

were a grievance that those laws were made to extend to sectaries, who are softly styled Protestant Dissenters; such as Presbyterians, Quakers, Anabaptists, &c. But the judges, as his lordship in particular and Justice Jones (who, though absent at Taunton, desired to be comprised in the advertisement) had not such a notion of law as for any body's humour, to treat plain words and expressions as a nose of wax to bend one way or other to gratify parties. But the charge given by the earl as secretary to the judges to that effect, was an *ignis fatuus* or will in the way of the factum, concerted to mislead, at least with showing a feint of indemnity to seduce them.

398. I have elsewhere noted that, during the reign of King Charles II. calumny against his lordship at court was kept under; for he would not suffer his mimics to fool with the persons of his ministers that he had a value for. But, in the next reign, when the Roman Catholic design began to work and his lordship was found utterly unfit for their purposes, and the court instruments of which the Earl of Sunderland was the chief employed to shake him off that the Lord Jeffries might come on, then the reins were let loose to calumny; and when no misdemeanour could be found to harp upon, they fell, like foolish clowns, to call names as they say; and no scruple was made to vilify him as the unfittest man that ever sat in his place: partial, passionate, unreasonable, impotent, corrupt, arbitrary, popish, and ignorant. Any thing to make him avoid the room. But his lordship cared not to humour these barkers or to quit his place till he might do it with salvo to his dignity.

399. To show that his lordship's court enemies, the Earl of Sunderland in particular, were hard put to it to find or invent something to report, tending to the diminution of his character, I shall give an account of the most impudent buffoon he raised upon him and, with brazen affirmations of truth to it, dispersed from the court one morning, that ever came into fools' heads; and Satan himself would not have owned it for his legitimate issue. It fell out thus: a merchant, of Sir Dudley North's acquaintance, had brought over an enormous rhinoceros to be

to show-men for profit.¹ It is a noble beast, wonderfully armed by nature for offence; but more for defence, being covered with impenetrable shields which no weapon would make any impression upon; and a rarity so great that few men in our country have, in their whole lives, opportunity to see so singular an animal. This merchant told Sir Dudley North, that if he, with a friend or two, had a mind to see it they might take the opportunity at his house, before it was sold. Hereupon Sir Dudley North proposed to his brother, the lord keeper, to go with him upon this expedition; which he did, and came away exceedingly satisfied with the curiosity he had seen. But whether he was dogged, to find out where he and his brother housed in the city, or flying fame carried an account of the voyage to court, I knew not; but it is certain that the very next morning a bruit went from thence all over the town and (as factious reports use to run) in a very short time, viz. that his lordship rode upon the rhinoceros; than which a more infantine exploit could not have been fastened upon him. And most people were struck with amazement at it; and divers ran here and there to find out whether it was true or no. And soon after dinner some lords and others came to his lordship to know the truth from himself; for the setters of the lie affirmed it positively as of their own knowledge. That did not give his lordship much disturbance; for he expected no better from his adversaries. But that his friends, intelligent persons who must know him to be far from guilty of any childish levity, should believe it, was what roiled him extremely; and much more, when they had the face to come to him to know if it were true. I never saw him in such a rage, and to lay about him with affronts (which he keenly bestowed upon the minor courtiers that came on that errand) as then; for he sent them away with fleas in their ear. And he was seriously angry with his own brother Sir Dudley North because he did not contradict the lie in sudden and direct terms, but laughed, as taking the question put to him for a banter, till, by iterations, he was brought to it.

¹ This was the first rhinoceros ever brought into England, and was sold for an enormous sum of money—Evelyn tells us upwards of £2,000. (Evelyn, vol. i. p. 332.)

The Gentleman

of the Rhinoceros

1890 (with Sunderland Library)

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For some lords came, and because they seemed to approve somewhat to the avowed positiveness of the report, they rather chose to send for his brother to attest, than to impose his bare denial. And so it passed; and the next morn'g, with Jeffrey and others of that crew, made merry and never blushed at the lie of their own making; but let themselves upon it as a very good jest.

400. I know not any thing, that came out in justice or calumny against his lordship in his life-time, worth taking notice of more than hath been hinted. His justice was so exact and course of life so unexceptionable, that as libellers had no subject to make any work with. The vilest of them, in all three entitled, "The no Protestants Plots," published to waylay the course of justice against traitors and cunningly contrived for that purpose, if any thing had been known to discredit his lordship's exactness had there displayed it. But the worst that the author of the contrive was to call him Slyboots; and a younger brother that usually went about with him, young North. There is all while living; but, since his death the press hath been more free.

401. And, since that time some particular matters were muttered about, without as well as within St. Stephen's walls; as if he had not therein done his duty as the keeper of the great seal; which, though it never passed any accusation or public censure, I think may be said to be taken in here. One was, that his lordship refused to give the seal to a mandatory writ directed to the Lord Chief Justice Saunders, to sign a bill of exceptions tendered to him at the trial of the rioters in London. The information was for the riotous fact of the old sheriffs holding a session in a common hall and pretending to elect new sheriffs, after the assembly was dissolved by the lord mayor. At the trial the defendants urged, as hath been related in the Exonerate, that the lord mayor had no power to dissolve the commission, which point the Lord Chief Justice Saunders overruled as a vain and empty pretence, and utterly against law. Upon that, the bill of exceptions to the opinion of the judges was tendered, which he refused to sign. At the trial was over, they came to his lordship for a petition and writ and suggested a form of it express in the request

of examination, his lordship was taken to the sheriff's office, and a ministerial officer was sent to direct. But the writ was directed to the sheriff. And what was the result of any attachment was to be followed. And the writ was that shall fall the writ of favour was never was any such, and there were thus put in sense in them, but in separating the fire which the Chief Justice was the signing; but the writ was most clearly written here.

402. Of a like nature with the great seal for a fiat to reverse an outlawry against a man on a writ within a year, he is to reverse the outlawry; and an outlawry against an attorney, as if he were an attorney; Armstrong for the eye plot was taken up in the being opposed as to what was the occasion should be admitted here within the year that being brought in regarding himself with

on account of the proceeds; to which, see Howell's State Trials, where he is asked whether he should have it to the judges." (Hawes, p. 267.)