

GOOD KING RICHARD—" RICHARD IS HIMSELF AGAIN "*

By D. M. SELBY

IF, tomorrow, conclusive proof should come to light that Richard III was the kindest, most noble and gentle ruler England ever had, hardly a professor would stir in his den, not a diplomatic eyebrow would be raised, not a share on the Stock Exchange would flutter by so much as a point. It is a matter of supreme unimportance. But although nearly five hundred years have passed since Richard, the last of the Kings of England to be killed in battle, died on Bosworth field, an hour would not be ill-spent looking at the evidence on which he has been branded one of the blackest monsters in English history. Antiquity alone gives no sanctity to lies, and he is entitled to justice even in our school history books.

May I, for those of you whose history has grown a little hazy, remind you of the political situation as it existed in England in the second half of the fifteenth century. England had wasted much of her strength in the Wars of the Roses. Most of her French possessions so gloriously consolidated by Henry V had been lost by his son, Henry VI, who was now in the Tower. Henry VI had come to the throne as a boy and his weakness—at one time he was quite out of his mind—had paved the way to civil war. His queen, Margaret, was in Brittany, intriguing to get her husband back on the throne. With her was their son, Prince Edward. The Duke of York, a direct descendant of Edward III, had been killed in battle, leaving a large family including four sons: Edmund, who was also killed in battle later; Edward, now King Edward IV; George, Duke of Clarence; and Richard, Duke of Gloucester, afterwards Richard III. Probably the most powerful man in England was the Earl of Warwick, who saw to it that he had a foot in both Yorkist and Lancastrian camps by marrying his elder daughter, Isobel, to Clarence and his younger daughter, Ann, to Prince Edward. After Prince Edward, the hope of the Lancastrian side was Henry, Earl of Richmond, later Henry VII, the founder of the Tudor line. He, too, was descended, on his mother's side, from Edward III, through an illegitimate son of John of Gaunt. His grandfather, Owen Tudor, had married Katherine, the widow of Henry V.¹ He too was a fugitive from England living in Brittany, and later at the court of the French King, Louis XI.

* The Presidential Address delivered at the Fourth Annual General Meeting, 24th October, 1957.

¹ His maternal great-grandfather was John, Earl of Somerset, one of John of Gaunt's four illegitimate sons by Catherine Swynford. Richard II legitimated these four sons by Act of Parliament, and their legitimacy was confirmed by Henry IV with the condition *excepta dignitate regali*, a condition which was generally considered to bar them and their descendants from the throne. There may have also been a bar sinister on the paternal side, as the legitimacy of Henry's father, Edmund Tudor, is doubtful. After the death of Henry V his widow, Katherine, lived in obscurity. Owen Tidder, or Tudor, was a clerk in her household and she bore him three children, of whom Edmund was one. After her death Owen claimed that he had married her, but there is no record of their marriage. See P. M. Kendall, *Richard the Third* (1955), pp. 156 *et seq.*

I do not want to complicate matters by dealing in detail with affairs on the Continent, but a brief glance across the Channel might make things easier to follow. Louis XI was in constant fear that attempts would be made to regain England's lost possessions in France,² and realized that his best protection was to keep England weak and divided against herself. This explains in part why, when Warwick and Clarence turned against Edward IV they were able to persuade Louis to help them in their attempts to restore Henry VI to the throne; why Richmond was able to borrow two thousand French mercenaries to overthrow Richard. There was continual bargaining between the King of England, the Duke of Burgundy and the Duke of Brittany to form alliances which would sway the balance of power one way or another. England's great bargaining weapon was the English archer, whose prestige must have been tremendous ever since the Battle of Agincourt. There is continual reference in the correspondence of the time to the offer of great concessions for the loan of three thousand English archers or the offer of a loan of a thousand archers for some advantage on the Continent.

Let me make two points clear from the start. In the first place, I do not speak as an historian. Rather, I have tried to approach the matter as a lawyer briefed to defend Richard on the charges laid against him, examining such evidence as is available and trying to reach a fair conclusion as a result of such examination. Secondly, I am claiming no originality in reaching my conclusion. Horace Walpole, in 1768, published his *Historic Doubts on the Life and Reign of Richard the Third*, and with some logic and much indignation arrived at the conclusion that Richard had been grossly maligned. Some of his inspiration seems to have come from Buck,⁵ a seventeenth century historian, though he certainly does not swallow Buck whole, describing him as an exploded apologist for Richard. In recent times Josephine Tey, adopting her title *Daughter of Time* from an old proverb "Truth is the daughter of time", put up a most entertaining and convincing case for Richard, while in 1955 an American professor, Paul Murray Kendall, after considerable research in England, wrote a life of Richard which exposes the falsity of many of the popular legends concerning him. It is significant that his critics refer to this scholarly work as a whitewashing of Richard III.

If these writers are telling the truth, why is it that the Richard legend dies so hard? It is, of course, commonplace that history and incidents which go towards the making of history are frequently distorted and misrepresented for all sorts of reasons. Sometimes the distortion is for propaganda purposes, sometimes for reasons of exaggerated nationalism, sometimes for purely personal reasons. There is at least one French school history describing Napoleon's brilliant victory at Waterloo. It

² In fact, Edward IV had landed in France in 1475 with an army of 1,500 men-at-arms and 11,000 archers but was bought off by Louis with a down payment of 75,000 gold crowns and a pension of 50,000 crowns a year: C. L. Scofield, *The Life and Reign of Edward the Fourth* (2 vols.) (1923), pp. 113 *et seq.*

³ Sir George Buck, *History of the Life and Reign of Richard III*, first published 1646 and included in White Kennett, *A Complete History of England with the Lives of all the Kings and Queens thereof; from the Earliest Account of Time to the Death of His Late Majesty King William III* . . . (1706).

does not go so far as to make Bonaparte give the famous order " Don't shoot until you see the whites of their eyes ", but it would be surprising if there was no German history making Blucher say that Waterloo was won on the playing fields of Heidelberg. Coming to more recent times, naval strategists are still arguing as to whether the British or the German fleet won the Battle of Jutland, and we all remember the absurd tales put out by both sides in the last war.

When this sort of thing can happen in relation to recent events, and these are only some of countless examples, it is not surprising that events which occurred four to five hundred years ago have been distorted beyond recognition, but it is somewhat surprising that people prefer to remain convinced of the Richard libel, that they like to believe that he gained the throne by trickery, married Ann after a wooing of only a few minutes, having previously stabbed her husband, Prince Edward, and having done the same service to Henry VI, that he brought about the murder of the sons of Edward IV in the Tower to secure his position on the throne, and had his brother Clarence drowned in a butt of Malmsey to the same end. Why have these stories persisted through the centuries ?

In my opinion it is largely Shakespeare's doing. Shakespeare made a horrible villain of him, but at the same time a most understandable and rather amusing villain. How credible it is that a crippled hunchback who was

. . . not shap'd for sportive tricks
Nor made to court an amorous looking-glass

should find delight in overbearing those who were of better person than himself. It is good sound psychology and the stuff an audience loves. Being, as he says in his soliloquy, subtle, false and treacherous, it led to treachery and murder and ultimately, the Crown. But with all his nastiness, he had a pretty wit. You remember how, having had the King's mind suitably poisoned so that Clarence is sent to the Tower, he asks, most solicitously, what the trouble is, and then calls after Clarence's retreating figure

Go, tread the path that thou shalt ne'er return,
Simple, plain Clarence! I do love thee so
That I shall shortly send thy soul to Heaven
If Heaven will take the present at our hands.

Shortly afterwards, having told the audience of his plot to gain the Crown, he picks a quarrel with members of the Queen's family. Her brother virtuously asserts that having loyally served the last two Kings, so would he serve Richard should he become King. Richard replies in mock indignation, " I'd rather be a pedlar ". At Edward's death-bed, when his mother blesses him, he piously adds " Amen ", then turns aside and says,

. . . and make me die a good old man!
That is the butt-end of a mother's blessing;
I marvel that her grace did leave it out.

At Bosworth, betrayed by Stanley and others, when the battle is obviously lost, he still cries for a horse and wants to rush back into the fight for one more chance of finding Richmond. It is hard to give up the picture of such an entertaining villain and people do not want to do so.

Then again, he is a completely comfortable sort of character for the audience. Later, Shakespeare learnt to create human beings, and we cannot help a vague feeling of discomfort seeing our own weaknesses ruthlessly exposed, but very few of us can see anything of ourselves in something so monstrous as Shakespeare's Richard.

Why, then, did Shakespeare make Richard the sort of person he did, and what was his authority for it? Let us look at the last part of the question first. As every schoolboy knows, Shakespeare got most of his historical material from Holinshed. Internal evidence shows that he had also read Sir Thomas More's *Richard III*. How reliable were these two historians? This question must be answered by going back to the time of Henry VII. It is clear that throughout his twenty-four years' reign, Henry seldom felt entirely secure on the throne. It must be remembered that in the fifteenth century the succession was much less clearly defined than it is today. A strong arm and luck in battle were far stronger than an hereditary right, though, as C. H. Williams remarks in *The Great Tudors*, "a drop of royal blood . . . was desirable but not essential".⁴ Henry had all three of these qualifications, though the last was somewhat thinly diluted. He was, of course, well aware of the weakness of any hereditary claim and accordingly concentrated on facts, principally the fact that he *was* King. He is chiefly remembered for his meanness, but his household accounts show that he spent lavishly on clothing and jewellery, in fact on anything which furthered the ostentatiousness of his Court. Letters of European ambassadors of his day show that they were greatly impressed by the display which he made. He was at pains to foster the idea that his marriage to Edward's eldest daughter, Elizabeth, was the providential and happy ending to the troubled period of English history during the Wars of the Roses, as York and Lancaster were thereby united. He also encouraged the old Welsh superstition that King Arthur was not dead but would reign again in England. Through his grandfather, Owen Tudor, he claimed descent from Cadwallader, and from this it was not too long a step to suggest that he and his heirs were an Arthurian reincarnation. It will be remembered that he called his first son Arthur. This Tudor myth, as Tillyard⁵ calls it, became well established, and was still highly popular in Elizabeth's time.

In 1501 the Pope sent Polydore Vergil to England with a personal recommendation to Henry VII, and the King commissioned him to write a history of England. His history⁶ shows a keen eye for cause and effect and it can scarcely be doubted that he would have been at great pain to avoid anything approaching criticism of the usurpation of the uneasy Tudor. His work was translated into English, and Shakespeare must have read it at least in part, as some of the speeches of Henry V are taken almost verbatim from this history.

⁴ C. H. Williams, "Henry VII", in *The Great Tudors*, ed. K. Garvin (1935), p. 14.

⁵ E. M. W. Tillyard, *Shakespeare's History Plays* (1944), pp. 29 *et seq.*

⁶ *Anglica Historia* (first edition, 1534).

In 1513, Thomas More, then Undersheriff of London and in his mid-twenties, wrote his history of Richard III.⁷ More, we know, was later prepared to go to the scaffold for his religious beliefs but there is no reason to suppose that in his twenties he would have been prepared to face death for the sake of historical accuracy, and that is a fate which might well have awaited him at the hands of Henry VIII had he been rash enough to cast doubts on the validity of the Tudor accession. As a witness he must be open to grave suspicion owing to the fact that his boyhood was spent in the household of Morton, Bishop of Ely, who was made Cardinal by Henry VII and who had been one of the bitterest enemies of Richard. Morton had taken the leading part in Buckingham's rebellion aimed at deposing Richard, bringing Henry over from Brittany as the true heir of Lancaster, then marrying him to Edward's daughter, Elizabeth. Though that rebellion failed, its object was achieved the following year at Bosworth. It is not surprising that More had hardly a good word to say for Richard, though some of his accusations, as I shall show later, were quite absurd.

It is somewhat doubtful whether More really intended his work to be taken as serious history. He was a friend of Erasmus, who was absorbed in the theory of the Christian Prince, the perfect ruler. More may have intended his work to be a sort of corollary to this—a picture of the perfect villain, almost an abstract Bad Prince. He would have been liberally supplied with material for this picture by the despicable Morton.

Another historian of Tudor times was Hall,⁸ who interpreted the history of England from a moral point of view, seeing the hand of Nemesis bring just deserts for perjury and murder. The danger of this sort of writing is that the author is on the lookout for some crime to justify every misfortune, and if he cannot find one will sometimes stoop to inventing one or will at least be ready to embellish what he does find to suit his theory. In his Chronicle, Hall takes Richard's reign almost word for word from More, highlighting this part by a little preface in which he states that he abhors to write this miserable tragedy. So we come to Holinshed,⁹ who, in turn, takes his version of Richard directly from Hall. Holinshed, according to Tillyard, blurred the finer outlines of Polydore Vergil and Hall, having neither Vergil's philosophy nor Hall's moral approach, but his factual account of people and events made him a useful historian and his Chronicle a quick reference book. These are only some of the Lancastrian or Tudor historians who were writing at the time. In addition, most of the official correspondence of the time of Richard III and Henry VII has been preserved and has since been edited by James Gairdner.¹⁰

This wealth of historical material, the invention of printing and a rise in the general patriotic temperature in England led to a keen desire amongst the Elizabethans

⁷ *The History of King Richard the Third* (1557 ed.). This is included in White Kennett's *Complete History* . . .

⁸ Edward Hall, *The Union of the Two Noble and Illustrious Families of Lancaster and York* (first edition, 1542; first surviving edition, 1548).

⁹ Raphael Holinshed, *Chronicles* (1578).

¹⁰ James Gairdner, *Letters and Papers Illustrative of the Reigns of Richard III and Henry VII*, (2 vols.) (1861-1863).

to know more of their own history. Had Shakespeare deliberately sat down to think of the best means of starting off on a career as a playwright he could scarcely have hit on a better notion than to write a series of historical plays dealing with the period immediately preceding the Tudors. Here, in this atmosphere, was a sure box-office success, but it had its dangerous side. Anything which bolstered up the Tudor succession was a safe and popular line, and one only has to look at "Midsummer Night's Dream" to see that Shakespeare was not above joining the sycophantic chorus where Elizabeth was concerned. But to advocate a policy that it was permissible to rebel against and depose the sitting monarch would be a dangerous line to take in the reign of any of the cruel and ruthless Tudors. The chroniclers and historians provided a ready-made solution to the problem. By adopting and colouring the popular legend that Richard was not a true king, but a tyrant, that he had gained the throne by murder and treachery, by throwing in for good measure the picture of a man not even normal physically but a deformed and crooked hunchback, Shakespeare was able to skirt the dangerous quicksand of treason and please everybody. To appreciate the full evil of Richard's character as Shakespeare painted it one must read not only his *Richard III* but the whole tetralogy including the three parts of *Henry VI*.

There is no doubt that the play was highly popular with Elizabethan audiences. Richard III was one of Richard Burbage's greatest parts, and the story is told that on an occasion when Shakespeare anticipated him at an assignation he answered Burbage's complaint by making the excuse that "William the Conqueror came before Richard the Third".¹¹ The significance of this silly little anecdote is that it was a contemporary one and does indicate that the play was a popular one at that time.

It must be admitted that nothing I have said so far could be taken as evidence that the Richard III legend is false, but it does cast grave doubts on the credibility of the witnesses against him. Were he in the dock charged with the crimes which history has laid at his door a judge, even if he did not reject the whole of the evidence as hearsay, would warn the jury that the witnesses for the prosecution were biased and unreliable and would direct them to scrutinize the evidence with particular care.

This is just what historians have shown an extraordinary reluctance to do. James Gairdner, who last century, published his *Life and Reign of Richard the Third* is probably typical. He says in his preface that he has read Walpole, but he doesn't like the sceptical approach to history. This approach might involve the rewriting of a whole lot of history. At times he tries hard to be honest, but his mental gymnastics are something amazing to behold. He states that the scantiness of contemporary evidence may be taken as a reason for doubting isolated facts, but this, he says, can hardly be taken as weakening his conviction that Richard was wicked, cruel and unnatural beyond measure. The reason for this conviction is, as he says, that the malign tradition itself has not been accounted for and therefore,

¹¹ N. Playfair, "Richard Burbage", in *The Great Tudors, op. cit.*, p. 619.

he asserts, he is convinced of the fidelity of the portrait as painted by Shakespeare and More. His difficulty arises when he is faced with evidence which completely contradicts this picture, but he has two simple methods of dealing with this dilemma. Either he ignores the evidence or he adopts the more insidious process of trying to explain it away. Where he strikes proof that Richard was extraordinarily generous or that he had a passion for justice, remarkable at any time, but amazing in his day and age, he says that this proves that Richard was determined to buy popularity at any price. Where the evidence shows that Richard had a deeply religious turn of mind and sought practical opportunities to apply it, to Gairdner this is either evidence that he was suffering from the pangs of remorse for his wickedness or it is dismissed as rank hypocrisy. Richard's repeated forgiveness of his enemies and of those who had betrayed him is, to Gairdner, merely evidence of weakness. You see the fallacy of this sort of thing. He starts with the conviction that Richard was wicked, then all the evidence must be distorted to fit this conviction.

When a serious historian can write like this, it is not in the least surprising that the unthinking mob has accepted the popular legend for centuries and will, no doubt, continue to accept it uncritically.

Let us now look at some of the evidence. The question of Richard's deformity is not a matter of great importance, but it is interesting as an example of the general campaign to vilify him. There are two fairly well-known contemporary portraits. Walpole reproduces a rather crude sketch which looks as though it may have been a design for a stained-glass window. This shows no trace of deformity. In the Royal Portrait Gallery at Windsor there is a fine portrait by an unknown artist. Again there is no suggestion of a humpback or a withered arm. The King sits with his right shoulder towards the painter, and whether it is an unskilled attempt to indicate perspective or whether it was deliberate, the left shoulder appears to be a little lower than the right. Obviously no court painter would emphasize the King's bodily defects. Shakespeare's Richard might pass away the time descanting on his own deformities, but it would have been flirting with death for anyone else to do so. However, the unknown artist's uneven shoulders are interesting. John Rous, an ardent Lancastrian and a contemporary of Richard, wrote a history of England starting from the Creation.¹² In his writings he lost no opportunity of reviling Richard, whom he met on one occasion, describing him in these words: "Parvae staturae erat, curtam habens faciem, inaequales humeros, dexter superior, sinisterque inferior." That is all. It is inconceivable that a man like Rous would have missed an opportunity to belittle Richard had there been any other deformity to write about. Perhaps it is significant that this was not the first time Lancastrians had invented a hunchback as a means of deriding a Yorkist. In 1396 the Duke of Lancaster, afterwards Henry IV said that Edmund, son of Edward III, being humpbacked, resigned all pretensions to the kingdom.¹³ This was stoutly denied by the Earl of March,

¹² John Rous, *Historia Regum Angliae*, ed. Hearne (second edition, 1745). Quoted by H. Walpole, *Historic Doubts on the Life and Reign of King Richard the Third* (1768), p. 104.

¹³ Daines Barrington, *Observations on the More Ancient Statutes from Magna Charta to James I* (1775), p. 436.

who said that Edmund was corpore elegantissimus. More tells of Dr. Shaw preaching to the people of London at Richard's command and describing him as the image of his father, that handsome man the Duke of York. Surely if Richard had been a crippled hunchback this remark would have been met with a storm of laughter.

By the time Shakespeare got his hands on him, Richard had hardly a straight limb. He heaped an envious mountain on his back, gave him legs of unequal size, an arm shrunk like a withered shrub, disproportioned him in every part. Was this the man who fought so boldly at Barnet and Tewksbury and led two successful campaigns into Scotland; who fought so valiantly at Bosworth that his courage was allowed by all his enemies? Courage and prowess in battle were greatly admired at that time. The Countess of Desmond says in her journal that she danced with him, describing him as the handsomest man in the room after his brother Edward,¹⁴ but it does not require this testimony to convince me that his only deformity was that low left shoulder.

Coming now to the more serious charges, there are many which could be refuted, but time only allows me to deal with the graver ones. These are :

- (1) That he stabbed Prince Edward, the rightful heir to the throne, at Tewksbury.
- (2) That he murdered Henry VI in the Tower.
- (3) That he had his brother Clarence murdered.
- (4) That he procured the murder of his two nephews, the young Princes, in the Tower.

I shall deal with these accusations in that order. There are two completely different accounts of Prince Edward's death. The Battle of Tewksbury is described fairly closely in *The Historie of the Arrivall of King Edward IV in England . . .*,¹⁵ composed by one of Edward's servants who was an eye-witness of the battle. The Lancastrian forces were led by Lord Wenlock, who commanded the centre with Prince Edward under his eye. On his left was Devonshire, on his right Somerset. Opposing him in the centre was King Edward IV, with Clarence, new-won from his latest treachery, very close by. Hastings was on his right and Richard on his left, opposing Somerset. Richard became heavily engaged in the fighting with Somerset's forces and after some confused fighting Edward charged the centre, which broke and fled. Many of the Lancastrians made for Tewksbury Abbey, which was well in the rear, seeking sanctuary, as was the custom in those days.

Amongst them was Prince Edward, who was overtaken by a detachment commanded by Clarence. Edward begged for mercy from his brother-in-law, the man who had recently been his ally, but Clarence, anxious no doubt to prove his new loyalty, slew him.¹⁶

¹⁴ Walpole, *op. cit.*, p. 102.

¹⁵ *Historie of the Arrivall of Edward IV in England and the Finall Recouerye of his Kingdomes from Henry VI A.D. MCCCCLXXI*, ed. J. Bruce, Camden Society [No. 1], (1838), pp. 27 *et seq.*

¹⁶ Even Dr. Warkworth, who, as will be seen later, was prepared to make ugly insinuations against Richard, merely stated that Edward was slain on the field and cried for succour to the Duke of Clarence. J. A. Warkworth, *A Chronicle of the First Thirteen Years of the Reign of Edward the Fourth*, ed. J. O. Halliwell, Camden Society [Vol. 10], (1839), p. 18.

The more popular line appears to have been started by Fabyan,¹⁷ a London merchant who dabbled in history and died about 1512. Fabyan says that Queen Margaret and Prince Edward were made prisoners and, after the battle, were brought before the King and questioned by him. The Prince "answeryd unto hym contrarye his pleasure; he thenne strake hym with his gauntelet upon the face: after whiche stroke, so by hym receyued, he was by the kynges servaunts incontynently slayne . . ." Note it was the King's servants who were accused. Polydore Vergil recites the face-slapping incident and then says Clarence, Richard and Hastings stabbed him. Hall copies Vergil and adds Dorset to the trio. Holinshed repeats Hall's words, only varying them to make Richard strike the first blow. Shakespeare follows Holinshed. You see how the legend grows. It is a particularly useful story for Shakespeare. Not only is it another murder to lay at Richard's door, but it can be used to heighten his beastliness, for the Prince, you will recall, was Ann's husband, and Richard is made to boast of the killing when wooing Ann. For even better measure, he makes Richard describe the slaughtered Prince as a sweet and lovely gentleman, but oddly enough a letter written from the Court of the Duke of Burgundy describes the Prince as arrogant and boastful and a thoroughly unpleasant person.¹⁸

The real point, however, is that it was Vergil who first included Richard as one of the Prince's slayers, and this could have been nothing but pure invention—a completely unjustifiable embroidery on Fabyan's rather fanciful account. Vergil, you will recall, was writing at the personal request of Henry VII. This is not evidence, and Richard must be acquitted of the charge.

To appreciate the position as regards Henry VI, we must glance briefly at the position of Edward IV at the time. Edward had found his hold on the throne to be anything but secure. The weak-minded Henry VI probably wanted nothing so much as to be left alone, but driven by his strong-willed, ambitious wife Margaret of Anjou, he was always a thorn in Edward's flesh. The powerful Earl of Warwick, busy earning his title of Kingmaker, had already driven Edward once from the throne with the aid of the treacherous and ambitious Clarence, who, now flirting with the King of France, now with the Duke of Burgundy, now with his father-in-law Warwick, was a perpetual menace. But at last Edward's affairs were looking up. Warwick had been killed at Barnet, Henry's heir, Prince Edward, at Tewksbury, Margaret was a prisoner, and poor Henry, as usual, safely in the Tower. Clarence had been talked over on to Edward's side again. After Tewksbury, King Edward hurried to London, where he held a meeting of the Council. One can picture him there at the head of the table, rubbing his hands in satisfaction and saying: "Things haven't

¹⁷ Robert Fabyan, *The New Chronicles of England and France in Two Parts: . . . The Concordance of Histories Reprinted from Pynson's Edition of 1516. The First Part collated with the Editions of 1533, 1542 and 1559; and the second with the manuscript of the author's own time, as well as the subsequent editions; including the different continuations to which are added A Biographical and Literary Preface and an Index by Henry Ellis* (1811), pp. 661 et seq. See also I. D'Israeli, *Amenities of Literature Consisting of Sketches and Characters of English Literature* (3 vols.) (1841), Vol. 2, pp. 15 et seq.

¹⁸ *Calendar of State Papers and Manuscripts existing in the Archives and Collections of Milan*, ed. A. B. Hinds (1912), pp. 117-118, quoted by Kendall, *op. cit.*, p. 106.

looked so bright for a long while. No more kingmaking for Warwick, Prince Edward dead, Margaret under lock and key. If only Henry were out of the way. While he is alive he will always be a puppet for the Lancastrians to rally around."

What reaction would this scene have on Richard? The murder of Henry is the only one of Richard's alleged crimes for which I can see a credible motive. Richard was eighteen at the time and had an intense admiration for his tall handsome brother the King. When Warwick had tried to seduce the brothers into disloyalty he had found Clarence an easy mark, but Richard would have nothing to do with such treachery. He had served the King well since he was only twelve, and Edward had rewarded his services handsomely, heaping honours and riches on him.¹⁹ He personally had nothing to gain by Henry's death, but coming fresh from battle, hearing some such words as I have put into Edward's mouth he may quite well, in an excess of hero-worship and gratitude, have slipped from the council chamber into Henry's cell and finished off that miserable monarch. There is nothing to show he was an impulsive youth, but this is an impulse he might well have yielded to, happy in the thought that he was giving his elder brother the security he wanted and paying back that brother's bountiful generosity. But see how easy it is to drift into the Lancastrian frame of mind, finding motives, then inventing crimes to fit them. Walpole might well turn in his grave at my perfidy. "Since when", he might ask, "has a motive been regarded as evidence in a criminal court? You call yourself a lawyer!" The taunt would be fully justified. What is the evidence?

The nearest contemporary account is in the *Croyland Chronicle*, a history of contemporary events in England written at Croyland Abbey. Croyland will be mentioned again, and it would be well to remember that this Abbey was in the Fen country—the Bishopric of the infamous Morton, Bishop of Ely. This is what the Chronicle says:

"I would pass over in silence the fact that at this period king Henry was found dead in the Tower of London; may God spare and grant time for repentance to the person, whoever he was, who thus dared to lay such sacrilegious hand upon the Lord's anointed! Hence it is that he who perpetrated this has justly earned the title of tyrant, while he who thus suffered has gained that of a glorious Martyr."²⁰

The King *was found dead*; there is no mention of how he died or by what means. The Tower was probably by no means the healthiest part of unhealthy fifteenth century London, and he may easily have died of natural causes. There were, according to Scofield, sporadic outbreaks of plague in London throughout most of the reign of Edward IV. Then there is no allegation of murder, merely a suspicion.

¹⁹ He had been appointed Constable of England and President of the Court of Chivalry and of Courts Martial, Chief Justice of North Wales, Chief Justice and Steward of South Wales, Steward of the Principality of Wales and the Earldom of March, Steward of all the King's Lands in the Counties of Carmarthen and Cardigan, Warden of the West Marshes. He had been given the castles of Middleham, Sudeley and Skipton.

²⁰ *Ingulph's Chronicle of the Abbey of Croyland with the Continuation by Peter Blois and Anonymous Writers* (1684), trans. H. T. Riley (1854), p. 468.

Is this evidence? Then there is the reference to a tyrant. This is scarcely an apt word to describe the eighteen-year-old Duke of Gloucester, though it applies well enough to Edward, who, as I have shown, had every reason to do away with the deposed King. Now comes the embroidery. Hall does not directly accuse Richard, but sows a fertile seed by saying that it was rumoured that Richard murdered Henry so that Edward would be free of all secret suspicion. Just how silly can one be? Has anyone heard of a person murdering another so that a third person can be freed of suspicion of that murder? Richard murders Henry so that Edward won't be suspected of the murder! Writing in the reign of Henry VII, Dr. Warkworth, Master of St. Peter's College, Cambridge, adds his nasty bit of veiled insinuation:

"And the same nyghte that Kynge Edwarde came to Londone, Kynge Herry, beyng in ward in the Toure of Londone, was putt to dethe, the xxj day of Maij, on a tywesday nyght, betwyx xj and xij of the cloke, beyng thenne at the Toure the Duke of Gloucetre, brothere to Kynge Edwarde and many other."²¹

Fabyan obligingly supplies the instrument of death and writes: "The common story was that he was sticken with a dagger by the hands of the Duke of Gloster." And so on to Shakespeare, with his horrible scene in *Henry VI, Part III*, where Richard taunts the King in his cell before stabbing him to death.

There you have it—found dead, suspicion of murder, rumour, common story. It is almost grotesque. I demand an acquittal on this charge.

In the case of Clarence there was neither rumour, suspicion nor common story. Shakespeare must have been tickled by the butt of Malmsey legend and considered it good enough business to drag into his play, and of course who would he pin the blame on but Richard? Even those hardened old character assassins Hall and Holinshed breathe no word of Richard's complicity in Clarence's death, but strangely enough both say that he defended Clarence vigorously before the King. Even More makes the same admission. The remarkable thing is that Clarence had been allowed to live so long. Many a noble had been summarily executed by Edward for treasons far less blatant than Clarence's. But after Tewksbury he went too far. On the death of his wife he seized her favourite serving woman, and after holding what was virtually a mock trial on her on the charge of poisoning his wife, hanged her, thus usurping the King's right to administer justice. Within a very short time of this incident the Duke of Burgundy died, leaving his daughter, Mary, the greatest heiress in Europe. It was not long before Clarence was up to his old tricks, planning to marry Mary and use the resources of Burgundy to seize the English Crown.²² Edward countered this proposal by putting up the Queen's brother, Anthony Rivers, as a candidate for Mary's hand and, as Kendall says, this proposal was to Clarence the pitch of the intolerable. Clarence was not alone in his detestation of the Queen and her arrogant upstart relatives, whom she had talked the King into ennobling in

²¹ Warkworth, *op. cit.*, p. 22.

²² Kendall, *op. cit.*, p. 122. Scofield, *op. cit.*, Vol. II, pp. 212-213.

extraordinary numbers, but probably none dared show their hatred so openly as he. This was their opportunity for revenge. An Oxford clerk, one John Stacey, was accused of sorcery, and in his confession implicated Thomas Burdett, a trusted member of Clarence's household. Burdett was tried and hanged, and Clarence then started to behave like a madman, accusing the King of "black magic", openly threatening to levy war against him, ultimately taking the fatal step of infuriating the Woodvilles, the Queen's family, by impugning the validity of her marriage with the King. We do not know what pressure the Queen applied on Edward, but he summoned Clarence to appear before him at the Palace of Westminster, accused him of subverting the laws of the realm and of taking the law into his own hands and thereupon consigned him to the Tower. In January, 1478, Parliament attainted him of high treason and he was sentenced to death.²³ Edward still hesitated to have the sentence carried out, but some days later the Speaker sent him a message asking when Clarence was to be executed. Shortly after that Clarence was put to death, and though there appears to be no authentic account of the method of his execution the butt of Malmsey story appeared very early in the chronicles and is not altogether rejected even by serious historians of the present day. But apart from the Shakespeare-inspired legend, no breath of suspicion has touched Richard in this regard. Some time after Clarence's death, when asked to pardon a notorious criminal, Edward exclaimed: "Unhappy brother for whom no man would interceed—yet ye all can be intercessors for a villain."²⁴ Whilst scarcely doing justice to Richard, who *had* interceded for Clarence, this remark does indicate that Edward was taking upon himself the responsibility for Clarence's death.

However, an interesting sidelight may be thrown on Richard's character through the Clarence affair. After Clarence's marriage to Isobel, Warwick's elder daughter, Clarence learnt that Richard proposed to marry her sister, Ann, now Prince Edward's widow. The Croyland Chronicles say that Clarence was determined to keep the Warwick fortune for himself and to avoid the necessity of sharing it with Richard, abducted Ann and hid her as an obscure kitchenmaid in London where, however, Richard eventually found her. I have no intention of setting up the unknown Croyland monk as a reliable witness, but should there be any truth in the story it shows a generous and forgiving nature in Richard that he should have begged the King to spare Clarence. This last, at least, may surely be accepted as the truth when men like More, Hall and Holinshed are unable to refrain from uttering this word of praise for Richard.

Before I come to the vilest of the crimes of which Richard is accused, the murder of his nephews in the Tower, I must make a digression to catch up with events. Richard's heart was in the north of England. It was the custom in those days to send the sons of good families to spend part of their youth with other families, and Richard and Clarence had spent their early boyhood at Middleham, one of Warwick's castles far up in the north, between York and Durham. There they met their future

²³ Parliamentary Rolls, VI, p. 409. Scofield, *op. cit.*, Vol. II, pp. 206-209.

²⁴ Walpole, *op. cit.*, p. 14.

wives, Warwick's daughters Ann and Isobel, and it was to Middleham that Richard went after Clarence's death. Edward's Court in London held no appeal for him. He shared Clarence's loathing of the Woodvilles; he was not amused by the debauchery and intrigue which were playing an increasing part in Court life. During the next four years he only came to London on three or four occasions when urgent matters of State required his presence there. It is mainly from the records of York, then the second largest town in England, that we are able to learn most of Richard's real character. As Lord of the North, he had an important task in the administration and maintenance of law and order. His job was not made easier by the jealousy of the Earl of Northumberland, who regarded the post as the hereditary right of the Percies, but apart from one or two clashes the two men seem to have co-operated well enough, though Northumberland got his revenge at Bosworth, where he most treacherously deserted Richard. It is clear that the people, particularly the citizens of York, had a deep admiration and respect for Richard. He upheld their jealously preserved rights, settling many of their disputes wisely and justly. He and his wife took part in much of the pageantry and many of the celebrations which were part of the life of mediaeval England. York's addresses of welcome to him, which are still preserved, show a genuine and sincere affection for him, as do the banquets and less formal meals with which they provided him when he visited the town, once as early as three in the morning on his return from one of his rare visits to London. On more than one occasion he put their case to the King when they complained of the oppression of some powerful neighbour, and on some occasions he dealt with the matter himself. One such was the affair of the fishgarths. These were fish traps which were put across rivers and caused great hardship to people downstream by depriving them of a valuable article of food. Although illegal, the law had been flouted by many of the arrogant landowners, particularly some of the great Churchmen, amongst whom was the Bishop of Durham. Richard personally insisted on upholding the prohibition of these traps, and saw to their removal. It is recorded that when the people of York complained that one of his household had bullied and insulted a citizen of the town, Richard sent him under escort to York to be dealt with by the magistrates according to law. On another occasion when a man had been imprisoned but some doubt arose as to his guilt, the magistrates wrote to Richard asking his advice as to what should be done. He replied that the man should be released immediately.²⁵

When James III of Scotland broke his seven years' truce with England and started to harry the North country, Richard led a successful punitive expedition into Scotland. Next year it was learnt that James was gathering an army for a full-scale invasion of England, and Richard was directed to collect a force which Edward himself would lead against Scotland. At the last moment the King's health prevented his leading this force, so Richard was placed in command. He quickly captured

²⁵ Many details of Richard's conduct in the north of England may be found in *York Records: Extracts from the Municipal Records of the City of York*, ed. R. Davies (1843), and *York Civic Records*, Vol. 1, ed. Angelo Raine (1939). See also C. R. Markham, *Richard III, His Life and Character* (1906), pp. 84 *et seq.*

Edinburgh, and it is a great tribute to his leadership that, as the records show, no person or goods was molested—a rare thing in those days, though it apparently failed to please the monkish chronicler of Croyland, who complained of Richard's conduct in "leaving that most opulent city untouched".

In April, 1483, this period was brought to an abrupt close by the unexpected death of Edward IV. His elder son, Edward, had been living at Ludlow, in the Welch marshes, under the tutorship of Lord Rivers, a brother of the Queen. It took a week for the news to reach Middleham in the form of a letter from Lord Hastings, the late King's Chamberlain. A few days later he wrote again to Richard, telling him of the serious turn of events in London. The King had named Richard Protector of the young King, now Edward V, and of the realm, but the Queen was quick to see the danger to her detested family now that it had lost her husband's protection and lost no time consolidating her position. She at once formed a Council, an entirely unlawful act since this was a sovereign's own personal body. It was well stacked with Woodvilles, and made no mention of the Protector. One of her first acts was to put her brother, Sir Edward Rivers, in command of the navy. Another was to set the date of the Coronation only a month ahead, the fourth of May, and to direct Lord Rivers to bring the young King to London with all speed, accompanied by a bodyguard of 2,000 men. Hastings begged Richard to hurry to London before worse things happened and to bring an escort of at least 1,000 troops. Richard sent a message of condolence to the Queen and another message to Lord Rivers at Ludlow, saying he proposed to honour the new King by entering London with him, and suggesting that they should meet at Northampton on their journey to the capital. Rivers agreed, and Richard set out with only 300 men.

Time allows only a brief glance at the events which followed. Richard reached Northampton to find that Rivers had given him the slip and pushed on with the boy King to Stony Stratford, fourteen miles nearer London. However, the Duke of Buckingham was waiting for him. Not only did Buckingham detest the Woodvilles as pretentious parvenus, but he had personal reasons for hating the Queen. When he was only twelve she had seen him as one of the richest plums in England and had promptly married her sister to him, an act for which he never forgave her. He now told Richard of Rivers' trickery and gave him further details of the Queen's conspiracy to seize power. Early next morning they hurried on to Stony Stratford, where Rivers and a number of other Woodvilles who accompanied him were arrested. Apparently the 2,000 escort, having lost their leader, gave no trouble to Richard's small force. So they entered London to find that the Queen, who now saw the imminent downfall of her house, had gone into sanctuary with her younger son, Richard, Duke of York, and her five daughters. She apparently decided to make herself comfortable, as More records that part of the Cathedral walls were pulled down to make it easier to bring in the loads of carpets and furniture she brought with her.

It must have been a time of grave anxiety for the people of London, who may well have wondered whether the Civil War was about to flare up again, but there is no record of any disturbance breaking out in the city. The date of the Coronation

was postponed and in the weeks which followed Richard was heavily engaged in affairs of State. He quickly regained control of the navy, though Admiral Rivers escaped to Brittany, and with him, into Henry's grasping hands, went a large part of the treasure from the Tower which Rivers and Dorset, the Queen's son by an earlier marriage, had looted on Edward's death.

Two events which occurred at this time were of particular importance. The first was the discovery that Hastings was in secret communication with the Queen, having gathered around him a group consisting of Morton, Stanley and others who were hostile to Richard. Hastings had been a close friend of Edward IV, and later a strong supporter of Richard, but Richard, on hearing of his defection, had him summarily executed. Some of Richard's champions do concede that he was a little free with the axe on this occasion, but it was a serious situation and his action was quite in accord with ideas of justice in those days. Morton was imprisoned for a short time but then released and placed in Buckingham's charge. He showed his gratitude for this clemency by driving Buckingham into rebellion against Richard the following year.²⁶

The second event had far-reaching consequences. Richard heard from Stillington, Bishop of Bath and Wells, that Clarence's attack on the validity of the Queen's marriage was well founded. The Bishop told him that before the King had married Elizabeth he had engaged himself by pre-contract to Dame Elenor Butler, the daughter of the Earl of Shrewsbury. By the Ecclesiastical law of the time, such a contract invalidated a subsequent marriage, and if the Bishop's story were true Edward's children were illegitimate, so young Edward was not the rightful heir to the throne. There is a great deal of interesting circumstantial evidence pointing to the truth of the Bishop's allegation, but it seems impossible at this day to verify it completely.²⁷

However, Richard informed Buckingham and the Council of Stillington's disclosures, and they were unanimous that Richard should accept the Crown in the place of Edward's elder son. Preachers told the story to the people of London, Buckingham addressed the chief citizens at the Guildhall on the 24th June, 1483, and the following day Parliament assembled. It may have been that the news was welcome. The people of England had had their fill of boy Kings after Henry VI, who was crowned at the age of eight, upon which event the Wars of the Roses became

²⁶ More relates at the very end of his history an amusing account of a conversation between Morton and Buckingham in which Morton, playing on the Duke's vanity and ambition, puts into Buckingham's mind the idea that Richard should be deposed in favour of Buckingham, who was the man to overcome all England's difficulties: More, *op. cit.*, pp. 135-143. It seems reasonable to assume that More got this story direct from Morton when he was living in his household.

²⁷ Stillington was apparently regarded by Henry VII as a dangerous person, as Henry ordered his arrest on the very day of Bosworth. He was later pardoned for an offence which was unspecified and merely described as "horrible and heinous offences imagined and done against the King". He had previously been imprisoned, fined and then pardoned by Edward IV, his offence being vaguely stated as the uttering of words prejudicial to the King and his State. Clarence was known to be on intimate terms with Stillington, whose diocese included the county in which Clarence's manorial holdings were situated. The marriage of Edward IV to Elizabeth was a strangely secret and informal affair. Letters at the time hinted at the pre-contract. Dame Elenor was dead at the time of the accession of Richard III.

practically inevitable. A joint session of the Lords and Commons issued a petition declaring Edward's marriage invalid and that "all issue of the said King Edward be bastards and unable to inherit or claim anything by inheritance by the law and custom of England", then stating that "ye be the undoubted son and heir of Richard late Duke of York wherefore we humbly desire, pray and require your said noble Grace that, according to this election of us, the three Estates of this land, as by your true inheritance ye will accept and take upon you the said Crown and Royal Dignity." This petition was later incorporated into an Act of Parliament called *Titulus Regius*.²⁸ Richard accepted the request and was crowned on the 6th July, 1483. After his coronation he sent his lords back to their estates with strict instructions that they should see the country where they dwelt well guided and that no extortions were done to his subjects. He directed them to uphold the rights of the Church, to protect the people "of what estate, degree or condition so ever they be against robbery and oppression, to keep the highways free of crime, and to rule in such a way that each may appear and be named a very Justicer".

Acts passed during Richard's two years' reign showed a keen desire to follow this precept and to purify the somewhat sullied administration of justice as it existed at the time. They included an Act allowing people accused of crime to be released on bail pending their trial,²⁹ another which prevented the forfeiture of the goods of a person accused of felony before he was convicted,³⁰ another which abolished grave abuses of justice which were common because of the existing method of empanelling juries.³¹ He also abolished benevolences,³² a quaintly named form of capital levy raised by Edward IV and promptly restored by the avaricious Henry VII.³³ Even the Tudor-loving Bacon, in his *Life of Henry VII*, with little but bad to say of Richard, described him as "a good law-maker for the ease and solace of the common people".³⁴

One other incident occurring before his coronation is worth mentioning because of the light it throws on his character. When the story of Edward's invalid marriage was being spread around London, Buckingham went one better and dragged out an old slander to the effect that Edward IV himself was illegitimate, having been fathered by an English archer named Blayborgne, with whom his mother, the Duchess of York, was having an affair while her husband was at war in France. When Richard heard what Buckingham had been saying he immediately left his residence at Crosby Place and went to live with the Duchess at Baynard's Castle, an effective way of showing the people of London that he did not believe his mother was an adulteress.

²⁸ Parliamentary Roll, C65/114, mm. 3 and 4, Public Record Office.

²⁹ I Rich. III, Chap. III (1483). Daines Barrington, *op. cit.*, p. 434, also reprinted in *Statutes at Large, from the First Year of King Edward the Fourth to the End of the Reign of Queen Elizabeth*, ed. O. Raffhead, p. 46.

³⁰ I Rich. III, Chap. IV (1483). Davies, *loc. cit.*

³¹ I Rich. III, Chap. II (1483). Daines Barrington, *op. cit.*, p. 433.

³² Davies, *op. cit.*, p. 45.

³³ II Henry VII, Chap. X (1494). Daines Barrington, *op. cit.*, p. 75.

³⁴ Frar as Lord Verulam, Viscount St. Alban, *History of the Reign of King Henry VII* (1622), in *The Works of Francis Bacon, Baron Verulam, Viscount St. Alban and Lord High Chancellor of England*, collect. ed. J. Spedding, R. L. Ellis and D. D. Heath, Vol. VI, *Literary and Professional Works*, Vol. I (1878), p. 28.

Compare this action with Shakespeare's version of the incident, in which Richard is made the inventor of the slander. This is a blatant inaccuracy, because the story was so well known, even during Edward's own lifetime, that it had actually crossed the Channel, and when Edward had offended Charles, Duke of Burgundy, by making peace with Louis, the Duke had the insolence to refer to him sneeringly as Blayborgne.

After this long digression, in which I hope some picture of Richard's true character has emerged, let us now look at the supposed murder of his nephews, the boy King Edward V and his brother the Duke of York.

First let us look for a motive, because it was a crime which the most reckless monarch would long hesitate to commit. The country had still not settled down from the turmoil of the Wars of the Roses, and such a crime would have aroused half of England against its perpetrator. No one in his senses would, without the strongest motive, have incurred the enormous odium and enmity which such an act must involve. The popular suggestion is that Richard's motive was to secure his position on the throne because the boys were, in succession, Edward's heirs. Perhaps they were, although we have seen that Parliament did not consider them as such. But if they were legitimate, there were still many others who stood between Richard and the throne. There were Edward's five daughters, whom the Queen had taken into sanctuary with her and who, incidentally, were later handed over to Richard's safe-keeping by the Queen herself, apparently without any fear that they would be next on the list for slaughter. Then there was Clarence's son, now Earl of Warwick, whose claim Henry VII later recognized by imprisoning, then beheading him. Richard had named the young Earl his successor when his own son died, though he later replaced him by another nephew, John, Earl of Lincoln, the elder son of his sister Elizabeth. To murder two of the heirs then honour two more by naming them his successor just does not make sense.

Digressing again for a moment, it is interesting to see how Tudor enmity followed Richard's nephews, the Lincolns, through two reigns. After the Earl of Lincoln and his father, Richard's brother-in-law, had been killed in the reign of Henry VII, the Earl's brother, Edmund, got away to Europe. Henry paid thousands of pounds, no small thing for Henry to do, and deliberately sacrificed political advantages he had obtained on the Continent to trick Edmund back to England, where he was immediately thrown into prison, remaining there until he was beheaded by Henry VIII. Thus perished the last of the House of York. If there was anyone determined to exterminate Edward's heirs, it was Henry VII and his son Henry VIII, not Richard. Henry VII certainly had a powerful motive for disposing of any survivors of the House of York. Not only was he perpetually nervous of his slippery seat on the throne, but he had betrothed his elder son Arthur to Catherine of Aragon while Arthur was a baby, and Catherine's parents, Ferdinand and Isabella of Spain, were not prepared to sanction their daughter's marriage to the son of an usurper while members of the true Royal House were at large. Henry did what he could to oblige his parents-in-law-to-be.

In addition to Edward's five daughters there were other heiresses, Richard's two elder sisters and Clarence's daughter Margaret who, incidentally, as Countess of Salisbury, was also executed by Henry VIII. Most of these were completely in Richard's power, but he made no move to harm them.

The question of a possible motive may be summed up quite simply. If the boys were, in truth, illegitimate there was no point in disposing of them. If they were not, there were many others between Richard and the Throne. Even his worst enemies have not suggested that he proposed to slaughter the lot. What becomes of his motive now?

Now, for the last time, let us return to the evidence. We have seen how, after his arrest of Rivers, Richard rode into London with the thirteen-year-old Edward V. To the question where to house the young King, the obvious answer was the Tower. Do not be misled by this. The Tower had its grim cells and dungeons, but it was in Tudor times that it gained its slaughterhouse reputation. In Richard's day it was a Royal residence, many of his Council meetings were held there, and great numbers of visitors called to pay their homage to the boy King. The Queen was prevailed on to release from sanctuary her younger son, Richard, Duke of York, so that he could be company for Edward, and the people of London mentioned in their letters seeing the boys playing together in the Tower and practising archery.

The next piece of evidence is found in the Wardrobe accounts. Richard had gone to York on a Royal Progress, and on his arrival there determined to invest his son as Prince of Wales. He sent to Westminster for a quantity of ceremonial clothing, and Sir James Tyrell is recorded as having received this for transport to York. The significance of this will become apparent shortly.

The records show that the boys ceased to be seen in the Tower about this time then, nearly two hundred years later, in 1674, out of the welter of malice and invention and unfounded rumour one more piece of evidence came to light. Workmen doing some repairs to the Tower found, some ten feet under a stairway, a wooden chest containing the skeletons of two children. The bones were placed in an urn in Westminster Abbey and in 1933 the urn was opened and the bones examined by a physician and a dentist, who declared them to have belonged to children about thirteen and ten respectively. Unfortunately no estimate has been made of the age of the bones, and eminent scientists have since questioned the assumption that the skeleton of the elder child was that of a thirteen-year-old, claiming that certain facts indicate that he, or she, was no more than nine or ten.³⁵ Should this be correct, the bones could not be those of Edward V, but the importance of the discovery cannot be denied.

If we omit an alleged confession of Tyrell which I shall mention later, this is the whole of the evidence, using the word in its proper sense as testimony which the prosecution could adduce against Richard. When we look at the so-called histories, the pattern becomes the old familiar one. The *Croyland Chronicle* records that it was rumoured that the boys had been put to death, but it was uncertain how. Then

³⁵ Kendall, *op. cit.*, pp. 497-498, outlines an interesting analysis of the medical and dental evidence.

comes Rous with the bald statement that Richard had killed the boys by means unknown. Next Fabyan adds his testimony: "As common fame went, King Richard had, within the Tower, put unto secret death the two sons of his brother Edward IV." But in 1513 Sir Thomas More comes to light with facts and names and details, a great shining light like the will o' the wisp luring the searchers after truth into the treacherous swamps of falsehood. More wrote that shortly after his coronation Richard rode on a Royal Progress to Gloucester, where he suddenly decided that he must kill his nephews. So he wrote a letter to Sir Robert Brackenbury, Constable of the Tower, ordering him to put the boys to death. He sent the letter by one John Grene, who brought back the answer that Brackenbury flatly refused to do the deed. Richard bemoaned to his page the ingratitude of men. The page replied that there was a man outside, one Tyrell, a most ambitious man who would do anything for preferment. Richard called Tyrell to him, told him what he wanted done and gave him another letter to Brackenbury, this time telling Brackenbury to hand over the keys of the Tower to the bearer for one night. Tyrell appointed Miles Forest and John Dighton to do the actual killing, Brackenbury obligingly handed over the keys and—you know the rest. When Tyrell reported his good work to the King, Richard showed his gratitude by knighting him. Tyrell also told the King that he had buried the bodies "at the stair foot, meetly deep in the ground under a great heap of stones", but Richard disapproved this site, whereupon a priest of Brackenbury's took up the bodies again and buried them in a secret place, the location of which was known to him alone.

Where did More get this fatuous story? In the thirty-odd years since the supposed murder took place, no mention of any of these details had come to light. It contains one demonstrable falsehood. Tyrell required no introduction to the King, having been close to him for years. He was then the Master of the Henchmen and Master of the Horse. He had been knighted years before for his services at the Battle of Tewksbury. For an ambitious man he was doing fairly well. But what sort of a fool does it make of Richard? Is it conceivable that he would have spread the countryside so liberally with clues of so foul and dangerous a murder? There was the damning incrimination of his first letter to Brackenbury; John Grene the bearer of the letter, the page, Tyrell, Brackenbury and the priest all in the secret. What of the boys' attendants, apparently given a night's leave and returning in the morning to find their prisoners vanished, but never a word said? And above all, what of Brackenbury? He was a man widely liked and respected. According to More he showed his courage and character by refusing the King's first request. He must have known the sinister motive behind the second letter, but this time he obligingly complies. How, then, does he show his loathing for his murderous sovereign? Before Bosworth he gathers a troop of men from London and hurries north to die fighting gallantly by the King's side. Is it too much to suppose that More had come across that reference in the Wardrobe records, seen that Tyrell had gone from London to York at about that time, changed York for Gloucester and let his imagination do the rest?

More set the tone for the other historians, who follow the general outline of his story with odd changes here and there, altering the means of death to suit their taste, which varied from smothering, strangling, stabbing to poisoning.

But this is by no means the end of the story. More than ten years after Henry VII had placed himself upon the Throne there flashed across the pages of history a strange new name which left behind no more than a riddle, probably destined to remain forever unsolved. The name was Perkin Warbeck—the riddle, who was he? Warbeck claimed to be none other than the younger of Edward's supposedly murdered sons, Richard Duke of York. As such he was accepted in some of the Courts of Europe, by the Kings of France and Denmark, by Maximilian, who in Vienna gave him a guard of archers in White Rose liveries. It would not be right to attach overmuch importance to this. Recognition of his claim would have given these rulers a valuable bargaining weapon in their negotiations with Henry. Much greater significance attaches to his recognition by James IV of Scotland, who allowed him to marry a relative, daughter of one of the noblest families of Scotland, Catherine Gordon, daughter of the Earl of Huntley. She became known as the White Rose of Scotland.³⁶ It seems incredible that James would have allowed this match had he considered Warbeck to be the Flemish nobody his later confession suggested. But perhaps the greatest significance of Warbeck's Rebellion, as it came to be called, was the person he chose to impersonate, if impersonator he was. He was far from being a fool or he would not have succeeded in convincing thousands of Englishmen that he was, in fact, the young Duke of York. Yet who but a fool would have staked his life on impersonating a man whom everyone knew to have died ten years before? The conclusion is almost inescapable that there was no general belief in the boy's death, certainly there was no available evidence of it. Had there been any, Henry could have crushed the rebellion at a stroke. All he had to do was to produce it and say, "You've all been fooled. Here is the evidence that the Duke was murdered ten years ago. The man's an impostor." He did the next best thing, though second best evidence is not good enough to support a charge of murder. Warbeck was defeated and captured, but before his execution he produced a long confession admitting his humble origin and repudiating his claim. But the confession is such a mass of contradictions and absurdities that it is not worth even considering. Nor is any confession of those times of any value as evidence. The Tudors were adepts at extracting voluntary confessions, as the maimed and mutilated bodies of those who had made free and voluntary statements testified.

Henry, however, had another shot in the locker, though a belated and suspicious one—Tyrell. Since Bosworth, Tyrell had had a strange career for one known to have enjoyed a high place in Richard's favour. He was deprived of some of his offices but remained in command of one of the fortresses protecting Calais. A few years later his lost offices were restored to him and he climbed high in Henry's favour.³⁷

³⁶ Walpole, *op. cit.*, p. 135.

³⁷ He was appointed Constable of Guisnes and Ambassador to Maximilian, one of the Commissioners for negotiating the Treaty of Etaples with France, Steward of the King's Lordship of Ogmore in Wales. Markham, *op. cit.*, p. 272.

Then, in 1503, he was suspected of treason against Henry. He was tricked back into England, convicted of treason, and beheaded on Tower Hill. But this time there was no public statement from the block, no written confession. All that happened was that some time later Henry stated that before his execution Tyrell had confessed to him that he had murdered the brothers in the Tower at Richard's orders. There were no witnesses to the confession, nothing in writing, most significantly no exhumation of the boys' bodies. It is from this story that More must have got his fanciful details of the affair and, as Kendall states, More probably added the touch about the secret reburial to explain away Henry's failure to produce the bodies as proof not only that the boys were dead, but of Richard's complicity in their deaths. For it was most important for Henry to prove the boys were dead. He dared not support the story of the illegitimacy of Edward's children, because he relied on his marriage to Edward's daughter Elizabeth as a justification for taking the Crown. He lost no time in repealing *Titulus Regius*, the Act declaring the bastardy of Edward's children. He knew that he had never enjoyed the popular support of the English people. When he first marched across southern England to Bosworth, people had not flocked to his banner as he had hoped. He had been forced to rely on his French mercenaries, the forces of disaffected nobles and a number of Welshmen who had joined the Dragon banner of Cadwallader which he flaunted. His was a desperate need to justify himself by blackening Richard and showing that Edward's male heirs were dead. On coming to the Throne, every means were available to him to investigate events in the Tower of only two years ago, to produce evidence that the boys were dead, if in fact they were, and if possible to prove that it was Richard who had killed them. The fact that he had been unable to do this is proved by one of his earliest Statutes, also named *Titulus Regius*, dated the 7th of November, 1485.³⁸ This Act is expressed to be an Act for the Conviction and Attainder of Richard Duke of Gloster, convicting Richard and his principal supporters of treason. Why of treason, you might well ask. This Henry achieved by the blatant device of fixing the date of the beginning of his reign as the eve of Bosworth, so that all who fought against him became, thereby, traitors. But Henry's own conviction lies in the list of Richard's crimes which the Act sets forth. Here they are: "Unnatural, mischievous and great perjuries, treasons, homicides and murders in shedding infants' blood, with many other wrongs, odious offences and abominations against God and man and in especial, our said sovereign lord." Can anyone believe that in his great need to justify his usurpation Henry would not have put at the head of the list, in clear resounding and unambiguous words, the terrible crime of the murder of Edward's heirs had there been a shred of evidence to support the charge? Instead, we find a dark, ambiguous hint, and that hint placed inconspicuously in the list after perjury and treason. It took eighteen years, on the execution of Tyrell, for Henry to pluck up the courage to lay the direct charge against Richard. Of the witnesses against Richard, I brand Henry the basest of them all. Walpole is convinced that it was Henry himself who murdered

³⁸ *Actus Convictionis and Attinctus, I Henry VII (1485)*. Parliamentary and Council Proceedings of the Queen's Remembrancer's Department of the Exchequer. E. 175/Roll 56, Public Record Office, London.

the boys. Having legitimated them, he automatically reinstated them as heirs to the Throne. If they were alive he had the strongest motive for disposing of them. If they were dead, it is extraordinary that he was able to produce no evidence of the fact. Perhaps Walpole was right. It is not within my province to adopt his theory, but the facts upon which it is based free Richard from implication in the murder.

You have heard, then, the evidence for the prosecution; you know the principal witnesses against the accused: Polydore Vergil, writing at the request of Henry VII to bolster his untenable claim to the Throne; Sir Thomas More, probably honest but writing foolishly and influenced by a traitor Cardinal who was Henry's favourite and one of Richard's bitterest enemies; Hall and Holinshed, uncritical copyists; Shakespeare, at the time he wrote an aspiring but little-known dramatist with his eye on the box-office. Would a court convict a man of the most trivial offence on such evidence? Surely the question can be regarded as no more than rhetorical.

With the necessary change of gender, the words of Lord Brougham in defence of Queen Caroline fit this case to perfection:

"The evidence before us is inadequate even to prove a debt—impotent to deprive of a civil right—ridiculous for convicting of the pettiest offence—scandalous if brought forward to support a charge of any grave character—monstrous if to ruin the honour of an English King."

But let us not leave Richard on the negative note of "Not guilty". The people of York who knew and honoured him gave him his finest epitaph. When the news of his death was brought to their city the Mayor and Aldermen, hastily assembled, wrote this:

". . . King Richard, late mercifully reigning over us, was . . . piteously slain and murdered, to the great heaviness of this City."³⁹
With that epitaph I am content to leave him.

³⁹ Kendall, *op. cit.*, p. 369, quotes R. Davies, *York Records*, p. 218.