

THE COURT OF STAR CHAMBER.

might be tolerated from men who knew no better, or had had their common sense blinded by the use of language by others. But this cannot be said of Lord Coke, who knew how, sometimes, to lay aside his sycophancy, though he did not at others hesitate, as in the case of Sir Walter Raleigh, to play the bully and the blackguard in office, if obsequiousness to royalty dictated such a *role*. His language is: "It is the most honorable court, our parliament excepted, there is in the Christian world, both in respect of the judges of the court and of the honorable proceeding according to their jurisdiction, and the ancient and just order of the court." "And it is truly said, '*Curia cameræ stellatæ, si vetustatem spectemus, est antiquissima, si dignitatem honoratissima.*' This court, the right institution and ancient orders thereof being observed, doth keep all England in quiet."

The discretionary power of this court, in the matter of punishment, made it, moreover, a most dreadful engine of iniquity and cruel injustice in the hands of unscrupulous men. Instances of this disgrace the history of its administration, especially under the first two Stuarts, James I. and Charles I. It could not, it is true, inflict capital punishments, but it could do worse, by robbing, maiming, torturing, and disgracing its victims. Thus it is stated, in general terms, by the writer already quoted, "In this sentence the court doth punish the offender and relieve the oppressed. The punishment is by fine, imprisonment, loss of ears, or nailing to the pillory, slitting the nose, branding the forehead, whipping of late days, wearing of papers in public places, or any punishment but death." "Loss of ears was inflicted upon perjured persons, infamous libellers, *scandalors* of the State, and such like." "Branding in the forehead and slitting of the nose was a punishment inflicted upon forgers of false deeds, conspirators to take away the life of innocents, false scandal upon the judges and first personages of the realm." "Wearing papers hath been in all ages, and before the statute of 5 Elizabeth was, the usual punishment of perjury, but since hath been used as a punishment for oppressors and great deceits." "Sometimes the punishment is, by the wisdom of the court, *invented* in some new manner, for new offences, as for Trask, who raised

Judaism up from death, and forbade the eating of swine's flesh. He was sentenced to be fed with swine's flesh when he was in prison." "And so tender the court is of upholding the honor of the sentence, as they will punish those which speak against it with severity, as they did Finch and Partridge, for certifying his majesty upon a petition matter which crossed the sentence of the court in the case of one Herlakenden." And it is gravely stated by Barrington, that, during the reign of Charles I., the fines inflicted by this court were so enormous, that the audience gathered around the court room at three o'clock in the morning, in order to secure places to hear the proceedings, as men gather around the table where play is the deepest.

Some of these sentences are collected in Hume's and Hallam's histories, and full reports of the proceedings of the court may be found in the volumes of State Trials, with which many besides lawyers are familiar. We select a few for purposes of illustration. Sir David Foulis was fined £5,000, chiefly because he had dissuaded a friend from compounding with the commissioners of knight-hood. Sir Anthony Roper was fined £4,000 for violating a law made in the time of Henry VII., against converting arable land to pasture, and this as late as the time of Charles I. Morley, for reviling, challenging, and striking Sir George Theobald, one of the king's servants, in the court of Whitehall, was fined £10,000. A citizen, when shown a swan in the crest of a man of quality, saying he did not trouble himself about that *goose*, was fined by this court for the offence, and reduced to beggary. Richard Grenville said of the Earl of Suffolk, with whom he had had difficulty, that he was "a base lord," and was condemned to pay a fine of £8,000 for such a slander. Ray, for exporting some fuller's-earth, was set in the pillory and fined £2,000. One of the most remarkable cases was that of Bishop Williams, who had been lord-keeper of the seal, a popular prelate, a man of learning and spirit, and, at one time, a special favorite of James. While enjoying this patronage, he exerted his influence in favor of Laud, afterwards archbishop, who owed his first promotion to his good offices. Some disagreement having arisen between them, nothing