

Thus did Henry take advantage of his former jealous tyranny in preventing the fulfilment of Percy's engagement with Anne, by using it as a pretext against the validity of her marriage with himself, and this, too, for the sake of illegitimizing his own child. With equal injustice and cruelty he denied his conjugal victim the miserable benefit which her degradation from the name of his wife and the rank of his queen appeared to offer her; namely, an escape from the sentence which had been passed upon her for the alleged crime of adultery, to which, if she were not legally his wife, she could not in law be liable. But Henry's vindictive purpose against her was evident from the beginning, and nothing would satisfy him but her blood. If he had insisted on the invalidity of their union as early as May 13th, when Percy was required to answer whether a contract of marriage did not exist between him and the queen, Anne could not have been proceeded against on the charges in her indictment, and the lives of the five unfortunate men who were previously arraigned and sentenced on the same grounds, would have been preserved as well as her own. In that case, she could only have been proceeded against as marchioness of Pembroke, and on a charge of conspiring against the life of the king; but as it does not appear that the slightest evidence tending to establish that very improbable crime was set forth, the blood of six victims would have been spared if the sentence on the marriage had passed only three days before it did. Percy, however, denied on oath, to the duke of Norfolk, the lord chancellor, and others, that any contract was between him and the queen,¹ though he had verbally confessed to cardinal Wolsey "that he was so bound in honour to Anne Boleyn, that he could not in conscience marry another woman."² It is probable that Anne's haughty spirit, as well as her maternal feelings, had also prompted her to repel the idea of a divorce with scorn, till the axe was suspended over her. Perhaps she now submitted in the fond hope of preserving, not only her own life, but that of her beloved brother, and the three gallant and unfortunate gentlemen who had so courage-

¹ See his letter in Burnet.

² Cavendish.