic a scene as that of the Countess Trifaldine in 'Don Quixote,' and, though she is the high and mighty princess, at least she does not yet pretend to be a royal one." Four months later he flings this at her: "Her Grace of Kingston, though a phenomenon, is no original; the purchase of Sixtus Quintus's villa seems to be an imitation of that Stroller, Queen Christina."

CHAPTER IX

The Medows family make secret inquiries about the marriage at Lainston—The duchess visits London hurriedly—She returns to Rome—Rumours of a prosecution for bigamy—Anne Cradock secured as a witness against the duchess—Augustus Hervey becomes Earl of Bristol—The grand jury of Middlesex return a bill of indictment for bigamy against the duchess—Her adventure with Jenkins, the banker, at Rome—She travels post-haste to England—Is taken ill on the journey—Crosses the Alps in a litter—Arrives at Dover.

THE author of the "Life and Memoirs" informs us that "while festivity, praise, and respect elated her heart in the dominions of the Pope, a storm was gathering in the dominions of her King to level her even to the dust." This storm, so grandiloquently described, arose out of the simmering rage of the disinherited Evelyn Medows. He and his friends were casting about for a plan of attack, and it was only reasonable that they should pitch upon the form of marriage at Lainston, which the decision of the Ecclesiastical Court had declared to be null and void. It is by no means certain that at this time they were aware of the important evidence Anne Cradock was prepared to give. Whitehead, if we may believe him, was, however, approached. He says : "The year after his grace's decease, Mr. Pierre-

point's eldest brother, Captain Evelyn Medows, came to Bath and asked me some questions concerning the duchess's behaviour to the duke, in order, if possible, to get the will set aside. I told him of her ill-treatment of my good lord ; that he had no will to act as he pleased ; that he could not even go an airing without her leave ; with many other things, the chief part of which I have related in my former letters. He wished I would make a memorandum of them and give it to his attorney ; and likewise accompany him to Bristol to find out Mr. Phillips's wife, the late Mrs. Auress [Mrs. Amis], promising to reward me for my trouble."

Tongues were once more at work, and Lady Mary Coke was in her element in circulating every piece of scandal she could get hold of. Writing to one of her friends, she says : "The newspapers will have informed you that the lady who called herself Duchess of Kingston is proved to be no other than Mrs. Hervey, and her ill-acquired fortune will soon follow her title, for 'tis said she will certainly lose it by these words in the Duke of Kingston's will, that he gives her all his estate, etc., as long as she continues his widow, and no longer. Lord Bristol is a little better, and is going to the Bath. Most people think Mr. Hervey will be divorced, as he will have little trouble in obtaining it."

According to the fair journalist, it would appear that Queen Charlotte was not so favourably disposed towards the Duchess of Kingston as she had been towards Elizabeth Chudleigh. Lady Mary, talking with the Queen about Elizabeth's great friend, the

Electoress of Saxony, records: "The Elector had built a new *Ménage* with a gallery round, where all the Court were assembled, which, being ill-built, the number of people made it give way and fall with all the Company. Many of which were extremely hurt, and, among the rest, the Electoress-Dowager of Saxony had her leg broke, which she bore with uncommon patience, tho' her suffering must have been great, for so many people fell over her, it was some time before she could have any assistance. I had some conversation with her Majesty about her, as also about the lady who calls herself Duchess of Kingston. The Queen said that things always came out at last, and did not seem sorry, as I thought, that all that infamy was brought to light."

Despite the clouds gathering about the duchess, the Electoress remains staunch in her friendship, and we have Lady Mary writing, with considerable acerbity, a few weeks later: "Sir Horace Mann wrote Mr. Walpole word that the lady who calls herself Duchess of Kingston is expected at Florence, and that the Electoress of Saxony had recommended her to the great duchess. I'm persuaded she will be very well received, for virtues are no recommendations at that Court, and tho' Lady Hertford told Mr. Walpole she supposed her going there would be a great distress to Sir Horace Mann, I am not of her opinion, and am sure he will be as civil to her as he ever was to anybody, and much more so than he was to me. Did I tell you that Mr. Fitzroy saw the terrible woman at Calais? and she complained bitterly of the Medows family, saying how cruel it was of them to

interrupt her peace of mind. If, with all her crimes, her peace of mind is only disturbed by the Medows family, 'tis extraordinary indeed."

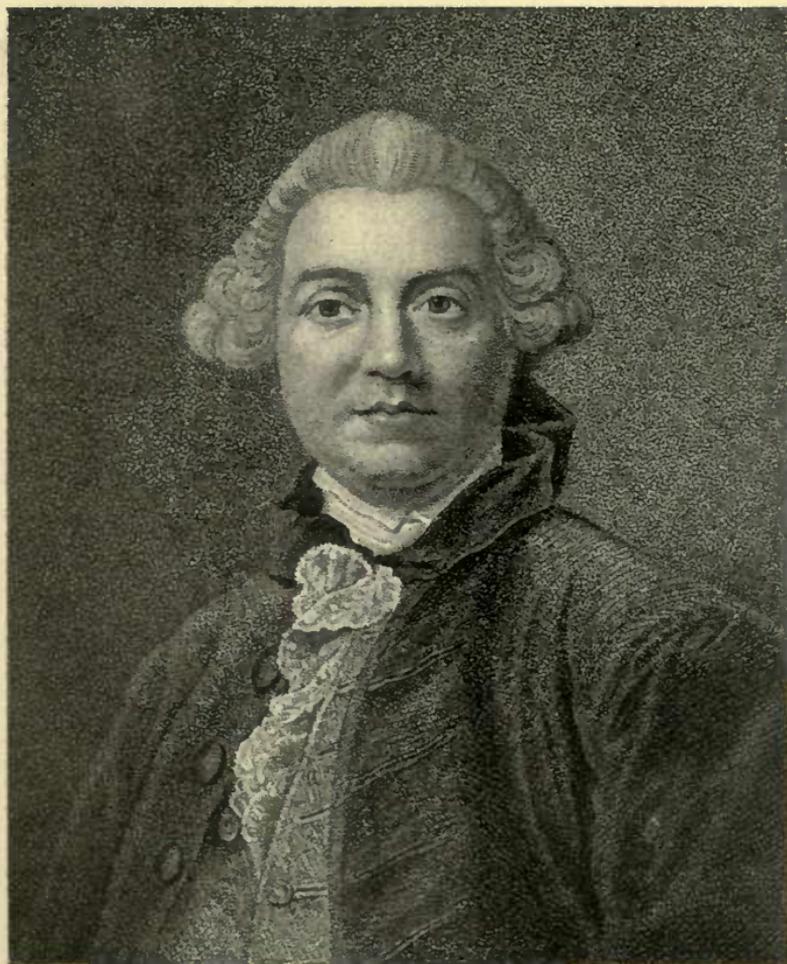
In the middle of all this smouldering turmoil the duchess pays a hurried and semi-secret visit to London. Walpole alludes to it in the following: "Christina, Duchess of Kingston, is arrived, in a great fright, I believe, for the duke's nephews are going to prove her first marriage, and hope to set the will aside. It is a pity her friendship with the Pope had not been earlier; he might have given her a dispensation. If she loses her cause, the best thing he can do will be to give her the veil."

This was in July 1774; in August Walpole writes: "I told you in my last that her Grace of Kingston was arrived. Had I written it four-and-twenty hours later, I might have told you she was gone again, with much precipitation, and with none of the pomp of her usual progresses. In short, she had missed her lawyer's letters, which warned her against returning. A prosecution for bigamy was ready to meet her. She decamped in the middle of the night; and six hours after the officers of justice were at her door to seize her. This is but an unheroic catastrophe of her romance; and though she is as thorough a comedian as Sixtus Quintus, it would be a little awkward to take possession of his villa, after being burnt in the hand. What will be the issue of the suit and law-suit I cannot tell. As so vast an estate is the prize, the lawyers will probably protract it beyond this century. Her friend, the Electoress of Saxony, said to the Duke of Gloucester: "Poor thing!

what could she do? she was so young when she was first married!"

Mrs. Delany has something to say about Elizabeth's sudden appearance in London. Writing to the Rev. John Dawes she tells him: "The Dss of Kingston made a short visit to England; she came from Rome, where she was settled. She stayed twenty-four hours at her house at Knightsbridge, and then set off for Russia—her sudden flight, they say, occasioned by Mr. Evelyn Medows having gone to law with her, to prove her marriage with Mr. Hervey, which it is thought he will certainly do, having gained a certain evidence of it—a *man* who the Dss of Kingston gave ten thousand pounds of hush-money, and *who* for the same sum from Mr. Evelyn Medows is gained against her. So rogues betray rogues; it is happy when innocence escapes their snares." Mrs. Delany is occasionally very haphazard in her statements, and this cock-and-bull story of the £10,000 is one of the most reckless.

A "law student" who published a pamphlet on the legal aspects of the case while the trial for bigamy was pending, wrote with all the vigour of the time thus: "The charge of collusion was equally injurious to the Earl of Bristol as the Duchess of Kingston; a charge founded on the most infamous surmises and propagated in *The Morning Post*, the most illiberal paper which disgraces this Metropolis, in which lurid and hidden assassins and mercenary scribblers, while lurking in obscurity, wound the most respectable characters and wantonly aim to ruin the peace of mind and destroy the property of private families. For this



SAMUEL FOOTE

attack on the Earl of Bristol, they, however, received the chastisement of the Court of King's Bench, tho' the proprietors now affect to boast that they shall escape paying the fine so justly inflicted for their nefarious publication, as the ostensible defendant, Griffin, is since dead."

The hasty visit of the duchess to England was, of course, to consult her friend, lawyer Field, how to meet the threatening danger. Field, confident in the validity of the decision of the Ecclesiastical Court, advised her wrongly. The two no doubt talked over what Anne Cradock could do, and the attorney ought to have seen how advisable it was that she should be kept quiet. Anne was entitled to say that, had she not kept herself in the background during the jactitation proceedings, the marriage with the duke could not possibly have taken place. The responsibility of behaving meanly towards Anne has been fixed on Elizabeth; it was far more likely to have rested on Field. The few pounds which would have satisfied Anne were not worth thinking of, and we are inclined to think Elizabeth left the matter to be dealt with by the lawyer and that he mismanaged it. Elizabeth, at the trial, denied that she paid Anne money, or even promised to do so. Whatever the truth of the matter may be, it would appear that Cradock threatened to disclose everything to Evelyn Medows, which was just what might have been expected. Field, however, depending on the judgment of the Ecclesiastical Court, set her at defiance, and she went straight to the other side, and, her evidence being put into writing, Evelyn Medows laid his case before counsel, who advised a

bill of indictment to be preferred against the duchess on a charge of bigamy, which at that time was classed as felony.

The law moves slowly, and in the eighteenth century, hampered by an elaborate and tortuous procedure, it went at a snail's pace. The duchess was once more enjoying herself at Rome, fondly imagining she had settled everything in England, when all the time the cumbrous legal machinery was being put in action against her. Towards the end of 1774 another event of importance, of great interest to the duchess, was foreshadowed. The Earl of Bristol was taken seriously ill, and there was every prospect of his brother, Captain Hervey, the bridegroom of the midnight marriage at Lainston, coming into the title. Walpole, writing on November 11th, 1774, to Horace Mann, says :

“The bigamist duchess is likely to become a real peeress at last. Lord Bristol has been struck with a palsy that has taken away the use of all his limbs. If he dies, and Augustus should take a fancy to marry again, as two or three years ago he had a mind to do, his next brother, the bishop, may happen to assist the Duke of Kingston's relations with additional proofs of the first marriage. They now think they shall be able to intercept the receipt of the duke's estate ; but law is a horrid liar, and I never believe a word it says before the decision.”

Five months later the earl died. Captain Hervey succeeded him, but Elizabeth made no sign. She stayed in Rome, thinking she was perfectly safe.

Walpole sums up the situation in his cynical fashion : "I just now hear that Lord Bristol is dead at the Bath. He was born to the gout from his mother's family, but starved himself to keep it off. This brought on paralytic strokes, which have dispatched him. Will her Grace of Kingston now pass eldest, and condescend to be, as she really is, Countess of Bristol? or will she come over and take her trial for the becoming dignity of the exhibition in Westminster Hall? How it would sound, 'Elizabeth, Countess of Bristol, *alias* Duchess of Kingston, come into court'! I can tell you nothing more extraordinary, nor would any history figure near hers. It shows genius to strike out anything so new as her achievements."

This was on March 26th, 1775. Before June was out the legal machinery had moved to a point which necessitated immediate action. The bill of indictment against the duchess had been presented, and, being found by the grand jury, it was advised, if her grace did not appear in proper time to plead to the indictment that process of outlawry should be commenced against her. Mr. Field, having received notice of the prosecution, took immediate advice of counsel, who in consultation directed information to be sent to the duchess at Rome, urging her immediate return to England. "This intelligence, like the shock of a paralytic stroke, numbed every sense; her strength was scarcely able to bear against it; and she was recovered from the first paroxysms of surprise with the utmost difficulty. Reason, however, at last resuming her seat, a carriage was ordered, and this

now unhappy woman was drove to the house of Mr. Jenkins, her banker."

Thus runs the version given in "The Authentic Detail." Judging, however, by what happened at the banker's house, we take leave to doubt whether even one sense, let alone "every sense," was in the least bit numbed. In the exciting episode which followed Elizabeth showed herself to be a true daughter of the intrepid Mrs. Chudleigh, who was not to be intimidated by highwaymen.

This Mr. Jenkins was a remarkable character. He was at one time a broker of curiosities, and, settling at Rome, became banker to almost every British subject that visited the capital of the Holy See. In his house the duchess had placed money and securities to a very considerable amount, and, needing funds for her post-haste journey to England, she called on the banker for a large sum which she wanted in hard cash. To her amazement and disgust, she was told he was out, a statement which the lady refused to believe, and, as she could get no reasonable explanation of the banker's unaccountable absence, she began to suspect some deep design. There was no justification for denying himself to her, for he was perfectly secure so far as any advance he might make, and it flashed across the mind of the astute duchess that the banker was behaving treacherously. Her suspicion was well founded; the intent was to delay her return to England till judgment of outlawry could be obtained, the execution of which would have operated upon her property at home, though not to the advantage of her husband's relations, as the confiscations

would, of course, have gone into his Majesty's exchequer.

The duchess, alarmed by these circumstances, mustered her spirit, and resolved not only on enforcing an interview with her banker, but on obtaining a restitution of the securities she had deposited in his hands. It was characteristic of Elizabeth never to entrust to other people what she thought she could do herself, and, quietly purchasing a pair of pistols, she returned to the banker's house and again asked to see him. The answer, as usual, was that Mr. Jenkins was not at home, upon which his resolute creditor placed herself at his door, declaring she would there remain sentinel, and not quit her post till he made his appearance, though he should remain absent for a month. The threat had the desired effect, and Jenkins, seeing the impossibility of longer avoiding an interview, at last showed himself. The duchess addressed the banker in terms which must have considerably astonished him, and demanded her money. The banker would have prevaricated—she produced her pistol, and he saw the wisdom of yielding. Triumphantly she took her departure with all the money she wanted, and commenced her return to England.

The journey proved very arduous; difficulties dogged her, and before she reached the Alps “the perturbation of spirit, upon which passions and disappointments had powerfully wrought, produced a violent fever that terminated in an abscess which gathered in her side. Thus tormented in mind and body, her situation was truly pitiful.” But her courage and

resourcefulness were unabated, and, finding the jolting of the carriage intolerable torture, she had a litter constructed, and in this primitive fashion was conveyed as far as Calais. Here she rested until her health improved; but in the meantime her distress of mind increased, and one can well credit the statement that "her apprehensions overpowered her reason, and her conversation often indicated approaching insanity." These fears arose from a misapprehension of the consequences of the indictment. The fact was she supposed that the offence precluded her from bail, and that on her arrival she would be committed to the common gaol. Colonel West, brother to Lord Delaware, chanced to be in Calais at the time, and she consulted him on the point, but the colonel was as little acquainted with the law of bigamy as the duchess, and his opinions rather increased than diminished her apprehensions. He considered it felony without benefit of clergy; in other words, that if found guilty she would be branded in the hand in accordance with the brutal law of the period.

Elizabeth's arrival at Calais was soon noised abroad, and Mrs. Delany gives circulation to a foolish piece of gossip which was as senseless as it was untrue. "The Duchess of Kingston," she writes, "who has been some time at Calais, has a ship of her own, which she sends on her errands to England, etc. She expected its return, and, on hearing it was coming into harbour, she went to the strand immediately on board, and asked the captain 'if he had brought her birds?' 'No, madam, I have not brought your birds, but I have brought Captain Hervey.' Upon which

her graceless grace hurried out of the ship with all possible speed. I want to hear the sequel ; when I do you shall." Mrs. Delany, it need hardly be said, waited for the sequel in vain.

While plunged in doubt and distress of mind the duchess was unexpectedly cheered by a visit from Lord Mansfield, who happened to be passing through Calais. The great lawyer explained to her the nature of the offence with which she stood charged, the consequences of the indictment, and of conviction ; and, being eased of her fears by his information, her mind became serene, her health improved, and she soon embarked for Dover, a piece of news of which Walpole made instant use : "The Duchess of Bristol," he writes, "is returned to avoid outlawry. The earl, whom she has made a dowager, talks, and seems to act, resolution of being divorced ; and the Ecclesiastical Court, who has been as great a whore as either of them, affects to be ashamed, and thunders against the duchess. In the meantime the Meadowses prosecute the earl for the whole receipt of the Kingston estate, as her grace is his countess. People cry out that the House of Lords cannot grant a divorce after such symptoms of collusion. I beg their pardons ; I do not know what the House cannot do." All this, it is evident, was simply skirmishing to prepare the way for the great battle.

CHAPTER X

The story of Anne Cradock—Contradictory statements—The duchess surrounded by enemies—She prepares to defend herself—Extraordinary attack upon her by Samuel Foote—*A Trip to Calais* and “Lady Kitty Crocodile”—How Foote obtained his information.

ON Elizabeth’s arrival at Kingston House she discovered that neither absence nor the prosecution had lessened her friends, among the most zealous of whom she found the Dukes of Newcastle, Ancaster (one of her early sweethearts), and Portland; also Lord Mountstuart, and a numerous circle of other distinguished personages.

The first step was to put in bail to the indictment, Earl Mansfield, the Duke of Newcastle, and Lord Mountstuart becoming her sureties; many persons of high rank and fortune offering to join, among them being the Marquis of Granby, her neighbour of Rutland House, Knightsbridge. These voluntary acts of friendship “considerably alleviated her distress; and, coming from such personages, flattered her vanity, solaced her mind, and strengthened it to meet with intrepidity the ordeal in preparation, which was the most severe that a woman of her rank had been brought to for many years.” While one may agree

with these observations, it is difficult to admit the justice of the following : "To herself, however, she had principally to impute her wretched situation, and all its consequences. Avarice had superseded prudence. She depended upon cunning and chicane, in a case that required the utmost wisdom conducting ; and, instead of purchasing off the evidence against her, she applied to lawyers, whose interest was to promote litigation."

It is not quite clear where the "cunning and chicane" came in. Elizabeth would have been more open to this charge had she "purchased off" the evidence rather than applying to lawyers. The author of the "Life and Memoirs" does not seem to appreciate the courage and determination of a woman who, when she believes she is in the right, will fight for that right and take the consequences. Nor is he to be depended upon in his account of the negotiations with Anne Cradock. The version, as presented in this biography, runs thus : "Mrs. Cradock, the principal existing witness against her, the only one who could prove the actual performance and consummation of the marriage ceremony, had, in old age, personally solicited a decent maintenance for the remnant of her life ; and had voluntarily offered, in case of acquiescence, to retire to her native village and never more obtrude herself upon the peace of her benefactress. This offer was rejected by the duchess, who, though wallowing in accumulating wealth, would not consent to allow Mrs. Cradock more than the wretched stipend of £20 a year, and that on the hard condition that she should live sequestered in an obscure village near

the Peak of Derby. The ungracious proposal of the duchess was rejected with contempt, but her grace, considering her conduct on the occasion extremely liberal, expressed her astonishment by exclaiming: 'Has the old devil the assurance to reject my bounty!' and she was then set at defiance, though shortly after Mrs. Cradock might have commanded thousands to desert from the service of the duchess's prosecutors."

Anne Cradock is here represented to have approached the duchess, after her arrival in England, whereas, if the personal solicitation took place at all, it must have happened before the journey to Rome, or how could she have set the law in motion by disclosing Elizabeth's secret to Evelyn Medows while the duchess was out of England? Whitehead, at the end of Letter XX., tells another story, and this story, to our mind, is not to be lightly disregarded. He says: "The Mr. Fozard whom I have so often mentioned lived with the duke from a child. He was recommended to his grace by Colonel Litchfield; on his quitting his grace's service at his marriage with Miss Chudleigh, Fozard married her maid. With what he had saved, and the assistance of the colonel, he took Hall's stables at Hyde Park Corner, now kept by his widow and eldest son. Captain Evelyn Meadows's horses standing at livery at his stables, Fozard, talking to him one day concerning the duke's will, informed him that he knew some people who could prove the duchess to be the wife of Lord Bristol. His own wife had heard Mrs. Cradock say that she saw them married and bedded. . . . Mrs. Cradock was then in town, being come from Thoresby,

where the duchess had treated her very ill. The story is as follows. Her grace had promised her thirty pounds per annum for her life, with the proviso she would live at Yarm, in the North Riding of Yorkshire (no doubt she had some reasons for this injunction); but Mrs. Cradock did not like the distance from London, being so far from her friends and acquaintances. Soon afterwards the duchess went to Lincoln, taking Mrs. Cradock with her, where she lived for some time after her return to Thoresby.

“During Mrs. Cradock's absence there came a letter for her, and, as her grace always took the liberty of opening the post-bag and every packet, though directed to the duke, she made no scruple of making free with this letter likewise, wherein Mrs. Cradock was desired to send word to whom she would have the interest of three hundreds paid, which she had in the stocks. This was, hitherto, a secret to the duchess, not knowing her to be worth a shilling. Her husband had acquired this money in a place Captain Hervey had got for him in the customs. On this discovery her grace was exceedingly enraged, and sent immediately to London for her return. When she came and was informed that the duchess had opened her letter, she was ready to sink. Her grace abused her for her secrecy. She excused herself as well as she could, and told the duchess if she would but allow her twenty pounds instead of thirty pounds, letting her reside in London, she would be happy. Her grace answered she might go and live wherever she pleased, as she would never grant her a sixpence. Mrs. Cradock immediately departed for London, as

aforesaid, where Captain Meadows took care of her till the trial commenced, though the duchess endeavoured to kidnap her, having persons employed for that purpose."

Whitehead, throughout his letters, shows so much malice towards the duchess that this version comes upon one quite unexpectedly. It is distinctly favourable to Elizabeth, and contradicts the generally accepted story as to her "meanness" towards Anne being the cause of the subsequent trouble. Anne, with £300 in the stocks, could hardly have been in the indigent circumstances represented by all who have written biographies of the duchess, and it is easy to understand the anger of the headstrong lady at the discovery. Of all women in the world, the duchess was the last to endure quietly the feeling that she was being imposed upon. It must never be forgotten that Elizabeth was a creature of moods. If she was mean at one moment, she could be generous at another. The incident with Mrs. Hodgkinson, the lodging-house keeper at Bath, proved this, extorting what from the reluctant Whitehead is fairly entitled to be called praise. All the fine ladies of the eighteenth century were impulsive and irrational. There was too much excitement, too much frivolity, too much love of admiration and notoriety, too much gambling, too much eating, and—too much drinking.

Everything was carried to excess, and most of all was the offensive affectation of a regard for religion and morality. The strangest incongruities were possible, and nobody appeared to see anything unnatural in the spectacle. We have Lord Sandwich,

one of the most profligate men of his day, bringing Wilkes's "Essay on Woman" before the House of Lords "in holy horror." Judges who were remarkably lenient to their own vices could not send unfortunate wretches, even boys, to their deaths without "improving the occasion." Every criminal died on the gallows "truly repentant," or were made to do so by the authors of their "last dying words and confession," many of which emanated from the brain of the ingenious and pious ordinary of Newgate, the Rev. W. Cotton, who made a snug addition to his stipend by selling his effusions. The fashion was to—

Compound for sins they were inclined to,
By damning those they had no mind to.

And so it has come about that the horror of Elizabeth's judges at the enormity of her offence in contracting what was alleged to be a bigamous marriage, the denunciations of the prosecuting counsel, and the industrious efforts of Grub Street scribblers to point a moral in everything they chose to set down concerning the Duchess of Kingston have been taken seriously, and without due regard to eighteenth-century characteristics.

Elizabeth Chudleigh has not been fairly dealt by, and especially in regard to her alleged "meanness," her "avarice," her "cunning," and "chicane." The charge brought against her of being "cunning" is certainly not borne out by her course in regard to those who knew her secret. If she erred at all it was on the side of heedlessness. Ever since the

Lainston episode she was surrounded by a coterie of persons in humble life, belonging to a class whose tongues were always wagging scandal, and who were ready to sell what they knew to the highest bidder. Anne Cradock married a man in the service of Captain Hervey, and one hardly likely to be friendly towards the duchess; Fozard, one of the duke's household, and a bosom friend of the grumbler Whitehead, took for his wife Elizabeth's maid; Mrs. Amis, the widow of the parson of Lainston, married Phillips, also one of the duke's servants, whom the duchess got appointed to a better post, and who, shamefully abusing his trust, was discharged, and was no doubt glad to have a chance of retaliating upon the duchess. Elizabeth kept all these individuals about her; she must have known Whitehead was her bitter enemy; nevertheless, she went on her way with the dauntless spirit which, to her last moment, never deserted her. Yet her detractors were never tired of calling her "cunning." Surely a more inaccurate term, as applicable to her conduct at this time, could hardly have been selected.

"Her grace," so one reads, "now sat down to the study of jurisprudence. Her drawing-room became a law library, and not a day passed without consultations. Like Mr. Blackacre in the comedy, she drove from the Temple to Lincoln's Inn, and from Lincoln's Inn to Doctor's Commons, loaded with law cases extracted from reports, civil institutes, and church canons. Her carriage groaned under the weight of Lord Coke, Justinian, and Taylor. From the opinions of her counsel she daily experienced

hope and consolation. The civilians [proctors at this time were termed 'civilians'] produced incontrovertible arguments to prove the judgment in the Commons [*i.e.* Doctor's Commons] irrevocable. The common lawyers declared conviction impossible, and the clergy assured her no force her enemies were capable of bringing into the field could stand before the thundering force of the canon law. Under these assurances the duchess rested satisfied that her acquittal was inevitable, and had soothed her mind into placidness, when a fresh breeze arose to disturb the calm and create a storm in her mind."

This piece of ornamental writing, after the manner of the period, no doubt fairly describes the position taken up by the duchess, and her belief in the solidity of her defence, and it must have caused her the greatest possible annoyance to find herself threatened to be held up to ridicule by Samuel Foote, the greatest mimic of that or any other age, at the very time when she was anxious to stand well with the public.

It is a mystery why Foote had the bad taste—one might almost write, the brutality—to think of caricaturing the duchess when she was at a disadvantage and needed all her energies to undergo the arduous ordeal in store for her. Mr. Fitzgerald, in his life of Foote, says: "It seems hardly credible that Foote, a seasoned man of the world—a 'hard hitter,' old stager, and experienced reader of character and events—should in his folly have lightly thought of meddling with this adventuress. . . . She was not a person likely to yield to *him*. But in his thoughtless, reckless way he took up the business with a light heart."

Foote is to be condemned, not because he was likely to get the worst of an encounter with the intrepid duchess, but because he should contemplate attacking her at all. However, there it was, and whether or not Foote had any thought of exacting blackmail (which was roundly asserted at the time) he certainly saw his way to make capital out of the duchess. She was to be introduced into a new piece called *A Trip to Calais*, the selection of the locality alone having its significance. Mr. Fitzgerald calls it a "curious coincidence that Foote should have fixed on Calais as the locality and also title of his piece; a town which was presently to become the place of refuge and protection for the pseudo-duchess herself, and where she was later to die." But there was no coincidence; it was intention. As already related, Elizabeth had just returned from Calais—where, perhaps we may be pardoned for pointing out, she did *not* die any more than that she came from Dorsetshire, as Mr. Fitzgerald tells us—and this was perfectly well known to the town. Apart from this, and, despite Foote's assertion that he did not intend to pillory the duchess, there is not the least doubt that he put into the mouth of "Lady Kitty Crocodile" ("Lady Barbara Blubber" was the original name, but on second thoughts Foote altered it) allusions which could apply to no one but the Duchess of Kingston.

In this matter, as in so many others concerning Elizabeth Chudleigh, it is difficult to discover the truth. The version given by the author of the "Life and Memoirs" (1780) is the most complete and circumstantial, and, if we may believe it, Foote's object was undoubtedly to obtain a sum of money as the price of



QUEEN CHARLOTTE (AT THE AGE OF 23)

his silence. But the authority on which the statement rests is somewhat tainted, and it would not be fair on this authority alone to accept the charge of attempted blackmail as proved.

In one life of Foote, published the year following his death, we read: “’Tis said that Foote asked her grace three thousand pounds to lay it aside, but this was a misrepresentation of the affair. Foote only remarked to a gentleman employed to go between him and her grace that it would be a loss to him of three thousand pounds, for, as the season was advanced, he could not possibly provide another piece, and the profits reasonably to be expected from it would amount to that sum, and therefore he could not possibly suppress it without what he might expect to recover from the representation.” Foote’s explanation as here rendered is not very convincing, and simply shifts the ground.

The author of the “Life and Memoirs” states that *A Trip to Calais* was based on information supplied to Foote by “a young lady named Pomose, who, having long been deceived by her grace’s promises, was forced by necessity to convert her secrets into saleable commodities, and disposed of them to Foote for a sum of money.” “Pomose” is evidently a misprint for “Penrose,” the “beautiful, fine-grown young woman” who is mentioned by Whitehead (see Letter V., p. 40) as a sort of protégé of the duchess. Miss Penrose was at first in high favour with Elizabeth, but, according to Whitehead, was afterwards ill-treated by her mistress and quitted her service in consequence. The internal evidence to be found in *A Trip to Calais* is pretty

conclusive that Miss Penrose (or some one who filled a similar position in the duchess's household) supplied Foote with material.

A Trip to Calais, like all Foote's comedies, depends upon sprightly talk. It has the merest thread of a plot, but this was of no consequence, as the public went to see Foote and his mimicry, and cared for nothing else. One of the characters is an Irish monk called O'Donovan. Previous to the entry of Lady Kitty Crocodile, he and another character, Mrs. Clack, a mantua-maker, talk as follows :

O'DONOVAN. She couldn't bear to stay in England after the death of her husband ; everything there put her so much in mind of her loss. Why, if she met by accident with one of his boots it always set her a-crying. Indeed the poor gentlewoman was a perfect Niobe.

CLACK. Indeed, I found her ladyship in a very incontionable way when I waited on her upon the mournful occasion. Indeed, she was rather more cheerful when she tried on her weeds ; and no wonder, for it is a dress vastly becoming, especially to people inclined to be fat. But I was in hopes, by this time, she had got over her griefs.

O'DONOVAN. Not at all, indeed. Indeed with the French she is facatious and pleasant enough ; but she no sooner set sight on anything English than the tears burst out like a whirlwind.

This, of course, is an allusion to the extravagant outward show of grief in which the duchess, as Walpole alleged, indulged on the death of her husband.

A Miss Lydell, apparently meant for Miss Penrose, figures in the play. She is a companion to Lady Kitty, and in her first reference to the lady we get the keynote. "Sure, never was so capricious a being," says Miss Lydell to her maid, Hetty, and Hetty replies, "Not of the same mind two minutes together"—Elizabeth's own and oft-quoted words.

Presently we have Miss Lydell protesting: "For at the same time that she is teasing, torturing, and loading me with every mortification in private, you see with what particular regard and attention she affects to treat me in public."

HETTY. True enough, I must own, Miss; exactly like her pretended grief for Sir John. She howls and cries over the poor boot for all the world like the strange creature I have read of.

The "strange creature" is, of course, no other than the Duchess of Kingston. Lady Kitty now enters and indulges in a tirade of abuse directed against the companion, and reminds her of the favours she has showered upon her, thus: "As to you, did not I, for no reason that I know, unless, indeed, that you are a distant relative, take you into my house, put you above my own women, and make you one of my maids of honour at once?"

Here is another direct hit. The duchess affected royal state in her private life, and called her companions "maids of honour." Elizabeth's enemies saw in this a proof of her vanity, but it may have been pure whimsicality. Lady Kitty continues to upbraid Miss Lydell, and pointedly exclaims: "In Italy there was Prince

Pincossi and Cardinal Grimski, you could not help throwing out your traps to ensnare them. . . . Besides, Miss, you know I never durst carry you with me to my conference I had with the Pope for fear you should be trying some of your coquettish airs upon him." Surely nothing could be plainer than this.

In the middle of her furious reproaches a Colonel Crossly is introduced, and the scene is made the vehicle to exhibit the hypocritical side of Lady Kitty. One quotation will suffice. On Colonel Crossly remarking upon Miss Lydell's distressful face, Lady Kitty says: "Yes, the poor child has just received a letter from her mother, one of the best kind of women that ever was: dry up your tears, Lydie, my love." Then she adds, in an aside, "You sullen, sulky, stomachful slut!" and continues in the same style for some time. On Crossly's exit Lady Kitty soliloquises in this fashion: "This part that I play begins to grow horribly tedious. In my husband's lifetime, indeed, I had one consolation at least: that I could always make him pay me in private for the good-humour and fondness I lavished on him in public. But now I have no other resource but in servants, and they, too, at times are rebellious. These common creatures get such odd notions about liberty into their heads. I fancy the Turks would make good domestics enough, but then the brutes are so dumb and submissive that it is scarce possible to tease and torment them. Now the great pleasure of power is in ruling over sensible [sensitive?] subjects, who wince and feel the yoke when it galls them."

A piece of dialogue between Lady Kitty and Mrs.

Clack, the mantua-maker, contains a very palpable allusion to the duchess :

LADY KITTY. Well, Mrs. Clack, you find me vastly altered since the death of Sir John ?

CLACK. To be sure, your ladyship is something changed since the day I had the honour of trying on your ladyship's clothes for your ladyship's wedding.

LADY KITTY. True. You, I think, Mrs. Clack, decked me out like another Iphigenia to be sacrificed at the temple of Hymen. Don't you recollect the tremors, the terrors that invaded each nerve on that solemn, that awful occasion ? You must remember with what reluctance I was dragged by Sir John to the altar.

CLACK. To be sure, your ladyship showed a becoming coyness upon the occasion. I remember about the hour of bedding you hid yourself behind the bottle-rack in the beer-cellar to avoid Sir John. If your ladyship hadn't happened to have coughed, we shouldn't have found you.

LADY KITTY. The conflict was great ; but, dear Mrs. Clack, what could I do ? Troy stood a siege for only ten years ; now sixteen were fully accomplished before I was compelled to surrender.

CLACK. That was standing out vastly well, to be sure. I recollect what added to your ladyship's grief was that the nuptials should happen to fall out in the middle of Lent.

Lady Kitty then breaks out into a rhapsodical lament over the loss of her husband.

LADY KITTY. His arms encircle me round, and now together we plunge into the gulf. Raging billows surround us! Now they rise o'er our heads! Now we sink, we sink, in silence together, and—— (*Falling*) Curse the chair! How came I to miss it?

CLACK. Mercy upon us! Help! for Heaven's sake help! What, is there nobody left in the house?

Enter HETTY

CLACK. Lord, Mrs. Hetty, I'm glad you are come! My poor lady, she's quite gone, I'm afraid.

HETTY. On the ground in one of her fits, I suppose. No doubt it's dreadful to you, but we're used to 'em every day.

Iphigenia; the sarcastic hit at the lady's coyness; the sixteen years of resistance, very nearly the length of time between 1744, when Elizabeth married Augustus Hervey, and 1769, when she went through the matrimonial ceremony with the duke; the middle of Lent (the second marriage was in March); the fits to which the duchess was subject,—what could be clearer? The reference to the Pope which occurs farther on and Lady Kitty's advice to the girl who is in a dilemma between two lovers, that "Suppose, then, by way of reconciling all parties, you were to marry them both," are hardly needed to complete the parallel. How Foote could have had the hardihood to protest that the duchess was not intended in all this is inconceivable save on the ground that

Foote was impudent enough for anything. Ample corroboration also is to be found in Whitehead's letters, even to the duchess's disgust for English ways and her preference for France, where she was free from the constant pin-pricks of the slanderers. The very name “Lady Kitty Crocodile” was intended as a sneer at the tears the duchess shed at the death of the duke. These tears were believed at the time to be affected, though it is hard to see why they should not have been genuine. But Elizabeth never had credit given to her for her good intentions. She could not do the slightest thing but it was distorted.

CHAPTER XI

Foote approaches the duchess—His motive for writing *A Trip to Calais*—The Lord Chamberlain refuses to license the play—Foote demands money from the duchess to defray his "expenses"—She sets him at defiance, and Foote withdraws his claim—A bitter correspondence—Walpole's sarcastic comments.

WHATEVER may have been Footes real motives, his method of procedure hardly clears him from the charge that gain was his object. We quote the history of the transaction as it is given in the "Life and Memoirs":

"To effect this purpose, he [Foote] contrived that the duchess should be informed, by an apparently indifferent person, of his intending to open his theatre with the new comedy, in which, she was also informed, he had delineated her character to the life. The information, as intended, was like an electrical shock to her grace. She sent for Foote; he attended her with the piece in his pocket, and she solicited him to read it to her, which he obeyed.

"When he had gone through a scene in which Kitty Crocodile, her representative, bore a considerable share, she found it impossible to stand the probe; pain elevated her to rage, and, rising in a fever of passion,

she exclaimed, 'Why, this is scandalous, Mr. Foote! Why, what a wretch you have made me!' The humorist, suppressing his internal satisfaction and commanding his risible muscles into an assemblage of gravity, while his heart laughed within, answered, 'You, madam! this is not designed for your grace! It is not you!'

"The duchess, assuming a hypocritical smile, entreated the author to leave her the piece, and he, affecting the utmost candour, put it into her hands, she promising faithfully to return it the ensuing morning; and so much did her grace dislike the portrait of herself, whether drawn from nature or in caricature, that she resolved on exerting every interest in her power to prevent it from being exhibited.

"To effectuate this end she proposed, the next morning, to become a purchaser of the copyright, but the author demanding £2,000, the enormity of the sum alarmed her grace's avarice. A negotiation took place for lessening it, but he refused to abate a guinea, and actually refused £1,600, flattering himself, no doubt, that the peculiar circumstances of the duchess's situation would have induced her to comply with his exorbitant extortion.

"In his expectations, however, he was disappointed. The duchess returned the manuscript; the author sent it to the Chamberlain, and by him it was disapproved and prohibited from representation.

"In the obtaining of this prohibition her grace again experienced the zeal and friendship of his grace of Newcastle, whom she consulted. By his

advice she took the opinion of counsel, and the counsel were unanimous that the comedy was a gross, false, and malicious libel. Of course they did not fail of advising a prosecution, and Blanchard, the shorthand writer, was retained to take it down in case of representation.

“Foote, now stung by disappointment, exerted the whole of his connections to procure a licence from the Chamberlain; but that officer was not to be moved. He acknowledged the wit and humour of the performance, but was irritated at their prostitution. Indeed, the demand was little less than an attempt to rob; it was putting a libel instead of a pistol to the breast of a female, saying, ‘Deliver your money, or I’ll destroy your reputation.’ The critical situation, too, at which this attack was made upon the purse and character of the duchess alarmed all her friends and interested them in her favour. Previous to her arrival in London, from the commencement of the prosecution, every method had been adopted by her opponents to degrade her in the opinion of the public; and now that she had fairly surrendered to submit to the verdict of her peers, and the judgment of the law if found guilty, a mercenary literary assassin draws a poisoned dagger to extort money or stab her fame. The conduct of those who protected her was founded in principles of law and equity, which lay down as a maxim that, pending a prosecution, no publication shall appear to bias opinion against the culprit who is the object of it.

“Foote, on receiving the Chamberlain’s interdic-

tion, sat down to expostulate, and wrote his lordship the following letter :

“I did intend troubling your lordship with an earlier address ; but the day after I received your prohibitory mandate I had the honour of a visit from Lord Mountstuart, to whose interposition I find I am indebted for your first commands, relative to the *Trip to Calais*, by Mr. Chetwynd, and your final rejection of it, by Colonel Keen.

“Lord Mountstuart has, I presume, told your lordship that he read with me those scenes to which your lordship objected ; but he found them collected from general nature, and applicable to none but those who, through consciousness, were compelled to a self-application. To such minds, my lord, “The Whole Duty of Man,” next to the sacred writings, is the severest satire that ever was written ; and to the same mark, if Comedy directs not her aim, her arrows are shot in the air ; for by what touches no man, no man will be amended.

“Lord Mountstuart desired that I would suffer him to take the play with him, and let him leave it with the Duchess of Kingston. He had my consent, my lord, and at the same time an assurance that I was willing to make any alteration that her grace would suggest. Her grace saw the play, and in consequence I had an interview with her grace. With the result of that interview I shall not at this time trouble your lordship. It may, perhaps, be necessary to observe that her grace could not discern (which your lordship, I daresay, will readily believe) a single trait in the character of Lady Kitty Crocodile that resembled herself.

““After this representation your lordship will, I doubt not, permit me to enjoy the fruits of my labour ; nor will you think it reasonable that, because a capricious individual has taken it into her head that I have pinned her ruffle awry, I should be punished by a poniard struck deep in my heart. Your lordship has too much candour and justice to be the means of giving so violent and ill-directed a blow.

““Your lordship’s determination is not only of the greatest importance to me now, but must inevitably decide my fate for the future, as, after this defeat, it will be impossible for me to muster up courage enough to face Folly again. Between the muse and the magistrate there is a natural confederacy. What the last cannot punish, the first often corrects ; but when she not only finds herself deserted by her ancient ally, but sees him armed in the defence of her foe, she has nothing left but a speedy retreat.

““In that case, adieu, my lord, to the stage ! *Valeat res ludicra !*—to which I hope I may with justice add, *Plaudite !*—as, during my continuance in the service of the public, I never profited by flattering their passions or falling in with their humours. Upon all occasions I have exerted my little powers (as, indeed, I thought it my duty) in exposing follies, how much soever the favourites of the day ; and pernicious prejudices, however protected and popular. This, my lord, has been done (if those may be believed who have the best right to know) ometimes with success. Let me add, too, that in doing this I never lost my credit with the public, because they knew I proceeded upon principle ; that

I disdained either being the echo or the instrument of any man, however exalted his station ; and that I never received reward or protection from any other hands than their own.'

“ Notwithstanding the independent spirit breathed in this letter, even the admirers and friends of the writer must allow that he acted with meanness and duplicity, and when hard run, and forced to enter into a defence of his conduct to the duchess, with a wretched pusillanimity denied that he ever had made so exorbitant a demand as £2,000 for the suppression of the piece. But unhappily for the character of his veracity, the reverend Mr. Foster, a clergyman of respectability, considerably advanced in years, and who had, through life, mingled with the great world, came voluntarily forward and made an affidavit of the following facts : ‘ That in consequence of the threat to perform the *Trip to Calais*, he had waited on Mr. Foote and remonstrated with him on the extreme barbarity of such an attack at such a particular juncture : that Mr. Foote had only agreed to suppress the piece, on condition of his receiving from the duchess the sum of £2,000.’

“ Foote’s letter to the Chamberlain having no effect in procuring the licence for acting, he determined to recommence his attack on the duchess, by threatening her with a publication of the piece, and a fresh negotiation for extorting hush-money was commenced.

“ It was now intimated that, though precluded from performing his comedy on the stage, the press was still open to him, and he had it in his power to publish ; but if his expenses were reimbursed, and

the sum which her grace had formerly offered him paid, he would desist, and the copy should be destroyed.

“On this information the duchess consulted her friends; but, as was generally the case, with a pre-determination to follow her own opinion. The persons to whom she applied were the late Earl of Peterborough, Doctor Isaac Schomberg, remarkable for having been pilloried for a libel against the present Government, the Rev. Mr. Foster, and Mr. Field, her solicitor. These gentlemen, she found, all held the same opinion, reprobating Foote’s demand as an extortion, which to comply with would be folly, by admitting the application of the satire, and Schomberg declared that ‘although he had been many years intimate with Foote, and had spent some of the pleasantest hours of his life in his company, yet he would tell him to his face, as a man, that he deserved to lose his life for such an attempt—it was more ignoble than the conduct of a highwayman.’

“This union of opinion had considerable weight with the duchess, yet she still dreaded the pen of her antagonist, and herself unable to support a literary contest, she called to her aid a clergyman named Jackson, who was well experienced in all the manœuvres of newspaper contests; a man also of a bold spirit, not remarkably strict in attention to the character of his function, and who, though neither a wit, a humorist, or a satirist, yet was master of a strong, vindictive style, and wrote with a tolerable share of asperity.

“The opinion of this gentleman being demanded, it coincided exactly with the judgement of those who

had been before consulted. He advised that, instead of complying, the duchess should obtain complete evidence of the menace and demand, and then advise with counsel on the proper mode of prosecuting the extortion; which advice being pleasing to all parties and urged by the Duke of Ancaster as necessary to be put into immediate execution, Mr. Jackson was appointed to call on Foote for the purpose of collecting the necessary evidence.

“An interview being obtained at Foote’s house, the parson informed the player that he had waited on him as a friend from the Duchess of Kingston, and requested an answer to this question, ‘Whether Mr. Foote intended to publish the piece which the Chamberlain had prohibited called *A Trip to Calais*?’

“Foote proceeding with a long detail of the vast expense which had been incurred by preparing the Comedy for representation, on which Jackson interrupted him by observing that, if he supposed the whole, or even the most minute part of his expense would be reimbursed by the duchess, he was mistaken, for she was determined, by the advice of her friends, not to give him a single guinea.

“Foote endeavoured to put this off by a laugh, and, instead of making any positive answer to the parson’s question, produced the letter which he had sent to the Chamberlain, which we have already stated, and requested his visitant would attend to the reading of it. The requisition being complied with, and, the auditor having paid many compliments to the wit and humour of the reader, again pressed for an answer

to his original question, when Foote at last said, or rather exclaimed: 'Oh, I shall certainly publish the piece, unless the duchess will consider the heavy loss I should sustain,' and added, 'Why the devil does Isaac Schomberg interfere? We should hunt down these reps of quality in couples; besides, Lady Kitty Crocodile will suit nine out of ten widows of fashion in the kingdom. Their damned tears are like a shower in sunshine, refreshing their weeds and making their faces look the brighter.'

"Jackson considering he had now received an answer to his question sufficient to qualify him as a witness against Foote, was about to retire, when Foote clapped him on the shoulders and said, 'What, and so I am to be attacked if I publish the *Trip to Calais*?'—an intimation which a good deal surprised Jackson, as it convinced him that Foote must have some friend in the duchess's house, her grace having determined upon libelling her enemy, and Jackson being the person who was to officiate as her literary friend in the business. However, recovering from his surprise, he answered, 'The publication will be an attack from you, Mr. Foote, the effect of which I, as the friend of the duchess, will do my utmost to prevent.'

"Foote, dreading a paper war, and knowing that his adversary Jackson had the command of a newspaper, through which he could daily attack him with impunity, considered it prudent to bring about a compromise, and for that purpose wrote the following letter to the duchess:



LORD MANSFIELD

“‘TO HER GRACE THE DUCHESS OF KINGSTON

“‘NORTH END,
“‘Sunday, August 13th, 1775.

“‘MADAM,

“‘A member of the Privy Council and a friend of your grace’s (he has begged me not to mention his name, but I suppose your grace will easily guess who), has just left me. He has explained to me what I did not conceive, that the publication of the scenes in the *Trip to Calais* at this juncture, with the dedication and preface, might be of infinite ill-consequence to your affairs.

“‘I really, madam, wish you no ill, and should be sorry to do you an injury.

“‘I therefore give up to that consideration what neither your grace’s offers nor the threats of your agents could obtain. The scenes shall not be published, nor shall anything appear at my theatre or from me that can hurt you, provided the attacks made on me in the newspapers do not make it necessary for me to act in defence of myself. Your grace will therefore see the necessity of giving proper directions.

“‘I have the honour to be

“‘Your grace’s most devoted servant,

“‘SAMUEL FOOTE.’

“It is evident, from this letter, that Foote stood in awe of the newspapers, that he dreaded being squibbed through their medium, and that he knew the Duchess of Kingston had engaged agents for that purpose. Of course this epistolary harbinger to reconciliation

gave her grace infinite satisfaction. It discovered the vulnerable part of her enemy ; she anticipated triumph from his fears ; she resolved immediately to commence hostilities, and instantly dispatched an aide-de-camp for Lieutenant-General Parson Jackson.

“On the parson’s arrival he found the duchess all ecstasy. She produced the letter with an elevation of pride and joy ; it was a trophy torn from the foe, and to the parson she imputed the glory and honour of the deed. Her praises on her ecclesiastical champion, her church-militant ally, were lavish, and she insisted on his giving Foote’s letter an answer in her name and publishing both in the newspapers.

“Mr. Jackson has declared that he declined at first, and long argued on the impropriety of a newspaper contest, as beneath the dignity of her station. She was, however, peremptory, and Jackson at last wrote the following answer :

“KINGSTON HOUSE,
“Sunday, August 13th.

“SIR,

“I was at dinner when I received your ill-judged letter. As there is little consideration required, I shall sacrifice a few moments to answer it.

“A member of *your* privy council can never hope to be of a lady’s cabinet. I know too well what is due to my own dignity to enter into a compromise with an extortionable assassin of private reputation. If I before abhorred you for your slander, I now despise you for your concessions. It is a proof of the illiberality of your satire when you can publish

or suppress it as best suits the needy convenience of your purse. You first had the cowardly baseness to draw the sword ; and if I sheathe it until I make you crouch like the subservient vassal as you are, then is there not spirit in an injured woman, nor meanness in a slanderous buffoon.

“ ‘ To a man, my sex alone would have screened me from attack ; but I am writing to the descendant of a merry-andrew, and prostitute the term of manhood by applying it to Mr. Foote.

“ ‘ Clothed in my innocence as in a coat of mail, I am proof against a host of foes ; and, conscious of never having intentionally offended a single individual, I doubt not that a brave and generous public will protect me from the malevolence of a theatrical assassin. You shall have cause to remember that, though I would have given liberally for the relief of your necessities, I scorn to be bullied into a purchase of your silence.

“ ‘ There is something, however, in your *pity* at which my nature revolts. To make an offer of pity at once betrays your insolence and your vanity. I will keep the *pity* you send until the morning before you are turned off, when I will return it by a Cupid, with a box of lip-salve ; and a choir of choristers shall chant a stave to your requiem.

“ ‘ E. KINGSTON.’

“ Whether Foote was pleased or mortified at this letter is hard to determine. Having given up every pecuniary view, he could have felt no regret on that account, and this dull epistle appearing before the public, with her grace’s signature, served as a whet-

stone to sharpen his wit and satire, as will appear by the polish and keenness of the reply, which was :

“ ‘MADAM,

“ ‘Though I have neither time nor inclination to answer the illiberal attacks of your agents, yet a public correspondence with your grace is too great an honour for me to decline.

“ ‘I cannot help thinking that it would have been prudent in your grace to have answered by letter *before dinner*, or at least postponed it to the cool hour of the morning ; you would then have found that I had voluntarily granted the request which you had endeavoured by so many different ways to obtain.

“ ‘Lord Mountstuart (for whose amiable qualities I have the highest respect, and whose name your agents very unnecessarily produced to the public) must recollect that, when I had the honour to meet him at Kingston House, by your grace’s appointment, instead of begging relief from your charity, I *rejected your splendid offers* to suppress the *Trip to Calais* with the contempt they deserved. Indeed, madam, the humanity of my royal and benevolent master, and the public protection, have placed me much above the reach of your bounty.

“ ‘But why, madam, put on your *coat of mail* against me ? I have no hostile intentions. Folly, not vice, is the game I pursue. In those scenes which you so unaccountably apply to yourself you must observe there is not the slightest hint at the little incidents of your life which have excited the *curiosity* of the grand inquest for the county of Middlesex. I am

happy, however, madam, to hear that your robe of innocence is in such perfect repair; I was afraid it might be a little the worse for wearing. May it hold out to keep your grace warm the next winter!

“The progenitors your grace has done me the honour to give me are, I presume, merely metaphorical persons, and to be considered as the authors of my muse, and not of my manhood. A merry-andrew and a prostitute are no bad poetical parents, especially for a writer of plays—the first to give the humour and mirth, the last to furnish the graces and powers of attraction. Prostitutes and players too much live by pleasing the public; not but your grace may have heard of ladies who by *private practice* have accumulated great fortunes.

“If you really mean that I owe my birth to that pleasant connection your grace is grossly deceived. My father was, in truth, a very useful magistrate and respectable country gentleman, as the whole county of Cornwall will tell you; my mother the daughter of Sir Edward Goodere, Baronet, who represented the county of Hereford. Her fortune was large, and her morals irreproachable till your grace condescended to stain them. She was upwards of fourscore years old when she died, and, what will surprise your grace, *was never married but once* in her life.

“I am obliged to your grace for your intended presence “on the day” (as you politely express it) “when I am to be turned off.” But where will your grace get the *Cupid* to bring me the lip-salve? That family, I am afraid, has long quitted *your* service.

“Pray, madam, is not J——n the name of your

female confidential secretary? and is not *she* generally clothed in black petticoats made of your weeds?

“So mourn’d the dame of Ephesus her love!

I fancy your grace took the hint when you last resided at Rome. You heard then, I suppose, of a certain Pope, and in humble imitation have converted a *pious parson* into a *chambermaid*. The scheme is new in this country, and has, doubtless, its particular pleasures. That you may *never want the benefit of the clergy* in every emergence is the sincere wish of

“Your grace’s most devoted,

“Most obliged humble servant,

“‘SAM. FOOTE.’”

Foote’s reply to the injudicious letter of the duchess, or rather of Jackson, was at the time considered exceedingly smart and clever. It was ingenious enough, but if Foote intended to sting his adversary into prolonging the controversy it failed in its object. His attempt to show that the play had no reference to the duchess simply because it contained no reference to the indictment on which a Middlesex grand jury had returned a true bill, is very weak. The fact was Foote had no case, and he knew it. The letter, however, delighted Walpole, as might be expected, and we have the cynic of Strawberry Hill writing to Horace Mann: “That heroine of Doctor’s Commons about whom you enquired, the Duchess of Kingston, has at last made her folly, which I have long known, as public as her shame by entering the lists with a merry-andrew, but who is no fool. Foote was to

bring her on the stage. Lord Hertford prohibited his piece. Drunk with her own triumph, she would give the vital blow with her own hand :

"Pallas te hoc vulnere Pallas immolat.

But as the instrument she chose was a *goose* quill the stroke recoiled on herself. She wrote a letter in *The Evening Post* which not the lowest of her class who tramp in pattens would have set her mark to. Billingsgate from a ducal coronet was irritating ; however, Foote, with all the delicacy she ought to have used, replied only with wit and irony and confounded satire. The Pope will not be able to wash out the spots with all the holy water in the Tiber. I imagine she will escape a trial, but Foote has given her the *coup de grâce*."

Never was Walpole's judgment more at fault ; the duchess did *not* escape a trial, and it was not she who received the *coup de grâce*, but Foote himself.

CHAPTER XII

The effects of the Foote controversy—The Perreaus and the notorious Mrs. Rudd—The duchess's bigamy charge discussed by the peers—Lord Mansfield in her favour—An improbable story concerning Anne Cradock—The date of the trial fixed—Illness of the duchess.

FOOTE committed a fatal mistake when he conceived the idea of making a butt of the Duchess of Kingston. The sequel was terrible for his reputation and without a doubt hastened his death. Jackson was relentless, pursued him in the newspapers, and before the final stab came Foote turned the *Trip to Calais* into *The Capucin*, in which he threw all the venom he could muster to hold up Jackson and Foster to scorn. The attack was as bitter as it could well be, and provoked the unscrupulous Jackson to reprisals. In May 1776, a month after the trial of the duchess, Foote produced his last play, ominously entitled *The Bankrupt*. It was a failure, not so much on account of the play itself as on account of the rumours which had begun to circulate concerning a charge which, it was alleged, was about to be brought against him. This charge was gone into in the following July and was proved to be baseless, but the actor was crushed. He died on October 21st, 1777, a broken-hearted man.

Meanwhile the influence of the bitter controversy with Foote upon the prospects of the duchess was anything but favourable to her cause. She would have been well advised had she rested content with her triumph when Foote virtually admitted his defeat ; but she was either actuated by a feminine love for complete victory, or was egged on by Jackson and Foster, who no doubt were well paid for their services. The result was that she was attacked on all sides, the Medows party secretly encouraging her slanderers.

“Every anecdote of her life,” we are told, “was brought forward, and many, even innocent, transactions were aggravated into offences ; she sought Calumny, and she felt the poison of her sting, and this at a time when she should have studiously avoided every step that could have incurred censure, and have sedulously solicited every means of obtaining popularity.” Walpole has not much to say about her at this period, but Mrs. Delany makes up for his deficiencies. She writes : “Lady Cowper is to have a magnificent lighting up of her fine room on ye 9th or 11th. She has *beat the drum* and volunteers will flock in, tho’ she seemed distress’d for want of maccaronis ; but to obviate that she told me she had invited Lady Harrington, and desired her to bring as many men as she can pick up ; but I believe I may apply to *her* lady what Mr. Foote did to the Dss of Kingston, that ‘the Cupid had forsaken her long ago.’” The Dowager-Countess Gower, in her quaint style, is curious to know the latest news about the duchess, and thus questions Mrs. Delany as the distributor of gossip : “I was much entertain’d with ye description of Foote’s antagonist’s coach, yacht,

etc. One knows *not w^t to name her—alias, alias, alias.* she has ye assurance now to be at Thoresby. W^{ts} come of her law-suit and trial?" Though the reply is not extant, no doubt Mrs. Delany told the dowager everything she could. At all events, we get a scrap of information in the following, written to Mrs. Port: "Much is said about the Dss of Kingston's tryal, which she will not stand if she can help it. But everybody wishes she may have her due. They say Lord Lyttelton is so charmed with the cleverness of Mrs. Rudd (adores a mind so like his own) that they say he has adopted her as his mistress—and what mischief may not *two* such *heads* and *two* such *hearts* do? It is frightful to think of. That human creatures should be so depraved!"

Connecting the name of the moral and almost priggishly virtuous Lord Lyttelton with the notorious Mrs. Rudd was a bit of feminine raillery (probably based on Walpole's reckless gossip) which Mrs. Port no doubt heartily enjoyed. For some months the only topic the town thought worth talking about outside the Duchess of Kingston's affairs was the sensational trial of the Perreaus and Mrs. Rudd. The lady was a dashing adventuress with whom two brothers, Daniel and Robert Perreau, became entangled. They committed forgery to supply funds for her extravagances and were hanged in consequence. Mrs. Rudd narrowly escaped sharing their fate; only her assurance, her adroitness, and her pertinacity served her. Walpole said of her: "Mrs. Margaret Caroline Rudd's history would make as large a volume as Madame de Kingston's. She sent her lawyer a brief of which he could

not make head or tail. He went to her for one more clear. 'And do you imagine,' said she, 'that I will trust you, or any attorney in England, with the truth of my story? Take your brief, meet me in the Old Bailey, and I will ask you the necessary questions.' At her trial she *did* write sixty notes to him, with such artful interrogatories that she was acquitted, and the whole court shouted with applause."

Mrs. Papendieck, the artless author of "Court and Private Life in the time of Queen Charlotte," makes an interesting reference to Mrs. Rudd, the Perreaus, and to another unfortunate forger of this date, Dr. Dodd. Mrs. Papendieck paid a visit to Newgate immediately after it was burnt by the Gordon rioters and described how, at one side of the Debtor's Court which was not burnt, "were the three rooms lately occupied by Dr. Dodd, which carried great interest with them. They were neatly furnished by Mrs. Rudd, who had been the mistress of one of the brothers Perreaus, who were hanged for forgery, a year or so before Dr. Dodd. The wife of one of the Perreaus herself presented a petition to the Queen for the life of her husband, having obtained access to one of the rooms through which her Majesty had to pass on her way to hold a drawing-room. The Queen was greatly upset by the circumstances, and not only interceded with the King urgently for the life of this man and his brother, but also for that of Dr. Dodd, it seeming to her kind heart such a terrible thing that any one should be hanged, and much more so a divine, and one so eminent as Dr. Dodd. The King, however, could not reconcile it to his conscience to relieve

either of these offenders, although it cost him pain to refuse any request of the Queen's ; in addition to the distress he invariably felt, even to considerable emotion, when it was necessary that he should sign a death-warrant. Mrs. Rudd was acquitted, and left these rooms just as she had used them. As the dress called the 'Polonaise' jacket and coat is still seen at fancy assembles, I must mention that this extravagant and unfeeling woman set that fashion while she was in this very place. Oh how differently did the divine fill up the remaining measure of his time ! There was his little inkstand upon a small table at which he constantly wrote, his chair, the table where he ate—I kissed them all. Nothing had been used since he was called to leave all earthly scenes. His memory I must ever revere, for early did he lead me to love religion, from the impressive manner in which he delivered his discourses and read the Liturgy of our Church."

It was considered quite a good joke to rank the duchess with Mrs. Rudd, and in December 1775, when the day (afterwards postponed) for the trial of the duchess was fixed, Walpole again writes : " They say Mrs. Rudd has been at the play in Lord Lyttelton's chariot. If the duchess is acquitted I suppose he will take her, to show he is convinced of *her* virtue *also*, and wronged her innocence."

Whatever may have been Elizabeth's real thoughts on the vital contest which was rapidly approaching, she publicly affected to be at perfect ease, and strongly expressed her desire of having the trial accelerated. The points at issue were by no means so clear as to make the duke's relations sure of success, and wishes

were privately expressed for a compromise. The certain expense and trouble were objects not to be ignored, and there is little doubt that Elizabeth at this juncture could have come to some arrangement had she chosen. But her combative spirit and her indomitable courage urged her onward. *Aut vincit aut perit!*

Earl Mansfield continued, at least apparently, her friend, and, whether from regard to her or consideration for the public, on whom an immense expense would ultimately fall, from the necessary disbursements of the Treasury to defray the costs of the trial, delivered his sentiments in the House of Lords. "The arguments about the place of trial," said he, "suggest to my mind a question about the propriety of any trial at all. *Cui bono?* what utility is to be obtained? Suppose a conviction be the result—the lady makes your lordships a curtsy and you return a bow."

This observation coming from the Lord Chief Justice of the King's Bench, the first law-officer of the kingdom, though strongly opposed by Lord Chancellor Bathurst, had a considerable effect on the spirits of the prosecutors. They justly dreaded Mansfield's influence and legal knowledge, and, on very reasonable grounds, apprehended that he might procure the exertion of royal prerogative, or some other means to defeat their ends.

"This was the time for the duchess," says the author of the "Life and Memoirs," "to disengage herself from the labyrinth of difficulties which she had raised—a private intimation was conveyed to her that £10,000 would satisfy every demand and terminate the prosecution. An authoritative proposal followed,

and the duchess was strenuously entreated by her zealous and sincere friends immediately to close with the offer of her opponents ; but weak and interested advice prevailed. The subtlety of legal reason superseded the candour of common sense ; a negative answer, couched in terms of contempt, was returned, and of course resentment was irritated into persevering revenge by this improper instance of contumely.

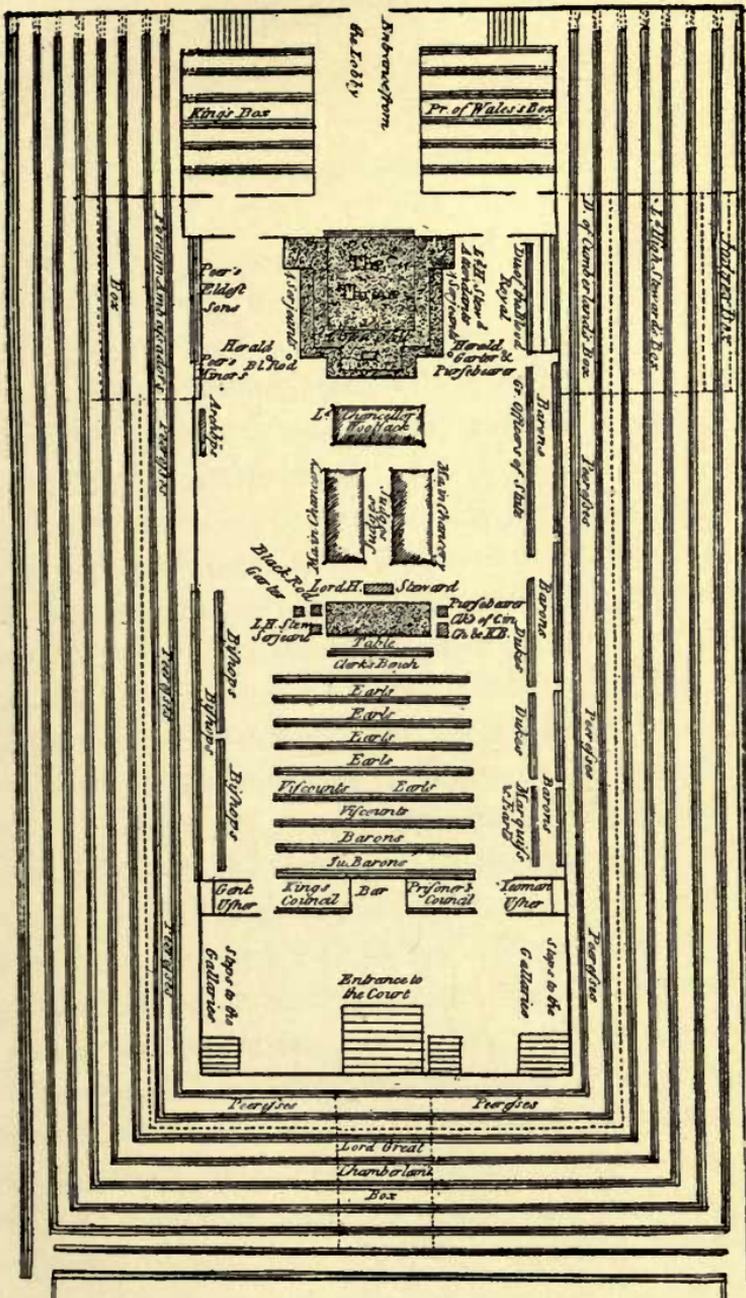
“ Her counsel were all of one opinion, every argument terminated with an assurance that she had nothing to fear from the prosecution. Sergeant Davy had been of a little different opinion. He had publicly declared that ‘ the case lay in a nutshell, and the culprit must inevitably be convicted,’ yet being introduced to Kingston House, by a retainer of £20, and twenty pounds for every visit, the arguments of his brethren of the coif and long robe wrought conviction on his mind, as appears by the following anecdote. Being at the duchess’s table in company with Lord Peterborough, her grace received a letter from her leading counsel, Mr. Wallace, then at Bath. The contents produced an immediate elevation of her spirits, which, notwithstanding a free circulation of burgundy and champagne, had been remarkable heavy that day, and in tones of rapture she communicated the cause to the company, adding, ‘ My heart is now at rest ; Mr. Wallace wishes for the trial that he may give me joy of a triumph !’ ‘ Why !’ exclaimed Sergeant Davy, striking his ponderous hand upon the table with a force that set the glasses jingling, ‘ if my friend Wallace knows your grace’s case as well as I do, he will, I am confident, agree with me in opinion. I will forfeit my right hand

as a man, and my reputation as a lawyer, if your grace has not less than nothing to fear !' The Earl of Peterborough, astonished at this instance of professional meanness and pliability, inquired of Parson Jackson 'if he could account for the learned sergent's conversion'—on which the divine pointed to a written order for a side of venison and some dozens of old Madeira which were to be sent to the sergent's house ; ' And these,' he said, ' with the fees in hand, and those in expectation, were the arguments which had made a proselyte of brother Davy.' "

The story is not impossible, but that which follows we beg leave to doubt. The author again sounds his favourite note, and we are told that, " Notwithstanding the flattered hopes with which she [*i.e.* the duchess] indulged and deceived her mind, and the visible measures she took to expedite her trial, she still continued to exercise that cunning which had so repeatedly plunged her into difficulties ; for at the very time that her petition lay before the Lords, praying for the privilege of a peeress, and a speedy trial before their lordships, she was busily employed in a scheme to entrap Mrs. Cradock into a private interview, that she might prevail on her to quit the kingdom. To consummate this design a near relation of Mrs. Cradock's was applied to by one of the duchess's agents ; who engaged, on promise of reward, to procure the desired interview ; it being agreed, however, that the duchess should attend in disguise, and not be known till she chose to disclose herself. The duchess accordingly attended at the appointed place in man's apparel, but neither Mrs. Cradock nor her friend appeared ; and for

this reason, they had betrayed the whole scheme to the opposite party." This evidently is the story Whitehead told some twelve years after of the duchess's attempt to abduct Cradock. The tale is not only improbable in itself, but it does not fit in with known events. If Elizabeth and her advisers were so certain of their case, why should they go against their convictions by smuggling Cradock away? They could hardly have perpetrated a bigger blunder. For this and other reasons the story may be dismissed.

Meanwhile the wheels of the law were moving, and early in the month of November 1775 the matter was brought before the House of Lords, and their lordships proceeded to deal with it after their stately and elaborate manner. The House of Peers can do nothing without ceremonial observances, and the indictment and recognisance entered into for the appearance of the duchess being read, Mr. Woodcock, the agent for the prosecution, and Mr. Field, the agent for the duchess, were each questioned formally by Lord Mansfield, the first saying he was quite prepared to pursue the indictment and the second replying that he was equally prepared for the defence. The next step was the passing, five days after, of a resolution that circular letters be written to all the peers acquainting them that the trial was fixed for Monday, December 18th, at the bar of the House. But before that day arrived the duchess was taken ill, and Doctors Schomberg, Warren, and Falke attended the house and were interrogated respecting her health. Dr. Schomberg described her grace's illness as a "stupour," and further added that she was "at present afflicted with an 'Alienation of Mind.'" Dr.



PLAN OF THE COURT IN WESTMINSTER HALL FOR THE TRIAL OF THE DUCHESS OF KINGSTON

Warren stated that she had been seized with a "fit of a 'paralytic' tendency," and Dr. Falke attributed her grace's disorder to the debilitated state of her nervous system.

Doctors, of course, are bound to differ, but in this case they probably meant the same thing; at any rate their testimony was accepted, and then the Lords proceeded to discuss what was to their mind a much more important matter—should the trial be held in the "Chamber of Parliament," or in some more commodious place? A committee was appointed, and the following resolutions were come to (1) that it appears that the Chamber of Parliament is for the purpose of the trial a very inconvenient place; that it be recommended to consider of some other; (2) that upon search for precedent we find none of any peer being tried for felony in the Chamber of Parliament; (3) that the proper officer of the Board of Works do make an estimate of the expenses of the proper works for such trial; (4) that if the trial be in the Chamber of Parliament, the two side doors be left open below the bar, and there be an apartment for the prosecutor's counsel, witnesses, etc., as well as those of the person calling herself Duchess-Dowager of Kingston; (5) that the rail behind the archbishop's bench be continued to the woolsack to prevent crowding about the fire and for a convenient entrance; (6) that no person be admitted within the bar; (7) that no persons be allowed about the throne but peers of Great Britain not of this House and sons and heirs of peers."

These resolutions were not considered at the time they were submitted, but two days later on, when Lord

Mansfield, acting in Elizabeth's interest, expressed his opinion that the Chamber of Parliament would afford sufficient publicity, and, should there not be room enough for the spectators, a gallery might be erected. Lord Lyttelton, the champion of public morality, contended that Westminster Hall was the proper place, as he considered "the offence of so atrocious a nature as to affect civil society more than many other crimes which carried at first a blacker complexion." In solemn tones he warned their lordships that "the line of peerage might be affected if such enormous crimes were suffered to go unexplored."

The mind of the Lord Chancellor was equally exercised. He insisted that the offence of which the duchess was accused was "a crime of the blackest dye. The punishment also was great, for if it should come out that the sentence of the Ecclesiastical Court had been obtained by collusion the offence would be aggravated. The personal estate of the offender the Attorney-General might think fit to claim in behalf of the Crown. The benefit of clergy could be allowed but once, and who could answer for what the criminal might be charged with after the first conviction?"

In short, the Chancellor tried to make their lordships' flesh creep, and the peers began to look upon the duchess as a very dangerous and wicked person; but whether they would have been so troubled about her offence if so comfortable a rent-roll had not been at stake may be doubted. Ultimately, after much talk, the peers decided that the only place for a trial of such magnitude and importance was Westminster Hall, and that "a humble address be presented to his Majesty

to desire he will be graciously pleased to give directions for a party of guards to attend on the day of the trial, the said address to be presented to his Majesty by the Lords with White Staves."

The date fixed was January 24th, 1776; but before the day arrived much happened. The duchess was not only suffering both in mind and body, but was preparing a counter-stroke which considerably perturbed the minds of their lordships.

CHAPTER XIII

A bombshell for the Lords—The duchess claims to be tried as a peer—The real object of the bigamy charge—The spite of the prosecution—Bewilderment of the peers—They alter the indictment—The duchess to be tried in Westminster Hall—The Lords faced by a new difficulty.

IF Elizabeth was not a genuine duchess she deserved to be one, for she understood perfectly what was due to her rank, and refused to abate a jot of her privileges. The Lords, in their lofty, superb way, had entered upon a course without considering where it would take them, and they were pulled up sharply by a petition presented by the duchess, the purport of which was as clever as it was unexpected. This petition prayed for the removal of the *certiorari*, the writ of *certiorari* itself, the bill of indictment, and the presentment signed by the grand jurors who found the bill, on the ground that the Lords proposed to try her as a commoner and not as a peeress, as she claimed to be. Of course the petition was worded by a lawyer, and its "prayer" was arrived at only after due consultation with her legal advisers; but that the initiatory idea was due to Elizabeth is more than probable. To find herself styled, as the grand jury had styled her, "Elizabeth Hervey," must have

excited the wrath of the high-spirited woman. In spite of the House of Lords and its musty pretensions she would never, to the day of her death, budge from her position. The Lords made the uncomfortable discovery that what they proposed to do was not nearly so easy as they, in their conceit, had imagined. It was clear the point would have to be settled before the trial came on, and once more the day had to be postponed while their lordships made up their minds how to meet the duchess's contention.

To make the position of affairs clear, it may be well at this juncture to give a résumé of the steps taken by Elizabeth previous to presenting her petition. What really happened was this: The heirs at law to the duke filed a bill in equity against the duchess, as wife of Captain Hervey, to set the will aside on the ground that they would prove a former marriage with Captain Hervey, and that the sentence obtained in the Ecclesiastical Court was by collusion. To this will the sentence was put in as a regular plea, and, relying on its force, they instituted the prosecution for bigamy, which was to all intents and purposes converted into a means of trying the question of property. Much stress was laid on this point by Lord Mansfield, who put it forward as the chief exception he took to the trial. "For," said he, "I shall always be against criminal prosecutions laying a ground for pursuing and maintaining civil claims." Without a doubt the object of the prosecution was to wrest the duke's fortune and property from the duchess, and to this end the prosecution got a bill of indictment returned by a Middlesex grand jury, sitting at Hicks

Hall. In reference to this bill and the jury, it was pointed out by the "Law Student," the author of the pamphlet already alluded to, that "it having been brought before a quarter-session jury of Middlesex at Hicks Hall, men of their circumscribed stations in life are incapable of judging the nice circumstances or intent of the *prosecution*—I would not be misunderstood to say *case*—they being to find only a matter of fact."

The author proceeds to throw a side-light on the system adopted by the Middlesex officials in regard to the summoning of jurymen, remarking: "A convenience of getting persons to serve as jurymen in this populous county has begot an illegitimate custom of choosing them of the lowest householders, against a rule of law practised everywhere else throughout England and dependent on express statutes of the necessity of summoning freeholders to a certain amount. . . . Had the cause proceeded with a courage of its merits the indictment had come with better appearance before the grand inquest in the higher Court of the Crown at Westminster, which is composed of men respectable in their status of life and fortune, before whom all indictments against persons of any rank are so generally brought that the contrary is almost without precedent." The point was of more importance than one can appreciate at this time, when the courts of law are no longer surrounded by an atmosphere of venality and corruption. That it was so regarded by Lord Hillsborough is evident from his severe condemnation subsequently of this particular "grand jury."

When Elizabeth returned from Italy with all possible speed it was with the intention of fighting the case there and then. It had not occurred either to her or to her advisers to appeal to the House of Lords, for, being indicted as a commoner, she was under no necessity to plead her privilege; on the other hand, had she been indicted according to her dignity she could not have waived her appeal. Directly she arrived in London after her terribly arduous journey across the Alps, she moved the case, by *certiorari*, into the Court of King's Bench, as a place of more dignity than the Old Bailey; but afterwards perceiving that the object of the prosecution was an attack on her property, she determined to take advantage of such protection as the House of Lords would give her. Accordingly the indictment was remanded back, by a *procedendo*, to its former Court. She then surrendered herself to the Sheriff of Middlesex and was immediately brought, by *habeas corpus*, into the Court of King's Bench, where she entered into a recognisance, as "Duchess-Dowager of Kingston, to appear at the said Court or before the King in Parliament to answer the said indictment whenever thereunto demanded." As a further means to hasten the proceedings, she petitioned the Lords as above described.

When the peers accepted the duchess's petition they had not the least idea of the difficulties ahead. The situation was wholly unprecedented, and it is not remarkable that the House should not see the pitfalls in front of every step. By consenting to her petition the Lords admitted that the petitioner had a right to claim as a duchess; on the other hand, had they

at once denied it and the duchess had been sent back to take her trial under her recognisance in the Court of King's Bench, she certainly would have pleaded privilege, no judge would have ventured to have tried the right set up, and the trial could not have proceeded. There was also a third course their lordships could have followed: they might have referred the claim to the Attorney and Solicitor-General, these officers could have proceeded on the evidence of the ecclesiastical decision, and the registering of the marriage would have proved her claim of Duchess of Kingston. Obviously the second and the third course meant surrender to the duchess, and the Lords therefore admitted the petition as the least evil of the three, and probably it did not occur to them that "if they allowed her privilege as Duchess of Kingston it must be on the established marriage with the late duke: that marriage being admitted legal, there was an end of the question and the necessity of a trial"; recourse must then be had to the ecclesiastical sentence or a *noli prosequi* to stop all confusion.

The above represents the views of the author of the pamphlet, and it is difficult to see how his conclusions can be avoided. The real truth is that the affair was one with which the Lords had no right to meddle, but they were eager to defend their order and help the Medows, and so commenced a series of complications which led to very little beyond making them ridiculous and saddling the country with a vast expense. However, once started the matter had to be proceeded with, and on February 29th the Earl

of Hillsborough brought it before the House, pointing out that the lady had been indicted as a commoner and by her petition she claimed her peerage, but by what legal designation was it apparent that the lady was in truth a peeress? The wife of Augustus John Hervey, Esq., must be, to all intents and purposes, legally speaking the wife of a commoner. Was the lady's own allegation of sufficient validity to constitute her a peeress? It was not sufficient for the party to claim a privilege. The law officer of the Crown was to certify the legality of the claims. The right of the lady to be tried as a peeress had not been judicially recognised. All men knew that a peerage had devolved upon Augustus John Hervey, but was it certain that the indictment specified the wife of this gentleman? No such thing appeared. On the contrary, the lady indicted might, for aught that appeared on the record, as well be the wife of any other commoner of the same Christian and surname as of him on whom the title of Earl of Bristol had devolved. As to the trial itself the noble lord brought forward quite a new and original view, and used some very strong language about the grand jury. It appeared to him a measure calculated to answer a vindictive purpose. The jury who found the bill were "men of as unpleasant a cast as the refuse of human nature could produce." Many years had elapsed since the commission of the supposed offence; during these years the marriage of the unhappy lady with the Duke of Kingston had been notorious, her title had been formally recognised, her rank universally admitted. Why, therefore, had the commission

of this offence been connived at for so long a time? Why was it now arraigned, unless to answer some latent purpose?

This argument came like a thunderbolt on the startled Lords, and there was really much force in it. There could hardly have been a peer present who did not know that the action had been set on foot by the Medows family, and that money had been lavished to procure evidence against the duchess. The Duke of Richmond called the noble lord to order on the ground that he was anticipating the merits of the case the peers were about to try, and the earl accordingly confined himself to the legal aspects of the matter, saying that he would propound to the learned judges present the following queries: "Whether this House can legally proceed in the trial of the lady styling herself Duchess of Kingston by the name of Elizabeth, the wife of Augustus John Hervey, Esq.? Whether, if she could be so tried upon this indictment and found guilty, she may not move in arrest of judgment, alleging incompetency of jurisdiction, and what would be the legal effects of such motion?"

The law lords would have nothing to say to the second question; they opposed it tooth and nail, and it was withdrawn. To the first Lord Denbigh proposed to add the words, "now Earl of Bristol," after "Augustus John Hervey, Esq.," and this was agreed to by a majority of 14. The Lords have always had a very high opinion of their powers, but it seems to have struck some of them that to make an addition to an indictment which the grand jury had already considered and approved was going a little too far,

and a long and weary debate followed as to whether the question, thus amended, should be referred to the judges for their opinion. Lord Lyttelton was horrified at such a suggestion. Everything was ready for the trial, he exclaimed indignantly. Had not the House made several orders and passed several resolutions? Had not his Majesty been approached to appoint a Lord High Steward, and—most important of all—had not the Board of Works received directions to prepare the scaffolding? For the Lords now to recede would be to confess that “folly,” not “wisdom,” was the dictation of their measures; and much more to the same effect. Such a presumption as suggested by the noble duke that the Lords were guided by folly was, of course, not to be thought of. Still the possibility was in the minds of the majority, for when a division was taken there was found to be a majority of 33 for referring the question to the opinion of the judges.

The judges debated the matter among themselves, and their unanimous opinion was delivered by Lord Chief Baron Smythe as follows: “That the House could legally proceed in the trial of the lady styling herself Duchess-Dowager of Kingston on the indictment preferred against her by the name of Elizabeth, now wife of Augustus John Hervey, Esq., *now Earl of Bristol.*”

The affair was rapidly developing into a farce. The Lords had no sooner extricated themselves from one dilemma than they found themselves in another, as will be seen later on. Meanwhile, the unlucky indictment seemed doomed to be a cause of ridicule, for when it was read to the peers previous to the

debate it stated that "the jurors appointed by their Sovereign Lord the King to inquire into the matter charged against the said Elizabeth Hervey, wife of Augustus John Hervey, had found that the said Elizabeth did on such a day and place, in the county of Southampton, on the twenty-fifth of the late King, marry the said Augustus John Hervey, and on such a day in the eighth of his present Majesty, in the parish of St. George's, Hanover Square, with *force and arms*, etc., did marry the said Evelyn, Duke of Kingston, her said previous husband being then alive." This expression, "with force and arms," was too much for the House, and their Lordships burst into guffaws of merriment.

No doubt when the Lords decided to alter the indictment, as the only way out of the difficulty raised by the duchess, they thought they had nothing more to do but wait until the Board of Works had put Westminster Hall in a fit state to exhibit themselves in all their dignity. They were wrong, for in a little more than a month they were faced with a new problem to solve. On April 1st the Lord Chancellor, in reporting upon the various stages of the business, from the day on which the duchess petitioned to have her trial brought on until the period when orders were issued for the erection of the scaffolding in Westminster Hall, informed the House there was one matter still left undecided—it was impossible to try the lady unless she was in custody! She must be a prisoner before she could be tried.

This, of course, was obvious, and it is rather singular the law lords should not have previously

thought of the obligation. But who was to have the custody of the prisoner? The Lord Chancellor objected to Black Rod being appointed, as he was "an officer so essential to the formalities of the House that, on the approaching trial, his presence could not be dispensed with for a moment." Exactly; the House of Lords without Black Rod is hardly conceivable. The Lord Chancellor, having thrown his protection over this important functionary, proceeded to add to the muddle by suggesting that it might be sufficient if the lady was simply required to surrender, and moved "that notice be given to the Duchess-Dowager of Kingston to appear at the bar of this House in Westminster Hall on Monday, the fifteenth day of April, at ten o'clock in the forenoon, and that her grace's bail be apprised of this requisition."

Really it seemed as if no one, not even the Lord Chancellor, could take the matter seriously, for this was a worse blunder than any of the previous ones, as Lord Ravensworth pointed out. Throughout the whole of the proceedings the Lords had continually avoided recognising the lady as "Duchess of Kingston." In every order they had made relative to the trial they had styled her "the lady *calling herself* Duchess of Kingston." Wherefore, asked the noble lord, was this phraseology to be now departed from? The Lord Chancellor excused himself for having adopted the objectionable term by alleging that, in the recognisance entered into before the Court of King's Bench, the lady was styled "Duchess of Kingston." Propriety required that

the notice should, in this respect, be a transcript of the recognisance. The excuse was ingenious, but, nevertheless, his lordship had made a slip, and so a number of the peers thought. If an indictment could be altered, why not also a recognisance, and Lord Ravensworth moved that the words "calling herself" be inserted. The motion was, however, defeated, and it was decided to issue the notice in the form at first suggested by the Chancellor.

The duchess had scored a point, and the House must have been conscious of the fact, for when Lord Mansfield spoke at some length on the knotty point of the custody of the duchess, and wound up with suggesting that the question might be reserved to the day of the trial, everybody breathed a sigh of relief, and, on the motion of the Lord Chancellor, "every resolution relative to the imprisonment of the Duchess of Kingston was postponed," and if the business could have been postponed for ever many of the Lords would not have been displeased.

A fortnight later, after more solemn speeches, the matter was settled. Black Rod was to have the lady in custody, and if the trial lasted more than one day she might either go home to her own house or return to apartments in the neighbourhood, or in those fitted up for her in the House; but, let her be where she might, she would still *be supposed to be in the custody* of Black Rod. Truly a pleasant, go-as-you-please, comic-opera kind of arrangement, the humour of the situation being heightened by the fact that Black Rod was Sir Francis Molyneux, the prisoner's particular friend!

However, the matter was settled, and, as the trial was to take place in two days' time, the House rose, heartily glad it would be troubled no more by the tiresome woman, and no doubt feeling intensely relieved that the responsibility for what might happen afterwards would devolve upon the law officers of the Crown.

But the decision was not arrived at without many ponderous speeches, one of which, that of the Duke of Manchester, completely let the cat out of the bag. His grace thought the dignity of the "peerage to be most essentially interested—the preservation of the titles and fortunes of their Lordships stood upon a very precarious footing indeed if both could be transferred at the will and pleasure of interested parties from the legal and rightful heir—*robbing a family of an estate of several thousand pounds per annum* was not of light or trivial consideration." The duke could not have put the real motive of the Lords better. Whether he knew he was giving their case away is not so certain.

CHAPTER XIV

The trial in Westminster Hall—Stately procedure—The Queen and Royal Family present—Hannah More's lively description—The duchess pleads not guilty—The prosecution opened by the Attorney-General—The duchess hands in her plea of justification—the decision of the Ecclesiastical Court—The plea discussed at great length, and the proceedings adjourned—The behaviour of the duchess admired.

AT length all the important points were settled and the public awaited the day, April 15th, 1776, with feverish impatience. Meanwhile the officials of the House of Lords were hard at work raking up authorities for the order of the procession and the subsequent proceedings. Trials within Westminster Hall for criminal offences with a noble lord as the prisoner were not numerous, and the trial of a peeress was quite without precedent. To transfer the pompous etiquette of the Chamber of Parliament to another place and adapt it to new surroundings must have entailed much searching of musty regulations. The form of procedure was deemed of great importance and the programme of the order of the procession and the seating of the peers and the officers of the House was published in *The London Chronicle* two days before.



MRS. DELANY

Never was there such excitement over a trial, never such clamouring for tickets for admission. Every official who had the slightest influence was besieged by excited ladies; even the foreign Ambassadors were pestered by petitioners. The duchess was well known on the Continent, she had come fresh from her triumphs at Rome, and the foreign residents in the metropolis were as eager to see and hear the proceedings as the Londoners themselves. Indeed many notabilities crossed the Channel on purpose to be present, among them the Countess Castiglioni from Milan.

Mrs. Delany, writing to Mrs. Port, says: "All the world, great and *small*, are gone to Westminster Hall. This accidental rhyme is enough to draw me into a poetical rhapsody, and had I as fluent a talent as the author of 'The Election Ball,' I have subjects enough to have added a second part. The solicitude for tickets, the distress of rising early to be in time enough for a place, the anxiety about hairdressers (poor souls hurried out of their lives) mortifications that feathers and flying lappets should be laid aside for that day, as they would obstruct the view from those who sit behind,—all these important matters were discussed in my little circle last night. Bernard dined here, Mrs. Boscawen came by appointment in the evening to settle their going together this morning to the trial; here they met at seven, and went together in Mrs. Boscawen's coach. Bernard had his ticket from the Duke of Beaufort. How long it will last nobody knows. I bravely refused a ticket for the Queen's box, and going with our dear duchess, for I feared the bustle my spirits would be in now,

unused to such splendid appearances, and doubted whether my eyesight and hearing would have been at all gratified, as both those senses are a little clouded by old Father Time. So I content myself with my own chimney corner, and have resigned my place to one more worthy of it. . . .”

But Mrs. Delany's self-denial was quite exceptional, as maybe also was the self-denial of her friends in forgoing feathers and flying lappets, which must have been as irritatingly obstructive as the twentieth-century *matinée* hat. Royalty headed the crowd, and nearly all the great families of England were represented. If Elizabeth Chudleigh ever desired to be the one object of interest to a whole nation, and even outside that nation, her ambition was gratified. It was an ordeal calculated to try the nerves to the utmost, and no wonder that more than once during the trial the strain proved too much for her marvellous self-possession and endurance.

The arduous first day began early for the duchess. She was carried in her sedan-chair from her mansion in Knightsbridge to the Duke of Newcastle's house in Palace Yard, where her grace met Lord Mountstuart and Sir James Laroche, her bail, who accompanied her to Westminster Hall. Crowds assembled in the streets to see her pass, but curiosity was their only object, and there was no demonstration of any kind.

At a quarter past ten Queen Charlotte entered the Hall, with the Duke of Newcastle, the Prince of Wales, the Bishop of Osnaburgh, and the Princess Royal. Her Majesty sat in the centre of the Duke of New-

castle's gallery "on the left-hand side of the Hall going from Palace Yard, and the scaffolding was so much exalted that many of the spectators were alarmed for the safety of the distinguished personages who sat on it."

It would be difficult to find a parallel to the scene. The peers in their gorgeous robes; the ladies attired in the very latest *mode* (their towering complications of hair must alone have been a sight worth seeing, for it was the time when fantastic dressing of hair had reached its height in more senses than one); the picturesque costumes of the men, the varied colours of their long-skirted coats and flap waistcoats, their wigs, their ruffles, and lace-cuffs; the stately hall, with its noble roof,—all combined to form a picture which must have dwelt in the memories of those present for many a long year. Perhaps they were only dimly conscious, at least at first, of their surroundings, for every eye could not fail to be fixed on the sombre patch of black in the very centre of the hall, the prisoner, who for seven years had been known as the Duchess of Kingston, and who, if the decision of the assembled lords was adverse to her claim, would for the future be entitled to be called the Countess of Bristol, for by this time the Hon. Augustus Hervey had come into the earldom. Was the earl present? None of the gossiping writers of the period mention him, and it is fair to assume that he had the good taste to stay away. The rules governing the proceedings of the House of Peers are crusted with the harshness of medievalism, and for aught we know it might have been within the Earl of Bristol's prerogative to take

his seat among the judges. If so, he did not exercise his power, for his name is not in the list.

The newspaper reporter of that day was not given to indulging in descriptive writing. Newspapers were costly productions, the space was limited, and every item of news was boiled down to its dregs. But the trial of Elizabeth Chudleigh, duchess or not, was something altogether out of the common, and we have the editor of *The Gentleman's Magazine*, at the end of its report, gravely announcing, with commendable frankness and honesty, that "The importance of the above trial, and our desire to gratify our readers with the substance of it at once, has obliged us to postpone the Account of American Affairs, and the rather as our late advices from thence are not to be relied upon." The representative of *The London Chronicle* is moved to go beyond giving a merely formal report, and remarks, in the issue of the day following, that "Imagination can hardly picture a more solemn, august, and at the same time brilliant, appearance than the Court of Westminster Hall cut yesterday as soon as the High Steward and Lords had taken their places. It was computed that no less than 4,000 persons were present, that out of that number 2,500 were ladies."

At a quarter after eleven the procession began in the following order: Peer's eldest sons, preceded by the Lord High Steward's domestics, the Masters in Chancery, King's serjeants and judges (the legal functionaries having been fortified by an "elegant breakfast" at the Lord High Steward's house); barons; bishops; viscounts, earls, marquises, and dukes; the

Serjeant-at-Arms, the Lord President and Lord Privy Seal. The barons went to their seats next the bar, the junior baron taking the left-hand seat next the bar ; and so in the same manner till the benches in the front of the court were filled. The archbishops and bishops occupied the side-benches on the right, and the dukes the side-benches from the throne down as far as the table.

As soon as their lordships had taken their seats, and the usual formalities of opening the Commission and reading the indictment had passed, the Clerk of the Crown made proclamation for Elizabeth, Duchess of Kingston, to appear, and save her bail, etc. Her grace immediately entered the court, in custody of the Yeoman Usher of the Black Rod, attended by two ladies of her bedchamber, her chaplain, physician, and apothecary. So runs the official report, but one eye-witness speaks of three lady attendants and another of four. Two of the ladies were Mrs. Egerton, related by marriage to the Duke of Bridgewater, and Mrs. Barrington, the widow of General, brother to Lord Barrington. The demeanour of the duchess excited admiration on all sides, and even extorted praise from those who were unfriendly towards her. The representative of *The London Chronicle* was quite enthusiastic. "The duchess was dressed in mourning," he says, "without the least ornament imaginable. On her approaching the bar she curtsied thrice to the House. It has always been customary for peers to kneel at the bar previous to their trial. The instant the Duchess of Kingston approached the bar the Lord High Steward addressed her grace in the following

terms: 'Madam, you may rise,' which was politely saying: 'Madam, you have no occasion to kneel.' The duchess behaved with the spirit of a heroine. She was dignified without arrogance, collected without audacity, and humble without any of those sycophantic arts which characterise the vulgar."

The Lady's Magazine announced that "the importance, the novelty of a case of this kind having excited the curiosity of every female of the kingdom, many thousands of which could not have had access to the most august tribunal that this nation can exhibit, we thought it our duty to meet our *fair correspondents* and *patronesses* on this ground, and give them all the information they could have reaped from a ticket signed by the Lord Chamberlain." The dress worn by the duchess was, of course, a matter of intense interest also to "every female," and *The Lady's Magazine* describes it as "a black polinesse with a black gauze cape." We are further told that "she seemed cheerful and composed after the first shock."

Proper and pious Hannah More was among the spectators, and took a huge delight in the pillorying of the duchess. One may forgive the spotless Hannah's uncharitable satisfaction for the sake of her graphic account. She writes: "I wish it were possible for me to give you the slightest idea of the scene I was present at yesterday. Garrick would make me take his ticket to go to the trial of the Duchess of Kingston: a sight which, for beauty and magnificence, exceeded anything which those who were never present at a Coronation or a trial by peers can

have the least notion of. Mrs. Garrick and I were in full dress by seven ; at eight we went to the Duke of Newcastle's house adjoining Westminster Hall, in which he has a large gallery communicating with the apartments in his house. You will imagine the bustle of five thousand people getting into one hall ! Yet in all this hurry we walked in tranquilly. When we were all seated, and the King-at-Arms had commanded silence on pain of imprisonment (which, however, was very ill observed), the Gentleman of the Black Rod was commanded to bring in his prisoner. Elizabeth, calling herself Duchess-Dowager of Kingston, walked in, led by Black Rod and Mr. Laroche, curtesying profoundly to her judges. When she bent the Lord Steward called out, 'Madam, you may rise,' which, I think, was literally taking her up before she was down. The peers made her a slight bow. The prisoner was dressed in deep mourning, a black hood on her head, her hair modestly dressed and powdered, a black silk sacque with crape trimmings, black gauze, deep ruffles, and black gloves.

"The Counsel spoke about an hour and a quarter each. Dunning's manner is insufferably bad, coughing and spitting at every few words ; but his sense and his expression pointed to the last degree ; he made her grace shed bitter tears. I had the pleasure of hearing several of the lords speak, though nothing more than proposals of common things. Among these were Lyttleton, Talbot, Townshend, and Camden. The fair victim had four virgins in white behind the bar. She imitated her great predecessor, Mrs. Rudd, and affected to write. However, I plainly perceived

she only wrote as they do their love epistles on the stage, without forming a letter. I must not omit one of the best things. We had only to open the door to get at a very fine cold collation of all sorts of meats and wines, with tea, etc., a privilege confined to those who belonged to the Duke of Newcastle. I fancy the peeresses would have been glad of our places at the trial, for I saw Lady Derby and the Duchess of Devonshire with their work-bags full of good things. Their rank and dignity did not exempt them from the 'villainous appetites of eating and drinking.'

"Foote says that the Empress of Russia, the Duchess of Kingston, and Mrs. Rudd are the three most extraordinary women in Europe; but the duchess disdainfully, and I think unjustly, excludes Mrs. Rudd from the honour of deserving to make one of the triple alliance. The duchess has but small remains of that beauty of which kings and princes were once so enamoured. She looked very much like Mrs. Pritchard; she is large and ill-shaped. There was nothing white but her face, and had it not been for that she would have looked like a ball of bombazine. There was a great deal of ceremony, a great deal of splendour, and a great deal of nonsense: they adjourned upon the most trivial pretence imaginable, and did nothing with an air of business as was truly ridiculous. I forgot to tell you the duchess was taken ill, but performed it badly."

The proceedings commenced with the reading of the indictment, after which the Lord High Steward addressed the prisoner in a short speech, explaining

the nature of the offence with which she was charged, and indulging in a little homily suitable to the occasion, wherein he pointed out how destructive that offence was "to the peace and well-being of society, how hateful in the sight of God, and how much it behoved her to manifest her own innocence against so heavy and criminal a charge." The duchess was then asked by the Clerk of the Crown whether she was guilty of the felony whereof she was indicted, or not guilty. She answered with great firmness, "Not guilty, my lords." Mr. Dunning now opened the pleadings on behalf of the prosecution "in a very concise manner," and was followed by Mr. Thurlow, the Attorney-General of the voice like "a kind of rolling, murmuring thunder," and "black eyebrows exceeding in size any I have ever seen," said Creevy; but before he had time to proceed the duchess, having a paper in her hand, tendered her plea of justification as matter of record.

This paper was an "authenticated copy of the sentence of the Ecclesiastical Court, in the year 1758, previous to her marriage with the late Evelyn, Duke of Kingston, deceased." Mr. Wallace, who was one of the prisoner's counsel, contended the plea was a good plea in bar of the indictment; that it was a matter of record of a Court which had competent jurisdiction to decide upon suits of matrimonial espousals, that "consequently no parole testimony could now be legally received to impeach it; and, that being the case, the prisoner stood at their lordship's bar to all intents and purposes whatsoever in the light of a single woman the day she intermarried with her deceased

husband, Evelyn Pierrepont, Duke of Kingston. For these reasons, he humbly submitted to their lordships that the sentence of the Ecclesiastical Court be now read, as conclusive evidence of the premises; and that the plea be recorded, as a bar to all indictments for the felony with which the prisoner stood charged."

Nothing apparently was further from the intentions of their lordships than the collapse of the entertainment at the very outset. All the care taken and the time spent on the preparation of the elaborate paraphernalia must not be wasted. If the grand ladies discovered that they sat up all the previous night while their hair was being built up, for no purpose, they would want to know the reason why. It is not to be supposed that the married dames had not discussed the matter pretty freely with their husbands, and had made up their minds before the trial commenced. The presentation of the plea was accordingly received with much shaking of heads, but ultimately the lords were graciously pleased to permit the counsel for prisoner to address the House on the point, and accordingly Mr. Wallace, as soon as the proceedings and the sentence pronounced in consequence of them were read, was heard in support.

The general ground he took was that the Ecclesiastical Court had a competent jurisdiction to decide on all matters relative to matrimony. "The laws had given it a competent and conclusive jurisdiction in matters cognisant by the Court. There was but one law in being which broke in upon its jurisdiction and brought offences against the right of marriage

before the Temporal Courts ; and that, so far as a power of judging of the act as a matter of moral turpitude was concerned, the jurisdiction of the Ecclesiastical Court was as entire and decisive as if the act of the 1st of James I. had never passed." This was the great basis of his argument, in support of which he cited general cases ; as well to prove that the decisions of the Ecclesiastical Court had been at all times, both before and after the passing of the statute of the 1st of James I., deemed valid and conclusive, even in our Temporal Courts ; and that there did not exist a single precedent in the law-books, either directly or by analogy, sufficient to maintain the present prosecution, though the sentence had proceeded on false information.

Dr. Calvert, a civilian, as the Doctors of Civil Law were then termed, followed Mr. Wallace, and spoke near two hours in favour of her grace. He quoted several cases in point, to prove that the sentence of the Consistory Court was to all intents conclusive. The most striking was : " If a will was ever forged, if it had received the probate of the Commons, the will was valid, notwithstanding the discovery of the forgery, and not cognisable by any Temporal Court whatever." Dr. Calvert instanced the case of Hatfield against Hatfield, where in the House of Lords, 1725, on an appeal from Ireland, a woman brought a bill against her supposed husband's son by a former wife. " The son insisted that she was never married to his father, but that she was the wife of one Porter ; and the marriage with Porter was clearly proved. Upon such proof she sued Porter in the Spiritual Court in a

jactitation cause, and, on his failing to prove her his wife, she obtained a sentence against him, and afterwards made that sentence her case in Chancery, where it was held conclusive evidence ; and the Lord Chancellor's opinion was affirmed upon appeal."

Dr. Wynne, another civilian, argued upon the same grounds, and produced many more cases in point, challenging his opponents to produce a single precedent on the other side "to show that the sentence of the Ecclesiastical Court had ever been controlled or set aside in cases of marriage."

By the time the civilians had said everything they could think of to establish the argument that the sentence of the Ecclesiastical Court should stand, and if so the charge of bigamy could not be proceeded with, it was half-past six, and their lordships very hungry, their usual dinner-hour being six at the latest. Lord Gower moved for an adjournment, "whereupon the Lord High Steward, returning to the chair, adjourned the House," and the procession slowly filed out. The great majority of the fashionable crowd were not so fortunate as Hannah More ; and among the hungry ones were Mrs. Delany's friends. Mrs. Delany's dinner-hour was four o'clock, an absurd time as it would seem to us to-day, and she only waited half an hour. "Nothing now," she writes, "is thought of but the Duchess of Kingston's tryal, for *such* she is till publicly declared otherwise. I waited no longer for my guests than half an hour after four, and at seven they came starved, having been twelve hours fasting, and ate their little dinner voraciously (mutton-chops and lamb-pye, lobster and apple-puffs),

drank their coffee between eight and nine, and then came to my little drawing-room, where they found Lady Mary Mordaunt and Mrs. Gordon. The show of the tryal was awfull, and splendid beyond imagination ; but very little more done than a preparation for what's to come, and nobody can guess yet what time it will take. The prisoner walk'd in very decently, dress'd in black silk, two damsels in mourning attending her, and led in by a person also in mourning."

Walpole, after commencing with one of his characteristic sneers, goes on, wonderful to say, to praise the duchess. "The doubly noble prisoner went through her part with unusual admiration," he records. "Instead of her usual ostentatious folly and clumsy pretensions to cunning, all her conduct was decent, even seemed natural. Her dress was entirely black and plain, her attendants not too numerous, her dismay at first perfectly unaffected. A few tears balanced cheerfulness enough, and her presence of mind and attention never deserted her. This natural behaviour and the pleadings of her counsel, who contended for the finality of the Ecclesiastical Court's solemn injunction against a second trial, carried her triumphantly through the first day, and turned the stream much in her favour."

As for the principal figure in the picture of splendour, she went back in her chair to Knightsbridge, attended by Sir Francis Molyneux, Usher of the Black Rod, who remained at Kingston House while the trial lasted, the duchess thus being in custody in her own house. Apropos of this, Walpole could not resist

repeating what sounds like a piece of childish gossip. "On some altercation," he writes, "between her and Sir Francis Molyneux, she carried him into another room and showed him a hole in the ceiling, or wainscot, made by a pistol-ball. I have heard formerly that she used to terrify the Duke of Kingston in that manner with threatening to murder him or herself." It was in this letter that Walpole thought the Court favoured Elizabeth in making out her age to be fifty. He considered she must have been fifty-five at least (see vol. i. p. 93).

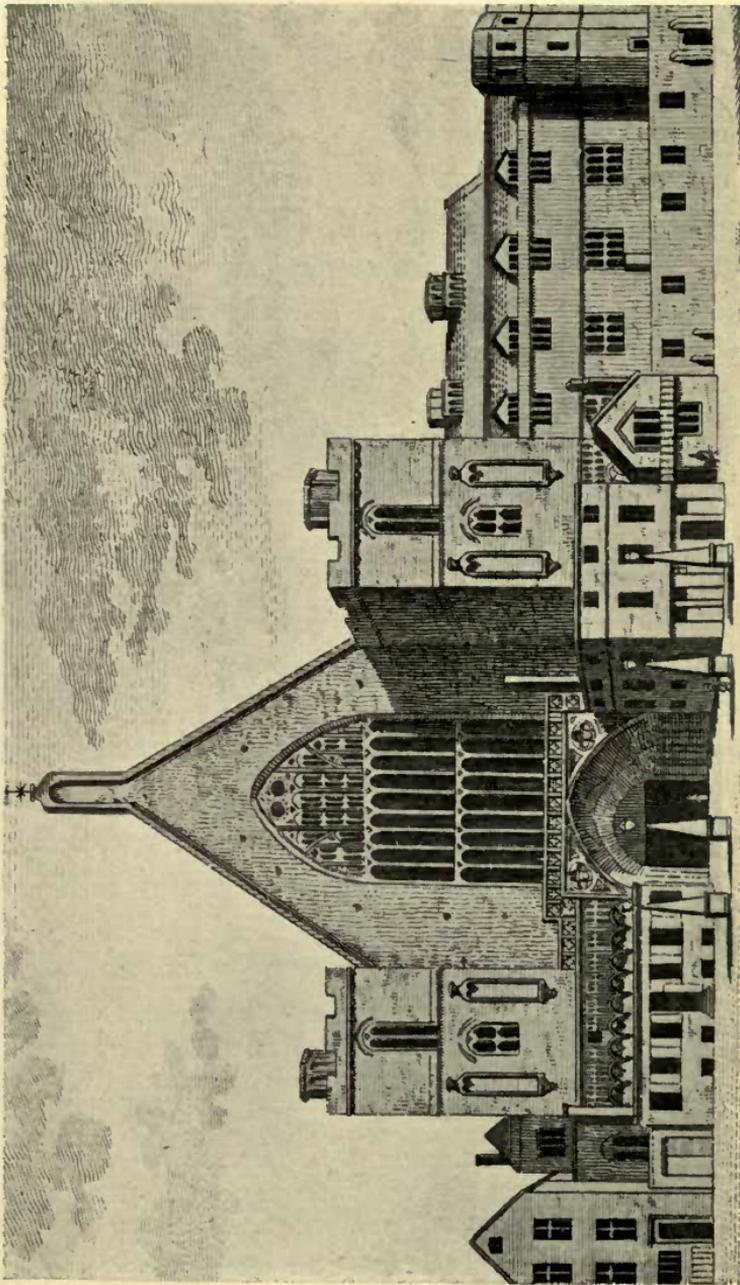
CHAPTER XV

Wordy arguments on both sides—The duchess is taken ill and the trial is adjourned—The Lord Chamberlain in a difficulty: no tickets!—The trial resumed—The plea of justification rejected—The Solicitor-General enters upon a history of the case—His unfairness towards the duchess—Anne Cradock gives evidence—Her evasive answers—Mr. Cæsar Hawkins in the witness-box—The fourth day of the trial—Lord Barrington a reluctant witness.

THE proceedings of the second and third days were tedious in the extreme, the Attorney-General and the Solicitor-General occupying the whole of the time in wordy argument to refute the contention of the defence. According to the report in *The Gentleman's Magazine* Attorney-General Thurlow was very "full and able," and examined several of the cases cited on the other side, and particularly that of *Hatfield v. Hatfield*, where a man, after forging a will and obtaining a probate of it, was indicted; but pleaded that the probate was good because it was granted by a Court which had jurisdiction in the matter. The learned judge before whom the culprit was arraigned held the plea to be good, and the man was discharged. This, said Thurlow scornfully, was the great authority urged in support of the most extraordinary doctrine, considered in all its circumstances, he ever heard. For it fairly amounted to this: that if a person who com-

mitted a crime, for which he was liable to suffer a capital punishment, was lucky enough to add another crime to it—that of imposing on the Court, by gaining letters of administration—he was not punishable, but might laugh at his accusers! As to the arguments chiefly relied on by the two learned doctors who maintained the conclusive power of the Ecclesiastical Court, in all matters competent to their jurisdiction, they amounted, he urged, to this: “That whatever the Ecclesiastical Court determined was final and conclusive to every other Court but itself. Their edicts were sacred everywhere but in Doctors’ Commons; there they were liable to be questioned, examined, and reserved day after day till the day of judgment, but nowhere else. For instance, the gentleman said, that the present sentence might now undergo a review in the Ecclesiastical Court. The parties were at liberty to bring it into the Commons (*i.e.* Doctors’ Commons), and have everything already done (if they should produce the proofs necessary for such a reversal) again undone. This, he could not help saying, was a doctrine directly of a texture similar to the case last mentioned. We may have done wrong; we will see if we have; if we have we will rectify it; but whether or not, no other Court, however great, shall interfere to do justice, though we have failed, or may hereafter refuse to administer it.”

Solicitor-General Dunning, *The Gentleman’s Magazine* tells us, spoke “in a very pointed manner” to the case alluded to relative to the forgery of the will, and the obtaining of probate, and held out in a very ridiculous light that matter, in which it appeared that



WESTMINSTER HALL IN 1766

the man who was arraigned for the forgery had forged the will of a woman then living, and, by obtaining letters of administration, got possession of some stock belonging to the pretended deceased. The woman who had been thus robbed prosecuted the robber; and this was one of the chief cases relied on by the gentlemen of the other side. Dunning next entered into a long examination of the conclusive jurisdiction of the Ecclesiastical Court, and of suits of jactitation, and showed that the latter bore no more relation to their proceedings, or causes in which they proceeded to judgment, than any two things in the world, however different. In this part of his argument he was "extremely jocular," remarking that, if the jurisdiction of the Ecclesiastical Court was final and ultimately conclusive to the extent contended for, "by consequence a man marrying at twenty-one might, by the time he attained the age of thirty-five, have seventy-five wives living at the same time, and yet defy the whole power and force of any Court or Courts of criminal jurisdiction in the kingdom!"

The above only represents a very minute portion of the prolix arguments to which their unfortunate lordships were compelled to listen. The cases cited—for that of *Hatfield v. Hatfield* was only one out of many which were quoted—must alone have plunged them into a condition of mental confusion, and whether at the end of a few hours they understood what Dunning, with his coughing and spitting, and Thurlow, in his portentous way, were talking about may very well be doubted. It is not therefore surprising to find, when

the Solicitor-General sat down and Mr. Wallace rose to reply, Lord Talbot interposing with the remark that "the matter already offered was sufficient for their lordships' present discussion," and suggesting an adjournment. The proposition was approved with alacrity, and the peers promptly vanished, to return to the hall in half an hour. The proceedings were about to be resumed, when it was discovered that some of the noble lords, including the Chief Justice, had played truant. Lord Townshend took advantage of the fact to once more urge an adjournment, but the suggestion was hailed with cries of "Proceed! Proceed!"

It probably did not occur to the peers that the prisoner might be exhausted. However, her condition was noticed by Lord Camden, who, dropping the hostility he usually displayed towards the duchess, remarked that, though the reasons already suggested were sufficient, he had a more forcible one, that was the indisposition of the lady. He begged leave to inform their lordships that she had been extremely unwell for a considerable time. He then moved that she might have permission to retire. This being consented to, his lordship acquainted the House that the lady was so very ill that a surgeon had been sent for to bleed her, and that her grace's physicians had been likewise sent for. He thought it, therefore, very necessary that their lordships should adjourn, in order to determine what was proper to be done. This, after a few minutes' consideration, was agreed to, and their lordships again marched to the Parliament Chamber, where, after three quarters of an hour's deliberation,

they agreed to adjourn over till Friday, on a division, 80 against 59.

Meanwhile the duchess had retired in the custody of the Black Rod to an apartment at the Duke of Newcastle's adjoining to the hall, and was really very ill, so much so that "she could hardly keep her seat for some minutes before she had leave to retire from the bar."

No doubt this was the occasion on which Hannah More, in anything but Christian-like spirit, could see nothing but acting, "but performed badly." Had the duchess chosen to "act," and had she been well enough, she would have found no difficulty in doing it in a fashion to satisfy all the requirements of dramatic effect. Hannah More, of course, estimated Elizabeth on the basis of the slanders so industriously circulated by her enemies, which, if they were to be believed, made out that she was a consummate mistress of cunning and duplicity. Yet, until it became the policy of the Medows family and their supporters to blacken her character, never had she been charged with being crafty. Walpole did not love her, neither did Lady Mary Coke, or Mrs. Delany, or Mrs. Montagu; but what they sneered at was not her cunning, but her audacity and disregard of the conventionalities. Walpole alludes to this supposed phase of her character but once, and he could only say that her "pretensions to cunning" were clumsy. The arduous journey from Rome in a jolting litter, at a time when she was suffering intense pain from an ailment the nature of which showed how terribly she was run down, her anxiety of mind added to by the inexcusable conduct of Foote and the vindictive attacks of anonymous enemies, were

no shams. The marvel is that she went through the ordeal of the trial without utterly breaking down. The strain on her nerves must have been so intense that she had no need to "act" either "badly" or well.

The next day the House of Lords was informed that the prisoner continued to be ill, and on the question of the day to which the trial should be adjourned, the House was again in trouble. The Lord Chamberlain had to confess that, anticipating the proceedings would last but two days at the most, he had only had tickets prepared for that time. To resume on the following day was therefore impossible, and the adjournment was extended for three days to enable fresh tickets to be prepared, when the trial was resumed, and after more dreary talk it was held, as might be expected, that the decree of the Ecclesiastical Court was not binding on the House of Lords.

The real business, establishing the bigamous marriage, was at last entered upon, and Attorney-General Thurlow started upon the charge on which the duchess was arraigned. He went over the story of the secret marriage at Lainston, which story there is no need to repeat. No exception can be taken to this part of Thurlow's speech : it was a dispassionate narrative of the various incidents of the duchess's life up to the time when she instituted the jactitation suit ; but when he proceeded to argue on the question of the bigamy, his language strikes one as unnecessarily venomous, preposterous, and hypocritical. After denouncing the offence of the second marriage, he put forward, as aggravating the crime, the prisoner's "perfect indiffer-

ence which husband she adhered to so that the profit to be drawn from *this* marriage or from *that* was tolerably equal. The crime stated under these circumstances, and conveying this impression, is an offence to the law which, if it be less aggravated in some particulars, becomes only more odious in others."

According to Thurlow the offence of bigamy, which by the barbarous and inhuman provisions of the Act of James I., commonly called the Statute of Bigamy, was made a felony to be punished by death, whipping, or burning in the hand, was aggravated by the motive. There was not the slightest proof adduced to show that Elizabeth was actuated by a mercenary spirit more than that which might be reasonably expected from any woman who marries a rich man. The possibility of the duchess having as much affection for the duke as she had dislike for Hervey was ignored ; everything she did, Thurlow contended, was in order to enrich herself. When one remembers that during the eighteenth century no one ever missed a chance of pocketing anything that happened to be worth taking, and that the grossest examples of greed were to be found among the upper classes, it is difficult at this distance to read Thurlow's speech with patience. At the moment when he was mouthing his affected indignation, unblushing intrigue for "place" and "sinecure" was a matter of every-day occurrence. It was a common thing for men of wealth and position to hold lucrative posts with no duties other than what could be performed by a clerk, who was paid a miserable pittance ; jobbery abounded, and at the time of the Wilkes controversy it was roundly asserted that the

ministry of Lord Bute had no supporters but those whom it paid.

Member's votes were sold for pensions. Dunning himself secured a peerage and a pension, though he was in office but three months. Thurlow had no scruple in advising Pitt to appropriate the clerkship of the Pells, one of the most lucrative among the many comfortable sinecures; the Grenvilles' rapacity was notorious. These are only a few instances out of many. The traffic in honours was shameless. The creation of peers was never ending. Venality and corruption abounded everywhere; even justice was not above suspicion so far as the minor officers of the law were concerned. In the face of this Thurlow's denunciations sound the veriest fustian; but, as the writer of his life in the "National Dictionary of Biography" remarks, his conduct of the case against the duchess was "marked both by bad taste and cruelty." He was fighting not to punish an offence, but to upset the will of the duke, force the duchess to surrender the wealth and the broad acres which were hers by law, and hand them over to the prosecutor, Evelyn Medows, whom the duke disliked and had specifically cut out of his will.

The business from first to last was a piece of make-believe and a sham, and Walpole put the matter concisely when he wrote: "The Earl of Bristol does not stand in a fairer predicament, and is not the whole a burlesque, where, except the foreigners, there could not be one person in the hall who was not as much convinced of the bigamy as of their own existence? But the world can make laws

against crimes till nobody knows whether there is any crime which may not be committed legally." As for Thurlow's arguments in respect to the jactitation suit, they were narrow and one-sided. The procedure was termed a "gross and palpable evasion" on the part of the duchess, but the part played by Augustus Hervey was wholly ignored. But it must have been clear that Hervey was equally to blame, and that he could have prevented the decision of the Ecclesiastical Court, had he chosen to do so, by the production of the material witness, Anne Cradock.

Thurlow occupied an unconscionable time in reviewing the whole affair, and wound up by calling the first witness, Anne Cradock, whose story *in extenso* has already been told (see vol. i. p. 121). When Anne Cradock was summoned a confusion, according to *The London Chronicle*, "ensued about placing her; the Duke of Richmond, observing her stand near the prisoner, moved that she might be placed elsewhere. After much time spent on the occasion, Mr. Quarne, the Deputy Usher of the Black Rod, was placed between them, and the examination began, one of the clerks of the House putting each question from the counsel, and making the witness's replies to the House, with an audible voice." The reason of the Duke of Richmond's extreme caution is evident. His grace was one of the duchess's pronounced antagonists, and he did not scruple to show his suspicions lest the close proximity of Anne Cradock to the prisoner might influence the evidence of the witness. The duke was one of the noble lords whose feelings were intensely outraged at the thought that the

duchess should enjoy the fortune which had been left her, to the disadvantage of her husband's relatives. The Duke of Richmond's hostility on this ground came with a particularly bad grace from a man descended from the infamous Louise de Querouaille, who became the mistress of Charles II. so that she might serve the interests of France, and who was more unscrupulous in lining her pockets than even the Kielmansegge, the first George's favourite. The suspicious duke of the trial had a supreme contempt for all who were not aristocrats; and in after-years he sneered at Thurlow's lowness of birth, leading to the keen retort from the Lord Chancellor, as Thurlow then was, that the duke himself was but "the accident of an accident."

When the lords were satisfied that Anne could not act in collusion with the prisoner, or be intimidated by her too close neighbourhood, the woman, now considerably advanced in years, entered upon her evidence. The material parts were unshaken by her cross-examination at the hands of Mr. Wallace, the counsel for the duchess, and her adroitness in answering awkward questions is well shown in the following extract from the official report of the trial.

"Have you never declared to anybody that you had an expectation of some provision from the cause now in hand?—I could not declare it, as I had no offers made me from the prosecutor.

"Have you declared it?—I have said just now I could not.

"Would you be understood that you have not?—What was I to declare?"

“Whether you have not declared, whether true or false I do not care, that you had an expectation of some provision from this prosecution?—I could not declare it before it was made to me.

“You must say whether you did say so or not.—I never had any offer from the prosecution.

“Had you not an expectation from the prosecution?—No, I could not say that when they never offered it me.

“Do you understand the question generally or confined to the prosecutor?—I think it can be confined to none but himself.

“Have you any expectation from anybody else?—No, none.

“Nor ever declared so?—No, I never declared that I had any such expectations.”

At this point Mr. Wallace gave up labouring the point and went on to other matters. Later on Anne was tackled by several noble lords on the question which Mr. Wallace had relinquished in despair, and, in replying to Lord Hillsborough, she admitted receiving a letter from a friend wherein she was told that a gentleman of his acquaintance would get her a sinecure, but on what account she knew not. This was hardly to be accepted without further inquiry; and Lord Hillsborough, who seems to have had some skill for cross-examining, went on to inquire who the acquaintance was.

Said Anne: “I do not know who the gentleman was: nor I never asked.

“Who was the friend who wrote the letter to you?—Mr. Fozard, of Piccadilly.

“What answer did you make to the letter?—I made no answer any further but that it was very kind in anybody that would assist me in getting anything.”

This admission of Anne's bears out Whitehead's statement that Fozard, who, after leaving the Duke of Kingston's service, started as a livery-stable keeper, was the first to put Mr. Evelyn Medows on the track of Anne Cradock. In reply to further questions, Anne persisted in asserting that she did not know the person who had offered to make “provision” for her. She admitted she had showed the letter to a friend “to let him know I had received such a letter, but I did not know what it might be upon, or what it might not.” Anne, on the whole, did not come out of the ordeal of Lord Hillsborough's questions particularly well. When asked what she had done with the letter she could only say she did not know, but she had it not; and, after a good deal of fencing, she admitted she had told the friend she had consulted that “she might have the same settled on her as the lady (*i.e.* the prisoner) promised her.”

Cradock's evidence was followed with the closest attention by the lords. It was felt that the question of the inducement which had led the woman to break the silence of some thirty years was of vital importance, and at this dramatic point in her cross-examination we have the Earl of Derby interposing with the following: “My lords, we are now in that interesting part of the trial that requires the utmost deliberation and circumspection. The many hours we have sat, and the total darkness that must presently

prevail will, I fear, be a bar to our proceeding with that attention the importance of the crime demands ; I therefore humbly move that, as many lords seem desirous of asking this witness many questions, her further examination may stand over till to-morrow, and that we now adjourn to the Chamber of Parliament."

The peers were never slow in the matter of adjourning, and adjourn they did. On this day's proceedings Walpole comments in quite his old bitter, sarcastic vein: "Her grace bore the narration [*i.e.* Thurlow's opening statement] with a front worthy of her exalted rank. Then was produced the capital witness, the ancient damsel who was present at her first marriage, and tucked her up for consummation. To this witness the duchess was benign, but had a transitory swoon at the mention of her dear duke's name, and at intervals has been blooded enough to have supplied her execution if necessary. Two babes were likewise proved to have blessed her nuptials, one of which, for aught that appears, may exist and become Earl of Bristol. The gallant and faithful Earl of Hillsborough used all his powers to cross-question and brow-beat the deponent, but her grace's other champion [Lord Mansfield] did not enter the lists."

Walpole's allusion to the "two babes" combines his recklessness with his desire to utilise anything that told against Elizabeth, no matter how slight the foundation. The ground of his assertion that two children were born, made more than once in his letters, rests entirely upon Anne Cradock's answer to Thurlow, who, examining her in reference to the negotiations

previous to the jactitation proceedings, asked whether she had delivered a message from Captain Hervey to the duchess. "I told her," said Anne, "Mr. Hervey desired me to let her know that he was determined to be—I should have said divorced, but I said parted—and also that he desired me to tell the lady she had it in her own power to assist him. I delivered the message, and the lady replied was she to make herself a whore to oblige him?"

Then said Thurlow: "Did she appear to be with child before this conversation with you?—She did appear to be so."

The question was absolutely unjustifiable, and may be taken as a specimen of Thurlow's brutal method. Walpole, of course, made the most of the baseless insinuation.

On the following day Anne Cradock was further questioned, when she admitted she had sent Fozard's letter to Captain Hervey, which looks very much as if she wanted to make something out of everybody. At all events, one can hardly believe, when she went to see Fozard on such an important and delicate matter, that "nothing in particular passed, further than relating to where I was born, and my life," but she was good enough to add that she did think it extraordinary Fozard should ask her such questions.

Lord Derby next tackled the shifty witness, but could get no more out of her than that the prisoner at the bar, three or four years before, had offered to give her twenty guineas a year to settle in the country. No part of the annuity, she asserted, had ever been

paid, but she had been given several presents "in point of friendship" by the prisoner.

So much for Anne Cradock. Mr. Cæsar Hawkins, the surgeon who attended Elizabeth in her embarrassment at Chelsea was next called. He told the story of the birth of the child, and passed on to speak of the negotiations, of which he was the instrument, between Captain Hervey and the duchess previous to the jactitation suit. His story has already been given (see vol. ¹⁷¹³i. p. 120). Then came Lord Barrington, who observed a very becoming delicacy in regard to what he knew concerning the prisoner, contending that, if anything had been confided to his honour or confidentially told him as a man of honour, as a man regardful of the laws of society, he could not reveal it. Upon this the duchess intervened, and her words may be quoted in full.

"I do relieve my Lord Barrington," said she, "from any obligation of honour. I wish and earnestly desire that every witness who shall be examined may deliver their opinions in every point fully, whether for me or against me. I came from Rome at the hazard of my life to surrender myself to this Court. I bow with submissive reverence to every decree, and do not even complain that an ecclesiastical sentence has been deemed of no force, although such a sentence has never been controverted during the space of one thousand four hundred and seventy-five years."

The demeanour of the duchess at this trying moment, and the dignity of her words, had their effect, for the prosecuting counsel desired to withdraw the witness, but Lords Camden and Lyttleton, who never scrupled

to show their animosity towards the duchess, were not inclined to let off Lord Barrington so easily. They interposed, and other noble lords joined in, and then followed the inevitable adjournment to the Chamber of Parliament to discuss the point among themselves.

Truly, as Hannah More phrased it, their lordships were ready to adjourn "on the most trivial pretence possible"; but much may be excused them. They must have been bored to death; the self-denying ordinance of abstention from the cheerful glass to which everybody in those days resorted on every possible occasion, in season and out of season, must have tried them severely, and it is not wonderful they were ready to seize any opportunity to adjourn, whether for discussion or for refreshment does not very much matter. When the peers returned, after a long interval, it was apparent they had not settled whether Lord Barrington's honourable scruples should be observed, but a certain number were very anxious that he should speak, notwithstanding the fact that the counsel on both sides had refused to question him, and Lord Radnor cut the Gordian knot by boldly declaring that he did not look upon the witness to be the witness of the prosecuting counsel or of the prisoner, but "the witness of the House." This was a happy idea, and appealed directly to their lordships, for did it not suggest that the "House" was above observing the niceties of ordinary legal procedure?

Walpole, writing of the day's proceedings, said: "Lord Barrington, subpœnaed against her, after taking the oath, declared he would betray no confidential

secret. . . . His lordship faltered, told more than he had declared he would not tell, and yet prevaricated. . . . To-night the duchess makes her defence, and on Tuesday the Lords give sentence. She has not preserved the philosophy of the first day, but abused the first female evidence while giving testimony. Lord Mansfield left the Ecclesiastical Court in the lurch; his cowardice always supplanting his knavery." It is only necessary to say that not a word of this alleged "abuse" of the witness appears in the official report taken on behalf of the prosecutor, in that of the duchess, or in Hargrave's "State Trials." Walpole could not resist saying anything which gratified his personal enmity. Lord Mansfield's "knavery" is a case in point.

CHAPTER XVI

Lord Barrington's evidence—Mrs. Phillips tells the story of the register—Her unsatisfactory statement—The tale of the leaf torn from the register by the duchess proved to be false—Mrs. Phillips again called—She contradicts herself.

WHEN the peers had discussed the nice point of Lord Barrington's honour they returned to the hall and, finding the counsel on both sides disinclined to assist them, proceeded to examine their colleague for themselves, but without extracting very much that was material to the issue. Lord Radnor put the question whether Lord Barrington knew any fact by which he was convinced that Mr. Hervey was married to Miss Chudleigh.

"I do not know," said Lord Barrington, "of any fact which will prove the marriage to my own knowledge."

Some uneasy qualms at this point overtook one of their lordships, who evidently had his doubts whether the peers were not proceeding somewhat irregularly. The nobleman in question, whose name is not given, expressed his fear that their lordships by their acquiescence had admitted a rule of proceeding which would not be admitted in any inferior Court in the kingdom. In spite of this doubt, however, the noble lord asked a



ELIZABETH, DUCHESS OF KINGSTON, AT THE BAR OF THE
HOUSE OF LORDS

question on his own account. He desired to know from Lord Barrington precisely the information which Barrington had found himself unable to give to Lord Radnor. "If I had the information," replied Lord Barrington, "I could not reveal it, nor could I answer the question without betraying private confidence."

At this unsatisfactory answer their lordships, in their disappointment, had recourse to their usual plan when in doubt—they retired to the Chamber of Parliament, where they remained for some time. When they returned the counsel on both sides were still passive, but, not to be denied, several noble lords gallantly rushed into the breach, and at last Lord Barrington admitted that the duchess did communicate to him that a matrimonial engagement had passed between her and Mr. Hervey, but whether it amounted to a marriage or not he was not enough of a lawyer or civilian to judge. The duchess, said he, spoke of this engagement, whatever it was, as a "trivial circumstance."

It is fair to the duchess to bear in mind that all along she regarded the ceremony in Lainston Church, with its secrecy, its absence of a register, and the separation from Lieutenant Hervey within forty-eight hours, as a sort of escapade, and it is quite reasonable to suppose that, until Hervey insisted upon his rights as a husband, she had not considered she was legally married. There is nothing extraordinary in this, as the headstrong woman had a way of making up her mind, right or wrong, and when she had arrived at her own conclusions nothing could make her budge from them. It may

fairly be contended, then, that throughout she acted conscientiously and without the craft which has been alleged against her.

Lord Barrington was nervously anxious that his views in regard to honourable obligations as to secrecy should not be misrepresented, and he asked to have that portion of his evidence read over by the clerk ; but as that official had not thought it necessary to take any notice his lordship expressed himself satisfied, and he retired in favour of a most important witness, Mrs. Judith Phillips, once the wife of the Rev. Mr. Amis, now deceased. The clergyman's widow, as Whitehead has already told us, married a man named Phillips, who was in the service of the Duke of Kingston, and who, after his marriage, through the good offices of the duchess, was promoted to be steward at Holme Pierrepont, one of the duke's estates in Nottinghamshire.

Mrs. Phillips told the story of Elizabeth's visit to Winchester to obtain a "register of marriage," and in the course of her narrative said that, when Mrs. Hervey's baby was born, the mother borrowed a hundred pounds of her aunt, Mrs. Hanmer, to buy baby's things. Mrs. Phillips appeared to have kept up her intimacy with the duchess for some time after the affair of the register. She visited her once at Kingston House, and told her that she had delivered the register, as the duchess had directed her, to Mr. Merrill, when her husband, Mr. Amis, died. Until his death the clergyman had had the books in his custody. On another occasion she "went fishing with the lady." This was after Mr. Merrill's death, and "the lady"

told her she had got all the papers Mr. Merrill had of hers, and that the successor of Mr. Amis at Lains-ton had the register in his possession. The third time Mrs. Phillips visited the duchess was at the duke's house in Arlington Street after her marriage. "She said to me," Mrs. Phillips remembered, "'Was it not very good-natured of the duke to marry an old maid?' I looked in her face and smiled, but said nothing then"—from which it may be surmised that Mrs. Phillips said a good deal afterwards, but not to the duchess.

After this came what in some respects was the most dramatic incident of the trial—the production of the very register from which it has been asserted by biographer after biographer Elizabeth tore the leaf containing the entry of her marriage. Not one of these biographers, some of whom should have known better, appears to have taken the trouble to read the official report of the trial. The book was shown to Mrs. Phillips, and we give what followed in full. It is the Solicitor-General who is asking the questions.

"Can you be sure whether that is the book you have been speaking of?—I am very sure.

"I believe there are the vestiges of the seals about it still?—Yes.

"Where it was sealed up?—Yes.

"Look at the entries in the book; are they not in your husband's writing?—They are my husband's handwriting, and they were made in my presence.

"They were made likewise in the presence of the lady at the bar, were they not?—They were."

The clerk then read the following: "Marriages, Births, and Burials in the Parish of Lainston. 2nd August, Mrs. Susannah Merrill, relict of John Merrill, Esq., buried. 4th August, Married the Honourable Augustus Hervey, Esq., in the parish church at Lainston, to Miss Elizabeth Chudleigh, daughter of Colonel Thomas Chudleigh, late of Chelsea College, deceased. By me, THOMAS AMIS."

Said Mr. Solicitor-General Dunning: "My lords, I have done with this witness."

One would fain hope that the fiction of the secret journey to Lainston Church by Elizabeth and the tearing of the leaf from the register while the clerk's head was turned away is done with too. The story is a complete fabrication. No one has thought it worth while to investigate it, and it has done more damage to the reputation of Elizabeth Chudleigh than anything else recorded against her.

Mr. Mansfield (not to be confused with Lord Mansfield) now cross-examined, and the inference of his questions was obvious. The lady's reply was that she was living at Bristol on her own private fortune, that her husband was alive and that he also lived at Bristol "upon his fortune." She explained he had been steward to the Duke of Kingston and a grazier. The matter of Mr. Phillips's doings while in the service of the duke gave rise to some very searching questions.

"Was he not," asked Mr. Mansfield, "turned out of the service of the Duke of Kingston?—I believe he was not turned out."

"Does not the witness know whether he was or

not?—He wrote a letter to the duke and desired to leave him.

“Do you know, then, that he was not turned out?—Yes.

“Had he been threatened to be turned out before he sent that letter?—Not that I ever heard of.

“Had your husband had any difference or dispute with the Duke of Kingston?—No, not that I know.

“Was the reason, then, for quitting the service of the Duke of Kingston merely his own inclination without any particular reason or cause?—He thought the duke looked coldly upon him; for what reason he could not tell.

“Had the duke ever expressed any dislike to him?—Not that I know of.”

Mrs. Phillips was a witness of a very different type from the reticent Anne Cradock. She was easily made to tell a good deal that she did not intend to tell. She admitted she had left Bristol about four months before the trial and that she and her husband had during that time lived at different places, “sometimes at the Turf Coffee House and sometimes in St. Mary Axe.” Though she protested she and her husband supported themselves at the Turf Coffee House, she did not know whether she had paid the expenses. As this was a contradiction which required to be explained, Mr. Mansfield proceeded to put a few crucial questions.

“Do you know that the whole of your expenses at the Turf Coffee House is to be defrayed by the

prosecutor, Mr. Evelyn Medows?—I don't know that it is.

“Have you not understood so?—I have not.

“Do you believe it?—I cannot tell what to believe or what is to be done.

“Can you not tell whether you believe that your expenses at the Turf Coffee House are to be defrayed by Mr. Medows?—No, I do not. I don't know anything of that.

“Do you not know by whom you expect the expense of your support at the Turf Coffee House is to be paid?—I don't know by whom it is to be paid.”

The unhappy Judith Phillips must by this time have felt that she was gradually slipping into a quicksand, but the relentless counsel had not yet done with her. He went on to ask :

“Have you seen Mr. Evelyn Medows at the Turf Coffee House?—I have.

“How often may you have seen that gentleman there?—I could not tell.

“Many times, or only once or twice?—I may have seen him twice or three times.

“Have you not seen him oftener than that there?—I have seen him frequently in the yard.

“Have you not had frequent conversations with him?—Not frequent.

“Have you not conversed with him sometimes at the Turf Coffee House, sometimes at other places?—Nowhere but at the Turf Coffee House.

“Who has been present at such conversations?—My husband.

“Who else?—No one else.”

Unluckily for Mrs. Phillips, her tormentor took her to what she knew of Fozard's share in the transaction, and here she was made to confess that what she had previously said about the opportunities she had had of conversing with Mr. Evelyn Medows were not confined to the Turf Coffee House, for after beating about the bush considerably, and asserting that Fozard was never present at the conversations with Mr. Medows, she admitted she had talked with Medows at Fozard's house. Then followed another turn of the rack:

“Do you not know that Mr. Fozard has assisted Mr. Medows in looking out for witnesses?—I don't know anything about it.

“Have you not yourself been present at conversations with Mr. Fozard about this prosecution?—Nothing but what was merely accidental.

“How often has that accident happened that you have been present at conversations with Mr. Fozard about this prosecution?—I never was at Mr. Fozard's but twice.”

Poor Mrs. Phillips was rapidly losing her head, for it appeared from her answers to other questions that Fozard came pretty often to the Turf Coffee House, and it was made clear that she, her husband, and Fozard had frequently talked of the business of the duchess, but as to any benefit or advantage she was to receive from the evidence she might give she could or would say nothing.

“I don't want it,” she exclaimed, “I don't wish it.”

The lady was then cross-examined about the preparation of the register, and from her replies it would almost seem as if she had become utterly bewildered, for she made the curious statement that although she knew all about the entry of the marriage she knew nothing about the previous entry of the burial of Mrs. Merrill, though she was in the room all the time. This was all that Mrs. Phillips had to say, and she retired, doubtless heartily thankful that her ordeal was over. It was not long, however, before she was made to feel still more uncomfortable.

Following Mrs. Phillips came the Rev. Stephen Kinchin, who succeeded Mr. Amis at Lainston Church. His evidence helped to nail down the lie of tearing of the leaf from the register, for he swore the book was handed to him at the death of Mr. Merrill, and it had remained in his possession ever since.

Neither Mr. Kinchen nor the clerical witness who was called to speak to the handwriting of Mr. Amis was asked any questions, and thus the history of the register, the cause of so much talk and falsehood, was disposed of once and for all. The next business was the production of the proof of the marriage of the Duke of Kingston. The Rev. James Prebeck produced the register of St. Margaret's, Westminster, and read this entry :

“No. 92. Marriage in March 1769. The most Honourable Evelyn Pierrepont, Duke of Kingston, bachelor, and the Honourable Elizabeth Chudleigh

of Knightsbridge, in St. Margaret's, Westminster, were married by special licence of the Archbishop of Canterbury, this 8th day of March 1769, by me, Samuel Harpur, of the British Museum. This marriage was solemnised between us,

KINGSTON,
ELIZABETH CHUDLEIGH.

In the presence of

MASHAM,
WILLIAM E. O. YEO,
A. K. F. GILBERT,
JAMES LAROCHE, junior,
ALICE YEO,
J. ROSS MACKYE,
E. R. A. LAROCHE,
ARTHUR COLLIER,
C. MASHAM.

A touch of dry humour was given at this juncture by Dunning, who, apologising for his inability to produce Mr. Spearing, the Winchester lawyer, whose services were so hastily called into requisition at the preparation of the register, said in his halting way: "Mr. Spearing cannot be found. He, though Mayor of Winchester, is now found to be amusing himself somewhere or other beyond sea, God knows where." Spearing's absence having thus been accounted for, Mrs. Phillips had another bad quarter of an hour in the witness-box. Mr. Wallace now took her in hand, and, showing her a letter, asked her whether it was in her handwriting.

The unlucky Mrs. Phillips was as reluctant as ever to give a direct answer.

"The name is in my handwriting," she admitted.

"Is that your letter?" thundered Mr. Wallace.

"It is my letter," faltered the unhappy witness.

The letter was read. It is a good specimen of the ultra-respectful way in which lords and ladies were approached in the epistles of those days. "My Lady Duchess," it ran, "I write your grace this letter. My heart has ever been firmly attached to your grace's interest and pleasure, and my utmost wish to preserve your favour and countenance, suffer me not, then, in my declining years to think I have forfeited that favour and protection without intentionally giving the most distant cause. May I entreat your grace to accept this as a sincere and humble submission for any failure of respect and duty to your grace, and permit me most humbly to entreat your grace's kind intercession to my lord duke to continue Mr. Phillips his steward, whose happiness consists only in acting and discharging his duty to his grace's pleasure. This additional mark of your grace's goodness we hope to be happy in, and in return the remainder of our lives shall be passed in gratitude and duty."

Of course this was in direct contradiction to what Mrs. Phillips had said before about the reason of her husband leaving the duke's service, and another letter put in written by Phillips to the duke showed that he was in disgrace. The reply of the duke was as typical in its way as the appeal of Mrs. Phillips and her husband. "Mr. Phillips," wrote the duke, "your

letter came to me at Newmarket. After what has passed there is no occasion for many words. Sherin will be at Holme Pierrepont some time next week with my orders about stating your business, which I flatter myself you will readily comply with."

This was the end of the prosecution, and their lordships adjourned until the following Monday.

CHAPTER XVII

The fifth day of the trial—The duchess addresses the Lords—She gives her reason for instituting the jactitation suit—Explains why the duke disinherited Evelyn Medows—Denies that she ever promised to pension Anne Cradock—Asks that Dr. Collier, who obtained the licences from the Archbishop, be allowed to give evidence at his house, where he is lying ill—The Lords refuse her request—She is found guilty, and pleads for benefit of clergy, which is granted—The sentence.

THE fifth day was all-important. The duchess was to address the House and put forward her evidence. Counsel in those days could only examine witnesses, and the onus of defence by argument rested on the prisoner, thus giving the prosecution a most unfair advantage. The duchess faced her accusers with dauntless courage, and read from a paper in a firm, clear voice, which she maintained almost to the end of her lengthy speech. This oration even the grudging Walpole allowed she "pronounced well." There is internal evidence that she wrote most of it herself, and it may be true that "her counsel would have curtailed this harangue, but she told them they might be good lawyers but they did not understand speaking to the passions." But her judges were, in a sense, her prosecutors; they were sitting in support of their

order and their wealth, and an appeal to their sympathies was not likely to be successful. Taking into account the over-elaboration from which few literary compositions of that day were free, the duchess put her case with great force. She failed to remove the stumbling-block to her defence, the testimony of Anne Cradock, simply because the task was impossible ; but she gave a new and ingenious view of the reasons which led her to institute the jactitation proceedings. About Augustus Hervey she said very little. We have not given the duchess's speech in full, but only such portions as enable one to grasp her arguments.

“My lords,—This my respectful address will, I flatter myself, be favourably accepted by your lordships. My words will flow freely from my heart, adorned simply with innocence and truth. My lords, I have suffered unheard-of persecutions ; my honour and fame have been severely attacked ; I have been loaded with reproaches, and such indignities and hardships have rendered me the less able to make my defence before this august assembly and against a persecution of so extraordinary a nature and so undeserved. My lords, with tenderness consider how difficult is the task of myself to speak, not say too little nor too much : degraded as I am by my adversaries ; my family despised, the honourable titles on which I set an inestimable value, as received from my most noble and late dear husband, attempted to be torn from me. Your lordships will judge how greatly I stand in need of your protection and indulgence. . . .

“ My lords, your unhappy prisoner is born of an ancient and not ignoble family, the women distinguished for their virtue, the men for their valour; descended in an honourable and uninterrupted line for three centuries and a half. Sir John Chudleigh, the last of my family, lost his life at the siege of Ostend, at eighteen years of age, gloriously preferring to die with his colours in his bosom rather than accept of quarter from a gallant French officer who, in compassion to his youth, three times offered him his life for that ensign which was shot through his heart. A happy death! that saves the blush he would now feel for the unheard-of injuries and dishonour thrust on his unfortunate kinswoman who is now at the bar of this right honourable House. . . .

“ My lords, I now appeal to the feelings of your hearts whether it is not cruel that I should be brought as a criminal to a public trial for an act committed under the sanction of the laws—an act that was honoured with his Majesty’s most gracious approbation and previously known and approved by my royal mistress, the late Princess-Dowager of Wales, and likewise authorised by the ecclesiastical jurisdiction. Your lordships will not discredit so respectable a Court and disgrace those judges who there so legally and honourably preside. The judges of the Ecclesiastical Court do not receive their patents from the Crown, but from the Archbishop or bishops. . . . My lords, I earnestly look up to your lordships for protection as being now a sufferer for having given credit to the Ecclesiastical Court. I respectfully call upon you, my lords, to protect the spiritual

jurisdiction and all the benefits of religious laws, and me, an unhappy prisoner who instituted a suit of jactitation upon the advice of the learned civilian who carried on the prosecution, from which I obtained the sentence that authorised your prisoner's marriage with the most noble Evelyn, Duke of Kingston, that sentence solemnly pronounced by John Bettesworth, doctor of laws, vicar-general of the Right Reverend Father in God, Richard, by Divine permission, Lord Bishop of London and Official Principal of the Consistorial Court of London, the judge thereof calling on God and setting Him alone before his eyes, and hearing counsel in that cause, did pronounce that your prisoner, then the Honourable Elizabeth Chudleigh, now Elizabeth, Duchess-Dowager of Kingston, was free from all matrimonial contracts or espousals, as far as to him at that time appeared, more especially with the said Right Honourable Augustus John Hervey.

“My lords, had this prosecution been set on foot simply for the love of justice or good examples to the community, why did they not institute their prosecution during the five years your prisoner was received and acknowledged the undoubted and unmolested wife of the late Duke of Kingston? . . . My lords, I have observed that I had greatly suffered in fame and fortune by the reports of Mr. Hervey, and I beg leave to mention in what manner. Your prisoner was at that time possessed of a small estate in the county of Devon, where Sir George Chudleigh, her father's eldest brother, had large possessions. The purchase of that estate was much solicited in that

county, and, having frequent opportunities of disposing of it, it was ever made an insuperable objection by the intending purchasers that I could not make a clear title to the estate on account of Mr. Hervey's claim to your prisoner as his wife; and your prisoner, being also possessed of building-lands for a great number of years, for the same reasons she never had the ground covered (valued at £1,200 per annum); and as your prisoner's health declined and made it necessary for her to seek relief in foreign climes (which increased her expenses beyond what her circumstances could support), and her little fortune daily decreased by money taken up on mortgage and bonds, her royal mistress likewise in the decline of life, whose death would probably deprive her of £400 a year, the prosecutions threatened on Mr. Hervey's side presenting but a gloomy prospect for her declining life, your prisoner was induced to follow the advice of Dr. Collier and institute the suit of jactitation, your prisoner subscribing entirely to his opinion and following his advice and instructions, which she presumed alone is a full defence against the charge of felony; for your lordships, in your great candour, could not think that a lady can know more of the civil law than her learned civilians could point out to her. And as a criminal and felonious intent is necessary to constitute the offence with which I stand charged, certainly I cannot be guilty in following the advice I received and in doing what in my conscience I thought and authorised an innocent act. . . .

“My lords, though I am aware that any person can prosecute for the Crown for an offence against an

Act of Parliament, yet I will venture to say that few instances, if any, have been carried into execution without the consent of the party injured ; and, with great deference to your lordships' judgment, I venture to declare that in the present case no person whatever has been injured, unless your lordship's candour will permit me to say that *I* am injured, being now the object of the injurious resentment of my enemies. It is plain to all the world that his grace the Duke of Kingston did not think himself injured when, in the short space of five years, his grace made three wills, each succeeding one more favourable to your petitioner than the other, giving the most generous and incontestable proof of his affection and solicitude for my comfort and dignity ; and it is more than probable, my lords, from the well-known mutual friendship subsisting between us, that, had I been interested, I might have obtained the bulk of his fortune for my own family. But I respected his honour, I loved his virtues, and had rather forfeited my life than have used any undue influence to injure the family ; and though it has been industriously and cruelly circulated, with a view to prejudice me, that the first-born of the late duke's sister was deprived of his succession to his grace's fortune by my influence, the wills, my lords, made in three distant periods, each excluding him, demonstrate the calumny of these reports.

“ I must further observe to your lordships, in opposition to the charge against me of interestedness, that had I possessed or exercised that undue influence with which I am charged by the prosecutor, I might have

obtained more than a life-interest in the duke's fortune, and through the concern and affection I bore to the memory of my late much-honoured husband I have forborne to mention the reason of his disinheriting his eldest nephew, Charles, the second son, with his heirs, appears immediately after me in succession, William and his heirs follow next, after him Edward and his heirs, and the unfortunate Thomas, Lady Frances's youngest son, is not excluded, though labouring under the infirmities of childhood at the age of manhood, and not able to support himself. For the late noble Duke of Kingston has repeatedly mentioned to your prisoner, 'I have not excluded him, for he has never offended, and who can say God cannot restore him to health?' My lords, that good man did honour to his peerage, honour to his country, honour to human nature. . . .

"My lords, worn down by sorrow, and in a wretched state of health, were I here to plead for life, for fortune, no words of mine should beat the air. The loss I sustained in my most kind companion and affectionate husband makes the former more than indifferent to me, and when it shall please Almighty God to call me I shall willingly lay that burden down. I plead before your lordships for my fame and honour. My lords, worn down by sorrow, and in a wretched state of health, I quitted England without a wish for that life which I was obliged by the laws of God and nature to endeavour to preserve; for your prisoner can with great truth say that sorrow has brought her mind to a perfect resignation to the will of Providence. And, my lords, while your unhappy prisoner was endeavouring to re-establish her greatly impaired health abroad, my

prosecutor filed a bill in Chancery upon the most unjust and dishonourable motives. Your prisoner does not complain of his endeavour to establish a right to himself, but she does complain of his forming a plea of dishonourable and unjust opinions of his late noble relation and generous benefactor, to the prejudice and discredit of his much-afflicted widow, and, not satisfied with this prosecution as a bulwark for his suit in Chancery, he cruelly instituted a criminal prosecution in hopes by a conviction in a criminal cause to establish a civil claim, a proceeding discountenanced by the opinion of the late Lord Northington. . . .

“ My lords, I have hitherto forborne, from the great love and affection to my late noble lord, to mention what were the real motives that induced his grace to disinherit his eldest nephew, and when my plea and answer in Chancery were to be argued, I particularly requested my counsel to abstain from any reflections upon my adversaries which the nature of their prosecutions too much deserved, and grieved I am now that I must no longer conceal them. . . . I am reduced to the sad necessity of saying that the late Duke of Kingston was made acquainted with the fatal cruelty with which Mr. Evelyn Medows treated an unfortunate lady who was as amiable as she was virtuous and beautiful, to cover which offence he most ungratefully and falsely declared that he broke his engagement with her for fear of disobeying the duke, which he has often been heard to say. This, with his cruelty towards his sister and mother, and the attempt to quit actual service in the late war, highly offended the duke, and it would be difficult for him or his father to boast of the least

friendly intercourse with his grace for upwards of eighteen years.

“My lords, in a dangerous state of health when my life was despaired of, I received a letter from my solicitor acquainting me that, if I did not return to England to put in an answer to the Bill in Chancery within twenty-one days, I should have receivers put into my estates, and also that if, in contempt of the indictment, I did not return I should be outlawed. It clearly appeared to me, my lords, as I make no doubt it does to your lordships, that if, in the inclemency of the weather I risked to pass the Alps my life would probably be endangered, and the family would immediately enter into possession of the real estates, and if family affairs should prevail, that I should be outlawed. Thus was I to be deprived of life and fortune under cover of law, and that I might not return to this prosecution summons by some undue and cruel proceedings, my credit was stopped by my banker for £4,000, when there remained an open account of £70,000, and at that instant upwards of £6,000 was in his hands, my revenues being constantly paid into his shop to my credit. Thus was I commanded to return home at the manifest risk of my life, and at the same time every wit used to deprive me of my means of returning for my justification. . . .

“My lords, the evidence of the fact of the proposed transaction of marriage with Mr. Hervey depends entirely upon the testimony of Anne Cradock. I am persuaded your lordships, from the manner in which she gave her evidence, already entertain great suspicions of the veracity of her testimony. She pretends to

speak to a marriage ceremony being performed at which she was not asked to be present, nor can she assign any reason for her being there. She relates a conduct in Mrs. Hanmer, who she pretends was present at the ceremony, inconsistent with the real marriage. She acknowledges she was in or about London during the jactitation suit, and that Mr. Hervey applied to her on that occasion, and swears that she then and ever had a perfect remembrance of the marriage, and was ready to have proved it had she been called upon, and never declared to any person that she had not a perfect memory of the marriage, and from Mr. Hervey's not calling on this woman it is insinuated he abstained from the proof by collusion with me. She also swears that I offered to make her an allowance of twenty guineas a year provided she would reside in either of the three counties she has mentioned, but acknowledges that she had received no allowance from me. Can your lordships believe that if I could have been base enough to have instituted a suit with the conviction in my own mind of a real lawful marriage between Mr. Hervey and myself that I would not, at any expense, have taken care to put that woman out of the way? But, my lords, I trust that your lordships will be perfectly satisfied that a great part of the evidence of this woman is made for the purpose of the prosecution. Though she has denied she has any expectation from the event or ever declared so, yet it will be proved to your lordships that her future provision (as she has declared) depends upon it, and notwithstanding she has now brought herself up to swear that she heard the ceremony of marriage performed it

will be proved that she has declared that she did not hear it, and it will be further proved to your lordships that Mr. Hervey was extremely solicitous to establish a legal marriage with me for the purpose mentioned by Mr. Hawkins (i.e. *so that he might bring a suit for adultery*), and that this woman was actually applied to and declared to Mr. Hervey's solicitor that her memory was impaired and that she had not any recollection of it, which was the reason why she was not called as a witness. . . .

“My lords, I call God Almighty, the searcher of hearts, to witness that at the time of my marriage with the Duke of Kingston I had the most perfect conviction that it was lawful. That noble duke, to whom every passage of my life has been disclosed, and whose affection for me, as well as regard for his own honour, would never have suffered him to have married me had he not as well as myself received the most solemn assurances from Dr. Collier that the sentence which had been pronounced in the Ecclesiastical Court was absolutely final and conclusive, and that I was at perfect liberty to marry any other person. If, therefore, I have offended against the law, against the letter of the Act, I have so offended without criminal intention. Where such intention does not exist your lordship's justice and humanity will tell you there can be no crime, and your lordships, looking at my distressed situation with an indulgent eye, will pity me as a unfortunate woman deceived and misled by erroneous opinions of law of the propriety of which it was impossible for me to judge.”

The conclusion of the duchess's speech must have

been spoken without the assistance of notes, for she explained to their lordships she had mislaid a paper she had intended to read in reference to the absence of Dr. Collier. He was very ill, she said, and unable to attend the Court. Then she enlarged upon the importance of his testimony, and went on to say: "It was by his advice I married his Grace the Duke of Kingston, assuring me it was lawful, that he had the honour of going to his Grace the Archbishop of Canterbury to obtain a licence and to explain every part that regarded the cause; that his grace was so just, so pious, and so good as to take time to consider whether he would grant us a special licence for the marriage. After mature consideration and consultation with great and honourable persons in the law, he returned the licence to Dr. Collier with full permission for our marriage. Dr. Collier was present at the marriage, Dr. Collier signed the register of St. James's Church. I request that Dr. Collier be examined."

It is pretty clear that this impassioned address, delivered with all the emotion of an excited woman, had its effect on their lordships, for at the last appeal of the prisoner one noble lord exclaimed, "In the name of God, let us give the prisoner every indulgence. It appears that she was influenced to marry by the advice of Dr. Collier. Then I do beg, if the prisoner does insist upon it, that Dr. Collier may be examined."

Medical evidence, however, was given that it would not be safe for Dr. Collier, who was suffering from St. Anthony's fire, to stir from his house, and it was suggested that his evidence might be taken where he

was lying. This suggestion, however, was not received with favour. Some of the noble lords said they had never heard of such a proposition before. It was contrary to all precedent. The question was referred to the law lords, and Lord Camden, speaking for the latter, declared that never had such a course been pursued. "If," said he, "there has been any instance, let it be produced, and in God's name let justice be done."

It was unfortunate for Elizabeth that so important a witness was absent, though it was doubtful whether Dr. Collier's evidence would have made any difference. The witnesses for the defence were now examined, Mr. Berkeley, solicitor to the Earl of Bristol, being first placed in the box. He explained how he had applied to Anne Cradock relative to what she had to say concerning the marriage. This was after Lord Bristol, then Captain Hervey, was served with the citation to Doctors' Commons. Berkeley asked Anne what she knew of the marriage between Captain Hervey and Miss Chudleigh. Anne said she was very old, very infirm, and the transaction happened many years ago, and she could not at that distance of time remember anything of the matter. Captain Hervey, who was present at the interview, seemed vastly surprised and said, "How can you say so?" or words to that effect. Mr. Berkeley also said that he went about trying to get further evidence of the marriage, as Captain Hervey was anxious to secure a divorce.

The Attorney-General put rather a suggestive question to Mr. Berkeley. He wanted to know why the husband of Anne Cradock, who was not present at

the marriage, should have been called to give evidence during the jactitation proceedings, and why the wife, who was represented to be present, was not called. Berkeley knew nothing about that. The matter went out of his hands when it was taken to Doctors' Commons. He could only act as an attorney, he was not a proctor.

Mrs. Prichard, a friend of Anne Cradock's, a lady "in a creditable position and a pretty fortune," living at Mile End, told how she had heard Cradock say she was present at the marriage, and that she did not hear the marriage ceremony read. Anne also told her friend, Mrs. Prichard, that she was to be provided for, but in what manner she could not say till that affair was over, lest it should be deemed bribery. "Afterwards," said Mrs. Prichard, "I gave her an invitation to come to tea, when she said it would not suit her to do so until this affair was over, and then, if she could get a good fortune she might come and live with me."

The last witness was Mr. Laroche, junior, who deposed he had heard Dr. Collier tell the duke that he might safely marry the prisoner. "Had the duke, then," said Attorney-General Dunning, "any doubt?" "The duke certainly had a doubt," replied Mr. Laroche, "that is, until the jactitation suit was over. After the sentence was pronounced the other side had fourteen days in which to appeal. The appeal was revoked, and they were married the week after. The duke had no doubt after he had applied for the licence and got it from the Archbishop of Canterbury."

The evidence, for and against, was completed and

the Solicitor-General replied at length upon the points, but declined to offer any observation upon the "mere argumentative defence put forward by the prisoner." Thurlow's speech was both dreary and lengthy, and he was listened to with impatience, for all were waiting for the curtain to fall on the drama. At last the Attorney-General sat down and their lordships filed slowly back to the Chamber of Parliament, not to consider their verdict like common jurymen, but how to arrive at it, and after a long debate Lord Mansfield moved that the following question be put by the Lord High Steward to every peer in the Court.

"Is the prisoner guilty of the felony whereof she stands charged, or not guilty?"

Their lordships immediately returned to the hall, when the Lord High Steward said, "Their lordships had determined that he should question each peer as to his opinion, in court, in the absence of the prisoner, beginning with the junior baron, and, having gone through the peerage, should call the prisoner into court, and inform her of the determination of their lordships." The Lord High Steward accordingly put the question to the junior baron, Lord Sundridge (Duke of Argyll, in Scotland): "Is it your lordship's opinion that the prisoner at the bar is guilty or not guilty of the felony wherewith she is charged?" His lordship, rising in his place, and putting his right hand on his breast, said, "Guilty, upon my honour." His grace then proceeded to gather the suffrage of all the rest, who all answered in the affirmative except the Duke of Newcastle, who said: "Erroneously, but not intendedly, guilty, upon my honour."

Black Rod then conducted the duchess into the hall and the Lord High Steward informed her that all her peers had found her guilty but one, who had declared she was guilty erroneously but not intendedly, and desired to know if she had anything to offer why judgment should not now be passed against her. No answer was given, but a slip of paper was handed up, claiming the benefit of clergy. Most probably the duchess expected the result. She was perfectly calm and self-possessed; the time for emotion had passed.

Praying for the benefit of clergy meant that she should not be subjected to the barbarity of burning in the hand. The prayer might as well have been granted at once, for one can hardly suppose that a single lord would have desired to see so inhuman a sentence passed, but the solemn farce had to be kept up, and Dunning, with a great show of warmth, arguing at great length, demanded that the hideous law be observed. He could not have meant it, but it was necessary to pretend to be serious. When he had sat down the Lord High Steward adjourned the Court to the Chamber of Parliament, where Lord Camden and Lord Mansfield both spoke upon the subject, and it was settled that the prisoner's prayer should be granted. Their lordships then returned to the court, where the Lord High Steward told the prisoner that "their lordships had deliberated on what had been urged by the counsel, and had agreed to indulge her with the privilege she prayed for. Little or no punishment could therefore now be inflicted upon her, but that the feelings of her own conscience would supply that defect."

After delivering this little homily his lordship con-

cluded in these terms: "Madam, you are admitted to your clergy in the form and manner which you have claimed it. I am now therefore to tell you, that if you should be ever guilty of a similar offence, or of any crime amounting to felony, that no such claim can be again allowed, but that you will thereby incur a capital punishment. I am further to inform you that the favour and lenity which the law has allowed to persons of your rank and condition is, that you are discharged on paying your fees, and are no longer a prisoner."

Notice being given that the Lord High Steward's commission was at an end, he rose and broke his white staff; and proclamation was made, ordering every person to depart, and repair quietly home in God's peace and the King's peace.

The farce thus ended in the greatest piece of humour of all—the injunction to the duchess not to commit bigamy a second time! It is wonderful their lordships kept their countenances. But perhaps they were too thankful that the tedious burlesque was over and, may be, too hungry to care for anything but scuttling away as soon as possible.

CHAPTER XVIII

Abortive result of the trial—The duchess flies to Calais to avoid a writ of *ne exeat*—How she escaped—Public opinion of the case—Her position in Calais embarrassing—Is swindled by an hotel keeper—Settles in Calais—The Earl of Bristol seeks to have the sentence of the Ecclesiastical Court revoked—Death of the earl.

THE nine days' wonder was over. Its importance was in every way overrated, but it was an admirable show and entertaining enough when the witnesses were giving evidence and the duchess was speaking, but made terribly wearisome by the legal arguments droned out at an intolerable length. Westminster Hall was, if possible, packed more closely on the last day than on the first, and the decision gave the greatest possible gratification to the ladies present. It is doubtful whether one could be found who was in Elizabeth's favour, but the principles of religion and morality had been asserted, and, considering that at that particular period there was little evidence of the existence of either, especially on the part of the duchess's noble judges, this was something gained. A section of the public rejoiced from another point of view. As one writer puts it :

“ Thus ended a prosecution of infinite magnitude, both in respect to the convict, and Ecclesiastical

Court, which now by the judgment of the Lords, in this cause, has been taught to feel and acknowledge the superior jurisdiction and controlling power of the Common Law of England."

But when all was said and done what was gained by the prosecution? Though shame and ignominy were brought upon the duchess, her enemies received no benefit, his Grace of Kingston's will having been drawn up with such legal caution that, notwithstanding the law had declared her second marriage void, the lady continued to enjoy for her life the great revenues left her by the duke, and Mr. Evelyn Medows found himself ruined by the immense expense of the prosecution—not altogether an inappropriate end to the farce. Augustus Hervey ought to have been an important factor in the matter, but he did not intrude himself and apparently he was not wanted by either side. The duchess might have had half a dozen husbands for what their lordships cared: it was her presumption in marrying a duke, one of the richest in the kingdom, that constituted her offence. As there was no practical issue so far as the prosecutor, Evelyn Medows, was concerned it is difficult to see what satisfaction the peers got out of the affair.

Miss Hannah More, however, made no secret of her joy. She writes on April 27th: "Much cause of speculation—much hurry—has the late grand tryal occasion'd. Greatly to the general satisfaction, the shameless Dss is degraded into as shameless a countess. Surely there never was so thorough an actress. Garrick says, 'She has so much out-acted him it is time for him to leave the stage'; but that does her

too much honour. One should search the jails amongst the perjured notorious offenders for a parallel to such an infamous character. She has, however, escaped the *searing* of her *hand*, and is turned over for condign punishment to her conscience! It was astonishing how she was able to speak for three quarters of an hour, which she did yesterday; but it was labour in vain!" Two or three days later we have the following from the same hand: "This morning Lord Camden breakfasted with us. He was very entertaining. He was very angry that the Duchess of Kingston was not burned in the hand. He says, as he was once a professed lover of hers, he thought it would have looked ill-natured and ungallant for him to propose it, but that he should have acceded to it most heartily, though he believed he should have recommended a cold iron."

Mrs. Delany was no less pleased and at once posted the news to Mrs. Port thus: "I have the great satisfaction of telling you that Elizabeth, calling herself Duchess-Dowager of Kingston, was this very afternoon undignified and un-duchessed and very narrowly escaped being burned in the hand. If you have been half as much interested against this unprincipled, artful, licentious woman as I have you will be rejoiced at this as I am. All the peers, but two or three (who chose to withdraw) exclaimed with great emphasis: 'Guilty, upon my honour,' except the Duke of Newcastle, who said: 'Guilty erroneously, but not intentionally.' Great nonsense, by the by; but peers are privileged."

Walpole, of course, has something to say, and in his usual belittling spirit: "The wisdom of the land

has been exerted five days in turning a duchess into a countess, and does not think it a punishable crime for a countess to convert herself into a duchess. After a paltry defence and an oration of fifty pages which she herself had written and pronounced well, the sages, in spite of the Attorney-General, who brandished a hot iron, dismissed her with the simple injunction of paying her fees. So ends that solemn farce, which may be indifferently bound up with the 'State Trials' and 'The History of Moll Flanders.' If you write to her you must direct to the Countess of Bristol. The earl, they say, does not intend to leave her that title, nor the House of Medows a shilling; but there will be queries to both designs. The Ecclesiastical Court, full as guilty as the culprit, I dare to say, will escape as well." Writing the day after the date of this letter he asserts that the duchess "concluded her rhetoric with a fit and the trial with rage when convicted of the bigamy. The Attorney-General laboured to have her burnt in the hand, but the judges were hustled into an opinion against it and it was waived. So all this complication of knavery received no punishment but the loss of the duchy, unless the Civil Courts below are more severe than the supreme tribunal, and thither her antagonists intend to resort. The earl's family have talked loudly of a divorce, but if it is true he has given her a bond of £30,000 not to molest her, and this bond is in Lord Barrington's hands, either she will recriminate, and collusion proved prevents a divorce, or his silence will speak the collusion." Walpole would seem to have been more angry at the result than any one, but what could he have



MISS HANNAH. MORE

anticipated? Surely not that the brutal provisions of the Bigamy Act of James I. would be carried out? Both the statement as to the duchess's "fit" at the end of her "rhetoric" and the story of the bond of £30,000 want confirmation.

Meanwhile the legal proceedings against the Courtesess of Bristol—for by her conviction she was reduced to this title from that of Duchess of Kingston—did not terminate with the trial before the Lords. Her fortune still remained, Augustus Hervey was still alive; and the prosecutors, stimulated by disappointment, took fresh measures against her. Their next step was to restrain Elizabeth from leaving the kingdom, and to harass her by forcing her to reside in England. Application was accordingly made for a writ of *ne exeat regno*; but, happily for the lady, she received information of the proceeding, or probably anticipated it, and she ordered her carriage to be driven about the streets, with a confidential servant in it, having previously sent cards of invitation for a party to dine at Kingston House, while she herself was hastening towards Dover. Whitehead gives some interesting details concerning this manœuvre.

"As she was never at a loss for contrivances," he writes, "she now planned her escape. She invited a large party of friends to dine with her on the day after the trial ended. Having previously arranged matters for her journey, the instant Sir Francis discharged his prisoner she departed in Sir James Laroche's carriage to Dover, where her packet waited to take her to France. The next day her own *vis-à-vis* was seen driving about the London streets

with Miss Belle Chudleigh, her cousin, and another lady. The Duchess's carriage being so well known, and Miss Belle so like her grace, many considerable bets were lost by people who believed her to be the duchess."

We may be sure Elizabeth quitted England without the slightest reluctance. Not only was she in disfavour with the Court, but she had lost caste among her own friends. Even the Duchess of Queensberry held aloof, while the strict and prudish Queen Charlotte took the lead in moral denunciations, reminding one somewhat of Matthew Prior's Dame Purganti, than whom—

No woman led a better life ;
She to intrigues was e'en hard-hearted ;
She chuckled when a bawd was carted.

In her previous journeys to the Continent Elizabeth had stayed at an hotel in Calais kept by a man named Dessein, and on her landing at the French port she went straight to Dessein's house. An account of her conviction, however, had reached Calais before her, and Dessein, with the caution of a Frenchman where money is concerned, had his doubts. He received her with cold politeness, he shrugged his shoulders, and by various gesticulations and distortions of face and limbs, expressed his condolence for the misfortunes of his guest, but—it distressed him intensely to be compelled to make the confession—he was unable to accommodate his visitor with a suite of rooms ; his whole house was occupied, and it was with the utmost difficulty he could procure her a single chamber.

Elizabeth was fatigued in body and mind, and she was glad to find rest even in a room on the attic story. Meanwhile, Dessein made inquiries as to her position, and, being informed that she was still in the possession of her fortune, he altered his manner and the next morning expressed his happiness in being able to inform his distinguished visitor that "the company who had occupied apartments suitable in every respect *pour Madame la Duchesse*, were gone to Paris, and consequently they were devoted to her use, if she should so please." In spite of her shrewdness Elizabeth could be easily taken in by any one who understood how to approach her. She was completely won over by the tactful Dessein, and remained at his hotel long enough to lend him £1,000. The man was utterly unworthy of her generosity for no sooner was the money in his pocket than, knowing her helplessness in France and how impossible it was for her to return to England, he changed his tone and made her stay at his house so uncomfortable that she was compelled to go to another hotel. It is said the money lent was never repaid, and all that the duchess ever got back was in the shape of firewood!

One of Elizabeth's most pronounced characteristics was an utter absence of malice and a surprising readiness to forgive her enemies. The extraordinary will she commenced to execute, and never completed, contained ample evidence of this phase of her character. So, in spite of Dessein's shabby behaviour, she and the hotel-keeper never encountered each other without parting the dearest friends in the world; the lady, with

a gracious inclination of her head, only requesting it as a favour that more firewood might be sent in to lessen the debt, and he, with a semi-circular bow of his body, assuring her that a magazine was at her command.

Meanwhile the duchess had made the acquaintance of a family named Cocove, and resolved to take up her abode permanently at Calais. M. Cocove had formerly held a commanding post at Calais, and had had to do with so many people from England, besides staying for lengthened periods in this country, that he was as much English as French, while the Marquis of Granby with whom the duchess was well acquainted, had been his intimate friend and associate. When the duchess fled to Calais Cocove himself was living on a little family estate a few miles away, but he had a house in Calais which his wife and family occupied. The duchess treated for the purchase of this house, and she agreed to purchase it for £1,000, permitting the family at the same time to occupy one side of the quadrangle. The duchess took possession, and, her old restlessness and love of change pursuing her, she began to pull the greater part of the old mansion about her ears. No doubt she built more than she destroyed and that Cocove benefited; for it was her way to give more than she received. After her impulsive fashion she took a great fancy to the Cocove family, and, before she had seen half of its members, she promised to make them all happy. She astonished the girls with a sight of her diamonds and her wardrobe; she conversed with the boy about the heroic deeds of her great grandfather, throwing in occasional

hints that "commissions in the army would be comfortable things, and particularly in the French service, which was so highly honourable under the reigning monarch, for whom she had a prodigious regard. She loved the King of France, and she was very confident he had a regard for her. "Yes, your King knows I love him," she exclaimed; "I have given a proof of it in preferring to spend my fortune in his country, although my dear friend, the King of Prussia, has given me the warmest invitation to reside at Berlin"—an assertion which was not without foundation.

Altogether the duchess made herself exceedingly agreeable, and there seemed a probability of her settling down quietly in Calais. But it was not to be, for while she was arranging her plans for her future life on the Continent the Earl of Bristol was busy in London stirring up the dregs of the jactitation suit, which seemed destined never to come to an end. His lordship had determined on establishing his marriage; but for what motive never transpired. If he succeeded he would, in pursuance of his legal rights, claim the fortune which was now Elizabeth's; but it can hardly be presumed that a man of honour, such as there is every reason to believe Augustus Hervey was, would be actuated by so sordid and mercenary a spirit. The purpose, therefore, of the suit which he now commenced against his lady was most likely to enable him to obtain sufficient evidence to secure a divorce.

In the face of the legal power the peers arrogated to themselves, and the contempt the law officers of the

Crown had expressed for the Ecclesiastical Court and its decision, which they had declared was not binding on the House of Lords, this appeal on the part of the earl would seem to have been superfluous. Had not the Lords, by their finding the duchess guilty of bigamy, pronounced that the Lainston marriage was a legal one? If this was so why did not the earl, if he wanted to be divorced, act on that decision and take immediate steps to be relieved from a tie which had become intolerable? The only explanation is that the earl's legal advisers were not so sure of the validity of the peers' decision as were the peers themselves, and they found that, in spite of everything, the judgment of the Ecclesiastical Court might yet have some force left. At any rate Lord Bristol, a few weeks after the trial, gave directions to his proctor to give notice to his wife, Elizabeth, Countess of Bristol, to appear in the Consistory Court of London, to show cause why the sentence of the said Court, passed in 1768, enjoining him perpetual silence as to the premises, should not be revoked, or set aside. The lady being out of the kingdom, the affidavits stated that she was served with a citation, or notice, at her house in Calais, on June 26th, 1776; that, in consequence of her non-appearance, either in person or by attorney, a Decree, or Edict, was issued by the Court, which was afterwards, according to usage, posted on one of the pillars of the Royal Exchange, informing her that the Court would proceed, in case of non-appearance, or cause shown to the contrary, to receive proofs why the said sentence of the Court, passed in 1768, declaring the said Elizabeth Chudleigh a spinster, should be set aside or revoked.

Besides this, there was a short account given of the substance of the several allegations, answers, replies, and rejoinders, made by counsel, since the commencement of the citation now mentioned. On the part of the lady, the only material affidavit was that of one Williams, her servant at Knightsbridge, who deposed that Kingston House "is still in the lady's possession; that she keeps servants there, and, among others, keeps him; that she continued to pay parish taxes and all other parish dues within the parish of St. Margaret, Westminster, and that all letters, messages, etc., are received at that house, and are from thence transmitted to her in the usual manner."

In due time the matter was brought before the Ecclesiastical Court and in *The Gentleman's Magazine* we read that on July 3rd, 1776, "Came on to be heard, in the Consistory Court of London, a motion on the part of the Earl of Bristol against the Countess of Bristol, calling herself Duchess of Kingston, purporting that the Court should decree a citation to be affixed on the Royal Exchange, etc., for the said Countess to shew cause why the sentence pronounced against the Earl, forbidding him to boast himself to be the husband of the said Lady, should not be declared null and void, as his Lordship is now able to prove his marriage. As there was no person to appear for the Lady, the Judge expressed his doubts in granting the motion, and, the marriage with Lord Bristol having been determined by a verdict, he could not see the reason for coming to that Court, and, as everything was new, he was apprehensive of collusion somewhere, and therefore was cautious of proceeding. However, after hearing

all the counsel had to offer, he decreed the citation to issue as prayed, observing all due forms as in the case of a peeress." This cause, however, never proceeded to effect. The lady was served with a process; but, the Earl of Bristol soon after dying, she was freed from any apprehension of legal molestation on his account.

CHAPTER XIX

The duchess is suddenly called to Rome—A maid-servant's adventure—An amorous friar and his rival the Cardinal—The duchess robbed by the friar—She returns to Calais—The Medows family threaten fresh proceedings—The duchess's anxiety—Is assured she is safe from further prosecution and sets out for Russia in her own ship—Her acquaintance with Major Semple, the "Northern Impostor"—Major Semple and Thackeray's Barry Lyndon.

ELIZABETH was one born to have adventures. She was now apparently quite free from legal embarrassments, but it was not long before she was embroiled in others in a different direction. A short time after she had decided to settle in Calais, an "express" came to her with news which took her at once to Rome.

On leaving Rome in 1775 she unwisely left in her house a renegade friar from Spain, and an English girl, whom she had carried with her from England on her last expedition. Had she not been absorbed in her own pressing affairs the possible risk of such a companionship might have occurred to her. As it was much annoyance resulted. The girl was prudent, but handsome, rosy, and plump, with high spirits and good humour, which qualities had so forcibly attracted the admiration of a certain Cardinal Albini that the visits

of his Eminence at her grace's palace were frequent. Every day he found particular reasons for inquiring after the duchess's return and discovered that no one but her grace's maid could give him the information he wanted. The friar soon penetrated the motives of the Cardinal's solicitude, and was mad with jealousy, for he also had a fancy for the fresh young damsel. The girl was before long in a terrible quandary, for she could neither drive her admirers from the palace nor quit it herself without a breach of trust to her employer, by leaving her effects liable to plunder. The friar was sufficiently proficient in English to make himself understood in common conversation, whereas his rival, being totally ignorant of that language, could only express his love by gestures : this gave the friar a considerable advantage, he being able not only to insinuate his suit into the heart of his mistress but also to represent the dignified pillar of the Church in such odious colours as not only disgusted but terrified the object of his wishes, who, whenever he made his appearance, concealed herself and left the friar to entertain him.

The friar by these means being freed from the interruption of the Cardinal, soon argued down the virtue and prejudices of the girl, and without objection she permitted his reverence to convey from the palace every portable article of value, which he exchanged into cash. The news of the robbery reached the duchess at Calais, and this it was which induced her to undertake a journey to Rome. Her journey was impeded by a slight illness which seized her on the road, but she eventually reached Rome, and, on her arrival being

announced, Cardinal Albini immediately waited on her and she poured into his sympathising ear the story of the perfidious friar. The Cardinal, probably suspecting the friar could turn the tables on him in regard to his own designs on the too attractive English damsel, promised reparation, but did nothing; the friar had effectually disappeared, and so also had the property of the duchess, and the aggrieved lady had no alternative but to return to Calais, where she found fresh worries awaiting her.

The Medows family, infuriated at the result of the trial, which was no victory for them, were trying with might and main to set aside the will of the Duke of Kingston. There was no probability of their succeeding, but still the attempt was to be made. This kept alive the apprehension of danger in the mind of the duchess, and, as she had some acquaintance with Sir George Haye, who was at that time Dean of Arches, she opened negotiations with him through Doctor Isaac Schomberg, who had been educated with Sir George at the Merchant Taylors' School. The opinion of Sir George as to the validity of the Duke of Kingston's will was obtained and the dean ridiculed the idea of attempting to set aside the will. Schomberg, however, desirous of obtaining the fullest confirmation of the case, pressed Sir George to dictate a letter which he proposed to send to the duchess. The reply of Sir George was as emphatic as it could well be: "Let the duchess desire her common lawyers to attack the rock of Gibraltar."

"Schomberg, on this," says the author of "The Life and Memoirs," "caused every consolatory assurance to

be transmitted to the duchess. She received it, and professed every feeling which gratitude could inspire. Doctor Schomberg was an honourable character! Too honourable for this world! The counterpart of her dear lord in nobleness of soul! She wished she could make him happy. As a splendid return for his real anxiety to put her mind at ease, this was the gracious manner of her procedure. One morning Doctor Schomberg was waited on at his apartments in Conduit Street, and a present from the Duchess of Kingston was delivered to him. The present was a ring, brilliantly enriched, the stone a deep blue, and the words *Pour l'amitié* on the stone. The intrinsic value was never once considered by Schomberg; it was the presumable gratitude which affected his mind. He wore the ring, and in almost every company proclaimed the donor. But a short portion of time elapsed before one of the brilliants in the word *amitié* fell out, as if the very mention of friendship by the duchess were sufficient to render the term fragile. To have a substitute replaced a jeweller was sent for. When he came he looked first at the ring, then at Doctor Schomberg; and on being asked 'when he could do what was necessary?' the jeweller answered: 'I hope you will not be offended, sir, but it is really not worth your while to have anything done; the middle stone is a composition, and the whole did not cost more in Paris than six-and-thirty shillings.' 'Is that the case?' said the doctor; 'then I will soon dispose of it.' He first trampled the contemptible bauble under his feet, then flung it out of the window, saying: 'There goes nobility.'" It is pretty safe to

assert that this story emanated from the brain of the biographer, to support the charge of meanness which he was so constantly bringing against her.

The efforts of the Medows's party came to nothing, as might have been expected; but probably Elizabeth considered that Calais was too near England to be altogether out of the range of anonymous and secret attacks, and as previous to her trial she had formed the design of visiting the Court of Catherine of Russia, she now determined to carry out her plan. But she did not intend to go as an ordinary personage, much less as a commoner. She meant to exhibit herself to Catherine in all the panoply of the rank she claimed for herself, for she deliberately spurned the House of Lords and all its works. She was still "Madame la duchesse," and she insisted upon being addressed as "Your grace." So carriages and post-chaises were not nearly good enough to convey her to Russia, but she must have her own ship!

A love of the sea was in the blood of the duchess. Did not the Devon men furnish the bold explorers Drake, Raleigh, Hawkins, and many other gallant spirits? On board her own yacht Elizabeth could indulge that passion for command which was her second nature. The queer fleet which the duke collected may have suggested the idea of building the yacht in which she exploited herself at Rome. We may be sure that the odd notion of buying up all kinds of vessels to ornament the lake at Thoresby did not emanate from the indolent and easy-going duke. It came from the duchess, whose restlessness required some hobby. For fishing she had quite a

craze, but only at fits and starts, and the management of one or the other of the incongruous craft gave much more scope for her energies. The vessel she had built for her trip to Italy was the first of its kind, and in becoming a private yacht-owner Elizabeth set a fashion which, if it was not at first followed, became the rage some fifty years later.

The ship intended for Russia was of more solid construction and more commodious than that which sailed up the Tiber. It had a drawing-room, a dining-room, a kitchen, and other conveniences, and its superintendence must have given relief to the duchess's harassed mind. This ship, however, was destined to be the cause of much trouble and embarrassment; but in this it was only playing its part in Elizabeth's destiny, for, somehow, fate seemed to have ordained that nothing should ever go smoothly with her.

The vessel was constructed at an English port, possibly Plymouth—Elizabeth's heart ever and anon went back to her native county—and, when ready, was ordered to Calais, and the commander of the Italian yacht, Harding by name, was appointed captain. When all was in readiness an unexpected obstacle arose, which led to a host of complications. At that time the war with America was at its height, the seas swarmed with privateers, and it became a question of extreme importance to decide under what colours the vessel should sail. Eager as the duchess was for adventure she had no fancy for seeing herself a prisoner in her own ship. There was some risk of this, for the news was brought that Cunningham, a smart

American adventurer, had his eye on the vessel as a possible prize. His schooner was in the Channel ; he had just captured a Dutch packet ; and, as the time of the duchess's ship's sailing could not be kept a secret, Cunningham made certain of securing the vessel—its value, however, being not so much the temptation as the capture of its owner and the ransom to be demanded for her release.

As a necessary precaution, the duchess applied by letter to the French minister asking for protection under the colours of France. Consent was obtained, and Captain Harding was informed of her intention to hoist the French flag and have the ship manned by French sailors. Harding, however, had served in the British Navy, had distinguished himself in action, and could not relish the idea of commanding a crew made up of men whom he had always regarded as his country's natural enemies. The duchess used her persuasions, and at length he reluctantly consented to remain. French sailors were procured, but no sooner were they engaged than they raised new obstacles. They would only be commanded by a French captain ! There was no alternative ; and a Frenchman, Le Fèvre, offered and was accepted. Harding's position was too mortifying to be endured ; he threw up the command and left the duchess to do the best she could.

In spite of all these worries Elizabeth was not to be turned from her plans. She meant to travel to St. Petersburg as a great lady should, and in her train, besides domestics, were a number of followers with the specific duties which the complicated position of

affairs brought into existence. The captain and sailors of the ship being Frenchmen and Roman Catholics, a chaplain of their language and persuasion was required to perform the pious offices necessary for the welfare of their souls. To be supplied in this particular the duchess despatched a letter to Paris, asking a lady of her acquaintance to recommend an ecclesiastic proper for the purpose.

So the author of the "Authentic Detail" tells us, but it is quite possible the duchess went on this errand in person, for, from a passage in one of Walpole's letters to Horace Mann, it is clear she was in Paris in September 1776.

"You ask what is become of the Duchess of Kingston," Walpole writes. "I have just heard of her having met Lady Harriet Vernon, who is returned from Paris, and saw her there at the Colisée, with a hat and feathers like Henri Quatre. She has given orders for a palace to be taken for her in Paris. At Calais she had a guard at her door, having demanded it on pretence that her enemies aimed at her life. She obtained it, and has detained it to this moment. Her foolish vanity, you see, will never leave her." It is by no means so certain that the duchess was actuated by vanity in taking these precautions. She knew the unscrupulousness of her enemies better than did Walpole.

The necessary priest was obtained in the person of an abbé who arrived in Calais travelling by diligence, and his only luggage his violin. The duchess does not appear to have been dismayed by this suggestion of poverty, and the abbé was appointed joint

chaplain with the Rev. Mr. Foster, the clergyman who had been very useful during the Foote controversy. The suite was completed by two women attendants, a coachman, and a footman, so that the number of passengers must have equalled, if not exceeded, the crew.

The date at which Elizabeth commenced her voyage to St. Petersburg is uncertain ; we are told, however, that the ship reached Elsinore in twelve days, and that nothing untoward occurred. Previous to her departure from Calais she had made the acquaintance of a remarkable individual who was destined, on her arrival in Russia, to cause her considerable trouble. This individual was a young gentleman of Scottish extraction who lived on his wits, and was a past master in plausibility and craft. He is known indifferently as Mr. Semple, Captain Semple, Major Semple, and Major Semple Lisle. Apparently the name of Lisle was adopted when Semple grew to be too well known.

This personage becomes of importance if he suggested, as we venture to think he did, the groundwork of Thackeray's Barry Lyndon. The characters are, in many respects, very similar. Each was a handsome, dashing man, successful with women, and unscrupulous as to whom he swindled. Each had had a military training, each made a figure on the Continent, each was a boaster of the first rank, and each possessed the genius of the rogue in grain. Barry Lyndon may be said to be an idealised Semple. Of course the two are not identical, for Thackeray was too great a master of his art to allow the source

of his inspiration to be obtrusive. For all that, here and there in Barry Lyndon evidence may be traced that, in his close study of the eighteenth century, Thackeray had not passed unnoticed the history of the gentleman who was known as the "Northern Impostor," and who wrote his autobiography in quite the spirit of the novelist's creation. When Thackeray commenced "Barry Lyndon" he had not finished "Catherine Hayes," a story which, from the most sordid materials, he with marvellous art built into a tragedy of absorbing interest. Thackeray was saturated with the spirit of the time, and the outcome was seen in "Barry Lyndon," and afterwards in "Esmond" and "The Virginians." We have pointed out in the introductory notice to these volumes that it is generally accorded that Thackeray had Elizabeth Chudleigh in his mind in his conception of Beatrix in "Esmond," afterwards the Baroness de Bernstein in "The Virginians," and, as one trained to follow the bypaths which the student of history constantly meets with, the novelist, in reading all he could find about the Duchess of Kingston, was certain to make the acquaintance of the ingenious Major Semple.

Semple's autobiography is just in the braggadocio vein which would delight Thackeray. It is a piece of unconscious personal revelation, and, in a way, suggests the style of Barry Lyndon. There are also a few actual coincidences. The Irishman has experiences in Russia, and "won eighty thousand roubles from Potemkin at Petersburg"; the Scotsman is high in Potemkin's favour, and at St. Peters-

burg gambled away the money he made in other directions. Semple's prowess in the fields of love and war bears a strong family likeness to the exploits of Barry Lyndon in the same direction. It is also interesting to note, as showing the trend of Thackeray's mind at the time, that the connection of Semple with the Duchess of Kingston is seen in the circumstance that Lady Lyndon, the rich widow whom Barry married, has her estates in Devonshire and her town house in Berkeley Square—corresponding to the situation of the duchess's properties. Thackeray also makes Barry go to Madame Cornely's masquerades and see the fashionable lady notabilities "from the Duchess of Kingston down to the Bird of Paradise or Kitty Fisher." Although Lady Lyndon does not, in her general characteristics, resemble the duchess in the least, yet there is a savour of Elizabeth's waywardness in that "she was a woman who took up and threw off a greater number of dear friends than any one I ever knew." The author of the "Authentic Detail" says of the duchess that she was one "to whom a new face and a new adventure afforded great delight . . . imparting to every visitor the elevated ideas she had formed of a person whom she had never seen"; and that she took violent fancies and violent dislikes on the spur of the moment her career amply shows. Mr. Louis Melville claims Stoney Bowes as the original of Barry Lyndon, and undoubtedly the story of the unhappy marriage between this rascal and the Countess of Strathmore is paralleled by Thackeray. There is also much resemblance between the Countess and Lady Lyndon, but it is far

otherwise with Stoney Bowes. Bowes was a vulgar adventurer and an unmitigated brute. Major Semple, on the other hand, possessed all the adroitness, the amusing impudence, the amorous propensities, and the bombast of Barry Lyndon. May not Thackeray have taken his material from both sources?

CHAPTER XX

Flattering reception of the duchess by Catherine, who places a house at the disposal of her visitor—The duchess gives balls and entertainments—Major Semple tells the story of his association with the duchess—A bragging rogue—His real character exposed.

THE ingenious, enterprising, and plausible Semple having married Elizabeth's god-daughter, took advantage of this fact to call upon the duchess in Calais and introduce himself. "Being solicited by the duchess to go to Russia," as he tells us in his autobiography, Mr. Semple consented to "follow her," went on to St. Petersburg, and waited on the English Ambassador, Sir James Harris, afterwards Earl of Malmesbury, who, impressed by the rogue's air of genuineness, presented him "without a moment's delay" to Prince Potemkin. Mr. Semple, after some conversation with Potemkin, was appointed captain in the Russian Army "that same evening." "Captain Semple," as he now called himself, had an audience of the Empress, and then returned to the Duchess, who by this time was also in Russia, to acquaint her with his good fortune. He met with a somewhat cool reception, to quote his own words: "I was a good deal surprised that the duchess did not receive the news of my sudden and honourable appointment

with all the warmth I expected ; but, as I afterwards found that she wished to retain me about her person, the mystery was cleared up."

It would seem that the duchess had not failed in her promise to M. de Cocove, whose acquaintance she had made at Calais, to befriend the members of his family, and she took with her to Russia Mademoiselle de Porquet, M. de Cocove's sister-in-law, probably in the capacity which Miss Penrose and Miss Bate filled while the duke was alive. Elizabeth never forgot the dignity due to her state, and in her train was a chaplain, a secretary (a Frenchman who was in love with Mademoiselle de Porquet), a steward, three "maids of honour," and a retinue of servants. On his arrival at the duchess's house, Semple says : "I found they had all quarrelled, and were not upon speaking terms. Mademoiselle de Porquet was in fact so much chagrined she kept her room. On which the duchess, in all the native violence of her disposition, *locked her in*, and actually detained her a prisoner in that state for some days, in spite of all my remonstrances. The poor French secretary was so much terrified at these tyrannical proceedings that he ran away the same night, without even venturing to take a great-coat with him. In an almost desolate country, in the dead of winter, and without the smallest knowledge of the language, he had to travel twenty miles to the Baron Rofen's, who, in that dreary spot, is called a *neighbour*. He luckily overtook a peasant with a sledge by the way, to whom, by repeating the name of Rofen, he fortunately made known his wishes ; and, being placed in the vehicle, and covered with a sheep-

skin, he at length reached the baron's, more dead than alive.

“As soon as he arrived the baron sent a servant to me with a letter, wherein he states that he could not refuse the poor secretary the rights of hospitality ; adding that he could wish the duchess would abstain from such acts of violence ; and concluded by desiring me to endeavour to effect a reconciliation between them. I laid this letter before the duchess, who sent me to the baron's ; but the Frenchman would not listen to the proposals I was authorised to make, which were to pay him his wages, but persisted in his intention of going to St. Petersburg to interest the French minister in his cause.

“I returned next morning, and prevailed upon the duchess to permit Mad. de Porquet to go where she would. This lady, who, it seems, had preconcerted matters with her lover, the secretary, went to St. Petersburg, and laid her complaint before the Marquis de Verac, the French minister there. The marquis apprised the duchess of the complaint, and I was sent to St. Petersburg to negotiate for her with them ; the consequence of which was, that the duchess was to pay Mad. de Porquet six hundred ducats in specie, on condition of immediately returning to France ; and I was, at the expense of the duchess, to conduct her to Dantzic, whither I was going to meet my own family, to bring them to the house which the duchess had given me on her estate, within a short league of that she inhabited.

“The duchess had taken my receipt for the money

with which she had entrusted me to pay Madame de Porquet on her arrival at Dantzic, charging me to take her receipt there; a seeming reconciliation then took place, and Madame de Porquet stayed a few days at her grace's seat to pack up her effects. In the meantime, the duchess requested her steward, Mr. Wilkinson, to order one of those carriages which are used in Russia in time of snow, and which resembles the body of a coach, only much longer, to be got ready. These carriages are furnished with beds; and when Mr. Wilkinson informed her grace that the machine was ready, with two beds, she smartly enough replied: 'You have done well, Mr. Wilkinson, but your precaution was unnecessary. I will answer for it, one bed will serve them before they reach Dantzic.' "

Prince Potemkin appears to have been unable to dispense with the valuable services of the gallant captain, and, in obedience to the Prince's orders, Semple followed him in the direction of Warsaw. Previous to so doing he wrote a letter to his wife who was staying with the duchess "to endeavour to soothe the feelings which an amiable, virtuous, and affectionate woman must naturally feel at the departure of her husband," and telling her that his stay with the army would be but short. He also sent a letter to the duchess "in a somewhat more military style," declaring that, not contented with following where Potemkin would lead, "he would endeavour to be foremost in the field of glory." Unluckily, "the duchess betrayed the confidence I had reposed in her; for when my wife showed her the letter she

had received from me, and even which was hardly enough to enable her to support my departure, her *grace*, with that hypocritical cant she so well knew how to assume, inveighed against my false representations, and, by way of completing her cruelty, concluded by showing the letter she had received from me." The sensitive Semple was so outraged at this breach of confidence that he resolved upon removing his wife from the companionship of the duchess, and he goes on to relate how he managed the business.

"When I reached Narva I left there my military equipage and went in a small carriage of the country to the duchess's seat. I found my wife and family already in the house her grace had given us. I then began to explain the motives of our intended removal ; I told her grace that, considering the hazardous service I was going upon, and that no military man who was going to the field of action could ever say his return was certain, I thought it necessary my wife should have some establishment to call a home ; that, though she could as often and as long as she chose take up her abode with her grace, still, should anything happen to me, Narva would always, particularly in the event of the duchess leaving Russia, prove a retreat where she would find friends of her own nation, whereas, in her present situation, she was an entire stranger to every one, nor had more than one servant who understood the language of the country. To this the duchess replied, first with a flood of tears, and a complaint that I was depriving her of her only companion, and then (finding me unmoved),

with a torrent of abuse which would have done credit to Billingsgate, concluded with saying we might go to the de—l.

“It is necessary to inform my readers that, by the laws of Russia, no person can travel from the capital without a passport describing his route, which he is not at liberty to alter ; in the country, travellers must have a pass from the person whose estate they may have been upon, before they quit it, or no postmaster dare furnish them with horses. On my application at the post-house, which was not above half a mile from the duchess’s, I was not only told that they durst not supply me with horses, but that they had her grace’s express prohibition to that effect. I answered the postmaster that I should remove that difficulty by taking his or her horses by force. I instantly removed my family to the post-house. I just then recollected that I had given the receipt I had obtained from Madame de Porquet at Dantzic to the duchess, without her grace having returned me that which she required of me, when she entrusted the money to my charge. I began to be apprehensive of her making a bad use of it ; I therefore wrote a note to Mr. Wilkinson, her steward, requesting my receipt. The duchess shuffled with excuses : that she could not come at it, that she would give it to my wife, and such like evasions, and, jumping instantly into her carriage, drove into the woods, to prevent further applications on my part. I sent one of her own servants after her grace to tell her that, unless I had my own receipt, or a discharge from her, in one hour from that time, that I would

force my way into her house and carry off her *cassette*, which I would lay at the Prince's feet, and entreat him to judge between us. In a few minutes Mr. Wilkinson brought me the receipt I demanded, and I set out for Narva, where I rested scarcely one moment before I proceeded for Cherson to join the Prince."

Judging by the light of Captain Semple's subsequent acts, we are inclined to think that the duchess's version of this affair might be somewhat different. At all events, it would seem that meanwhile some very ugly rumours concerning the rascal had reached the British representatives in Russia, and in a life of Catherine, published in 1786, we find quite another story. "By his [Semple's] advice," we read, "the Prince introduced several new regulations into the army, both in regard to dress and manœuvres; and, had it not been for some manœuvres of another nature, such as writing to the Duchess of Kingston that he would come by night with some soldiers and break into her house, unless she sent him a certain sum of money, etc., there is not a doubt but he would soon have been raised to the rank of a general officer, or appointed consul at whatever place he chose." The writer, not contented with this, cruelly continues: "After his dismissal from the confidence of Prince Potemkin, on his way to England, Major Semple laid the merchants of St. Petersburg, Narva, Riga, etc., under contribution by a variety of impostures."

Semple's righteous indignation at this aspersion on his honesty is a delightful specimen of bombastic

writing. He declares : " It is the eternal fate of falsehood to contradict itself ; and, though I have given in the preceding pages an account of my affairs with the Duchess of Kingston, which I challenge earth or hell to contradict, still, as this worthless scribbler, who would tremble at my very shadow, may gain credit with some, I will in one moment explain his absurdities. Had I dared to have threatened the Duchess of Kingston, as he has asserted, a well-founded complaint (to which my own letter must have given an irresistible weight) would have procured me a banishment for life to Siberia ; besides, this quarrel happened before I joined the Prince at Cherson ; and was it, I will ask, probable that he would have received me into his favour, entrusted me with the organising of a new corps, and afterwards treated me as will appear hereafter, had I been stained with robbery ? As to my frauds on the merchants, *while I was in favour* they might have been possible ; but, *for a man disgraced*, they would have been an utter impossibility. Besides, I did not pass through, or near Riga ; for I went from St. Petersburg to Narva, where I embarked and went down the East Sea to Copenhagen. Such pestilent libellers are unfit to be suffered in the world. Such have been my ruin ; and the author of the above, who, I am informed, is a priest, certainly affords a shocking proof of that depravity which perhaps may, if ever I live to meet him, render his gown but an insecure protection. If he has any honour, let him contradict his unfounded assertions ; but why should I ask him ? Had he any honour, he would not have wrote it."

But Semple had not yet done with the duchess, and Prince Potemkin's return from the Crimea gave him an opportunity of saying something ill-natured concerning the lady whom there is little doubt he swindled, as he swindled hosts of other people. Entertainments were given in Potemkin's honour by the nobility, and these invitations to entertainments were always understood to include the Prince's suite, though they were not specially mentioned. "The Duchess of Kingston," he says, "willing to imitate those of the most distinguished rank, and wishing at the same time to affront me, sent an invitation to Potemkin; but, instead of saying nothing about his suite, she sent letters of invitation to every individual officer except myself. The Prince, who hated her, was resolved to take the same opportunity to mortify her that she had destined to gratify her malice to me; so, contriving that I should be on his duty that day, he told me he would give me my revenge, for I should not only go with him, but I should sit next her at table. Being on duty, I was obliged to attend him everywhere, and accordingly attended him to the duchess's, where I, with the rest, proceeded to pay our compliments to her grace. My brother officers she received with politeness, but when I approached to make my bow, she turned aside from me. When we went to be seated at table, the Prince, under pretence of speaking to me on business, kept me near him, and so arranged that he seated me at the duchess's elbow. It would be difficult to depict the manner in which she sate fretting and fuming all the time of dinner; however, I was seated, and she could not move; she had therefore nothing to do but conceal

her anger, and that, to a woman of her violence, was no easy task." Surely, considering the rogue's character and conduct, impudence could hardly be carried further. The story, as Semple relates it, is a piece of boasting and braggadocio. Semple was an ungrateful scoundrel, for, on his own showing, the duchess must have behaved kindly to him and his wife. He unintentionally admits as much in the last quotation we shall give from his precious autobiography: "The great encouragement I had hitherto received had naturally encouraged me to splendid living; few can bear the idea of retrenching, and I am unfortunately not one of the self-denying class. While I had the Duchess of Kingston's house, it saved me much money; but now, though I myself had a lodging and table at the Prince's, I was obliged to provide quarters for my family at an enormous expense, for houses are not easily to be hired at St. Petersburg."

Semple's allegations concerning the duchess must be taken with considerably more than the traditional pinch of salt. But lest there should be any doubt as to his true character, it may be as well to quote the version of his exploits in Russia, given in a little volume entitled "Memoirs of Major Semple, the Northern Impostor and Prince of Swindlers," in which we find various circumstances which the captain's modesty led him to omit in his autobiography.

"By the recommendations of the Duchess of Kingston," we read, "he came to St. Petersburg, and by her interest he obtained the rank of aide-de-camp to Prince Potemkin, and with that general went to the Crimea. On Mrs. Semple's writing to her husband

complaining of the Duchess of Kingston slighting her, he returned to St. Petersburg, and by a great deal of bluster so frightened her that he obliged the duchess, before he left the house, to give him five hundred roubles (about three and sixpence each) ; he staid afterwards in St. Petersburg, but before he left the place sold his carriage to four different Russian noblemen, took the cash of every one of them, and promised to send the carriage to each. His method of getting out of the country was as follows: he was accustomed to walk out at the gate of Narva, on the frontiers of Poland, with a servant carrying his great-coat, and after his walk to return ; but one day his memory failed him, and he never came back. He also swindled a Russian officer out of a rich uniform by the following stratagem : he met him at Court, and begged he would let his [Semple's] tailor look at the suit of clothes to make some like it in order to bring to England. The credulous officer delivered them to Semple's servant, but never saw them after."

From a footnote to the foregoing we learn Major Semple's distresses were impressed on the mind of the Duchess of Kingston by her secretary, Mr. Lilly, in the first instance, for which service, and many other acts of kindness, the major very gratefully swindled Mr. Lilly out of a gold watch and thirty guineas in money. To complete the character of this superlative rogue, it is only necessary to add that, on his return to England, he swindled tradesmen right and left, and was rewarded for his efforts by seven years' transportation, escaping hanging only by the cleverness of his counsel, Mr. Garrow. This event happened on September 2nd,

1786, at the very time when the duchess was lying dead in Paris. *The European Magazine* describes him as "a genteel young man of twenty-seven years of age," so that he could hardly have been twenty when he entered upon his exploits in Russia.



HORACE WALPOLE

CHAPTER XXI

Similarity between the duchess and Catherine of Russia—Catherine's simplicity in private life—Difficulty of following the doings of the duchess during her last decade—Unfair summary of her character—The duchess easily duped—She buys an estate in Russia and sets up a vodki distillery—Her introduction to Prince Radzivil—An extraordinary entertainment—Prince Radzivil and Count Oginski are rivals in paying her attentions—Her infatuation for Wortz, a clever charlatan.

MEANWHILE Elizabeth was making friends with Catherine, who was, it is certain, greatly taken with the heroine of Westminster Hall. There was much in the two women that was alike, with the drawback that the similarity was against a sustained friendship. Both had highly original minds, and were not governed by conventionalities, though they did not despise them. Both had a love of command combined with a tact which made that command ensure obedience. Both could be easily flattered and easily duped, and both had the faculty of keeping their hearts young though their bodies aged. Catherine, like her predecessor Peter the Great, was fond of the English. She had had herself inoculated—this supposed safeguard against smallpox introduced from the East by Lady Mary Wortley Montagu with such terrible results was at that time the rage in

England—by an English physician, Dr. Dimsdale, and her chief pets were six English greyhounds presented to her by the doctor. She was one of the most hospitable of monarchs, and delighted in entertaining foreign visitors. While punctilious in regard to matters of court etiquette and ceremonial, never was there so slipshod an Empress in private life. She shared her breakfast with her dogs and at her meals cared only for the simplest of dishes, liking nothing so much as boiled beef and salted cucumber. The wine she fancied was Madeira, also the taste of the duchess. While she did not take snuff herself, she had a snuff-box in every corner of the palace for those who did.

Outside court functions she was the most tolerant and human of potentates. On one occasion, when playing cards—her usual recreation during the evening—her chamberlain, who was one of the party, burst into a furious passion, and, accusing her Majesty of not playing fair, wound up by flinging the cards in her face. Catherine bore the insult without losing her temper in the least. Sometimes the Court played at childish games while the rest were at whist. The Empress was deep in a rubber when she was told she had incurred a forfeit. "What must I do?" she asked. "Sit on the ground, Matoucha," and she meekly obeyed. She was very fond of cards, but rarely gambled. Once, when a page was wanted to send on an errand, there was no response to her summons, and angrily she went in search of him. In one of the ante-chambers was the official, intent upon a game of whist. Anger at once disappeared, and,

sending the page on her business, she took his hand meanwhile and continued the game !

Masson, a French political refugee who spent seven years at the Russian Court, has left an interesting description of the Empress. "Her hair," he says, "was always dressed in the old style of simplicity and with peculiar neatness, and no head ever became a crown better than hers. She was of the middle stature, and corpulent. Few women, however, with her corpulence would have attained the graceful and dignified carriage for which she was remarked. In private the good-humour and confidence with which she impressed all about her served to keep up an unceasing source of youthful playfulness and gaiety. Her charming conversation and familiar manner placed all those who were admitted to her dressing-room or assisted at her toilet perfectly at ease ; but the moment she had put on her gloves to make an appearance at the neighbouring apartments she assumed a very different countenance and deportment. From an agreeable and facetious woman she appeared all at once the reserved and majestic Empress."

It may be that the ascendancy of women at Catherine's Court made the Empress recognise in the boldness and audacity of her adventurous visitor a woman after her own heart. Walislewski, who has dug deeply into the history of Catherine, points out that during her reign women had assumed a pre-eminence at Court which they carried with them into society and into their own houses. The Princess Dashkoff, for instance, masculine in her tastes, her gait, and her exploits, was still more so in her title and functions of Director

of the Academy of Science. She long solicited Catherine to appoint her Colonel of the Guards, a post in which she would undoubtedly have acquitted herself better than most of those by whom it was held. The women were so steadily getting the upper hand that Masson was moved to exclaim, "One more female reign, and we might have seen a woman general of an army or minister of State."

Catherine, like Queen Elizabeth and other women of great distinction, had her own fashion of unbending. Some of her court functions must have been highly amusing. We read that the Empress and Prince Dashkoff, on occasions, favoured the company with music of a highly original character. Masson describes their singing of a duet. Neither had the slightest idea of music, and "a sudden burst of the most exalted and ridiculous discordant tones was the consequence, one seconding the other with scientific shrugs and all the solemn, self-complacent airs and graces of musicians. From this, perhaps, she passed to a cat concert, and imitated the purring of poor puss in the most droll and ludicrous manner, taking care to add appropriate half-coarse, half-sentimental words, which she invented for the occasion ; or, spitting like a cat in a passion with her back up, she suddenly boxed the first person in her way making up her hand into a paw and moving so outrageously that instead of the great Catherine nothing but the wrongs of a grimalkin remained upon one's mind."

It is difficult to follow the movements of Elizabeth during the last ten years of her life, which were spent entirely on the Continent and for the most part in

Russia. Never once did she set foot in England after her trial, and there is no record of her having corresponded with any of her friends. The duchess does not appear to have cared for writing letters. Walislewski sums up the career of the Duchess in Russia by a brief reference in which he adopts the views of her detractors. He unfairly classes her among the adventuresses whom Catherine was continually taking up and dropping. The term "adventuress" does not in the least apply to Elizabeth; she certainly was very "adventurous," but that is vastly different.

Walislewski says, "She came to St. Petersburg with an enormous following and an almoner, Abbé Deschamps. She is presented to the Empress under the title she disputed in England, is supposed to belong to the royal family, is invited to Tsarskoye Selo and meets with the most flattering reception. She gives balls to which everybody in St. Petersburg goes, both on board her yacht, whose luxurious fittings cause universal admiration, and in her house, one of the finest in the city, which is put at her disposal by the Empress. The yacht having been somewhat damaged in a storm, the Empress has it put right at her own expense. The adventuress is cunning enough to tell every one that she has come simply and solely to have the delight and honour of seeing the most extraordinary woman of the past and present times, and Semiramis likes to hear it said. Patiomkin openly pays court to the pseudo-duchess, and Catherine lets him do it. It should be said that this new rival is fifty-seven years of age and is beginning to be deaf, and she also appears to take special interest in one of the favourite secretaries,

Garnovski, who comes later to appropriate a part of her large fortune. For, wishing to push her claims, she begins to dream of gaining official standing at the Court, and buys an estate in Esthonia. But unfavourable rumours begin to be circulated on her account, and she thinks it best to go into retirement for a time; and when in 1782, she returns, it is all up, no one will have anything to do with her at the Court or elsewhere, the favourite turns his back on her, and Garnovski, in whom she has placed all her confidences, takes advantage of it to lay hands on her Esthonian estate."

These statements, in the main, are probably correct. It is difficult to see, however, why Elizabeth should not have been sincere in her motives for visiting Catherine. Walislewski drags in the word "cunning" simply, we presume, because he found it used with tiresome iteration by the English biographers. It would appear to be vain to ask for evidence of this "cunning." It is like Elizabeth to be rashly generous and to find herself duped. Patiomkin, to adopt Walislewski's spelling, was the most mercenary of admirers, and one may be certain that he, no less than the secretary, did not lavish attentions on the visitor without finding it to his advantage. One instance of Patiomkin's greed will suffice. We quote from Catherine's biographer: "To suit his own purposes, and to please his royal mistress, Patiomkin on one occasion took the trouble to find an object on which to engage Catherine's affections for the time, and Catherine rewarded him with a present of one hundred thousand roubles. The Prince had an unlimited thirst for money, and it became a custom, with the accession of a new favourite, to be

given some mark of the Empress's continual esteem. She also found it necessary apparently to remind him of this esteem on other set occasions, such as his birthday. The story is told that on one birthday she was out of humour with him, and only sent him a tooth-pick case set with diamonds worth about thirty thousand roubles. Patiomkin became so highly indignant that Catherine ended by sending him his usual hundred thousand in addition. "So that the resentment which she wished to show," says the teller of the story, "cost her Majesty thirty thousand roubles above what she had been used to give on these occasions." As for the "unfavourable rumours" concerning the duchess, they may have been spread through ambassadorial channels. From the first Sir James Harris gave the duchess the cold shoulder, and all her efforts to become friendly with his family were repulsed. While Harris writes in his despatches on matters in Russia, social as well as political, he carefully avoids mentioning anything relating to his countrywoman.

Now and again news of the once "notorious Miss Chudleigh" reaches London by way of private letters, and Walpole, writing to Horace Mann, says: "You have heard of the inundation in Petersburg. That ill-wind produced luck to somebody. As the Empress had not distressed objects enough among her own people to gratify humanity, she turned the current of her bounty toward that unhappy relict the Duchess of Kingston, and ordered her Admiralty to take particular care of the marvellous yacht that bore Messalina and her fortune. Pray mind that I bestow the latter Empress's name on the duchess only because she

married a second husband in the lifetime of the first. Amongst other benevolences, the Czarina lent her grace a courier to dispatch to England—I suppose to acquaint Lord Bristol that he is not a widower.” It is wonderful to find Walpole’s conscience smiting him. He seems to have felt, for once, that he had gone beyond the line in his craving for smartness, or he would not have had the grace to explain why he classed the duchess as a Messalina.

Elizabeth could not remain idle long, and when the mood seized her she did not hesitate to plunge into enterprises quite opposed to aristocratic notions. One cannot help thinking that, while she would not abate a jot of the respect due to the title which she persisted in holding, there were moments when she had a contempt for mere rank. The duchess always had a fancy for a country life, and she took readily to the quietude and placid occupations of Thoresby and Pierrepont Lodge. When she retired to her estate in Esthonia, which she called “Chudleigh,” it was not for the purpose of meditation, but to employ her never-flagging energies. She built at Chudleigh a distillery for the manufacture of vodki, and one would like to know how the autocratic and wayward duchess fared in this strange enterprise. There was probably a large expenditure and no profit, excepting to the crafty Garnovski, who, according to Walislewski, contrived to make himself master of the property.

Perpetual restlessness haunted her. She was continually travelling, and always in great state. Sometime during 1780 she paid a visit to her friend, the Electoress of Saxony, and here she met Prince Radzivil, an

illustrious personage who had pretensions to the crown of Poland. The Prince was immensely wealthy, and lived in a style of regal splendour commensurate with his immense revenues. When the duchess was about to make a second visit to St. Petersburg, this time overland, she wrote to Prince Radzivil telling him she intended to pass through his dominions on her way to the Russian capital. The Prince appointed Berge, a village in one of his duchies and situated about forty miles from Riga, for the rendezvous.

No sooner was she arrived than she was waited on by an officer on behalf of the Prince, who informed her that his master proposed to dispense with the ceremonial of rank, and visit her as a friend. The Prince had exalted ideas of hospitality, and at his interview with the duchess he begged she would permit herself to be escorted to an hotel some ten miles distant, whither he had previously dispatched a small army of cooks and other attendants to wait upon his visitor.

Prince Radzivil's ideas of a visit without ceremony were peculiar. On the next morning his highness came with forty carriages, each drawn by six horses, the different vehicles containing his female relatives, the ladies of his principalities, and other illustrious personages. In addition there were six hundred horses led in train, a thousand dogs, and several boars. A guard of hussars completed the procession. The village was surrounded by a forest, and the sombreness and the solitude gave a strange air of romance and mystery to the motley gathering, the men in grotesque dresses, the women in gorgeous apparel,

whilst the shouting of huntsmen, the barking of dogs, the wild barbaric dancing to instruments, now sad and wailing, now fervent and passionate, contributed to produce an excitement which was quite to the taste of the duchess, whose spirit in her declining days was as buoyant as in her youth.

Among other eccentricities for amusing his distinguished guest, the Prince erected a village consisting of forty houses all wood and fancifully decorated with the leaves and branches of trees. These houses were built in a circle, in the middle of which three spacious rooms were erected—one for the Prince, a second for his suite, and the third for a banqueting-hall. The *fête* began with a display of fireworks on the lake adjoining, a special feature of which was a mock battle between two vessels. After this came the feast, which was served with regal magnificence. The duchess was fascinated by the splendour of her reception; she entered with spirit into the festivities, and it is said entertained the company with a song. The feast being over, Prince Radzivil conducted the duchess to the balcony outside the banqueting-hall, and, giving the signal, the forty houses, which hitherto had looked deserted, were suddenly converted into forty open shops brilliantly decorated and containing the richest commodities. The Prince sauntered from shop to shop, selecting a variety of articles, among them being a number of valuable jewels. The company then returned to the rooms, which were thrown into one, and a ball was opened by the host and the duchess. The principal surprise was left to the last. The dancing over, the company quitted the ball-room,

and in an instant the whole village was in a blaze, and the villagers dancing frantically round the burning pile.

This absurd entertainment cost Prince Radzivil an enormous sum, but to spend money in a crazy fashion was his mania. Truth to tell, owing to excessive drinking, he was not far from being a lunatic. Sir James Harris says of him : " Prince Radzivil was one of the most powerful princes in Poland. His revenues, were they in order, amounted to eighteen millions of Polish florins, equal to near £500,000, but much diminished during the interregnum by the devastations the Russian troops made on his estates. He was at that time the declared enemy of Russia, and had an army of 8,000 men, with which he opposed all her measures ; the consequence of which was his being routed and obliged to seek protection at Dresden, during which his immense possessions were a prey to the enemy. On the new tumults he changed his party and became *l'ame damnée* of the Empress, was put by her at the head of the Confederation, and was rewarded at the end by the first Palatinate in the kingdom and a present of upwards of £100,000. He is about thirty-five years old (1768), goes always dressed in the old Polish habit, and is so great a sot that a colonel and sixty men were quartered in his hotel to prevent him from drinking, during the time he held such considerable posts. I saw him myself the very day after the Diet was dissolved and the soldiers returned from his palace, come quite drunk and bluster that now he had a right so to do. He talks no French,

and his morals and behaviour little excel his own vassals. He gave a masquerade on the Empress's birthday to near three thousand masks, and they calculated that, besides other wines, there was drunk a thousand bottles of champagne. The profuse prodigality of all Polish feasts is beyond comprehension. This Prince every day keeps an open house to so many people that his five-and-twenty cooks can scarce supply them.'

Another close friend of Elizabeth at this date was Count Oginski, whose musical attainments made him particularly acceptable to her. Oginski composed a very charming polonaise which was very popular on the Continent and in England. The count, who was a man of enormous wealth, spent £25,000 a year on musical entertainments alone. At a concert he gave in honour of the duchess he played on six different instruments. He had a theatre in which plays in French, Polish, and Russian were performed. He also had a passion for horses, many of which came from distant parts; one which the duchess admired very much came from Jerusalem. He had lived for nine years at the Court of France, and was very intimate with Louis XV. Among his other accomplishments was painting, and, in fact, he seems to have been a sort of Polish Admirable Crichton. Prince Radzivil accompanied the duchess to Oginski's mansion, and, though Elizabeth was sixty years of age, she must have preserved some of her fascination, for we are told that between Radzivil and Oginski "an emulation seemed to prevail as to who most should show her a marked attention."

But, of all the acquaintanceships the duchess formed,

none was stranger than that which she struck up with a mysterious individual known as Wortá. The adventure is thus described : " In one of her peregrinations the duchess met with a person habited as a pilgrim. His figure was a good one. In his eye there was penetration, and in the whole of his countenance there was marked expression. He was much inclined to cultivate an intimacy with the duchess, but he rather chose to correspond than converse with her. . . . The letters teemed with professions of admiration of so illustrious a character as the duchess. She was more than woman ! The wonder of the age ! and deserving celebrity to the end of time ! This incense was the more acceptable because offered by a total stranger. Her grace became enamoured with the pilgrim, and, as there was something of mystery in his manner and garb, she was solicitous to have the whole explained. This favour, however, was denied, and the only thing which she could obtain was an appointment to meet her at a future time. The correspondence in the interim continued, and the letters were in the same adulatory vein. The appointed time arrived, and the duchess, instead of a pilgrim, met an abbe ! It then became necessary to throw the veil a little aside. The stranger gave an account of himself, and thus ran his story : That he was by birth an Albanian Prince ; that he had travelled through Europe under different disguises, and had only formed attachments with the most exalted personages. At Berlin Prince Henry of Prussia had honoured him with his intimacy, at Rome most of the Cardinals were his familiars, their Neapolitan

Majesties particularly esteemed him, and with the Emperor of Germany he was most intimate! This style was the very thing. It operated like a charm. The name of the stranger was required, and he announced his travelling one to be Wortá."

Who Wortá was the duchess never inquired. She took it on trust that he was a very great man, and, as for his honesty, it was a quality entirely out of the question. A diamond box was exhibited to Wortá, and admired as the duchess directed. A ring of value was presented him, and, he being a prince, it was deemed very gracious in him to accept it. At last the object in view was disclosed. Wortá, having satisfied himself with the visits he had made to the different Courts of the reigning powers, proposed returning to his own country, and proposed also to marry the duchess. Elizabeth, however, had had enough matrimony to last her her lifetime, and there was, in addition, the clause in the duke's will prohibiting her from marrying again to be thought of.

The real name of this man was Stiepan. He was a swindler of a very high order, and had considerable literary gifts. His assumed titles were prodigious: Annibale, Prince, vieux berger d'Albanie, Duc et Capitan-General du Montenegro, Despote de Gruda, Duc de St. Saba, Dinaste des Haute Montagnes, Pretendant d'Albanie, etc., etc. Stiepan fooled the duchess out of large sums of money, yet she was slow to believe he was a rogue. Stiepan's biographer says of Elizabeth: "She was very constant in her friendship, and nothing could shake it; she remained devoted to Stiepan through his misfortunes." His career came

to an end in Amsterdam, where he was arrested for forgery, and he committed suicide in prison.

Stories of Elizabeth's adventures found their way to England, and Mrs. Delany was kept *au courant* with the latest news by her friend, Mrs. Boscawen, news, which she promptly transmitted to Mrs. Port thus: "Mademoiselle Chudleigh, Hervey, Kingston, Bristol, Wartz [Worta?] is now Princess de Radzivil, and may be Queen of Poland, really married to him. The Prince of Radzivil is a grandee of Poland, and has it in contemplation to be King there at the next general election, which will make a curious finishing to the edifice of her extraordinary future. I wish she would write her own memoirs faithfully, they would exceed all that the folly and madness of the world have produced before them, and might well be styled extravaganzas. Future ages will hardly give credit to such a narrative." One may well echo Mrs. Delany's wish. Wonderful Elizabeth's memoirs would have been, no doubt, but whether so mad as gossiping Mrs. Delany imagined is another matter. Because the duchess did not choose to do things like anybody else she was accounted preposterous. Walpole was told something about her at this date; what it was he does not state, but it gave rise to a comment more than usually venomous. "Your Duchess of Kingston," he writes, "is a paltry mountebank. It is too ridiculous to have airs after conviction."

CHAPTER XXII

The duchess no longer a favourite at the Court of Russia—She determines to settle in Paris—The history of her life, written by herself—Is taken in over the purchase of a house—Commences an action at law—Buys an estate and château at St. Assise—Takes a hurried journey to Russia and returns to find the lawsuit has gone against her—The news throws her into convulsions—She breaks a blood-vessel—Rallies and insists upon rising from her bed—Her obstinacy and her craving for Madeira wine—Her sudden death—Her eccentric will—Sale of her jewels—Conclusion.

NOW and again the duchess, in her restless, erratic fashion, made flying visits to Paris. She had in 1777 taken care to register herself as a French landowner, and from time to time she purchased small properties. Out of favour at the Court of Russia, swindled right and left by handsome, insinuating adventurers, she grew tired of her roving life and had a desire to settle down in Paris.

A lively Alsatian lady, the Baroness d'Oberkirch, who moved in the highest circles in France previous to the Revolution, was industrious enough to keep a diary, which she published in 1789, and from this diary we glean a good deal relating to the duchess, of whom the baroness saw much at this time. On March 21st, 1785, she writes: "The Duchess de Bourbon took great interest in this lady (the Duchess of Kingston),



CATHERINE II. (EMPRESS OF RUSSIA)

and was anxious to know the real state of the case, and she said so once to the celebrated person herself, who very politely replied, 'If your highness wish, I will read you a few pages that contain the entire history.' "

A day was appointed for the purpose, and, says Madame d'Oberkirch: "I was not a little proud of the distinction of being admitted as one of the audience . . . the evident interest I took in the Duchess of Kingston influenced her so much that she had the kindness to leave me the manuscript to copy it, which I did, and now transcribe it here for the benefit of my readers. The heroine of the tale speaks of herself as if she were a stranger and with all the impartiality of an interested person. Although this lady was then sixty-six years of age, she still retained traces of more than ordinary beauty, and her deportment was the most dignified I have ever remarked. She moved with all the grace and majesty of a goddess, and our own lovely Queen (Marie Antoinette) alone could rival her in the just proportions of her figure."

This praise is wholly unexpected after the ill-natured criticism of Walpole and others, but there is no reason why it should not be true, even after making allowances for the possibility that Madame d'Oberkirch came under the fascination which Elizabeth could still exercise.

Of the autobiography itself it is, like everything that Elizabeth did, perfectly original in treatment. As Madame d'Oberkirch points out, she might be writing of some other person. Here is an example:

"Reared at the country seat of her father, her childhood passed happily and innocently, and to this period

she ever looked back with pleasure. . . . She who now writes these lines knew Elizabeth Chudleigh better than any other could, and will describe her character with true impartiality, without concealing what it possessed of good or evil. One thing is certain, that from her earliest years Elizabeth was remarkable for her wit and power of repartee as well as for the elegance and fascination of her manners. The peasantry on her father's estate said that she was *charmed*, that the beasts would follow her without being called, and that no person could know her without loving her."

Though this may sound like vanity, it was probably no exaggeration. Coming to her love affair with the Duke of Hamilton, the duchess gives a totally different version from that which had hitherto passed current. There is, for instance, not a word concerning Mrs. Hanmer's alleged treachery in the suppression of the duke's letters. The Duchess writes of herself: "He [the duke] was accepted and she returned his love with true affection as deep as her nature would allow her to feel for any one. When this brilliant prospect for the young lady became generally known, it excited the envy and jealousy of many who would willingly have taken her place, and no calumny was spared that was thought likely to prevent the marriage. The duke, devoted to the lady of his choice, refused to believe aught that could be said against her; but she, whose judgment was more easily swayed, lent a willing ear to the slanderous reports uttered against a man who only lived for her. In a fit of displeasure, excited by the report of his infidelity to her, she wrote to her lover forbidding him her presence, and saying that she

would never again receive him. To make their separation more secure, she immediately gave her hand to Captain Hervey. . . . The very day of her marriage she repented of what she had done, and when she found herself alone with a man whom she felt to be unworthy of her, she began to feel an intolerable repugnance for him, and all her love for the duke returned with fresh force."

This is quite as reasonable an explanation as any other, but it may be left where it is, for who is to decide the current of a woman's will? After referring to her visits to the Continent, and to the friendship of Frederick the Great, she writes with delightful naïveté of her return, when the Princess-Dowager of Wales wished to have her with her again: "She came back, therefore, to London, more beautiful and brilliant than ever; the Queen made her her chief favourite, seeming to feel no pleasure in any other society. This favour of her sovereign gave her great influence at Court; she led the fashion in all things, and her caprice and whim, the most extravagant, was law to the courtiers—and Heaven knows that she was not deficient either in whim or caprice."

The duchess is equally frank when she contrasts herself with the Duke of Kingston. "The characters of these two persons were completely opposite. The duke was simple, gentle, and retiring, while the lady was exacting, vain, and violent almost to fury; but she exercised an influence over her lord's mind that he was unable to resist." Of Captain Hervey she says: "He would not consent to a legal separation, as that would enable the woman he hated to become

a duchess. However desirous of his own freedom, he felt more pleasure in her mortification than in the prospects of his own liberty." When, however, Hervey fell in love with another lady, "he gladly sought a separation." Further on, speaking of her life with the duke, she confesses it to be both wasteful and penurious ; the most enormous sums were constantly expended to gratify her love of display, at the same time that she refused to incur some trifling necessary expense in her household. In the same remorseful, penitent spirit she goes on : "The fervour of his passion cooled, the duke began to perceive the faults of his wife and to grieve extremely at her extravagance and carelessness ; he expostulated with her, but it was useless. Elizabeth acknowledged no law but her own capricious and arrogant will, and made her husband feel the full weight of the chains he had assumed."

After passing in review her extravagant exploits at Rome, her arduous and daring journey across the Alps to defend herself against the attack of the Medows family, the duchess candidly remarks, apropos of what was said concerning her at the time, that "it is only too true that she was herself anything but popular. She had never considered public opinion, and even now, when so much depended on the impression she should make, she showed no respect for popular prejudices. . . . Two things that she did, and at which great offence was taken, were that she would not observe the Sabbath with all the strictness required by her fellow-countrymen, and, her neck and arms being very handsome, she very naturally wished to display them. These were considered unpardonable crimes."

She is immensely lavish in praising her demeanour at the trial. She spoke "with a lucidity and a precision that could not be surpassed by the most experienced lawyer." When the sentence was pronounced "she sank lifeless to the ground ; but, aided by a good conscience, she soon recovered, and rose with dignity, though without the slightest ostentation." During her tempestuous voyage across the Channel in an open boat "she sat all night exposed to wind and rain without any protection but an old hat and coat," and "in truth, few men could show more firmness or strength of mind in danger than did Elizabeth."

The duchess refers to her experience in Calais, which has already been related, and we learn by a side-light the difficulties she found in designating herself so as to satisfy the scruples of etiquette. She was still termed the Duchess of Kingston save in England and Vienna, Maria Theresa refusing to receive her save as the Countess of Bristol. Maybe it was to relieve her of embarrassment that the Elector of Saxony, whose wife was her staunch friend, bestowed upon her the title of Countess of Warth—an honour which the duchess evidently appreciated, for the signature appended to her will is "Elizabeth Kingston Warth."

After explaining how she was disappointed in Russia of obtaining the rank of *Dame au Portrait*, a distinction which she discovered was only granted to Russians, she enters upon the delicate subject of her passion for the mysterious "Worta." She is quite as frank as a woman could possibly be ; indeed so frank that one is inclined to doubt whether she is

really telling the truth or is romancing. However, here is what she says—and, be it remembered, it is about herself she is writing :

“The Duchess of Kingston was no longer young, but she still retained sufficient of that beauty which had once ranked her as the loveliest woman in England (no small pre-eminence) to make her believe Prince Wortá when he vowed her charms had subdued his heart and made him for ever her slave. . . . She loved him more than she loved the Duke of Hamilton, she loved him with that excess of passion that is felt by some as they decline in years, when they seem to gather all the energies of their being into one last effort of tenderness. This strange passion conquered all the lesser feelings of her soul : her vanity, her desire to shine in society—all were forgotten and utterly abandoned for the happiness of constantly enjoying the society of the man she loved.”

Later in her diary Madame d'Oberkirch again refers to the duchess. “Her suppers,” the diarist says, “are celebrated for their refinement and luxury. She is somewhat of a gourmand and patronises the gastronomic art. She is really a most extraordinary woman, who, having lived all her life in the society of learned and celebrated people, has gleaned from all some portion of their knowledge, with which she afterwards adorns her conversation so skilfully that at least for a time she would deceive one as to the extent of what she knew. Her great knowledge of society, her wit, and brilliant imagination, which reflected as a mirror all that passed before it, gave a brilliancy

to her conversation that I have seldom seen equalled. She is proud and self-willed, opposed to almost all received maxims, and yet variable and inconsistent both in her faults and opinions. She sometimes regretted England, and would feel anxious to return to her native land if the injustice she had suffered did not prevent her; but that most of her early friends were dead. . . . Sometimes the duchess would say: 'I shall certainly never return to England; it is a slipshod place. The English are for ever seeking amusement without finding it, whilst the French possess it without the fatigue of running after it. . . .' After supper she showed us her jewels, which were altogether more valuable than the treasury of St. Mark at Venice. One diamond she showed was very valuable and of the purest water. This she intended to leave to the Pope. For the Duke of Newcastle she intended a necklace of precious stones, and for the Czarina an entire set of ornaments of different jewels. But the most curious part of the collection was a necklace and string of pearls that belonged to the celebrated Countess of Salisbury, which the duchess intended leaving to the present countess of that name."

There is little doubt that Elizabeth contemplated staying permanently in Paris. She had been received with so much favour by the old French nobility that she probably looked forward with confidence to spending the last years of her stormy, restless, strenuous life in comparative repose. A house on Montmartre took her fancy, and in her impulsive way she purchased it without careful examination. No sooner was it in her possession than she made the discovery that it

was nearly falling to pieces. She at once commenced an action against the vendor to recover the money she had paid him and looked about for another habitation. Her eccentricity and recklessness had no doubt increased with age, for she selected a most preposterous place—an estate at St. Assise, just outside Paris, the property of the King's brother, and more fitted for the court and *entourage* of a monarch than for the wants of an elderly gentlewoman. The price of the estate was £75,000, and, large as Elizabeth's income was, she had not this sum at her command, so it was agreed that she should pay £15,000 down and the rest by instalments.

Why, at the age of sixty-eight, the duchess should buy an estate and mansion which would tax all her energies to superintend is incomprehensible. There was accommodation for at least three hundred beds and the reception-rooms were of vast proportions. The woods were stocked with game and so overrun with rabbits that she had quantities killed, and it is said realised three hundred guineas by their sale! Suitable or not, she installed herself in the rambling château and had not been there long before business called her to Russia. She took a hurried journey to her estates in that country, and, returning to Paris fatigued in mind and body, she hoped to forget her troubles in her domain at St. Assise.

She was sitting at dinner when the decision of the judges in the action she had brought against the vendor of the Montmartre mansion arrived, and the news was told her suddenly. The decision was adverse, and, communicated as the intelligence was at

an unfavourable moment, she was thrown into one of the hysterical fits of passion to which she was subject. In the midst of her fury she fell back in her chair pale and trembling. She had burst a small blood-vessel. It was not a serious affair could she have remained quiet, but she would only stay in bed a few days, and, feeling better, persisted in getting up. Her attendants in vain tried to dissuade her, but the mere fact of being opposed was enough to rouse the old spirit of domination. "I am not very well," she cried, "but I *will* rise. At your peril disobey me. I shall get up and walk about the room. Ring for the secretary to be ready for me."

She was obeyed; she dressed, and the secretary entered the chamber. The duchess then walked about for a while, complained of thirst, and said: "I could drink a glass of my fine Madeira and eat a slice of toasted bread." The attendant reluctantly brought both, and the duchess drank the wine. Then she exclaimed laughingly: "I am perfectly recovered. I knew the Madeira would do me good." A pause followed, and she said, in a faltering voice: "My heart feels oddly. I will have another glass." The attendant would have disobeyed her, but she dared not. The second glass of Madeira was brought; the duchess drank it at a gulp, and triumphantly declared she was nearly well.

Again she walked a little about the room, evidently uneasy. In a minute or so she said: "I will lie on the couch. I can sleep, and after a sleep I shall be entirely recovered." She sank on the couch, the frightened women each side of her holding her

hands. They watched her anxiously and apprehensively, and they felt her hands become colder and colder. But for this they would have thought she was asleep. Suddenly they realised the truth—the duchess was dead! She had died as she had lived, fighting for her own will and pleasure, to her last moment capricious and defiant. Her end was a merciful one to herself. She was but sixty-eight, but she had lived strenuously, and, for the last ten years of her life had never known repose of body or tranquillity of mind. As her age increased, so probably would her continual unrest and irritability of temper. She would have been a terrible old woman.

According to Whitehead, directly she was dead a great confusion instantly arose, “every one striving to get what they could before the broad seal was put on.” This we may readily believe, for, ever since she came into her fortune, the duchess was the prey of adventurers and of the crowd of harpies who formed her household. The latter were not likely to lose the opportunity of enriching themselves.

Elizabeth Chudleigh, Duchess of Kingston, once the great attraction wherever fashion was to be found, whose hospitality, when she was at her zenith, the highest nobles were glad to accept, the favourite of a monarch, and the chosen confidant of a Princess of Wales, died desolate and friendless; even the place of her sepulture is not known precisely. Whitehead mentions a curious rumour. He says: “I find that her desire of being buried by

the side of the Duke of Kingston at Holme Pierrepont, in Nottinghamshire, and that the coffins might be chained together, is not complied with." The story is probably a piece of invented gossip, for in that strange document, her will, she expressly orders that she is to be buried at Chudleigh. Whitehead adds: "She was embalmed, which took up five days' labour for five people; this being done, she was laid in the vault, without any burial service, where the corpse was to remain until the executors thought proper to send for it."

Death made no difference to Walpole's venom. He could not resist a parting thrust in his last reference to the woman whom he had made the target of his spite for over thirty years, and its manner was in the vilest taste, and showed even more than his customary heartlessness. The duchess died on August 28th, 1788, and on September 12th Walpole wrote to the Earl of Strafford: "I do not find that her grace the Countess of Bristol's will is really yet known. They talk of two wills—to be sure in her double capacity, and they say she has made three co-heiresses to her jewels—the Empress of Russia, Lady Salisbury, and the Whore of Babylon."

The duchess's will was as extraordinary as herself. It was terribly lengthy, and full of minute details. Every inch of land, every article of value was specifically mentioned and parcelled out to the different legatees, excepting where she could not make up her mind who these legatees should be. Many of the clauses contained blank spaces for names to be inserted when they were decided upon. It was characteristic of the duchess

to bear no malice, and, despite the fact that Evelyn Medows was her bitter enemy, she left him £15,000. Madame la de Touche, whom she had supplanted in the duke's favour, was also made the recipient of a small legacy. Charles Medows was the heir-at-law, and in addition she left him "all the communion plate which belonged to the chapel at Thoresby, and which were taken away with the other vessels and sent by mistake to St. Petersburg"; all her gold and silver plate (the weight of every article, over a hundred in number, is precisely stated), and "also the several pieces of cannon and the ships and vessels on Thoresby lake."

The communion plate here mentioned is, of course, that which Whitehead erroneously says was sent to France, and which the duchess was "obliged to return." There is no reason to believe it was not packed, with the rest of the valuables, without the knowledge of the duchess, and that as soon as she discovered the mistake she sent it back. Her biographers sneered at her explanation, as they were certain to do, and saw in the incident a fresh proof of her "avarice." The author of the "Authentic Detail" is very severe in his comments: "To strip a chapel of the communion plate, and pretend that the sacramental vessels could be sent from Nottinghamshire to Russia by mistake, is adding a lie to sacrilege. If it were possible that the plate were sent to St. Petersburg by mistake how came it not to be returned when the mistake was discovered? It is shocking to consider to what length the lust of avarice can compel the human mind." But if, as Whitehead suggests, the plate was returned the reproof falls rather flat.

The duchess also bequeathed sixteen pictures by Mignard to the Lord Mayor and Aldermen of London, begging "that they would place them in the Egyptian Hall of the Mansion House." The writer of the "Authentic Detail" tells us that the pictures "are very valuable, but whether they may ever come into the possession of the Corporation of London is at present a little problematical. The relations of the duchess may think it quite as well to convert them into cash as to have them ornament the Hall to which the duchess, in a moment of folly, consigned them." Inquiry at the Mansion House confirms the accuracy of the writer's surmise. The officials of the Corporation know nothing of the bequest.

The duchess gave her estate in Russia called Chudleigh to her apothecary living there, which does not look as if the royal secretary, Garnovski, possessed himself of it, as Walislewski suggests. A curious reference to serfdom in Russia is contained in the clause ordering that her "four musical slaves and their wives, bought of Mr. Douglas at Revel, shall have their liberty six years" after her decease. The following clause stimulates curiosity: "I give and bequeath," it runs, "as an act of justice to the said Charles Medows, to be reputed an heirloom of Thoresby, the two pictures which are in the possession of Count de . . . through the misunderstood interpretation of a letter which he received and which he maintains to have been presented to him, viz. one of the said pictures known and attested by Carlo Maratti for an original of Raphael, the Holy Family, and the other a Claude Lorraine. It is said in the said letter

that these two pictures were much esteemed and admired by the late Duke of Kingston. I set a great value on them, and I trusted them to his care. The expression in French was 'Je vous le confie' (I trust them to you). This circumstance can be attested by Major Moreau, at that time my secretary, who wrote that letter signed by me. They have been demanded and refused several times, and particularly once by my painter, Mr. Le Sure, who presented the request in writing signed by me."

It is impossible to trace the history of these pictures. The "Authentic Detail" has its own version. Writing in reference to the duchess taking up her residence in Russia, the author says that "Count Chernikoff was represented to the duchess as an exalted character to whom she ought, in policy, to pay her devoirs. She accordingly sent him two pictures. As little skilled in painting as in music, she had no idea of the value of the pictures. They happened to be originals by Raphael and Claude Lorraine. The count was soon apprised of this, and on the arrival of the duchess at St. Petersburg he waited on her grace, thanked her for the present, and assured her that the pictures were estimated at a value in Russian money amounting to £10,000. The duchess could hardly hide her chagrin. She told the count that she had other pictures which she should consider as an honour were he to accept them. That the two paintings in his possession were particularly the favourites of her departed lord, but that the count was extremely gracious in allowing them to occupy a space in his palace until her mansion was properly prepared

for decoration. This manœuvre did not succeed. The count has the pictures at this moment." All one can say is that it is hardly likely the duchess did not know the value of the pictures, and that there was some misunderstanding. As she did not write the letter herself the fault may have been with her secretary. It is probably a vain question to ask what has become of these pictures.

There are a multitude of other bequests, but they need not be gone into, especially as it is very doubtful whether the provisions of the will could be legally acted upon. The last public notice of the duchess is contained in the catalogue of the sale of her jewels by Mr. Christie in 1792, and this catalogue, with the prices fetched by the various lots written in the margin by the auctioneer, may be seen in the British Museum. The collection consisted of "a profusion of superlatively elegant and rich articles, etc., viz. necklaces, stomachers, sleeve-knots, bracelets, earrings, particularly a pair of large drops of uncommon beauty and perfection; a capital single-stone brilliant ring; capital pearl necklace of unique pearls for size, beauty, and perfection; emeralds, rubies, etc., in crosses, necklaces, and earrings." As to the prices, twenty-two brilliant buttons and tassels fetched 850 guineas; a pair of single-drop brilliant earrings enriched with twenty-three large diamonds, pearls, etc., 920 guineas; and a superb brilliant necklace of nineteen collets, fine water, 456 guineas. These were the principal items, the collection in its entirety realising £7,400.

With the sale of her personal adornments the curtain falls on the drama of which the duchess was

the central figure. From the day she became maid of honour to the moment she stepped from Westminster Hall, declared under a brutal law to be guilty of felony, she had ever been in the glare of the footlights, save during her four years of married life with the Duke of Kingston. Practically her career was over when she left England. For the last ten years of her life she had been ignored by English society, and her death was hardly noticed in this country. The London papers, once ready to chronicle the smallest details concerning the doings of the woman on whom the eyes of the fashionable world had been fixed for thirty-five years, were silent when her last moments came. The obituary notices, as also the history of her life, were left to the tender mercies of the anonymous scribes whose interest it was to justify the epithet "notorious" which had become attached to her name.

When all that is known about Elizabeth Chudleigh has been said, she still remains a profound puzzle. It will not suffice to assign the key to her character to caprice, to vanity, or, as one modern biographer puts it, to "idleness." She had the first and second defects, doubtless; but with caprice and vanity she united an iron will and unbounded energy. That she was more than ordinarily courageous her whole life shows. But who can pass judgment on a wayward, impulsive, masterful woman, confident in the power of her beauty and fascinations, often swayed solely by her emotions, and defiant of the opinion of others where her inclinations were concerned? What if she were fond of flattery, and, being so, could be easily duped? What if she

was at one moment extravagant and at the next economical to the point of meanness? Are not such contradictions purely feminine, and does not man stand baffled before them?

Elizabeth was unquestionably a type of the eighteenth-century woman, and in endeavouring to arrive at an estimate of her character one must not forget the freedom, the lawlessness, the coarseness of the times. Society lived on scandalous gossip, and, though Walpole's pen is more vitriolic than usual when writing of Elizabeth, it may be that he had no personal animosity towards her. A lady with such strong individuality was, to use a journalistic phrase of to-day, always "good copy," and for such "copy" Walpole had ever-watchful eyes and ears. The lady diarists wrote from a different standpoint. Lady Mary Coke, Mrs. Delany, Mrs. Elizabeth Montagu, Miss Hannah More, and the rest had some sort of standard of conduct (varying according to circumstances and people) by which they judged their own sex, and too much importance need not be placed on their virtuous indignation concerning the duchess.

The fashionable women of the first half of the Georgian era were vain, frivolous, extravagant, and tormented by "vapours"; in other words, they were neurotic. They carried pleasure to an excess. They ate too much, they drank too much; they had no occupation; they read but little; they had no accomplishments beyond dancing and the use of the fan; and last, but not least, they were adepts in the art of love. Intrigue was part of their exis-

tence, and all they dreaded was being found out. The curious in such matters will find the modish lady of the first half of the eighteenth century drawn to the life in the pages of Congreve, Wycherley, Vanbrugh, and Farquhar; and she had not altered very much up to the time when George III. ascended the throne.

Elizabeth no doubt drained the cup of pleasure to its dregs, and it may be ate and drank too much, and at times had violent fits of passion; but there is no evidence that she gambled, no evidence that she was given to indiscriminate intrigue. She might have been too friendly with his Majesty King George II., but again proof is wanting. That she was the mistress of the Duke of Kingston was no very great matter in those days; it was only when, being free to marry the duke, as she had a right to believe, that she was assailed with a shower of abuse and the smiles of royalty were withdrawn.

Remembering all these considerations, it is singular that Elizabeth should have been treated with so little sympathy by her various biographers. Those of to-day who have dealt with her history have unfortunately been contented to rest on the memoirs which appeared shortly after the death of the duchess. The Pecksniffian tone adopted by the writers of these productions, due to the more decorous ways of high society, is very marked. The prudish Queen Charlotte had in some measure purified the morals of the Court, and no doubt the effect had permeated downward. Dr. Johnson's literary influence had also something to do with the didactic moralisings indulged in by Elizabeth's

biographers. Hence they could find little in her conduct worthy of praise, and she appears in their pages an abandoned woman full of deceit and trickery, whose only thought was to enrich herself.

We contend that this view is wholly false. When we commenced the labour of collecting all the material concerning Elizabeth Chudleigh that could be found outside the early memoirs we had no reason to believe that the modern biographers were wrong in terming her an "adventuress," if not something worse. As our investigations proceeded, however, it seemed clear to us that this contemptuous term would have to be modified, if not altogether abandoned. Whatever the real Elizabeth was no one knows; what she was not we hope we have succeeded in showing.

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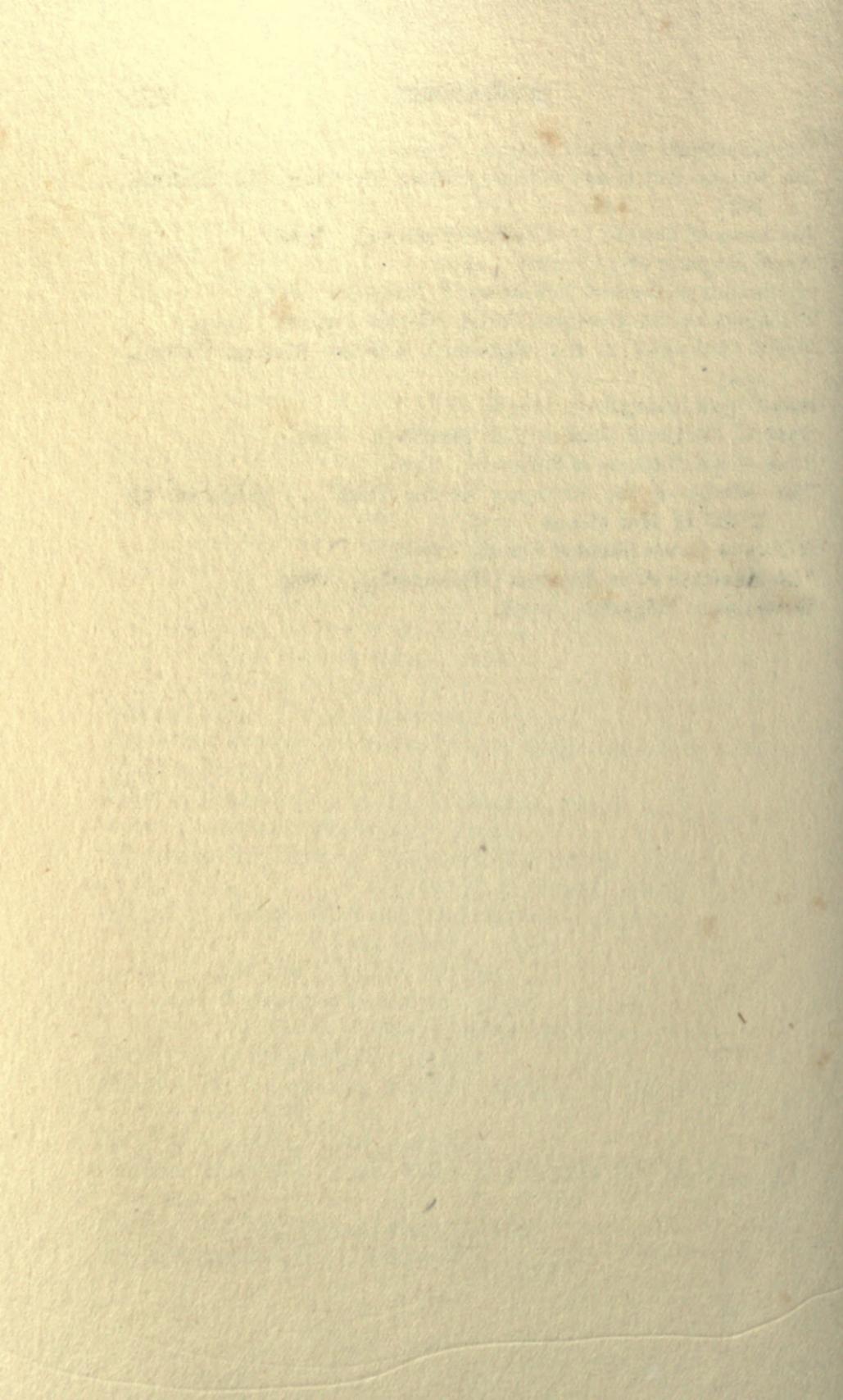
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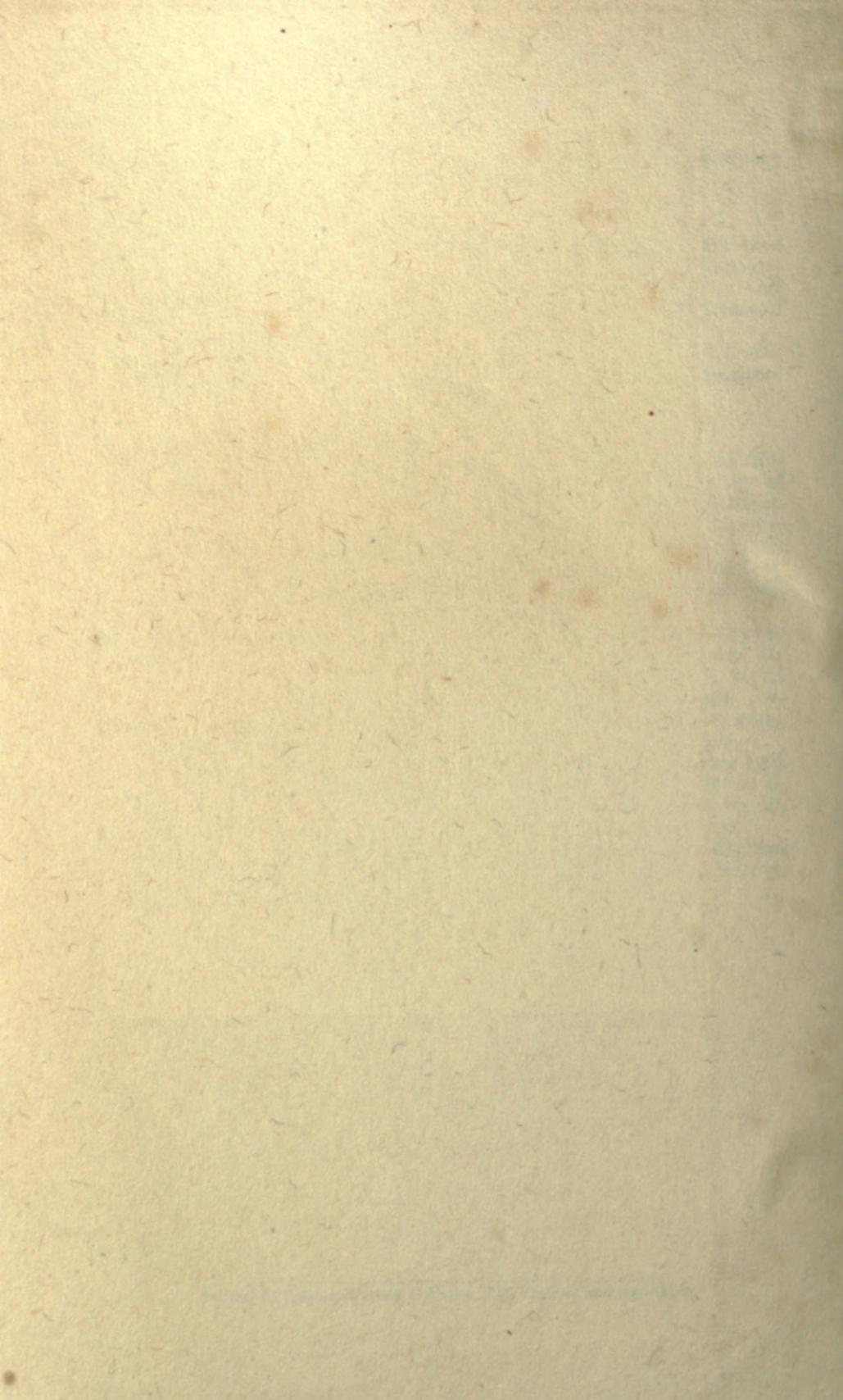
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