The Project Gutenberg eBook of The Earl of Essex: A Tragedy, in Five Acts, by Henry Jones

This ebook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or reuse it under the terms of the Project Gutenberg License included with this ebook or online at www.gutenberg.org. If you are not located in the United States, you'll have to check the laws of the country where you are located before using this eBook.

Title: The Earl of Essex: A Tragedy, in Five Acts

Author: Henry Jones

Commentator: Mrs. Inchbald

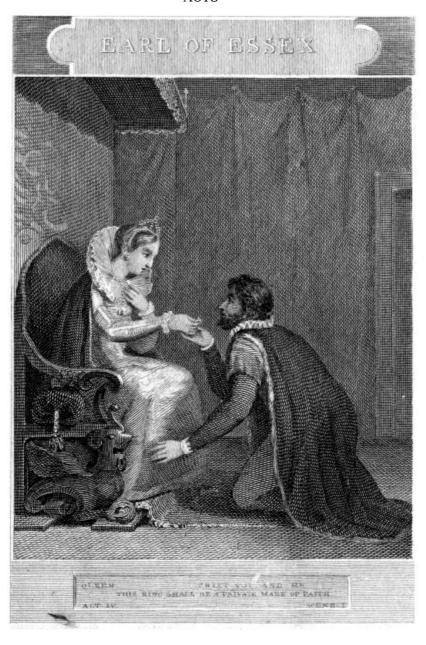
Release Date: February 25, 2010 [EBook #31397]

Language: English

Credits: Produced by Steven desJardins and the Online Distributed Proofreading Team at

https://www.pgdp.net

*** START OF THE PROJECT GUTENBERG EBOOK THE EARL OF ESSEX: A TRAGEDY, IN FIVE ACTS ***



EARL OF ESSEX;

A TRAGEDY, IN FIVE ACTS:

BY HENRY JONES.

AS PERFORMED AT THE

THEATRE ROYAL, COVENT GARDEN.

PRINTED UNDER THE AUTHORITY OF THE MANAGERS FROM THE PROMPT BOOK.

WITH REMARKS BY MRS INCHBALD.

LONDON:

PRINTED FOR LONGMAN, HURST, REES, ORME, AND BROWN, PATERNOSTER ROW.

Edinburgh: Printed by James Ballantyne and Co.

REMARKS.

[Pg 3]

This tragedy was dedicated to the Earl of Chesterfield, who was the author's patron, and who, it is supposed, assisted him in the composition of the work.

There are two tragedies under the title of "The Earl of Essex;" but the following, by Henry Jones, brought upon the stage in 1753, was most favourably received, and became very attractive.

The dramatist, who founds his plot and incidents on history, generally adds, from his invention, those scenes, which best describe the power of love. Here it has been otherwise, at least in the character of the queen; whom every distinguished historian has portrayed as more enamoured of her favourite Essex, than even this play will exhibit.

The character of Essex is sustained with greater accuracy:—the fiery quality of his temper; his alternate pride and humility, daring and servility, in presence of his royal mistress; with all his boisterous vows of loyalty to her; and tender oaths of love to another.

The few characters which compose this drama, all claim an interest with the reader, were it but from their mere names. The great Sir Walter Raleigh is of the least importance among the dramatic group; and yet his appearance causes an association of ideas, that makes every line he utters valuable, for the sake of his reputation, and his impending misfortunes.

[Pg 4]

The admirers of Shakspeare will likewise feel a double concern in the fate of the Lord Southampton, whilst they recollect, that this zealous friend of Essex was the noble protector and benefactor of England's most illustrious bard.

The name of Burleigh sounds high as that of Elizabeth, for their glory was equal—but the name alone attaches to the present character; for the great Cecil, by the wisdom of whose measures England was, at the period of this play, in its highest prosperity, died about two years previous to the death of Essex; and this, his son, became the unhappy earl's bitterest foe.

Not even a female character is here introduced from fiction.—Rutland and Nottingham are both well known in history; and though the cruel incident of the ring is not attested by any historian, it is minutely related by them all.

But whether her majesty gave the unfortunate hero of this tragedy a ring or not, it is most certain that she gave him a blow; and of all the proofs of love which she bestowed upon him, this surely cannot be numbered amongst the least.

It is extraordinary, that the present play, having introduced this singular occurrence, should omit the particular sentence which Essex uttered on the memorable occasion.—History says, that he laid his hand on his sword, and told Elizabeth, "he would not have taken such treatment from her father, Henry the Eighth."—But, as a man of true gallantry, the Earl should not have felt himself offended at a woman's anger; which experience must have told him, was the certain mark of concealed tenderness. His reply had been most excellent had it been delivered with smiles instead of frowns; but to have recourse to his sword, was acting like a novice in the art of love; and resenting an affront, when he should have acknowledged a favour.

[Pg 5]

As that love which is expressed by indirect means, has often the greatest hold upon the attention and sympathy of the spectator; so, many an auditor and reader will feel more interest in the restrained affection of Elizabeth for her paramour, than in the unbridled fondness of Rutland for her husband.—The scene, where the queen bestows the ring, as a pledge of her kindest regard for his safety, is peculiarly affecting, because the strength of her passion is there discoverable, under a demeanour properly dignified; and all violent propensity, either to esteem or resentment, is strictly governed by the consideration of her own exalted rank.

In depicting the affliction, which the queen endured upon the execution of Essex, and more especially at the news that he had implored her mercy in vain, the dramatist has fallen infinitely below the historian. Hume relates, that when Nottingham, having in her last illness requested to see the queen, revealed her fatal secret, and entreated her majesty's forgiveness, the queen shook the dying countess in her bed, and exclaimed—"God may forgive you, but I never will." The most dismal melancholy, as it is alleged, succeeded this rage.—But, from whatever cause, it is certain that an almost unheard-of despondency concluded the reign of this great princess, whose mind was masculine; and who, throughout her long career of government, never evinced one feminine weakness, which was not the effect of love, or of that vanity, which hoped to inspire the passion.

At this era, in the short space of two years, the hand of death snatched from the court of Great Britain, all these its most remarkable personages—Essex, Nottingham, and the queen. It is probable, that the decease of the first, hastened that of the second, as well as of the last, character; for the countess's remorse for political stratagem is reported to have been dreadfully severe.

The earl died in his thirty-fourth, and the queen in her seventieth year.—In a subject, her majesty's unseasonable love might have formed a comic, instead of a tragic, drama.

DRAMATIS PERSONÆ.

EARL OF ESSEX

SOUTHAMPTON

BURLEIGH

RALEIGH

Mr Murray.

RALEIGH

LIEUTENANT

Mr Thompson.

QUEEN ELIZABETH Mrs Pope.

LADY RUTLAND Mrs Esten.

LADY NOTTINGHAM Mrs Litchfield.

SCENE,-London.

[Pg 9]

EARL OF ESSEX.

ACT THE FIRST.

SCENE I.

An Antichamber in the Palace.

Enter Burleigh and Raleigh.

Bur. The bill, at length, has pass'd opposing numbers, Whilst crowds, seditious, clamour'd round the senate, And headlong faction urged its force within.

Ral. It has, my lord!—The wish'd-for day is come, When this proud idol of the people's hearts Shall now no more be worshipp'd.—Essex falls. My lord, the minute's near, that shall unravel The mystic schemes of this aspiring man. Now fortune, with officious hand, invites us To her, and opens wide the gates of greatness, The way to power. My heart exults; I see, I see, my lord, our utmost wish accomplish'd! I see great Cecil shine without a rival, And England bless him, as her guardian saint. Such potent instruments I have prepared, As shall, with speed, o'erturn this hated man, And dash him down, by proof invincible.

[Pg 10]

Bur. His day of glory now is set in night; And all my anxious hopes, at last, are crown'd. Those proofs against him, RaleighRal. All arrived.

Bur. Arrived! how? when?

Ral. This very hour, my lord: Nay more, a person comes, of high distinction, To prove some secret treaties made by Essex, With Scotland's monarch, and the proud Tyrone.

Bur. How say'st? to prove them?

Ral. Ay, my lord, and back'd
With circumstances of a stronger nature.
It now appears, his secretary, Cuff,
With Blunt and Lee, were deep concern'd in this
Destructive scheme contrived to raise this lord,
And ruin Cecil. Oh, it is a subtile,
A deep-laid mischief, by the earl contrived
In hour malignant, to o'erturn the state,
And, horror to conceive! dethrone the queen!

Bur. These gladsome tidings fly beyond my hopes! The queen will listen now, will now believe, And trust the counsel of her faithful Burleigh. Dispose them well, till kind occasion calls Their office forth; lest prying craft meanwhile May tamper with their thoughts and change their minds: Let them, like batteries conceal'd, appear At once, both to surprise and to destroy.

Ral. His headstrong friend, the bold Southampton, too, Now finds his rash endeavours all defeated, And storms at thee, and the impeaching commons.

Bur. Let him rave on, and rage. The lion, in The toils entangled, wastes his strength, and roars In vain; his efforts but amuse me now.—

Enter Gentleman.

Gent. My lord, the Lady Nottingham desires, With much impatience, to attend your lordship.

Bur. What may the purport of her business be? Her tender wishes are to Essex tied In love's soft fetters, and endearing bands.— Conduct her in.

And you, my Raleigh, watch Southampton's steps; With care observe each movement of his friends; That no advantage on that side be lost.—

Southampton's Essex' second self; His daring heart, and bold, ungovern'd tongue, Are both enlisted in the rash designs Of this proud lord, nor knows a will but his: A limb so fix'd, must with the body fall.

Enter Lady Nottingham.

Not. Thrice hail to rescued England's guiding genius! His country's guardian, and his queen's defence! Great Burleigh, thou whose patriot bosom beats With Albion's glory, and Eliza's fame; Who shield'st her person, and support'st her throne; For thee, what fervent thanks, what offer'd vows, Do prostrate millions pay!

Bur. Bright excellence, This fair applause too highly over-rates, Too much extols, the low deserts of Cecil.

Not. What praises are too high for patriot worth; Or what applause exceeds the price of virtue? My lord, conviction has at last subdued me, And I am honour's proselyte:—Too long My erring heart pursued the ways of faction;

[Pg 11]

[Exit Gentleman.

[Exit Raleigh.

I own myself t' have been your bitt'rest foe, And join'd with Essex in each foul attempt To blast your honour and traduce your fame.

Bur. Though ne'er my wishing heart could call you friend, Yet honour and esteem I always bore you; And never meant, but with respect to serve you.

Not. It is enough, my lord, I know it well, And feel rekindling virtue warm my breast; Honour and gratitude their force resume Within my heart, and every wish is yours. O Cecil, Cecil, what a foe hast thou! A deadly foe, whilst hated Essex lives!

Bur. I know it well—but can assign no cause.

Not. Ambition's restless hand has wound his thoughts Too high for England's welfare; nay, the queen Scarce sits in safety on her throne, while he, Th' audacious Essex, freely treads at large, And breathes the common air. Ambition is The only god he serves; to whom he'd sacrifice His honour, country, friends, and every tie Of truth and bond of nature; nay, his love.

Bur. The man, that in his public duty fails, On private virtue will disdainful tread; And mighty love, who rules all nature else, Must follow here in proud ambition's train.

Not. Pronounce it not! my soul abhors the sound Like death——O, Cecil, will you kindly lend Some pity to a wretch like me?

Bur. Command, Madam; my power and will are yours.

Not. Will Cecil's friendly ear vouchsafe to bend Its great attention to a woman's wrongs; Whose pride and shame, resentment and despair, Rise up in raging anarchy at once, To tear, with ceaseless pangs, my tortured soul? Words are unequal to the woes I feel; And language lessens what my heart endures.

Bur. Madam, your wrongs, I must confess, are great; Yet still, I fear, you know not half his falsehood. Who, that had eyes to look on beauty; Who, but the false, perfidious Essex, could Prefer to Nottingham a Rutland's charms? Start not!—By Heaven, I tell you naught but truth, What I can prove, past doubt; that he received The lady Rutland's hand, in sacred wedlock, The very night before his setting out For Ireland.

Not. Oh! may quick destruction seize them! May furies blast, and hell destroy their peace! May all their nights——

Bur. I pray, have patience, madam! Restrain a while your rage; curses are vain. But there's a surer method to destroy him; And, if you'll join with me, 'tis done—he falls.

Not. Ha! say'st thou, Burleigh! Speak, my genius, speak! Be quick as vengeance' self to tell me how!

Bur. You must have heard, the commons have impeached him, And we have proofs sufficient for his ruin.
But then the queen—you know how fair he stands
In her esteem; and Rutland, too, his wife,
Hath full possession of the royal ear.
Here then, my Nottingham, begins thy task:
Try every art t' incense the queen against him,
Then step between her and the Lady Rutland:

[Pg 13]

Observe Southampton, too, with jealous eye; Prevent, as much as possible, his suit: For, well I know, he will not fail to try His eloquence on the behalf of Essex.

Not. It shall be done; his doom is fix'd: he dies. Oh 'twas a precious thought! I never knew Such heartfelt satisfaction.—Essex dies! And Rutland, in her turn, shall learn to weep. The time is precious; I'll about it straight. Come, vengeance, come! assist me now to breathe Thy venom'd spirit in the royal ear!

[Pg 14]

[Exit.

Bur. There spoke the very genius of the sex! A disappointed woman sets no bounds To her revenge.—Her temper's form'd to serve me.

Enter Raleigh.

Ral. The Lord Southampton, with ungovern'd rage, Resents aloud his disappointed measures. I met him in the outward court; he seeks, In haste, your lordship; and, forgetting forms, Pursues me hither, and demands to see you.

Bur. Raleigh, 'tis well! Withdraw—attend the queen— Leave me to deal with this o'erbearing man.

[Exit Raleigh.

Enter Southampton.

South. Where is the man, whom virtue calls her friend?—I give you joy, my lord!—Your quenchless fury At length prevails,—and now your malice triumphs. You've hunted honour to the toil of faction, And view his struggles with malicious joy.

Bur. What means my lord?

South. O fraud! shall valiant Essex
Be made a sacrifice to your ambition?
Oh, it smells foul, indeed, of rankest malice,
And the vile statesman's craft. You dare not, sure,
Thus bid defiance to each show of worth,
Each claim of honour: dare not injure thus
Your suffering country, in her bravest son!

Bur. But why should stern reproach her angry brow Let fall on me? Am I alone the cause That gives this working humour strength? Do I Instruct the public voice to warp his actions? Justice, untaught, shall poise the impartial scales, And every curious eye may mark the beam.

[Pg 15]

South. The specious shield, which private malice bears, Is ever blazon'd with some public good; Behind that artful fence, skulk low, conceal'd, The bloody purpose, and the poison'd shaft; Ambition there, and envy, nestle close; From whence they take their fatal aim unseen; And honest merit is their destined mark.

Bur. My country's welfare, and my queen's command, Have ever been my guiding stars through life, My sure direction still.—To these I now Appeal;—from these, no doubt, this lord's misconduct Hath widely stray'd; and reason, not reviling, Must now befriend his cause.

South. How ill had Providence
Disposed the suffering world's oppressed affairs,
Had sacred right's eternal rule been left
To crafty politicians' partial sway!
Then power and pride would stretch the enormous grasp,
And call their arbitrary portion, justice:
Ambition's arm, by avarice urged, would pluck

The core of honesty from virtue's heart,
And plant deceit and rancour in its stead:
Falsehood would trample then on truth and honour,
And envy poison sweet benevolence.
Oh, 'tis a goodly group of attributes,
And well befits some statesman's righteous rule!
Out, out upon such bloody doings!
The term of being is not worth the sin;
No human bosom can endure its dart.
Then put this cruel purpose from thee far,
Nor let the blood of Essex whelm thy soul.

[Pg 16]

Bur. 'Tis well, my lord! your words no comment need; No doubt, they've well explained your honest meaning; 'Tis clear and full. To parts, like yours, discretion Would be a clog, and caution but incumbrance. Yet mark me well, my lord; the clinging ivy With the oak may rise, but with it too must fall.

South. Thy empty threats, ambitious man, hurt not The breast of truth. Fair innocence, and faith, Those strangers to thy practised heart, shall shield My honour, and preserve my friend. In vain, Thy malice, with unequal arm, shall strive To tear the applauded wreath from Essex' brow; His honest laurel, held aloft by fame, Above thy blasting reach, shall safely flourish, And bloom immortal to the latest times; Whilst thou, amidst thy tangling snares involved, Shalt sink confounded, and unpitied fall.

Bur. Rail on, proud lord, and give thy choler vent: It wastes itself in vain; the queen shall judge Between us in this warm debate. To her I now repair: and, in her royal presence, You may approve your innocence and faith. Perhaps you'll meet me there. Till then, farewell.

[Exit.

South. Confusion wait thy steps, thou cruel monster!— My noble and illustrious friend betray'd By crafty faction, and tyrannic power! His sinking trophies, and his falling fame, Oppress my very soul. I'll to the queen, Lay all their envy open to her view, Confront their malice, and preserve my friend.

[Exit.

[Pg 17]

SCENE II.

Presence Chamber.

The Queen discovered, sitting on her Throne. Raleigh, Lords, and Attendants.

Qu. Eliz. Without consulting me! presumptuous man! Who governs here?—What! am not I your queen? You dared not, were he present, take this step.

Ral. Dread sovereign, your ever faithful commons Have, in their gratitude and love for you, Preferred this salutary bill against him.

Enter Burleigh.

Qu. Eliz. You, my Lord Burleigh, must have known of this. The commons here impeach the Earl of Essex Of practising against the state and me. Methinks I might be trusted with the secret. Speak, for I know it well, 'twas thy contrivance. Ha! was it not? You dare not say it was not.

Bur. I own my judgment did concur with theirs. His crimes, I fear, will justify the charge, And vindicate their loyalty and mine.

Qu. Eliz. Ha! tell not me your smooth deceitful story! I know your projects, and your close cabals, You'd turn my favour into party feuds, And use my sceptre as the rod of faction: But Henry's daughter claims a nobler soul. I'll nurse no party, but will reign o'er all, And my sole rule shall be to bless my people: Who serves them best, has still my highest favour: This Essex ever did.

[Pg 18]

Enter Southampton.

Behold, Southampton, What a base portrait's here! The faithful Essex Here drawn at large, associating with rebels, To spoil his country, and dethrone his queen!

South. It is not like.—By Heaven, the hand of envy Drew these false lines, distorted far from truth And honour, and unlike my noble friend As light to shade, or hell to highest heaven. Then suffer not, thou best of queens, this lord, This valiant lord, to fall a sacrifice To treachery and base designs; who now Engages death in all his horrid shapes, Amidst a hardy race, inured to danger; But let him, face to face, this charge encounter, And every falsehood, like his foes, shall fly.

Qu. Eliz. To me you seem to recommend strict justice, In all her pomp of power. But are you sure No subtle vice conceal'd assumes her garb! Take heed, that malice does not wear the mask, Nor envy deck her in the borrow'd guise. Rancour has often darken'd reason's eye, And judgment winks, when passion holds the scale. Impeach the very man to whom I owe My brightest rays of glory! Look to it, lords; Take care, be cautious on what ground you tread; Let honest means alone secure your footing. Raleigh and you withdraw, and wait our leisure.

Lord Burleigh, stay; we must with you have farther Conference.—I see this base contrivance plain. Your jealousy and pride, your envy of His shining merit, brought this bill to light. But mark me, as you prize our high regard And favour, I command you to suppress it: Let not our name and power be embarrass'd In your perplexing schemes. 'Twas you began, And therefore you must end it.

Bur. I obey.

Yet humbly would entreat you to consider How new, unpopular, this step must be, To stand between your parliament's enquiry And this offending lord.—We have such proofs—

Qu. Eliz. Reserve your proofs to a more proper season, And let them then appear. But once again We charge you, on your duty and allegiance, To stop this vile proceeding; and to wait Till Essex can defend himself in person. If then your accusations are of force, The laws, and my consent, no doubt, are open. He has my strict command, with menace mix'd, To end effectually this hated war, Ere he presume to quit the Irish coast.

Bur. Madam, my duty now compels me to-

Qu. Eliz. No more! see that my orders be obey'd.

Essex a traitor!—it can never be— His grateful and his honest soul disdains it.— Can he prove false? so high advanced, so honour'd, [Exeunt Raleigh and Southampton.

[Pg 19]

[Exit Burleigh.

So near my favour—and—I fear, so near My heart!—Impossible.—This Burleigh hates him, And, as his rival, therefore would destroy him; But he shall find his narrow schemes defeated. In vain their fraudful efforts shall combine To shake my settled soul, my firm design; Resolved to lift bright virtue's palm on high, Support her grandeur, and her foes defy.

[Exit.

[Pg 20]

ACT THE SECOND.

SCENE I.

An Antichamber in the Palace.

Enter Burleigh.

Bur. Essex arrived! Confusion to my hopes! His presence will destroy me with the queen. I much suspect he had some private notice, Perhaps, a punctual order, to return. He lurks too near her heart.—What's to be done? Now is the important crisis—Keep up thy usual strength, my better genius! Direct my steps to crush my mortal foe.

Enter Queen Elizabeth and Raleigh.

Qu. Eliz. It cannot be! Return'd without my leave! Against my strict command!—Impossible!

Ral. Madam, the earl is now at court, and begs An audience of your majesty.

Qu. Eliz. Amazing!
What! break his trust! desert his high command,
Forsake his post, and disobey his queen!
'Tis false—invented all.—You wish it so.

Bur. Madam, I wish some other rumours false; Reports, I fear, of great concern to you.

Qu. Eliz. What rumours? what reports? your frown would much Denote: your preface seems important.—Speak.

Bur. Some new commotions are of late sprung up
I Ireland, where the west is all in arms,

In Ireland, where the west is all in arms,
And moves with hasty march to join Tyrone,
And all his northern clans. A dreadful power!
Nay, more; we have advices from the borders,
Of sudden risings, near the banks of Tweed;
'Tis thought to favour an attempt from Scotland.
Meanwhile, Tyrone embarks six thousand men
To land at Milford, and to march where Essex
Shall join them with his friends.

Qu. Eliz. (Apart.) In league with James!
And plotting with Tyrone! It cannot be.
His very pride disdains such perfidy.
But is not Essex here without my leave!
Against my strict command! that, that's rebellion.
The rest, if true, or false, it matters not.
What's to be done?—admit him to my presence?
No, no—my dignity, my pride forbid it.
Ungrateful man, approach me not; rise, rise,
Resentment, and support my soul! Disdain,
Do thou assist me—Yes, it shall be so.

Bur. I see she muses deep; Tyrone's invasion wakes her fear and anger, And all her soul is one continued storm. *Qu. Eliz.* For once my pride shall stoop; and I will see This rash, audacious, this once favour'd man; But treat him as his daring crimes deserve.

Enter Southampton.

South. [Kneeling.] Permit me, madam, to approach you thus; Thus lowly to present the humble suit
Of the much-injured, faithful Earl of Essex,
Who dares not, unpermitted, meet your presence.
He begs, most gracious queen, to fall before
Your royal feet, to clear him to his sovereign,
Whom, next to heaven, he wishes most to please.
Let faction load him with her labouring hand,
His innocence shall rise against the weight,
If but his gracious mistress deign to smile.

[Pg 22]

[Exit Southampton.

Qu. Eliz. Let him appear.

Now to thy trying task, My soul! Put forth, exert thy utmost strength, Nor let an injured queen be tame.—Lie still, My heart, I cannot listen to thee now.

Enter Essex and Southampton.

Essex. Forgive, thou injured majesty, thou best Of Queens, this seeming disobedience. See, I bend submissive in your royal presence, With soul as penitent, as if before The all-searching eye of Heaven. But, oh, that frown! My queen's resentment wounds my inmost spirit, Strikes me like death, and pierces through my heart.

Qu. Eliz. You have obey'd, my lord! you've served me well! My deadly foes are quell'd! and you come home A conqueror! Your country bids you welcome! And I, your queen, applaud!—Triumphant man! What! is it thus that Essex gains his laurels? What! is it thus you've borne my high commission? How durst you disregard your trusted duty, Desert your province, and betray your queen?

Essex. I came to clear my injured name from guilt, Imputed guilt, and slanderous accusations. My shame was wafted in each passing gale, Each swelling tide came loaded with my wrongs; And echo sounded forth, from faction's voice, The traitor Essex.—Was't not hard, my queen, That, while I stood in danger's dreadful front, Encountering death in every shape of terror, And bleeding for my country—Was't not hard, My mortal enemies at home, like cowards, Should in my absence basely blast my fame?

[Pg 23]

Qu. Eliz. It is the godlike attribute of kings,
To raise the virtuous, and protect the brave.
I was the guardian of your reputation;
What malice, or what faction, then, could reach you?
My honour was exposed, engaged for yours:
But you found reason to dislike my care,
And to yourself assumed the wrested office.

Essex. If aught disloyal in this bosom dwells, If aught of treason lodges in this heart, May I to guilt and lasting shame be wedded, The sport of faction, and the mark of scorn, The world's derision, and my queen's abhorrence. Stand forth the villain, whose envenom'd tongue Would taint my honour, and traduce my name, Or stamp my conduct with a rebel's brand! Lives there a monster in the haunts of men, Dares tear my trophies from their pillar'd base, Eclipse my glory, and disgrace my deeds?

Qu. Eliz. This ardent language, and this glow of soul,

Were nobly graceful in a better cause; Where virtue warrants, and where truth inspires: But injured truth, with brow invincible, Frowns stern reproof upon the false assertion, And contradicts it with the force of facts. From me you have appeal'd, ungrateful man! The laws, not I, must listen to your plea. Go, stand the test severe, abide the trial, And mourn, too late, the bounty you abused.

[Exeunt Queen Elizabeth, Southampton, &c.

Essex. Is this the just requital, then, of all My patriot toils, and oft-encounter'd perils, Amidst the inclemencies of camps and climes? Then be it so.—Unmoved and dauntless, let me This shock of adverse fortune firmly stand.

[Pg 24]

Enter SOUTHAMPTON.

South. Alas, my lord! the queen's displeasure kindles With warmth increasing; whilst Lord Burleigh labours T'inflame her wrath, and make it still burn fiercer.

Essex. I scorn the blaze of courts, the pomp of kings; I give them to the winds, and lighter vanity; Too long they've robb'd me of substantial bliss, Of solid happiness, and true enjoyments. But lead me to my mourning love; alas! She sinks beneath oppressing ills; she fades, She dies for my afflicting pangs, and seeks Me, sorrowing, in the walks of woe.—Distraction! Oh, lead me to her, to my soul's desire.

South. Let caution guide you in this dangerous step. Consider well, my lord, the consequence—
For should the queen (forbid it, Heaven!) discover Your private loves, your plighted hands, no power On earth could step between you and destruction.

Enter Burleigh.

Bur. My lord of Essex, 'tis the queen's command, That you forthwith resign your staff of office; And further, she confines you to your palace.

Essex. Welcome, my fate! Let fortune do her utmost; I know the worst, and will confront her malice, And bravely bear the unexpected blow.

Bur. The queen, my lord, demands your quick compliance.

Essex. Go, then, thou gladsome messenger of ill, And, joyful, feast thy fierce rapacious soul With Essex' sudden and accomplish'd fall. The trampled corse of all his envy'd greatness, Lies prostrate now beneath thy savage feet; But still th' exalted spirit moves above thee. Go, tell the queen thy own detested story: Full in her sight disclose the snaky labyrinths, And lurking snares, you plant in virtue's path, To catch integrity's unguarded step.

[Pg 25]

Bur. Your country has impeach'd, your queen accused you; To these address your best defence, and clear Your question'd conduct from disloyal guilt. What answer to the queen shall I return?

Essex. My staff of office I from her received, And will to her, and her alone, resign it.

Bur. This bold refusal will incense the queen, This arrogance will make your guilt the stronger.

[Exit.

South. Sustain, my noble friend, thy wonted greatness; Collect thy fortitude, and summon all Thy soul, to bear with strength this crushing weight,

Which falls severe upon thee; whilst my friendship Shall lend a helping hand, and share the burden. I'll hence with speed, and to the queen repair, And all the power of warmest words employ, To gain you yet one audience more, and bring Her majesty to milder thoughts. Farewell.

[Exit.

Essex. As newly waked from all my dreams of glory, Those gilded visions of deceitful joys, I stand confounded at the unlook'd-for change, And scarcely feel this thunderbolt of fate.

The painted clouds, which bore my hopes aloft, Alas, are now vanish'd to yielding air, And I am fall'n indeed!—

How weak is reason, when affection pleads!

How hard to turn the fond, deluded heart

From flatt'ring toys, which sooth'd its vanity!

The laurell'd trophy, and the loud applause,

The victor's triumph, and the people's gaze;

The high-hung banner, and recording gold,

Subdue me still, still cling around my heart,

And pull my reason down.

[Pg 26]

Enter LADY RUTLAND.

Rut. Oh, let me fly,
To clasp, embrace, the lord of my desires,
My soul's delight, my utmost joy, my husband!
Once more I hold him in my eager arms,
Behold his face, and lose my soul in rapture!

Essex. Transporting bliss! my richest, dearest treasure! My mourning turtle, my long-absent peace, Oh, come yet nearer, nearer to my heart! My raptured soul springs forward, to receive thee: Thou heaven on earth, thou balm of all my woe!

Rut. Oh, shall I credit, then, each ravish'd sense? Has pitying Heaven consented to my prayer? It has, it has; my Essex is return'd! But language poorly speaks the joys I feel; Let passion paint, and looks express my soul.

Essex. With thee, my sweetest comfort, I'll retire From splendid palaces, and glitt'ring throngs, To live embosom'd in the shades of joy, Where sweet content extends her friendly arms, And gives increasing love a lasting welcome. With thee, I'll timely fly from proud oppression. Forget our sorrows, and be bless'd for ever.

Rut. Oh! let us hence, beyond the reach of power, Where fortune's hand shall never part us more! In this calm state of innocence and joy, I'll press thee to my throbbing bosom close. Ambition's voice shall call in vain; the world, The thankless world, shall never claim thee more, And all thy business shall be love and me.

Essex. The queen, incensed at my return, abandons me To Cecil's malice, and the rage of faction. I'm now no more the fav'rite child of fortune: My enemies have caught me in the toil, And life has nothing worth my wish but thee.

[Pg 27]

Rut. Delusive dream of fancied happiness! And has my fatal fondness then destroy'd thee? Oh, have I lured thee to the deadly snare Thy cruel foes have laid? I dreaded Cecil's malice, and my heart, Longing to see thee, with impatience listen'd To its own alarms; and prudence sunk beneath The force of love.

Essex. Forbear, my only comfort;

Oh, tell me not of danger, death, and Burleigh; Let every star shed down its mortal bane On my unshelter'd head: whilst thus I fold Thee in my raptured arms, I'll brave them all, Defy my fate, and meet its utmost rigour.

Rut. Alas, my lord! consider where we are. Oh, 'tis the queen's apartment; Each precious moment is by fate beset, And time stands trembling whilst we thus confer.

Essex. Then, let us hence from this detested place; My rescued soul disdains the house of greatness, Where humble honesty can find no shelter. From hence we'll fly, where love and greatness call; Where happiness invites—that wish of all: With sweet content enjoy each blissful hour, Beyond the smiles of fraud, or frowns of power.

[Exeunt.

[Pg 28]

ACT THE THIRD.

SCENE I.

An Apartment in the Palace.

Enter Burleigh and Lady Nottingham.

Not. My lord, I've sought you out with much impatience. You've had an audience of the queen: what follow'd?

Bur. Soon as I told her, Essex had refused
To yield his dignities, and staff of office,
Against her high command, pronounced by me,
She seem'd deprived of reason for a moment;
Her working mind betray'd contending passions;
She paused, like thunder in some kindling cloud,
Then instant burst with dreadful fury forth:
"And has th' ungrateful wretch defy'd my mandate?
The proud, audacious traitor, scorn'd my power?
He dares not, sure?—He dies—the villain dies!"
I instantly withdrew,
But soon was countermanded, and desired
To bring the Earl of Essex to her presence.
I like it not; and much I fear she'll stand
Between this high offender and the laws.

Not. Is Essex then secured?

Bur. Madam, he is; And now comes guarded to the court.

Enter Gentleman.

Gent. Madam, the queen Is in her closet, and desires to see you.

[Exit.

Not. I attend her.

[Pg 29]

Bur. She wants, no doubt, to be advised by you. Improve this fair occasion, urge it home.

Not. I know her foible. Essex long has had An interest in her heart, which nothing can O'erturn, except his own ungovern'd spirit: It is, indeed, the instrument by which We work, and cannot fail, if rightly used.

Bur. Madam, the queen expects you instantly. I must withdraw, and wait the earl's arrival.

[Exeunt severally.

SCENE II

The Queen's Closet.

Queen Elizabeth discovered.

Qu. Eliz. Ill-fated, wretched man! perverse and obstinate! He counterworks my grace, and courts destruction. He gives his deadly foes the dagger to Destroy him, and defeats my friendly purpose, Which would, by seeming to abandon, save him. Nor will he keep the mask of prudence on A moment's space.—What! must I bear this scorn! No: let me all the monarch re-assume; Exert my power, and be myself again. Oh, ill-performing, disobedient, heart! Why shrink'st thou, fearful, from thy own resolve?

Enter Lady Nottingham.

Thou comest in time; I'm much disturb'd, abused, My Nottingham, and would complain to thee Of insolence, neglect, and high contempt. Essex presumed to dictate laws within My palace gates. How say'st thou, Nottingham?

[Pg 30]

Not. Surely, my gracious queen, it cannot be! His heat and passion never could impel him To take so bold a step, to such rash guilt: Methinks his very honour should prevent it.

Qu. Eliz. This haughty man has wanton'd with my grace, Abused my bounty, and despised my favours.

Not. His conduct has, I fear, been too unguarded: His hasty temper knows not where to stop. Ambition is the spur of all his actions, Which often drives him o'er his duty's limits; (At least his enemies would have it so.) But malice, madam, seldom judges right.

Qu. Eliz. Oh, Nottingham! his pride is past enduring; This insolent, audacious man, forgets His honour and allegiance;—and refused To render up his staff of office, here, Beneath my very eye.

Not. Presumptuous man! Your faithful subjects will resent this pride, This insolence, this treason to their queen; They must, my gracious sovereign. 'Tis not safe To shield him longer from their just resentment. Then give him up to justice and the laws.

Qu. Eliz. You seem well pleased to urge severity. Offended majesty but seldom wants Such sharp advisers—Yet no attribute So well befits the exalted seat supreme, And power's disposing hand, as clemency. Each crime must from its quality be judged; And pity there should interpose, where malice Is not the aggressor.

Not. Madam, my sentiments were well intended; Justice, not malice, moved my honest zeal. My words were echoes of the public voice, Which daily rises, with repeated cries Of high complaint against this haughty lord. I pity, from my heart, his rash attempts, And much esteem the man.

[Pg 31]

Qu. Eliz. Go, Nottingham, My mind's disturbed, and send me Rutland hither.

[Exit Lady Nottingham.

O vain distinction of exalted state! No rank ascends above the reach of care, Nor dignity can shield a queen from woe. Despotic nature's stronger sceptre rules, And pain and passion in her right prevails. Oh, the unpity'd lot, severe condition, Of solitary, sad, dejected grandeur! Alone condemn'd to bear th' unsocial throb Of heartfelt anguish, and corroding grief; Deprived of what, within his homely shed, The poorest peasant in affliction finds, The kind, condoling, comfort of a dear Partaking friend.

Enter LADY RUTLAND.

Rutland, I want thy timely
Counsel. I'm importuned, and urged to punish—
But justice, sometimes, has a cruel sound.
Essex has,
No doubt, provoked my anger, and the laws;
His haughty conduct calls for sharp reproof,
And just correction. Yet I think him guiltless
Of studied treasons, or design'd rebellion.
Then, tell me, Rutland, what the world reports,
What censure says of his unruly deeds.

Rut. The world, with envy's eye, beholds his merit; Madam, 'tis malice all, and false report.

I know his noble heart, 'tis fill'd with honour; No trait'rous taint has touch'd his generous soul; His grateful mind still glows with pure affection; And all his thoughts are loyalty and you.

[Pg 32]

Qu. Eliz. I grant you, Rutland, all you say; and think The earl possess'd of many splendid virtues. What pity 'tis, he should afford his foes Such frequent, sad occasions to undo him!

Rut. What human heart can, unafflicted, bear Such manly merit in distress, beset By cruel foes, and faction's savage cry? My good, my gracious mistress, stretch, betimes, Your saving arm, and snatch him from destruction, From deadly malice, treachery, and Cecil. Oh, let him live, to clear his conduct up! My gracious queen, he'll nobly earn your bounty, And with his dearest blood deserve your mercy.

Qu. Eliz. Her words betray a warm, unusual, fervour; Mere friendship never could inspire this transport.

[Aside.

I never doubted but the earl was brave; His life and valiant actions all declare it: I think him honest too, but rash and headstrong. I gladly would preserve him from his foes, And therefore am resolved once more to see him.

Rut. Oh, 'tis a godlike thought, and Heav'n itself Inspires it. Sure some angel moves your heart, Your royal heart, to pity and forgiveness. This gracious deed shall shine in future story, And deck your annals with the brightest virtue; Posterity shall praise the princely act, And ages yet to come record your goodness.

Qu. Eliz. I'll hear no more—Must I then learn from you To know my province, and be taught to move, As each designing mind directs?—Leave me.

Rut. Her frowns are dreadful, and her eye looks terror. I tremble for my Essex. Save him, Heav'n!

[Pg 33]

[Exit.

Qu. Eliz. Her warmth has touch'd me home. My jealous heart, My fearful and suspicious soul's alarm'd.

Bur. The Earl of Essex waits your royal will.

Qu. Eliz. Let him approach—And now once more support Thy dignity, my soul; nor yield thy greatness To strong usurping passion—But he comes.

Enter Essex and Southampton.

Essex. Permitted thus to bend, with prostrate heart,

Before your sacred majesty; I come, With every grateful sense of royal favour Deeply engraved within my conscious soul.

Qu. Eliz. I sent my orders for your staff of office.

Essex. Madam, my envy'd dignities and honours, I first from your own royal hand received, And therefore justly held it far beneath me To yield my trophies, and exalted power, So dearly purchased in the field of glory, To hands unworthy. No, my gracious queen, I meant to lay them at your royal feet; Where life itself a willing victim falls, If you command.

Qu. Eliz. High swelling words, my lord, but ill supply The place of deeds, and duty's just demand. In danger's onset, and the day of trial, Conviction still on acting worth attends; Whilst mere professions are by doubts encumber'd.

Essex. My deeds have oft declared in danger's front How far my duty and my valour lead me. Allegiance still my thirst of glory fired, And all my bravely gather'd, envy'd laurels Were purchased only to adorn my queen:

Qu. Eliz. Your guilty scorn of my entrusted power, When with my mortal foes you tamely dally'd, By hardy rebels braved, you poorly sought A servile pause, and begg'd a shameful truce. Should Essex thus, so meanly compromise, And lose the harvest of a plenteous glory, In idle treaties, and suspicious parley?

Essex. O, deadly stroke! My life's the destined mark. The poison'd shaft has drank my spirits deep.—
Is't come to this? Conspire with rebels! Ha!
I've served you, madam, with the utmost peril,
And ever gloried in th' illustrious danger,
Where famine faced me with her meagre mien,
And pestilence and death brought up her train.
I've fought your battles, in despite of nature,
Where seasons sicken'd, and the clime was fate.
My power to parley, or to fight, I had
From you; the time and circumstance did call
Aloud for mutual treaty and condition;
For that I stand a guarded felon here; a traitor,
Hemm'd in by villains, and by slaves surrounded.

Qu. Eliz. Shall added insolence, with crest audacious, Her front uplift against the face of power? Think not that injured majesty will bear Such arrogance uncheck'd, or unchastised. No public trust becomes the man, who treads, With scornful steps, in honour's sacred path, And stands at bold defiance with his duty.

Essex. Away with dignities and hated trust, With flattering honours, and deceitful power! Invert th' eternal rules of right and justice; Let villains thrive, and outcast virtue perish; Let slaves be raised, and cowards have command. Take, take your gaudy trifles back, those baits Of vice, and virtue's bane. 'Tis clear, my queen,

[Kneels.

[Pg 34]

My royal mistress, casts me off; nay, joins With Cecil to destroy my life and fame.

Qu. Eliz. Presuming wretch! Audacious traitor!

Essex. Traitor!

Qu. Eliz. Hence from my sight, ungrateful slave, and learn At distance to revere your queen!

Essex. Yes; let Me fly beyond the limits of the world, And nature's verge, from proud oppression far, From malice, tyranny, from courts, from you.

Qu. Eliz. Traitor! villain!

[Strikes him.

Essex. Confusion! what, a blow!
Restrain, good Heaven! down, down, thou rebel passion,
And, judgment, take the reins. Madam, 'tis well—
Your soldier falls degraded;
His glory's tarnish'd, and his fame undone.
O, bounteous recompence from royal hands!
But you, ye implements, beware, beware,
What honour wrong'd, and honest wrath can act.

Qu. Eliz. What would th' imperious traitor do? My life
Beyond thy wretched purpose stands secure.
Go, learn at leisure what your deeds deserve,
And tremble at the vengeance you provoke.

[Exeunt all but Essex and Southampton.

Essex. Disgraced and struck! Damnation! Death were glorious! Revenge! revenge!

South. Alas, my friend! what would Thy rage attempt? Consider well the great Advantage now your rash, ungovern'd temper Affords your foes. The queen, incensed, will let Their fury loose.—I dread the dire event!

Essex. Has honest pride no just resentment left? Nor injured honour, feeling?—Not revenge! High Heaven shall hear, and earth regret, my wrongs. Hot indignation burns within my soul. I'll do some dreadful thing!—I know not what; Some deeds, as horrid as the shame I feel, Shall startle nature, and alarm the world. Then hence, like lightning, let me furious fly, To hurl destruction at my foes on high; Pull down oppression from its tyrant seat, Redeem my glory, or embrace my fate.

[Pg 36]

[Exeunt.

ACT THE FOURTH.

SCENE I.

The Palace.

Enter Queen Elizabeth and Nottingham.

Qu. Eliz. Not taken yet?

Not. No, madam: for the Earl
Of Essex, leagued with desperate friends, made strong
And obstinate resistance; till, at length,
O'erpower'd by numbers, and increasing force,
He fled for shelter to a small retreat,
A summer-house, upon the Thames; resolved
To perish, rather than submit to power.

Qu. Eliz. Oh, where shall majesty bestow its favours, Since Essex has a traitor proved to me, Whose arm hath raised him up to power and greatness; Whose heart has shared in all his splendid triumphs, And feels, ev'n now, his trait'rous deeds with pity? But hence with pity, and the woman's pangs: Resentment governs, and the queen shall punish.

[Pg 37]

Enter Burleigh.

Bur. Illustrious queen! the traitors all are seized. Their black debates
Were held at Drury House. The dire result
Was this: that Essex should alarm the citizens
To open mutiny, and bold rebellion.
Their purpose was to seize your royal palace,
And sacred person; but your faithful people,
As by one mind inform'd, one zeal inspired,
Rose up at once, and with their virtue quell'd them.

Qu. Eliz. Thanks to their honest, to their loyal hearts! But say, were any persons else concern'd, Of high distinction, or of noted rank?

Bur. Yes, madam, many more; 'Mong whom the bold Southampton foremost stands. They're now our prisoners, and are safe secured; But Essex, with Southampton, and the rest Of greater note, I would not dare dispose of Without your royal mandate; and they now Attend without, to know your final pleasure.

Qu. Eliz. Is this the just return of all my care? My anxious toilsome days, and watchful nights? Have I sent forth a wish, that went not freighted With all my people's good? Or have I life, Or length of days desired, but for their sake? The public good is all my private care! Then could I think this grateful isle Contain'd one traitor's heart? But, least of all, That Essex' breast should lodge it? Call the monster, And let me meet this rebel face to face! Do you withdraw, and wait within our call.

[Exeunt Burleigh and Nottingham.

Enter Essex. [Pg 38]

You see, we dare abide your dangerous presence, Though treason sits within your heart enthroned, And on that brow rebellion lours, where once Such boasted loyalty was said to flourish. How low the traitor can degrade the soldier! Guilt glares in conscious dye upon thy cheek, And inward horror trembles in thine eye. How mean is fraud! How base ingratitude!

Essex. Forbear reproach, thou injured majesty, Nor wound with piercing looks, a heart already With anguish torn, and bleeding with remorse. Your awful looks, alone, are arm'd with death, And justice gives them terror.

Qu. Eliz. Hapless man!

What cause could prompt, what fiend could urge thee on To this detested deed? Could I from thee Expect to meet this base return? from thee, To whom I ought to fly with all the confidence That giving bounty ever could inspire, Or seeming gratitude and worth could promise?

Essex. Alas! I own my crimes, and feel my treasons; They press me down beneath the reach of pity. Despair alone can shield me from myself.

Qu. Eliz. My pride forbids me to reproach thee more; My pity, rather, would relieve thy sorrow.

The people's clamours, and my special safety, Call loud for justice, and demand your life. But if forgiveness from an injured queen Can make the few short hours you live more easy, I give it freely, from my pitying heart; And wish my willing power could grant thee more.

Essex. Oh, let me prostrate thus before you fall, My better angel, and my guardian genius! Permit me, royal mistress, to announce My faithful sentiments, my soul's true dictates; Vouchsafe your Essex but this one request, This only boon—he'll thank you with his last, His dying breath, and bless you in his passage.

Qu. Eliz. Rise, my lord!
If aught you have to offer can allay
Your woes, and reconcile you to your fate,
Proceed;—and I with patient ear will listen.

Essex. My real errors, and my seeming crimes, Would weary mercy, and make goodness poor; And yet the source of all my greatest faults Was loyalty misled, and duty in extreme. So jealous was my sanguine heart, so warm Affection's zeal, I could not bear the least Suspicion of my duty to my queen. This drove me from my high command in Ireland; This, too, impell'd me to that rude behaviour, Which justly urged the shameful blow I felt; And this, O fatal rashness! made me think My queen had given her Essex up, a victim To statesmen's schemes, and wicked policy. Stung by that piercing thought, my madness flew Beyond all bounds, and now, alas! has brought me To this most shameful fall; and, what's still worse, My own reproaches, and my queen's displeasure.

Qu. Eliz. Unhappy man! My yielding soul is touch'd, And pity pleads thy cause within my breast.

Essex. Say, but, my gracious sovereign, ere I go For ever from your presence, that you think me Guiltless of all attempts against your throne, And sacred life. Your faithful Essex ne'er Could harbour in his breast so foul a thought. Believe it not, my queen. By heaven, I swear, When in my highest pitch of glory raised,— The splendid noon of Fortune's brightest sunshine,— Not ages of renown,—could yield me half The joy, nor make my life so greatly blest, As saving yours, though for a single hour.

Qu. Eliz. My lord, I would convince you, that I still Regard your life, and labour to preserve it; But cannot screen you from a public trial. With prudence make your best defence; but should Severity her iron jurisdiction Extend too far, and give thee up condemn'd To angry laws, thy queen will not forget thee. Yet, lest you then should want a faithful friend (For friends will fly you in the time of need) Here, from my finger, take this ring, a pledge Of mercy; having this, you ne'er shall need An advocate with me, for whensoe'er You give, or send it back, by heaven, I swear, As I do hope for mercy on my soul, That I will grant whatever boon you ask.

Essex. Oh, grace surprising! most amazing goodness! Words cannot paint, the transports of my soul! Let me receive it on my grateful knees, At once to thank, and bless the hand that gives it.

Qu. Eliz. Depend, my lord, on this—'twixt you and me, This ring shall be a private mark of faith

[Pg 39]

[Pg 40]

Inviolate. Be confident; cheer up; Dispel each melancholy fear, and trust Your sovereign's promise—she will ne'er forsake you.

Essex. Let Providence dispose my lot as 'twill, May watchful angels ever guard my queen; May healing wisdom in her councils reign, And firm fidelity surround her throne; May victory her dreaded banners bear, And joyful conquests crown her soldiers' brow; Let every bliss be mingled in her cup, And Heaven, at last, become her great reward.

[Pg 41]

[Exit.

Qu. Eliz. 'Tis done;

And yet foreboding tremors shake my heart. Something sits heavy here, and presses down My spirits with its weight. What can it mean? Suppose he is condemn'd! my royal word Is plighted for his life; his enemies, No doubt, will censure much.—No matter; let them; I know him honest, and despise their malice.

Enter Countess of Rutland.

Rut. Where is the queen? I'll fall before her feet Prostrate; implore, besiege her royal heart, And force her to forgive.

Qu. Eliz. What means this phrensy?

Rut. Oh, gracious queen! if ever pity touch'd Your generous breast, let not the cruel axe Destroy his precious life; preserve my Essex, My life, my hope, my joy, my all, my husband!

Qu. Eliz. Husband!—What sudden, deadly blow is this! Hold up, my soul, nor sink beneath this wound.——You beg a traitor's life!

Rut. Oh, gracious queen!
He ever loved—was ever faithful—brave!
If nature dwells about your heart, oh, spurn
Me not!—My lord! my love! my husband bleeds!

Qu. Eliz. Take her away.

Rut. I cannot let you go.
Hold off your hands!—Here on this spot I'll fix—
Here lose all sense. Still let me stretch these arms,
Inexorable queen!—He yet may live.
Oh, give him to my poor, afflicted heart!
One pitying look, to save me from distraction.

Qu. Eliz. I'll hear no more. I'm tortured—take her hence.

[Pg 42]

Rut. Nay, force me not away.—Inhuman wretches! Oh, mercy, mercy!—Then to thee, good Heaven, (My queen, my cruel queen, denies to hear me!) To thee, for mercy bend.

Melt down her bosom's frozen sense, to feel Some portion of my deadly grief, my fell Distraction.—Turn, oh, turn, and see a wife, A tortured wife—

Qu. Eliz. Why am I not obey'd?

Rut. Nay, do not thus Abandon me to fell despair. Just Heaven, That sees my sorrows, will avenge the wrong, This cruel wrong—this barbarous tyranny.

[Forced off.

Qu. Eliz. Wedded to Rutland! Most unhappy pair! And, oh, ill-fated queen! Never till now Did sorrow settle in my heart its throne.

Recall my pledge of safety from his hands, And give him up to death!—But life or death To me is equal now. Unhappy state, where peace shall never come! One fatal moment has confirm'd my doom— Turn'd all my comfort to intestine strife, And fill'd with mortal pangs my future life!

[Exit.

[Pg 43]

ACT THE FIFTH.

SCENE I.

A Room in the Tower.

Enter Raleigh and Lieutenant of the Tower.

Ral. Their peers, with much indulgence, heard their plea, And gave them ample scope for their defence; But naught avail'd—their crimes were too notorious. They bore their sentence with becoming spirit; And here's the royal mandate for their deaths.—The Lady Nottingham! What brings her hither?

Enter Lady Nottingham.

Not. Lieutenant, lead me to the Earl of Essex, I bring a message to him from the queen.

Lieut. He's with his friend, the brave Southampton, madam, Preparing now for his expected fate. But I'll acquaint his lordship with your pleasure.

[Exit.

Ral. What means this message? Does the queen relent?

Not. I fear she does; Go you to court, for Cecil there expects you. I've promised to acquaint him with what passes 'Twixt me and Essex, ere I see the queen.

Ral. Madam, I go.

[Exit.

Not. Now, vengeance, steel my heart!
Offended woman, whilst her pride remains,
To malice only, and revenge, will bow;
And every virtue at that altar sacrifice.
But see, he comes, with manly sorrow clad.
There was a time, that presence could subdue
My pride, and melt my heart to gentle pity.
I then could find no joy but in his smiles,
And thought him lovely as the summer's bloom;
But all his beauties are now hateful grown.

Enter Essex.

Essex. Whether you bring me death, or life, I know not. But, if strict friendship, and remembrance past, May aught presage to my afflicted heart, Sure mercy only from those lips should flow, And grace be utter'd from that friendly tongue.

Not. My lord, I'm glad you think me still your friend. I come not to upbraid, but serve you now; And pleased I am to be the messenger Of such glad tidings, in the day of trouble, As I now bring you. When the queen had heard, That by the lords you were condemn'd to die, She sent me, in her mercy, here to know If you had aught to offer, that might move Her royal clemency to spare your life.

[Pg 44]

Essex. Could any circumstance new lustre add To my dread sovereign's goodness, 'tis the making The kind, the generous Nottingham its messenger.

Not. 'Tis well, my lord; but there's no time to spare—The queen impatient waits for my return.

Essex. My heart was wishing for some faithful friend, And bounteous Heaven hath sent thee to my hopes. Know then, kind Nottingham, for now I'll trust Thee with the dearest secret of my life, 'Tis not long since, the queen (who well foresaw To what the malice of my foes would drive me) Gave me this ring, this sacred pledge of mercy; And with it made a solemn vow to Heaven, That, whensoever I should give, or send It back again, she'd freely grant whate'er Request I then should make.

[Pg 45]

Not. Give, give it me, My lord! and let me fly, on friendship's wings, To bear it to the queen, and to it add My prayers and influence to preserve thy life.

Essex. Oh! take it then—it is the pledge of life! Oh! it is my dear Southampton's
Last, last remaining stay! his thread of being,
Which more than worlds I prize!—Oh, take it, then;
Take it, thou guardian angel of my life,
And offer up the incense of my prayer!
Oh, beg, entreat, implore her majesty,
From public shame, and ignominious death,
And from the obdurate axe, to save my friend.

Not. My lord, with all the powers that nature gave And friendship can inspire, I'll urge the queen To grant you your request.

Essex. Kind Nottingham!
Your pious offices shall ever be
My fervent theme; and if my doubtful span
Relenting Heaven should stretch to years remote,
Each passing hour shall still remind my thoughts,
And tell me, that I owe my all to thee:
My friend shall thank you too for lengthen'd life.
And now I fly with comfort to his arms,
To let him know the mercy that you bring.

[Exeunt.

[Pg 46]

SCENE II.

The Court.

Enter Queen Elizabeth and Burleigh.

Qu. Eliz. Ha! is not Nottingham return'd?

Bur. No, madam.

Qu. Eliz. Dispatch a speedy messenger to haste her.— My agitated heart can find no rest. So near the brink of fate—-unhappy man!

Enter Lady Nottingham.

How now, my Nottingham—what news from Essex? What says the earl?

Not. I wish, with all my soul, The ungrateful task had been another's lot. I dread to tell it—lost, ill-fated man!

Qu. Eliz. What means this mystery, this strange behaviour? Pronounce—declare at once; what said the earl?

Not. Alas, my queen! I fear to say; his mind Is in the strangest mood that ever pride

On blackest thoughts begot.——He scarce would speak; And when he did, it was with sullenness, With hasty tone, and downcast look.

Qu. Eliz. Amazing! Not feel the terrors of approaching death! Nor yet the joyful dawn of promised life!

Not. He rather seem'd insensible to both, And with a cold indifference heard your offer; Till warming up, by slow degrees, resentment Began to swell his restless haughty mind; And proud disdain provoked him to exclaim Aloud, against the partial power of fortune, And faction's rage. I begg'd him to consider His sad condition; nor repulse, with scorn, The only hand that could preserve him.

[Pg 47]

Ou. Eliz. Ha!

Upon such terms bestow'd.

What!—Said he nothing of a private import? No circumstance—no pledge—no ring?

Not. None, madam! But, with contemptuous front, disclaim'd at once Your proffer'd grace; and scorn'd, he said, a life

Qu. Eliz. Impossible!
Could Essex treat me thus?—You basely wrong him,
And wrest his meaning from the purposed point.
Recall betimes the horrid words you've utter'd:
Confess, and own the whole you've said was false.

Not. Madam, by truth, and duty, both compell'd, Against the pleadings of my pitying soul, I must declare (Heaven knows with what reluctance), That never pride insulted mercy more. He ran o'er all the dangers he had past; His mighty deeds; his service to the state; Accused your majesty of partial leaning To favourite lords, to whom he falls a sacrifice; Appeals to justice, and to future times, How much he feels from proud oppression's arm: Nay, something too he darkly hinted at, Of jealous disappointment, and revenge.

Qu. Eliz. Eternal silence seal thy venom'd lips What hast thou utter'd, wretch, to rouse at once A whirlwind in my soul, which roots up pity, And destroys my peace!

Let him this instant to the block be led.

Upbraid me with my fatal fondness for him!
Ungrateful, barbarous ruffian! O, Elizabeth!
Remember now thy long-establish'd fame,
Thy envy'd glory, and thy father's spirit.
Accuse me of injustice too, and cruelty!—
Yes, I'll this instant to the Tower, forget
My regal state, and to his face confront him:
Confound the audacious villain with my presence,
And add new terrors to the uplifted axe.

[Exit Nottingham.

[Pg 48]

[Exit.

SCENE III.

The Tower.

Enter Essex and Southampton.

Essex. Oh, name it not! my friend shall live—he shall! I know her royal mercy, and her goodness, Will give you back to life, to length of days, And me to honour, loyalty, and truth. Death is still distant far.

South. In life's first spring,

Our green affections grew apace and prosper'd; The genial summer swell'd our joyful hearts, To meet and mix each growing fruitful wish. We're now embark'd upon that stormy flood, Where all the wise and brave are gone before us, E'er since the birth of time, to meet eternity. And what is death, did we consider right? Shall we, who sought him in the paths of terror, And faced him in the dreadful walks of war, Shall we astonish'd shrink, like frighted infants, And start at scaffolds, and their gloomy trappings?

Essex. Yet, still I trust long years remain of friendship. Let smiling hope drive doubt and fear away, And death be banish'd far; where creeping age, Disease, and care, invite him to their dwelling. I feel assurance rise within my breast, That all will yet be well.

South. Count not on hope—
We never can take leave, my friend, of life,
On nobler terms. Life! what is life? A shadow!
Its date is but the immediate breath we draw;
Nor have we surety for a second gale;
Ten thousand accidents in ambush lie
For the embody'd dream.
A frail and fickle tenement it is,
Which, like the brittle glass that measures time,
Is often broke, ere half its sands are run.

Essex. Such cold philosophy the heart disdains, And friendship shudders at the moral tale. My friend, the fearful precipice is past, And danger dare not meet us more. Fly swift, Ye better angels, waft the welcome tidings Of pardon to my friend—of life and joy!

Enter Lieutenant.

Lieut. I grieve to be the messenger of woe, But must, my lords, entreat you to prepare For instant death. Here is the royal mandate, That orders your immediate execution.

Essex. Immediate execution! what, so sudden?—No message from the queen, or Nottingham!

Lieut. None, sir.

Essex. Deluded hopes! Oh, worse than death!
Perfidious queen! to make a mock of life!
My friend—my friend destroy'd! Why could not mine—
My life atone for both—my blood appease?
Can you, my friend, forgive me?

South. Yes, oh yes,
My bosom's better half, I can.—With thee,
I'll gladly seek the coast unknown, and leave
The lessening mark of irksome life behind.
With thee, my friend, 'tis joy to die!—'tis glory!
For who would wait the tardy stroke of time?
Or cling like reptiles to the verge of being,
When we can bravely leap from life at once,
And spring, triumphant, in a friend's embrace?

Enter Raleigh.

Ral. To you, my Lord Southampton, from the queen, A pardon comes; your life her mercy spares.

Essex. For ever blest be that indulgent power Which saves my friend! This weight ta'en off, my soul Shall upward spring, and mingle with the bless'd.

South. All-ruling Heavens! can this—can this be just? Support me! hold, ye straining heart-strings, hold, And keep my sinking frame from dissolution!

[Pg 49]

[Pg 50]

Oh, 'tis too much for mortal strength to bear, Or thought to suffer!—No, I'll die with thee! They shall not part us, Essex!

Essex. Live, oh, live!
Thou noblest, bravest, best of men and friends!
Whilst life is worth thy wish—till time and thou
Agree to part, and nature send thee to me!
Thou generous soul, farewell!——Live, and be happy!
And, oh! may life make largely up to thee
Whatever blessing fate has thus cut off,
From thy departing friend!

[Pg 51]

Lieut. My lord, my warrant Strictly forbids to grant a moment's time.

South. Oh, must we part for ever? Cruel fortune! Wilt thou then tear him hence?—Severe divorce! Let me cling round thy sacred person still,—Still clasp thee to my bosom close, and keep Stern Fate at distance.

Essex. Oh, my friend! we'll meet
Again, where virtue finds a just reward!
Where factious malice never more can reach us!
I need not bid thee guard my fame from wrongs:
And, oh! a dearer treasure to thy care
I trust, than either life or fame—my wife!
Oh, she will want a friend!
Then take her to thy care—do thou pour balm
On her deep-wounded spirit, and let her find
My tender helps in thee!—I must be gone,
My ever faithful, and my gallant friend!
I pr'ythee, leave this woman's work.—Farewell!
Take this last, dear embrace—Farewell for ever!

South. My bursting breast! I fain would speak, but words Are poor—Farewell!—
But we shall meet again—embrace in one Eternal band, which never shall be loosed.

[Exit.

Essex. To death's concluding stroke, lead on, Lieutenant.— My wife!—Now reason, fortitude, support me! For now, indeed, comes on my sorest trial.

Enter Countess of Rutland.

Oh, thou last, dear reserve of fortune's malice! For fate can add no more,—
Oh, com'st thou now to arrest my parting soul, And force it back to life?

Rut. Thou sole delight—
Thou only joy which life could ever give,
Or death deprive me of—my wedded lord!
I come, with thee, determined to endure
The utmost rigour of our angry stars!
To join thee, fearless, in the grasp of death,
And seek some dwelling in a world beyond it!

Essex. Too much, thou partner of this dismal hour, Thy gen'rous soul would prompt thee to endure! Nor can thy tender, trembling, heart sustain it. Long years of bliss remain in store for thee; And smiling time his treasures shall unfold To bribe thy stay!

Rut. Thou cruel comforter! Alas! what's life—what's hated life to me? Alas, this universe, this goodly frame, Shall all as one continued curse appear, And every object blast, when thou art gone.

Essex. Oh, strain not thus the little strength I've left, The weak support that holds up life! to bear

[Pg 52]

A few short moments more, its weight of woe, Its loss of thee! Oh, turn away those eyes! Nor with that look melt down my fix'd resolve! And yet a little longer let me gaze On that loved form! Alas! I feel my sight Grows dim, and reason from her throne retires: For pity's sake, let go my breaking heart, And leave me to my fate!

Rut. Why wilt thou still
Of parting talk?
Oh, that the friendly hand of Heaven would snatch
Us both at once, above the distant stars,
Where fortune's venom'd shafts can never pierce,
Nor cruel queens destroy!

Essex. The awful Searcher, whose impartial eye Explores the secrets of each human heart, And every thought surveys, can witness for me, How close thy image clings around my soul! Retards each rising wish, and draws me back To life, entangled by that loved idea!

Lieut. My lord, It now grows late.

Essex. Lead on.

Rut. Stay, stay, my love! my dearest, dying lord! Ah! whither wouldst thou go? Ah, do not leave me!

[Faints.

Essex. Thou sinking excellence! thou matchless woman! Shall fortune rob me of thy dear embrace, Or earth's whole power, or death divide us now? Stay, stay, thou spotless, injured saint!

Lieut. My lord, already you have been indulged Beyond what I can warrant by my orders.

Essex. One moment more
Afford me to my sorrows—Oh, look there!
Could bitter anguish pierce your heart, like mine,
You'd pity now the mortal pangs I feel,
The throbs that tear my vital strings away,
And rend my agonizing soul.

Lieut. My lord--

Essex. But one short moment, and I will attend. Ye sacred ministers, that virtue guard, And shield the righteous in the paths of peril, Restore her back to life, and lengthen'd years Of joy! dry up her bleeding sorrows all! Oh, cancel from her thoughts this dismal hour, And blot my image from her sad remembrance! 'Tis done.— And now, ye trembling cords of life, give way! Nature and time, let go your hold!—Eternity Demands me.

[Exeunt Essex and Lieutenant.

Rut. Where has my lost, benighted soul been wand'ring?—What means this mist, that hangs about my mind, Through which reflection's painful eye discerns Imperfect forms and horrid shapes of woe?—The cloud dispels, the shades withdraw, and all My dreadful fate appears.—Oh! where's my lord?—My life! my Essex! Oh! whither have they ta'en him?

Enter Queen Elizabeth and Attendants.

Qu. Eliz. To execution!—Fly with lightning's wing, And save him!
Be calm, he shall not die! Rise up—I came
To save his life.

[Pg 53]

[Pg 54]

Rut. 'Tis mercy's voice that speaks!—
My Essex shall again be mine! My queen,
My bounteous, gracious queen, has said the word!
May troops of angels guard thy sacred life!
And, in thy latest moments, waft thy soul,
To meet that mercy in the realms of joy,
Which, now, thy royal goodness grants to me!

Enter Burleigh.

Bur. Madam, your orders came, alas! too late. Ere they arrived, the axe had fallen on Essex.

Rut. Ha! dead! What hell is this, that opens round me? What fiend art thou, that draws the horrid scene? Ah! Burleigh! bloody murd'rer! where's my husband? Oh! where's my lord, my Essex? Destruction seize, and madness rend my brain! See,—see they bend him to the fatal block! Now—now the horrid axe is lifted high— It falls—it falls!—he bleeds—he bleeds! he dies!

Qu. Eliz. Alas! her sorrows pierce my suffering heart!

[Pg 55]

Rut. Eternal discord tear the social world, And nature's laws dissolve! expunge—erase The hated marks of Time's engraving hand, And every trace destroy! Arise, Despair! Assert thy rightful claim—possess me all! Bear, bear me to my murder'd lord—to clasp His bleeding body in my dying arms! And, in the tomb, embrace his dear remains, And mingle with his dust—for ever!

[Exit.

Qu. Eliz. Hapless woman! She shall henceforth be partner of my sorrows, And we'll contend who most shall weep for Essex. Oh, quick to kill, and ready to destroy!

[To Burleigh.

Could no pretext be found—no cause appear, To lengthen mercy out a moment more, And stretch the span of grace?—Oh, cruel Burleigh! This, this was thy dark work, unpitying man!

Bur. My gracious mistress, blame not thus my duty, My firm obedience to your high command. The laws condemn'd him first to die; nor think I stood between your mercy and his life. It was the Lady Nottingham, not I. Herself confess'd it all, in wild despair, That, from your majesty to Essex sent With terms of proffer'd grace, she then received, From his own hand, a fatal ring, a pledge, It seems, of much importance, which the earl, With earnest suit, and warm entreaty, begg'd her, As she would prize his life, to give your majesty; In this she fail'd—In this she murder'd Essex.

Qu. Eliz. Oh, barbarous woman!
Surrounded still by treachery and fraud!
What bloody deed is this!—Thou injured Essex!
My fame is soil'd to all succeeding times;
But Heaven alone can view my breaking heart—
Then let its will be done.
From hence, let proud, resisting mortals know
The arm parental, and the indulgent blow.
To Heaven's corrective rod submissive bend;
Adore its wisdom, on its power depend;
Whilst ruling justice guides eternal sway,
Let nature tremble, and let man obey.

[Pg 56]

[Exeunt.

Transcriber's Note: The following typographical errors present in the original edition have been corrected.

In Act II, Scene I, missing periods were added after "Her majesty to milder thoughts" and "The force of love".

In Act III, Scene II, "pure affectio;" was changed to "pure affection;", and "' $\overline{}$ Tis clear" was changed to "' $\overline{}$ Tis clear".

In Act IV, Scene I, "Vouchfafe your Essex" was changed to "Vouchsafe your Essex", and a missing comma was added after "avenge the wrong".

In Act V, Scene I, "Each pasing hour" was changed to "Each passing hour".

In Act V, Scene III, the dialogue tag "Qd. Eliz." was changed to "Qu. Eliz." in the line beginning "To execution!--Fly with lightning's wing", and "'Tis mercys voice" was changed to "'Tis mercy's voice".

*** END OF THE PROJECT GUTENBERG EBOOK THE EARL OF ESSEX: A TRAGEDY, IN FIVE ACTS ***

Updated editions will replace the previous one—the old editions will be renamed.

Creating the works from print editions not protected by U.S. copyright law means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg™ electronic works to protect the PROJECT GUTENBERG™ concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for an eBook, except by following the terms of the trademark license, including paying royalties for use of the Project Gutenberg trademark. If you do not charge anything for copies of this eBook, complying with the trademark license is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. Project Gutenberg eBooks may be modified and printed and given away—you may do practically ANYTHING in the United States with eBooks not protected by U.S. copyright law. Redistribution is subject to the trademark license, especially commercial redistribution.

START: FULL LICENSE

THE FULL PROJECT GUTENBERG LICENSE

PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project GutenbergTM mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase "Project Gutenberg"), you agree to comply with all the terms of the Full Project GutenbergTM License available with this file or online at www.gutenberg.org/license.

Section 1. General Terms of Use and Redistributing Project Gutenberg™ electronic works

- 1.A. By reading or using any part of this Project GutenbergTM electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project GutenbergTM electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project GutenbergTM electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.
- 1.B. "Project Gutenberg" is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project GutenbergTM electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project GutenbergTM electronic works if you follow the terms of this agreement and help preserve free future access to Project GutenbergTM electronic works. See paragraph 1.E below.
- 1.C. The Project Gutenberg Literary Archive Foundation ("the Foundation" or PGLAF), owns a compilation copyright in the collection of Project Gutenberg $^{\text{\tiny TM}}$ electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg $^{\text{\tiny TM}}$ mission of promoting free access to electronic works by freely sharing Project Gutenberg $^{\text{\tiny TM}}$ works in compliance with

the terms of this agreement for keeping the Project GutenbergTM name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project GutenbergTM License when you share it without charge with others.

- 1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg $^{\text{TM}}$ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.
- 1.E. Unless you have removed all references to Project Gutenberg:
- 1.E.1. The following sentence, with active links to, or other immediate access to, the full Project GutenbergTM License must appear prominently whenever any copy of a Project GutenbergTM work (any work on which the phrase "Project Gutenberg" appears, or with which the phrase "Project Gutenberg" is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

- 1.E.2. If an individual Project GutenbergTM electronic work is derived from texts not protected by U.S. copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase "Project Gutenberg" associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project GutenbergTM trademark as set forth in paragraphs 1.E.8 or 1.E.9.
- 1.E.3. If an individual Project Gutenberg^{$^{\text{TM}}$} electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg^{$^{\text{TM}}$} License for all works posted with the permission of the copyright holder found at the beginning of this work.
- 1.E.4. Do not unlink or detach or remove the full Project GutenbergTM License terms from this work, or any files containing a part of this work or any other work associated with Project GutenbergTM.
- 1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project GutenbergTM License.
- 1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project GutenbergTM work in a format other than "Plain Vanilla ASCII" or other format used in the official version posted on the official Project GutenbergTM website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original "Plain Vanilla ASCII" or other form. Any alternate format must include the full Project GutenbergTM License as specified in paragraph 1.E.1.
- 1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg^m works unless you comply with paragraph 1.E.8 or 1.E.9.
- 1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg^{$^{\text{TM}}$} electronic works provided that:
- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg™ works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg™ trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, "Information about donations to the Project Gutenberg Literary Archive Foundation."
- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or

- a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg[™] works.
- 1.E.9. If you wish to charge a fee or distribute a Project Gutenberg[™] electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg[™] trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

- 1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg^{\mathfrak{M}} collection. Despite these efforts, Project Gutenberg^{\mathfrak{M}} electronic works, and the medium on which they may be stored, may contain "Defects," such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.
- 1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES Except for the "Right of Replacement or Refund" described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.
- 1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.
- 1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS', WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.
- 1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.
- 1.F.6. INDEMNITY You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg[™] electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg[™] electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg[™] work, (b) alteration, modification, or additions or deletions to any Project Gutenberg[™] work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg™

Project Gutenberg $^{\text{TM}}$ is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project GutenbergTM 's goals and ensuring that the Project GutenbergTM collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project GutenbergTM and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project GutenbergTM depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1\$ to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg^m concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg^m eBooks with only a loose network of volunteer support.

Project GutenbergTM eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg $^{\text{TM}}$, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.