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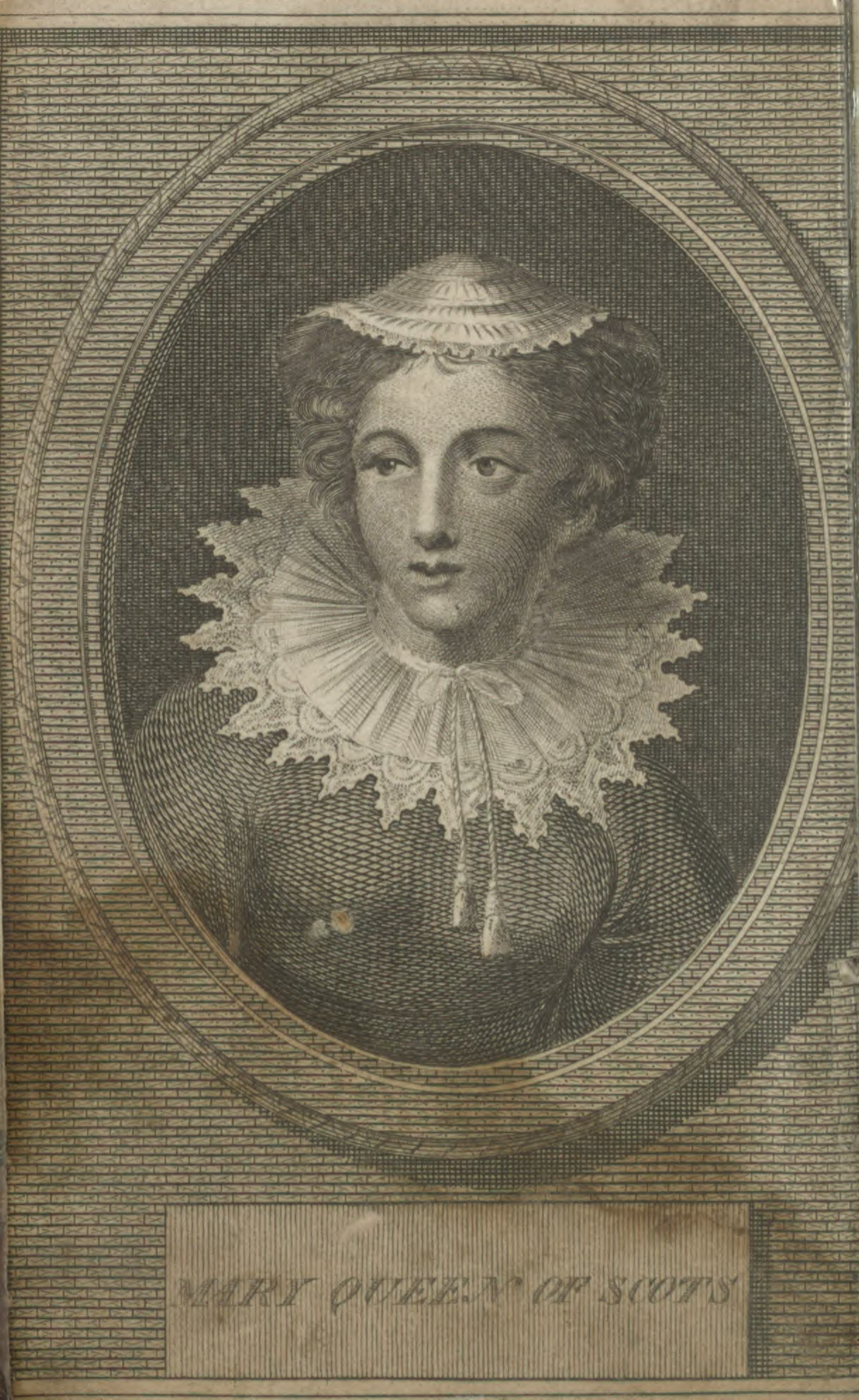

MARY QUEEN OF SCOTS

THE

HISTORY

OF

SCOTLAND,

DURING THE REIGNS OF

QUEEN MARY, and KING JAMES VI.

TILL

His ACCESSION to the Crown of ENGLAND.

WITH A

REVIEW of the SCOTTISH HISTORY previous to that Period; and an APPENDIX containing ORIGINAL PAPERS.

By WILLIAM ROBERTSON, D. D.
PRINCIPAL OF THE UNIVERSITY OF EDINBURGH, AND HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND.

TO WHICH IS ADDED,

A concise State of the Controversy respecting QUEEN MARY.

VOLUME II.

PERTH:

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THE great fame which our Author has ſo juſtly acquired in the literary world, and the part he has taken in a matter of ſo much importance in Scots hiſtory, ſeems to require ſome apology for our attempt to elucidate the controverſy reſpecting Queen Mary, a queſtion which has long been an object of political inquiry. Dr Robertſon's character, as an hiſtorian, is no doubt ſufficient to eſtabliſh, or at leaſt to give a very conſiderable weight to any argument he makes uſe of; but in the preſent caſe, ſo many able writers have eſpouſed the cauſe of Mary, that we thought it neceſſary to give ſome account of what has been ſaid by both parties; and, if we have differed from our learned Author, we hope that the reader will attribute it entirely to the force of evidence lying on the other ſide of the queſtion. The Statement which we have added to the preſent volume, contains the ſum of moſt of the arguments that have been uſed at any time upon the ſubject, and indeed almoſt the whole that ſeem poſſible to be made uſe of by either party. Particular notice has been taken of the aſſertions of Buchanan, and Leſly Biſhop of Roſs; who, being the firſt that formally debated the cauſe, may reaſonably be thought to have almoſt exhauſted what, at that time, could be urged upon the ſubject. Succeeding events and diſcoveries, however, have brought to light many dark tranſactions and machinations which in thoſe days were carefully concealed. Theſe have now been announced to the public by various elegant and ſplendid writers; all of whom have been conſulted on the preſent occaſion.

THE

HISTORY

OF

SCOTLAND.

BOOK SEVENTH.

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WHILE Scotland was torn by those intestine factions, Elizabeth was alarmed with the rumour

of a project in agitation for ſetting Mary at liberty. Francis Throgmorton, a Cheſhire gentleman, was ſuſpected of being deeply concerned in the deſign, and on that ſuſpicion he was taken into cuſtody. Among his papers were found two liſts, one of the principal harbours in the kingdom, with an account of their ſituation, and the depth of the water in each; the other, of all the eminent Roman Catholics in England. This circumſtance confirmed the ſuſpicion againſt him, and ſome dark and deſperate conſpiracy was ſuppoſed juſt ready to break out. At firſt he boldly avowed his innocence, and declared that the two papers were forged by the Queen's Miniſters, in order to intimidate or enſnare him; and he even endured the rack with the utmoſt fortitude. But being brought a ſecond time to the place of torture, his reſolution failed him, and he not only acknowledged that he had held a ſecret correſpondence with the Queen of Scots, but diſcovered a deſign that was formed to invade England. The Duke of Guiſe, he ſaid, undertook to furniſh troops, and to conduct the enterpriſe. The Pope and King of Spain were to ſupply the money, neceſſary for carrying it on; all the Engliſh exiles were eager to take arms; many of the Catholics at home would be ready to join them, at their landing; Mendoza the Spaniſh ambaſſador, who was the life of the conſpiracy, ſpared no pains in fomenting the ſpirit of diſaffection among the Engliſh, or in haſtening the preparations on the Continent; and by his command, he made the two liſts, the copies whereof had been found in his poſſeſſion. This confeſſion he retracted at his trial; returned to it again, after ſentence was paſſed upon him; and retracted it once more at the place of execution *.

To us in the preſent age, who are aſſiſted in forming our opinion of this matter, by the light which time and hiſtory have thrown upon the deſigns and characters of the Princes of Guiſe, many circumſtances in Throgmoton's confeſſion appear to be extremely remote from truth, or even from probability. The Duke of Guiſe was, at that juncture, far from being in

* Holingſhed 1370.

in a ſituation to undertake foreign conqueſts. Without either power or office at court; hated by the King; and proſecuted by the favourites; he had no leiſure for any thoughts of diſturbing the quiet of neighbouring ſtates, and his vaſt and ambitious mind was wholly occupied in laying the foundation of the famous league, which ſhook the throne of France. But about the time Elizabeth detecced this conſpiracy, the cloſe union between the houſe of Guiſe and Philip II. was remarkable to all Europe, and as their great enterpriſe again Henry III. was not yet diſcloſed, as they endeavoured to conceal that under their threatenings to invade England, Throgmorton's diſcovery appeared to be extremely probable; and Elizabeth, who knew how ardently all the parties mentioned by him wiſhed her downfal, thought that ſhe could not guard her kingdom with too much care. The indiſcreet zeal of the Engliſh exiles increaſed her fears. Not ſatisfied with inceſſant outcries againſt her ſeverity towards the Scottiſh Queen, and her cruel perſecution of her Catholic ſubjects, nor thinking it enough that one Pope had threatened her with the ſentence of excommunication, and another had actually pronounced it, they now began to diſperſe books and writings, in which they endeavoured to perſuade their diſciples, that it would be a meritorious action to take away her life; they openly exhorted the maids of honour to treat her, as Judith did Holofernes, and by ſuch an illuſtrious deed, to render their own names honourable and ſacred in the Church, throughout all future ages*. For all theſe reaſons, Elizabeth not only inflicted the puniſhment of a traitor on Throgmorton, but commanded the Spaniſh ambaſſador inſtantly to leave England; and that ſhe might be in no danger of being attacked within the iſland, ſhe determined to uſe her utmoſt efforts, in order to recover that influence over the Scottiſh councils, which ſhe had for ſome time entirely loſt.

There were three different methods; by which Elizabeth might hope to accompliſh this; either by furniſhing ſuch effectual aid to the baniſhed nobles, as

* Camd. 497.

would enable them to resume the chief direction of affairs; or by entering into such a treaty with Mary, as might intimidate her son, who being now accustomed to govern, would be apt to agree to any terms, rather than resign the sceptre or admit an associate in the throne; or by gaining the Earl of Arran, to secure the direction of the King his master. The last was not only the easiest, and speediest, but the most certain of success. This Elizabeth resolved to pursue; but without laying the other two altogether aside. With this view, she sent Davison, one of her principal secretaries, and a man of abilities and address, into Scotland. A Minister so venal as Arran, hated by his own countrymen, and holding his power by the most precarious of all tenures, the favour of a young prince, accepted Elizabeth's offers without hesitation, and esteemed the acquisition of her protection to be the most solid foundation of his own greatness. Soon after, he consented to an interview with Lord Hunsdane the Governor of Berwick, and being honoured with the pompous title of Lieutenant General for the King, he appeared at the place appointed, with a splendid train. In Hunsdane's presence, he renewed his promises of an inviolable and faithful attachment to the English interest, and assured him that James should enter into no negociation, which tended to interrupt the peace between the two kingdoms; and as Elizabeth began to entertain the same fears and jealousies concerning the King's marriage, which had formerly disquieted her with regard to his mother's, he undertook to prevent James from listening to any overture of that kind, till he had previously obtained the Queen of England's consent *.

The banished Lords and their adherents soon felt the effects of Arran's friendship with England. As Elizabeth had permitted them to take refuge in her dominions, and several of her Ministers were of opinion that she ought to employ her arms in defence of their cause, the fear of this was the only thing, which restrained James and his favourite, from proceeding to such extremities against them, as might have excited the

* Cald 3. 491. Melv 315. See Append. No. IX.

the pity or indignation of the English, and have prompted them to exert themselves with vigour in their behalf. But every apprehension of this kind being now removed, they ventured to call a parliament, in which an act was passed, attainting Angus, Mar, Glamis, and a great number of their followers. Their estates devolved to the Crown, and according to the practice of the Scottish Monarchs, who were obliged to reward the faction which adhered to them, by dividing with it the spoils of the vanquished, James dealt out the greater part of these to Arran, and his associates*.

Nor was the treatment of the Clergy less rigorous. All ministers, readers, and professors in Colleges were enjoined to subscribe, within forty days, a paper testifying their approbation of the laws concerning the Church, enacted in last parliament. Many, overawed, or corrupted by the Court, yielded obedience; others stood out. The stipends of the latter were sequestered, some of the more active committed to prison, and numbers compelled to fly the kingdom. Those who complied, fell under the suspicion of acting from mercenary or ambitious motives. Those who suffered, acquired high reputation, by giving such convincing evidence of their firmness and sincerity. The judicatories of the Church were almost entirely suppressed. In some places, scarce so many Ministers remained, as to perform the duties of religious worship; they soon sunk in reputation among the people, and being prohibited not only from discoursing of public affairs, but obliged, by the jealousy of the administration, to frame every sentiment and expression in such a manner, as to give the court no offence, their sermons were deemed languid, insipid, and contemptible. And it became the general opinion, that together with the most virtuous of the nobles, and the most faithful of the clergy, the power and vigour of religion were now banished out of the kingdom†.

Meanwhile, Elizabeth was carrying on one of those fruitless negociations with the Queen of Scots, which it had become almost matter of form to renew every

* Cald. 3. 527. † Ibid. 589.

year. They ſerved not only to amuſe that unhappy Princeſs with ſome proſpect of liberty; but furniſhed an apology for eluding the ſolicitations of foreign powers in her behalf; and were of uſe to overawe James, by ſhewing him that ſhe could, at any time, ſet free a dangerous rival to diſpute his authority. Theſe treaties ſhe ſuffered to proceed to what length ſhe pleaſed, and never wanted a pretence for breaking them off, when they became no longer neceſſary. The treaty now on foot was not, perhaps, more ſincere than many which preceded it; the reaſons, however, which rendered it ineffectual were far from being frivolous.

As Crichton a Jeſuit was ſailing from Flanders towards Scotland, the ſhip on board of which he was a paſſenger happened to be chaſed by pirates, who, in that age, often infeſted the narrow ſeas. Crichton in great confuſion, tore in pieces ſome papers in his cuſtody, and threw them away; but by a very extraordinary accident, the wind blew them back into the ſhip, and they were immediately taken up by ſome of the paſſengers, who carried them to Wade, the Clerk of the privy council. He, with great induſtry and patience, joined them together, and they were found to contain the account of a plot, formed by the King of Spain, and Duke of Guiſe, for invading England. The people were not yet recovered from the fear and anxiety occaſioned by the conſpiracy, in which Throgmorton had been engaged, and as his diſcoveries appeared now to be confirmed by additional evidence, not only all their former apprehenſions recurred, but the conſternation became general and exceſſive. As all the dangers, with which England had been threatened for ſome years, flowed either immediately from Mary herſelf, or from thoſe, who made uſe of her name to juſtify their inſurrections and conſpiracies, this gradually diminiſhed the compaſſion due to her ſituation, and the Engliſh, inſtead of pitying, began to fear and to hate her. Elizabeth, under whoſe wiſe and pacific reign the Engliſh enjoyed tranquillity, and had opened ſources of wealth unknown to their anceſtors, was extremely beloved by all her people; and

and regard to her safety, not less than their own interest, animated them against the Scottish Queen. In order to discourage her adherents, it was thought necessary to convince them, by some public deed, of the attachment of the English to their own Sovereign, and that any attempt against her life would prove fatal to her rival. With this view, an *Association* was framed, the subscribers of which bound themselves by the most solemn oaths, "to defend the Queen against "all her enemies, foreign and domestic; and if vio-"lence should be offered to her life, in order to fa-"vour the title of any pretender to the Crown, they "not only engaged never to allow or acknowledge "the person, or persons, by whom, or for whom, "such a detestable act should be committed, but vow-"ed, in the presence of the Eternal God, to prose-"cute such person, or persons, to the death, and to "pursue them, with their utmost vengeance, to their "utter overthrow and extirpation *." Persons of all ranks subscribed this combination, with the greatest eagerness and unanimity †.

Mary considered this combination, not only as an avowed design to exclude her from all right of succession, but as the certain and immediate forerunner of her destruction. In order to avert this, she made such feeble efforts as were still in her power, and sent Naue her secretary to court, with offers of more entire resignation to the will of Elizabeth, in all points, which had been the occasion of their long enmity, than her past sufferings had been hitherto able to extort ‡. But whether Mary adhered inflexibly to her privileges, as an independent Sovereign, or yielding to the necessity of her situation, endeavoured, by concessions, to sooth her rival, she was equally unsuccessful. Her firmness was imputed to obstinacy, or to the secret hope of foreign assistance; her concessions were either believed to be insincere, or to flow from the fear of some present danger. Her willingness, however, to comply with any terms was so great, that Walsingham warmly urged his mistress to come to a final agreement with her. But Elizabeth was persuaded, that

* State Trial, 1. 122. † Camd. 499. ‡ Id. ibid.

that it was the ſpirit raiſed by the aſſociation, which had rendered her ſo paſſive and compliant. She always imagined that there was ſomething myſterious and deceitful in all Mary's actions, and ſuſpected her of carrying on a dangerous correſpondence with the Engliſh Catholics, both within and without the kingdom. Nor were her ſuſpicions altogether void of foundation. Mary had, about this time, written a letter to Sir Francis Inglefield, urging him to haſten the execution of what ſhe calls the *Great plot* or *Deſignment*, without heſitating on account of any danger in which it might involve her life, which ſhe would moſt willingly part with, if, by that ſacrifice, ſhe could procure relief for ſo great a number of the oppreſſed children of the Church *. Inſtead, therefore, of hearkening to the overtures which the Scottiſh Queen made, or granting any mitigation of the hardſhips of which ſhe complained, Elizabeth reſolved to take her out of the hands of the Earl of Shrewſbury, and to appoint Sir Amias Paulet, and Sir Drue Drury, to be her keepers. Shrewſbury had diſcharged his truſt with great fidelity, during fifteen years, but, at the ſame time, had treated Mary with gentleneſs and reſpect, and had always ſweetened harſh commands, by the humanity with which he put them in execution. The ſame politeneſs was not to be expected from men of an inferior rank, whoſe ſevere vigilance, perhaps, was their chief recommendation to that employment, and the only merit by which they could pretend to gain favour or preferment †.

As James was no leſs eager, than ever, to deprive the baniſhed nobles of Elizabeth's protection, he appointed the Maſter of Gray his ambaſſador to the court of England, and intruſted him with the conduct of a negociation for that purpoſe. An honour for which he was indebted to the envy and jealouſy of the Earl of Arran. Gray poſſeſſed all the talents of a courtier; a graceful perſon, an inſinuating addreſs, boundleſs ambition, and a reſtleſs and intriguing ſpirit. During his reſidence at France, he had been admitted into the moſt intimate familiarity with the Duke

* Strype, 3. 345. † Camd. 500.

Duke of Guiſe, and in order to gain his favour, had renounced the Proteſtant Religion, and profeſſed the utmoſt zeal for the captive Queen, who carried on a ſecret correſpondence with him, from which ſhe expected great advantages. On his return into Scotland, he paid court to James with extraordinary aſſiduity, and his accompliſhments did not fail to make their uſual impreſſion on the King's heart. Arran, who had introduced him, began quickly to dread his growing favour, and flattering himſelf, that abſence would efface any ſentiments of tenderneſs from the the mind of a young prince, pointed him out by his malicious praiſes, as the moſt proper perſon in the kingdom, for an embaſſy of ſuch importance; and contributed to raiſe him to that high dignity, in order to haſten his fall. Elizabeth, who had an admirable dexterity in diſcovering the proper inſtruments, for carrying on her deſigns, endeavoured by careſſes, and by preſents, to ſecure Gray to her intereſt. The former flattered his vanity, which was great; the latter ſupplyed his profuſeneſs, which was ſtill greater. He abandoned himſelf without reſerve to Elizabeth's directions, and not only undertook to preſerve the King under the influence of England, but acted as a ſpy upon the Scottiſh Queen, and betrayed to her rival every ſecret, that he could draw from her, by his high pretenſions of zeal in her ſervice *.

Gray's credit with the Engliſh court was extremely galling to the baniſhed nobles. Elizabeth no longer thought of employing her power to reſtore them; ſhe found it eaſy to govern Scotland, by corrupting the King's favourites; and in compliance with Gray's ſolicitations, ſhe commanded the exiles to leave the north of England, and to remove into the heart of the kingdom. This rendered it difficult for them to hold any correſpondence with the partizans in Scotland, and almoſt impoſſible to return thither without her permiſſion. Gray, by gaining a point which James had ſo much at heart, rivetted himſelf more firmly than ever in his favour; and by acquiring greater

* Strype, 3. 302. Melv. 316.

er reputation, became capable of ſerving Elizabeth with greater ſucceſs *.

Arran had now poſſeſſed, for ſome time, all the power, the riches, and the honours, that his immoderate ambition could deſire, or the fondneſs of a prince, who ſet no limits to his liberality towards his favourites, could beſtow. The office of Lord Chancellor, the higheſt and moſt important in the kingdom, was conferred upon him, even during the life of the Earl of Argyle, who ſucceeded Athol in that dignity †. And the public beheld, with aſtoniſhment and indignation, a man educated as a ſoldier of fortune, ignorant of law, and a contemner of juſtice, appointed to preſide in parliament, in the privy council, in the court of ſeſſion, and intruſted with the ſupreme diſpoſal of the property of his fellow ſubjects. He was, at the ſame time, Governor of the caſtle of Stirling and Ediuburgh, the two principal forts in Scotland; Provoſt of the city of Edinburgh; and as if by all theſe accumulated dignities his merit had not been ſufficiently recompenſed, he was created Lieutenant General over the whole kingdom. No perſon was admitted into the King's preſence without his permiſſion; no favour could be obtained but by his mediation. James, occupied with youthful amuſements, devolved upon him the whole regal authority. Such unmerited elevation encreaſed his natural arrogance, and rendered it intolerable. He was no longer content with the condition of a ſubject, but pretended to derive his pedigree from Murdo Duke of Albany, and boaſted, openly, that his title to the crown was preferable to that of the King himſelf. But, together with theſe thoughts of royalty, he retained the meanneſs, ſuitable to his primitive ſtate. His venalty as a judge was ſcandalous, and was exceeded only by that of his wife, who, in defiance of decency, made herſelf a party in almoſt every queſtion which came to be decided, employed her influence to corrupt, or to overawe the judges, and almoſt openly dictated their deciſions ‡. His rapaciouſneſs as a miniſter was inſatiable.

* Cald 3 643. † Crawf. Office of State, App. 447.
‡ Cald. 331. Scotſtarvet's Staggering State, 7.

ſatiable. Not ſatisfied with the revenues of ſo many offices; with the eſtate and honours which belonged to the houſe of Hamilton; or with the greater part of Gowrie's lands, which had fallen to his ſhare; he graſped at the poſſeſſions of ſeveral of the nobles. He required Lord Maxwell to exchange part of his eſtate, for the forfeited lands of Kinneil; and becauſe he was unwilling to quit an ancient inheritance for a poſſeſſion ſo precarious, he ſtirred up againſt him, his old rival, the Laird of Johnſton, and involved that corner of the kingdom in a civil war. He committed to priſon, the Earl of Athole, Lord Home, and the Maſter of Caſſils; the firſt, becauſe he would not divorce his wife, a daughter of the Earl of Gowrie, and entail his eſtate on him; the ſecond, becauſe he was unwilling to part with ſome lands, adjacent to one of his eſtates; and the third, for refuſing to lend him money. His ſpies and informers filled the whole country, and intruded themſelves into every company. The neareſt neighbours diſtruſted and feared each other. All familiar ſociety was at an end. Even the common intercourſes of humanity were interrupted, no man knowing in whom to confide, or where to utter his complaints. There is not perhaps in hiſtory, any example of a miniſter ſo univerſally deteſtable to a nation, or who more juſtly deſerved its deteſtation *.

Arran, notwithſtanding, regardleſs of the ſentiments, and deſpiſing the murmurs of the people, gave a looſe to his natural temper, and proceeded to acts ſtill more violent. David Home of Argaty, and Patrick his brother, having received letters from one of the baniſhed Lords, about private buſineſs, were condemned and put to death, for holding correſpondence with rebels. Cunninghame of Drumwhaſel, and Douglas of Mains, two gentlemen of honour and reputation, were accuſed of having conſpired, with the exiled nobles, to ſeize the King's perſon. A ſingle witneſs only appeared; the evidence they produced of their innocence was unanſwerable; their accuſer himſelf not long after acknowledged that he had been ſuborned by Arran; and all men believed the charge against

* Spotſ. 337, 338.

gainſt them to be groundleſs: they were found guilty notwithſtanding, and ſuffered the death of traitors *.

About the ſame time, that theſe gentlemen were puniſhed for a pretended conſpiracy, Elizabeth's life was endangered by a real one. Parry, a doctor of laws, and a member of the Houſe of Commons, a man vain and fantaſtic, but of a reſolute ſpirit, had lately been reconciled to the Church of Rome; and fraught with the zeal of a new convert, he offered to demonſtrate the ſincerity of his attachment to the religion which he had embraced by killing Elizabeth. Cardinal Allen had publiſhed a book, to prove the murder of an excommunicated Prince to be not only a lawful, but a meritorious action. The Pope's Nuncio at Venice, the Jeſuits both there and at Paris, the Engliſh exiles, all approved of the deſign. The Pope himſelf exhorted him to perſevere; and granted him for his encouragement, a plenary indulgence, and remiſſion of his ſins. Cardinal di Como wrote him a letter to the ſame purpoſe. But though he often got acceſs to the Queen, fear, or ſome remaining ſenſe of duty, reſtrained him from perpetrating the crime. Happily, his intention was at laſt diſcovered by Nevil, the only perſon in England, to whom he had communicated it; and he himſelf having voluntarily confeſſed his guilt, he ſuffered the pnniſhment which it deſerved †.

Theſe repeated conſpiracies againſt their Sovereign awakened the indignation of the Engliſh Parliament, and produced a very extraordinary ſtatute, which, in the end, proved fatal to the Queen of Scots. By this law the Aſſociation in defence of Elizabeth's life was ratified, it was further enacted; "that if any rebel-
"lion ſhall be excited in the kingdom, or any thing
"attempted to the hurt of her Majeſty's perſon, *by*
"*or for* any perſon pretending a title to the Crown,
"the Queen ſhall empower twenty four perſons, by
"a commiſſion under the great ſeal, to examine
"into, and paſs ſentence upon ſuch offences; and af-
"ter judgment given, a proclamation ſhall be iſſued,
"declaring the perſons whom they find guilty, excluded

* Spotſw. 338. Cald. 3. 794 † Sate Trials, Vol. 1. 103.

cluded from any right to the Crown; and her Majesty's subjects may lawfully pursue every one of them to the death, with all their aiders and abettors. And if any design against the life of the Queen take effect, the persons, *by or for* whom, such a detestable act is executed, and *their issues*, being any wise assenting or privy to the same, shall be disabled for ever from pretending to the Crown, and be pursued to death in the like manner *." This act was plainly levelled at the Queen of Scots; and whether we consider it as a voluntary expression of the zeal and concern of the nation for Elizabeth's safety, or whether we impute it to the influence, which that artful Princess preserved over her parliaments, it is no easy matter to reconcile it with the general principles of justice, or humanity. Mary was thereby rendered accountable not only for her own actions, but for those of others; in consequence of which, she might forfeit her right of succession, and even her life itself.

Mary justly considered this act, as a warning to prepare for the worst extremities. Elizabeth's ministers, it is probable, had resolved, by this time, to take away her life; and suffered books to be published, in order to persuade the nation, that this cruel and unprecedented measure was not only necessary, but just †. Even that short period of her days which remained, they rendered uncomfortable, by every hardship, and indignity, which it was in their power to inflict. Almost all her servants were dismissed; she was treated no longer with the respect due to a Queen; and though the rigour of seventeen years imprisonment had broken her constitution, she was confined to two ruinous chambers, scarce habitable, even in the middle of summer, by reason of cold. Notwithstanding the scantiness of her revenue, she had been accustomed to distribute regularly some alms among the poor in the village adjoining to the castle. Paulet, now, refused her liberty to perform this pious and humane office, which had afforded her great consolation, amidst her own sufferings. The castle, in which she resided, was converted into a common prison; and

* State Trials, Vol. I. 123. † Strype, 3. 299.

a young man suspected of Popery, was confined there, and treated with such rigour, under her eye, that he died of the ill usage. She often complained to Elizabeth of these multiplied injuries, and expostulated as became a woman and a Queen; but as no political reason now obliged that Princess to amuse her any longer with fallacious hopes, far from granting her any redress, she did not deign to give her any answer. The King of France, closely allied to Elizabeth, on whom he depended for assistance, was afraid of espousing Mary's cause, with any warmth; and all his solicitations in her behalf were feeble, formal, and inefficacious. But Castelnau, the French ambassador, whose compassion and zeal for the unhappy Queen supplied the defects in his instructions, remonstrated with such vigour against the indignities, to which she was exposed, that, by his importunity, he prevailed at length to have her removed to Tutbury; though she was confined, the greater part of another winter, in her present wretched habitation *.

Neither the insults of her enemies, nor the neglect of her friends, made such an impression on Mary, as the ingratitude of her son. James had hitherto treated his mother with filial respect, and had even entered into negociations with her, which gave umbrage to Elizabeth. But as it was not her interest that this good correspondence should continue, Gray, who, on his return into Scotland, found his favour with the king greatly increased by the success of his embassy, persuaded him to write a harsh and undutiful letter to his mother, in which he expressly refused to acknowledge her to be Queen of Scotland, or to consider his affairs as connected, in any wise, with hers. This cruel requital of her maternal tenderness overwhelmed Mary with sorrow and despair. "Was it for this, said she, in a letter to the French ambassador, that I have endured so much, in order to preserve for him the inheritance, to which I have a just right? I am far from envying his authority in Scotland. I desire no power there; nor wish to set my foot in that kingdom, if it were not for the pleasure of once embracing a son, whom

* Jebb, v. 2. 576—598.

whom I have hitherto loved with too tender affection. Whatever he either enjoys, or expects, he derived it from me. From him, I never received assistance, supply, or benefit of any kind. Let not my allies treat him any longer as a King; he holds that dignity by my consent; and if a speedy repentance does not appease my just resentment, I will load him with a parent's curse, and surrender my Crown, with all my pretensions, to one, who will receive them with gratitude, and defend them with vigour*." The love which James bore to his mother, whom he had never known, nay whom he had been early taught to consider as the most abandoned person of her sex, cannot be supposed ever to have been ardent; and he did not now take any pains to regain her favour. But whether her indignation at his undutiful behaviour, added to her bigotted attachment to Popery, prompted Mary at any time to think seriously of disinheriting her son; or whether these threatenings were uttered in a sudden sally of disappointed affection; it is now no easy matter to determine. Some papers which are still extant seem to render the former not improbable †.

Cares of another kind, and no less disquieting, occupied Elizabeth's thoughts. The calm, which she had long enjoyed, seemed now at an end; and such storms were gathering in every quarter, as filled her with just alarm. All the neighbouring nations had undergone revolutions, extremely to her disadvantage. The great qualities, which Henry III. had displayed in his youth, and which raised the expectations of his subjects so high, vanished on his ascending the throne; and his acquiring supreme power seems not only to have corrupted his heart, but to have impaired his understanding. He soon lost the esteem and affection of the nation; and a life, divided between the austerities of a superstitious devotion; and the extravagancies of the most dissolute debauchery, rendered him as contemptible, as he was odious on account of his rapaciousness, his profusion, and the fondness with which he doated on two unworthy minions. On the death of his only brother, those sentiments of the peo-

* Jebb, v. 2. 571. See Append. No. X. † Ib. No. XI.

ple burſt out with violence. Henry had no children, and though but thirty-two years of age, the ſucceſſion of the Crown was already conſidered as open. The King of Navarre, a diſtant deſcendent of the royal family, but the undoubted heir to the Crown, was a zealous Proteſtant. The proſpect of an event, ſo fatal to their Religion, as his aſcending the throne of France, alarmed all the Catholics in Europe. And the Duke of Guiſe, countenanced by the Pope, and aided by the King of Spain, appeared as the defender of the Romiſh faith, and the aſſertor of the Cardinal of Bourbon's right to the Crown. In order to unite the party, a bond of confederacy was formed, diſtinguiſhed by the name of the *Holy League*. All ranks of men joined in it with emulation. The ſpirit ſpread with the irreſiſtible rapidity, which was natural to religious paſſions, in that age. The deſtruction of the Reformation not only in France, but all over Europe, ſeemed to be the object and wiſh of the whole party. And the Duke of Guiſe, the head of this mighty and zealous body, acquired authority in the kingdom, far ſuperior to that, which the King himſelf poſſeſſed. Philip II. by the conqueſt of Portugal, had greatly increaſed the naval power of Spain, and had at laſt reduced under his dominion that portion of the Continent, which lies beyond the Pyrenean mountains, and which nature ſeems to have deſtined to form one great Monarchy. William Prince of Orange, who firſt encouraged the inhabitants of the Netherlands to aſſert their liberties, and whoſe wiſdom and valour formed and protected the riſing commonwealth, had fallen by the hands of an aſſaſſin. The ſuperior genius of the Prince of Parma had given an entire turn to the fate of the war in the Low Countries; and all his enterpriſes concerted with conſummate ſkill, and executed with equal bravery, had been attended with uninterrupted ſucceſs; and the Dutch, reduced to the laſt extremity, were on the point of falling under the dominion of their ancient maſter.

None of theſe circumſtances, to which Elizabeth had hitherto owed her ſecurity, exiſted any longer. She could derive no advantage from the jealouſy, which

which had subsisted between France and Spain; Philip, by means of his confederacy with the Duke of Guise, had an equal sway in the councils of both kingdoms. The Hugonots were unable to contend with the power of the league; and little could be expected from any diversion they might create. Nor was it probable that the Netherlands could long occupy the arms, or divide the strength of Spain. In this situation of the affairs of Europe, it became necessary for Elizabeth to form a new plan of conduct; and her wisdom in forming it, was not greater than the vigour, with which she carried it on. The measures, most suitable to her natural temper, and which she had hitherto pursued, were cautious and safe; those, she now adopted, were enterprising and hazardous. She preferred peace, but was not afraid of war; and was capable, when compelled by necessity, not only of defending herself with spirit, but of attacking her enemies with a boldness, which averted danger from her own dominions. She immediately furnished the Hugonots with a considerable supply in money. She carried on a private negociation with Henry III. who though compelled to join the league, hated the leaders of it, and wished for their destruction. She openly undertook the protection of the Dutch commonwealth, and sent a powerful army to its assistance. She endeavoured to form a general confederacy of the Protestant Princes, in opposition to the Popish league. She determined to proceed with the utmost rigour against the Queen of Scots, whose sufferings and rights afforded her enemies a specious pretence for invading her dominions. She resolved to redouble her endeavours in order to effect a closer union with Scotland, and to extend and perpetuate her influence over the councils of that nation.

She found it no difficult matter to induce most of the Scottish courtiers, to promote all her designs. Gray, Sir John Maitland, who had been advanced to the office of Secretary, which his brother fromerly held, Sir Lewis Bellenden the Justice Clerk, who had succeeded Gray as the King's resident at London, were the persons in whom she chiefly confided. In

order to direct and quicken their motions, she dispatched Sir Edward Wotton along with Bellenden into Scotland. This man was gay, well-bred, and entertaining; he excelled in all the exercises, for which James had a passion; and amused the young King, by relating the adventures he had met with, and the observations he had made, during a long residence in foreign countries; but under the veil of these superficial qualities, he concealed a dangerous and intriguing spirit. He soon grew into high favour with James, and while he was seemingly attentive only to pleasure and diversions, he acquired influence over the public councils, to a degree which it was indecent for a stranger to possess *.

Nothing, however, could be more acceptable to the nation, than the proposal he made of a strict alliance between the two kingdoms, in defence of the Reformed Religion. The rapid and alarming progress of the Popish league seemed to call on all Protestant Princes, to unite for the preservation of their common faith. James embraced the overture with warmth, and a Convention of estates empowered him to conclude such a treaty, and engaged to ratify it in Parliament †. The alacrity, with which James concurred in this measure, must not be wholly ascribed either to his own zeal, or to Wotton's address; it was owing in part to Elizabeth's liberality. As a mark of her motherly affection for the young King, she settled on him an annual pension of five thousand pounds; the same sum which her father had allotted her, before she ascended the throne. This circumstance, which she took care to mention, rendered a sum, which in that age was far from being inconsiderable, a very acceptabte present to the King, whose revenues, during a long minority, had been almost totally dissipated *.

But the chief object of Wotton's intrigues, was to ruin Arran. While a minion, so odious to the nation, continued to govern the King, his assistance could be of little advantage to Elizabeth. And though Aarrn, ever since his interview with Hunsdane, had appeared

* Melv. 317. † Spotsw. 339. ‡ Cald. 3. 505.

appeared extremely zealous for her intereſt, ſhe could place no great confidence in a man, whoſe conduct was ſo capricious and irregular, and who, notwithſtanding his proteſtations to the contrary, ſtill continued a ſecret correſpondence both with Mary, and with the Duke of Guiſe. The baniſhed Lords were attached to England from affection, as well as principle, and were the only perſons among the Scots whom, in any dangerous exigency, ſhe could thoroughly truſt. Before Bellenden left London, they had been ſummoned thither, under colour of vindicating themſelves from his accuſations, but, in reality, to concert with him the moſt proper meaſures for reſtoring them to their country. Wotton purſued this plan, and endeavoured to ripen it for execution; and it was greatly facilitated by an event, neither uncommon nor conſiderable. Sir John Foreſter, and Ker of Ferniherſt, the Engliſh, and Scottiſh wardens of the middle marches, having met, according to the cuſtom of the borders, about Midſummer, a fray aroſe, and Lord Ruſſel, the Earl of Bedford's eldeſt ſon, happened to be killed. This ſcuffle was purely accidental, but Elizabeth choſe to conſider it as a deſign formed by Ker, at the inſtigation of Arran, to involve the two kingdoms in war. She inſiſted that both of them ſhould be delivered up to her; and though James eluded that demand, he was obliged to confine Arran in St Andrews, and Ker in Aberdeen. During his abſence from court, Wotton and his aſſociates carried on their intrigues without interruption. By their advice, the baniſhed nobles endeavoured to accommodate their differences with Lord John, and Lord Claud, the Duke of Chatelherault's two ſons, whom Morton's violence had driven out of the kingdom. Their common ſufferings, and common intereſt, induced both parties to bury in oblivion the ancient diſcord, which had ſuſiſted between the houſes of Hamilton and Douglas. By Elizabeth's permiſſion, they returned in a body to the borders of Scotland. Arran, who had again recovered favour, inſiſted on putting the kingdom in a poſture of defence. But Gray, Bellenden, and Maitland, ſecretly thwarted all his

meaſures

measures. Some necessary orders they prevented from being issued; others they rendered ineffectual, by the manner of execution; and all of them were obeyed slowly and with reluctance *.

Wotton's fertile brain was, at the same time, big with another, and more dangerous plot. He had contrived to seize the King, and to carry him by force into England. But the design was happily discovered; and in order to avoid the punishment his treachery merited, he departed without taking leave †.

Meanwhile, the banished Lords hastened the execution of their enterprise; and as their friends and vassals were now ready to join them, they entered Scotland Wherever they came, they were welcomed as the deliverers of their country, and the most fervent prayers were put up to heaven, for the success of their arms. They advanced, without losing a moment, towards Stirling, at the head of ten thousand men. The King, though he had assembled an army superior in number, could not venture to meet them in the field, with troops, whose loyalty was extremely dubious, and who, at best, were far from being hearty in the cause; nor was either the town or castle provided for a siege. The gates, however, of both were shut, and the nobles encamped at St Ninians. That same night they surprised the town, or more probably it was betrayed into their hands; and Arran, who had undertaken to defend it, was obliged to save himself by a precipitate flight. Next morning they invested the castle, in which there were not provisions for twenty four hours; and James was necessitated immediately to hearken to terms of accommodation. They were not so elated with success, as to urge extravagant demands, nor was the King unwilling to make every reasonable concession. They obtained a pardon, in the most ample form, of all the offences, they had committed; the principal forts in the kingdom were, by way of security put into their hands; Crawford, Montrose, and Colonel Stewart were removed from the King's presence;

* Spotsw. 340. † Melv. 335.

fence; and a parliament was called, to eſtabliſh tranquillity in the nation *.

Though a great majority in this parliament conſiſted of the confederate nobles and their adherents, they were far from diſcovering a vindictive ſpirit. Satisfied with procuring an act, reſtoring them to their ancient honours and eſtates, and ratifying the pardon granted by the King, they ſeemed willing to forget all paſt errors in the adminiſtration. and ſpared James the mortification of ſeeing his miniſters branded with any public note of infamy. Arran, alone, deprived of all his honours, ſtripped of his borrowed ſpoils, and declared an enemy to his country by public proclamations, ſunk back into obſcurity, and muſt henceforth, be mentioned by his primitive title of Captain James Stewart. As he had been, during his unmerited proſperity, the object of the hatred and indignation of his countrymen they beheld his fall without pity, nor did all his ſufferings mitigate their reſentment in the leaſt degree.

The Clergy were the only body of men, who obtained no redreſs of their grievances by this revolution. The confederate nobles had, all along, affected to be conſidered as guardians of the privileges and diſcipline of the Church. In all their manifeſtos they had declared their reſolution to reſtore theſe, and by that popular pretence, had gained many friends. It was now natural to expect ſome fruit of theſe promiſes, and ſome returns of gratitude towards many of the moſt eminent preachers, who had ſuffered in their cauſe, and who demanded the repeal of the laws paſſed the preceding year. The King, however, was reſolute to maintain theſe laws in full authority; and as the whole nobles were extremely ſolicitous not to diſguſt him, by inſiſting on any diſagreeable requeſt, the claims of the Church in this, as well as in many former inſtances, were ſacrificed to the intereſt of the laity. The Miniſters gave vent to their indignation in the pulpit, and their impatience under the diſappointment broke out in ſome expreſſions, extremely diſreſpectful even towards the King himſelf †.

The

* Cald. 3. 795. † Spotſw. 343

The Archbishop of St Andrews too, felt the effects of their anger. The Provincial Synod of Fife summoned him to appear, and to answer for his contempt of the decrees of former Assemblies, in presuming to exercise the function of a Bishop. And though he refused to acknowledge the jurisdiction of the court, and appealed from it to the King, a sentence of excommunication, equally indecent and irregular, was pronounced against him. Adamson, with no less indecency, thundered his archiepiscopal excommunication against Melvil, and some other of his opponents.

Soon after, a General Assembly was held, in which the King, with some difficulty, obtained an act, permitting the name and office of a Bishop still to continue in the Church. The power of the order, however, was considerably retrenched. The exercise of discipline, and the inspection of life and doctrine of the Clergy, were committed to Presbyteries, in which Bishops should be allowed no other pre-eminence, but that of presiding as perpetual moderators. They themselves were declared to be subject, in the same manner as other pastors, to the jurisdiction of the General Assembly. And as the discussion of the Archbishop's appeal might have kindled unusual heats in the Assembly, that affair was terminated by a compromise. He renounced any claim of supremacy over the Church, and promised to demean himself suitably to the character of a Bishop, as described by St Paul. The Assembly, without examining the foundations of the sentence of excommunication, declared that it should be held of no effect and restored him to all the privileges, which he enjoyed before it was pronounced. Notwithstanding the extraordinary tenderness shewn for the honour of the synod, and the delicacy and respect, with which its jurisdiction was treated, several members were so zealous as to protest against this decision *.

The court of Scotland was now filled with persons so warmly attached to Elizabeth, that the league between the two kingdoms, proposed last year, met with no

* Cald. 3. 894. Spotsw. 346.

no interruption, but from D'Esneval the French envoy James himself first proposed to renew the negociation. Elizabeth did not suffer such a favourable opportunity to slip, and instantly dispatched Randolph to conclude a treaty, which she so much desired. The danger to which the Protestant religion was exposed, by the late combination of the Popish powers for its destruction, and the necessity of a strict confederacy among those who had embraced the Reformation, in order to obstruct their pernicious designs, were mentioned as the foundation of the league. The chief articles in it were, that both parties should bind themselves to defend the Evangelic religion; that the league should be offensive and defensive against all, who shall endeavour to disturb the exercise of religion in either kingdom; that if one of the two parties be invaded, the other, notwithstanding any former alliance, should not directly or indirectly assist the invader; that if England be invaded in any part remote from Scotland, James should assist the Queen with two thousand horse, and five thousand foot; that if the enemy landed or approached within sixty miles of Scotland, the King should take the field with his whole forces, in the same manner, as he would do in defence of his own kingdom. Elizabeth, in return, undertook to act in defence of Scotland, if it should be invaded. At the same time, she assured the King that no step should be taken, which might derogate in any degree from his pretensions to the English Crown *. Elizabeth expressed great satisfaction with a treaty, which rendered Scotland an useful ally, instead of a dangerous neighbour, and afforded her a degree of security on that side, which all her ancestors had aimed at, but none of them had been able to obtain. Zeal for religion, together with the blessings of peace, which both kingdoms had enjoyed during a considerable period, had so far abated the violence of national antipathy, that the King's conduct was universally acceptable to his own people †.

The acquittal of Archbald Douglas, at this time, exposed James to much and deserved censure. This man

* Spotsw. 351. † Camd. 513.

man was deeply engaged in the conſpiracy againſt the life of the King his father. Both Morton, and Binny one of his own ſervants, who ſuffered for that crime, had accuſed him of being preſent at the murder *. He had eſcaped puniſhment by flying into England, and James had often required Elizabeth to deliver up a perſon ſo unworthy of her protection. He now obtained a licence, from the King himſelf, to return into Scotland; and after undergoing a mock trial, calculated to conceal rather than to detect his guilt, he was not only taken into favour by the King, but ſent back to the court of England, with the honourable character of his ambaſſador. James was now of ſuch an age, that his youth and inexperience cannot be pleaded in excuſe for this indecent tranſaction. It muſt be imputed to the exceſſive facility of his temper, which often led him to gratify his courtiers, at the expence of his own dignity and reputation †.

Not long after, the inconſiderate affection of the Engliſh Catholics towards Mary, and their implacable reſentment againſt Elizabeth, gave riſe to a conſpiracy, which proved fatal to the one Queen, left an indelible ſtain on the reputation of the other, and preſented a ſpectacle to Europe, of which there had hitherto been no example in the hiſtory of mankind.

Doctor Gifford, Gilbert Gifford, and Hodgſon, prieſts educated in the ſeminary at Rheims, had adopted an extravagant and enthuſiaſtic notion, that the Bull of Pius V. againſt Elizabeth was dictated immediately by the Holy Ghoſt. This wild opinion they inſtilled into Savage, an officer in the Spaniſh army, noted for his furious zeal, and daring courage; and perſuaded him that no ſervice could be ſo acceptable to heaven, as to take away the life of an excommunicated heretic. Savage, eager to obtain the crown of martyrdom, bound himſelf by a ſolemn vow, to kill Elizabeth. Ballard, a trafficking prieſt, had at that time come over to Paris, and ſolicited Mendoza the Spaniſh ambaſſador there, to procure an invaſion in England, while the affairs of the league were

* See Append. No. XII.

† Spotſ. 348. Cald. 3 917

were ſo proſperous, and the kingdom left naked by ſending ſo many of the Queen's beſt troops into the Netherlands. Paget and the Engliſh exiles demonſtrated the fruitleſneſs of ſuch an attempt, unleſs Elizabeth were firſt cut off, or the invaders ſecured of a powerful concurrence on their landing. If it could be hoped that either of theſe events would happen, effectual aid was promiſed; and in the mean time Ballard was ſent back to renew his intrigues.

He communicated his deſigns to Anthony Babington, a young gentleman in Derbyſhire, of a plentiful fortune, and many amiable qualities, who having contracted, during his reſidence in France, a familiarity with the Archbiſhop of Glaſgow, had been recommended by him to the Queen of Scots. He concurred with Paget in conſidering the death of Elizabeth as a neceſſary preliminary to any invaſion. Ballard gave him hopes that an end would ſoon be put to her days, and imparted to him Savage's vow, who was now in London waiting for an opportunity to ſtrike the blow. But Babington thought the attempt of too much importance, to rely on a ſingle hand for the execution of it, and propoſed that five reſolute gentlemen ſhould be joined with Savage in an enterpriſe, the ſucceſs of which, was the foundation of all their hopes. He offered to find out perſons willing to undertake the ſervice, whoſe honour, ſecrecy, and courage, they might ſafely truſt. He accordingly opened the matter to Edward Windſor, Thomas Saliſbury, Charles Tilney, Chidioc Tichbourne, Robert Gage, John Travers, Robert Barnwell, John Charnock, Henry Dun, John Jones, and Polly, all of them except Polly, whoſe buſtling forward zeal introduced him into their ſociety, gentlemen of good families, united together in the bonds of private friendſhip, ſtrengthened by the more powerful tie of religious zeal. Many conſultations were held; their plan of operations was at laſt ſettled; and their different parts aſſigned. Babington himſelf was appointed to reſcue the Queen of Scots; Saliſbury, with ſome others, undertook to excite ſeveral counties to take arms; the murder of the Queen, the moſt dangerous and important ſervice of all, fell to Tich-

bourne and Savage, with four associates. And so totally had their bigotted prejudices extinguished the principles of honour, and the sentiments of humanity, suitable to their rank, that without scruple or compunction, they undertook an action, which is viewed, with horror, even when committed by the meanest and most profligate of mankind. This attempt, on the contrary, appeared to them no less honourable than it was desperate, and in order to perpetuate the memory of it, they had a picture drawn containing the portraits of the six assassins, with that of Babington in the middle, and a motto intimating that they were jointly embarked in some hazardous design.

The conspirators, as appears by this wanton and imprudent instance of vanity, seem to have thought a discovery scarce possible, and neither distrusted the fidelity of their companions, nor doubted the success of their undertaking. But while they believed that their machinations were carried on with the most profound and impenetrable secrecy, every step they took was fully known to Walsingham. Polly was one of his spies, and had entered into the conspiracy with no other design than to betray his associates. Gilbert Gifford, too, having been sent over to England to quicken the motions of the conspirators, had been gained by Walsingham, and gave him sure intelligence of all their pojects That vigilant minister immediately imparted the discoveries which he had made to Elizabeth; and without communicating the matter to any other of the counsellors, agreed, in order to understand the plot more perfectly, to wait till it was ripened into some form, and brought near the point of execution.

At last, Elizabeth thought it dangerous and criminal to expose her own life, and to tempt providence any farther. Ballard, the prime mover in the whole conspiracy, was arrested. His associates disconcerted and struck with astonishment, endeavoured to save themselves by flight. But within a few days, all of them, except Windsor, were seized in different places of the kingdom, and committed to the Tower. Though they had undertaken the part, they wanted the firm

and

and determined ſpirit of aſſaſſins; and, influenced by fear or by hope, diſcovered all they knew. The indignation of the people, and their impatience to revenge ſuch an execrable combination againſt the life of their Sovereign, haſtened their trial, and all of them ſuffered the death of traitors *.

Thus far Elizabeth's conduct may be pronounced both prudent and laudable. nor can ſhe be accuſed of violating any law of humanity. or of taking any precautions beyond what were neceſſary for her own ſafety. But a tragical ſcene followed. with regard to which, poſterity will paſs a very different judgment.

The frantic zeal of a few raſh young men accounts ſufficiently for all the wild and wicked deſigns which they had formed. But this was not the light, in which Elizabeth and her Miniſters choſe to place the conſpiracy. They repreſented Babington and his aſſociates to be inſtruments employed by the Queen of Scots, the real though ſecret author of ſo many attempts againſt the life of Elizabeth, and the peace of her kingdoms. They produced letters, which they aſcribed to her, in ſupport of this charge. Theſe, as they gave out, had come into their hands, by a very ſingular and myſterious method of conveyance. Gifford, on his return into England, had been intruſted with letters to Mary; but in order to make a trial of his fidelity or addreſs, they were only blank papers made up in that form. Theſe being ſafely delivered, he was afterwards employed without farther ſcruple. By Walſingham's permiſſion, and the connivance of Paulet, he bribed a tradeſman in the neighbourhood of Chartley, whither Mary had been conveyed, who depoſited the letters in a hole in the wall of the caſtle, covered with a looſe ſtone. Thence they were taken by the Queen, and in the ſame manner, her anſwers returned. All theſe were carried to Walſingham, opened by him, decyphered, ſealed again ſo dexterouſly, that the fraud could not be perceived, and then tranſmitted to the perſons to whom they were directed. Two letters to Babington, with ſeveral to Mendoza, Paget, Engleſield, and the Engliſh fugitives,

* Camd 515. State Trials, Vol. i. 110.

tives, were procured by this artifice. It was given out that in these letters Mary approved of the conspiracy, and even of the assassination; that she directed them to proceed with the utmost circumspection, and not to take arms till foreign auxiliaries were ready to join them; that she recommended the Earl of Arundel, his brothers, and the young Earl of Northumberland, as proper persons to conduct and to add reputation to their enterprise; that she advised them, if possible, to excite at the same time some commotion in Ireland; and above all, besought them to concert with care the means of her escape, suggesting to them several expedients for that purpose.

All these circumstances were opened at the trial of the conspirators. And while the nation was under the influence of those terrors which the association had raised, and the late danger had augmented, they were believed without hesitation or inquiry, and spread a general alarm. Mary's zeal for her religion was well known; and in that age, examples of the violent and sanguinary spirit which it inspired, were numerous. All the cabals against the peace of the kingdom for many years had been carried on in her name; and it now appears evidently, said the English, that the safety of the one Queen is incompatible with that of the other. Why then, added they, should the tranquillity of England be sacrificed for the sake of a stranger? Why was a life so dear to the nation exposed to the repeated assaults of an exasperated rival? The case supposed in the association, has now happened, the sacred person of our Sovereign has been threatened, and why should not an injured people execute that just revenge which they had vowed?

No sentiments could be more agreeable than these to Elizabeth and her Ministers. They themselves had at first propagated them among the people, and they now served both as an apology, and a motive, for their proceeding to such extremities against the Scottish Queen, as they had long meditated. The more injuries Elizabeth heaped on Mary, the more she feared and hated that unhappy Queen, and came at last to be persuaded that there could be no other security

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for her own life, but the death of her rival. Burleigh and Walsingham had promoted so zealously all her measures with regard to Scottish affairs; and had acted, with so little reserve, in opposition to Mary; that they had reason to dread the most violent effects of her resentment, if ever she would mount the throne of England; and therefore they endeavoured to hinder an event so fatal to themselves, by confirming their Mistress's fear and hatred of the Scottish Queen.

Meanwhile, Mary was guarded with unusual vigilance, and great care was taken to keep her ignorant of the discovery of the conspiracy. Sir Thomas Gorges was at last sent from court, to acquaint her both of it, and of the imputation with which she was loaded as accessary to that crime; and he surprised her with the account, just as she had got on horseback to ride out along with her keepers. She was struck with astonishment, and would have returned to her apartment. But she was not permitted; and in her absence, her private closet was broke open, her cabinet and papers were seized, sealed, and sent up to court. Her principal domestics, too, were arrested, and committed to different keepers. Naue and Curle, her two secretaries, the one a native of France, the other of Scotland, were carried prisoners to London. All the money in her custody, amounting to little more than two thousand pounds, was secured. And after leading her about, for some days, from one gentleman's house to another, she was conveyed to Fotheringay, a strong castle in Northamptonshire *.

No farther evidence could now be expected against Mary, and nothing remained but to decide what should be her fate. With regard to this, Elizabeth and those Ministers in whom she chiefly confided, seem to have taken their resolution; but there was still great variety of sentiments among her other Counsellors. Some thought it sufficient to dismiss all Mary's attendants, and to keep her under such close restraint, as would cut off all possibility of corresponding with the enemies of the kingdom; and as her constitution, broken by long confinement, and her spirits

* Camd. 517.

dejected with so many cares; could not long support such an additional load, the Queen and nation would soon be delivered from all their fears. But though it might be easy to secure Mary's own person, it was impossible to diminish the reverence which the Roman Catholics had for her name, or to extinguish the compassion with which they viewed her sufferings; while these continued, insurrections and invasions would never be wanting for her relief, and the only effect of any new rigour would be to render them more frequent and dangerous. For this reason the expedient was rejected.

A public and legal trial, though the most unexampled, was judged the most unexceptionable method of proceeding; and it had at the same time, a semblance of justice, accompanied with an air of dignity. It was in vain to search the ancient records, for any statute or precedent, to justify such an uncommon step, as the trial of a foreign Prince, who had not entered the kingdom in arms, but had fled thither for refuge. The proceedings against her were founded on the act of last Parliament, and by applying it in this manner, the intention of those who had framed that severe statute became more apparent *.

Elizabeth resolved that no circumstance of pomp or solemnity should be wanting, which could render this transaction such as became the dignity of the person to be tried. She appointed, by a commission under the great seal, forty persons, the most illustrious in the kingdom, by their birth or offices, together with five of the judges, to hear and decide this great cause. Many difficulties were started by the lawyers, about the name and title by which Mary should be arraigned; and while the essentials of justice were so grossly violated, the empty forms of it were the objects of of their care. They at length agreed that she should be stiled, "Mary, daughter and heir of James V. late King of Scots, commonly called Queen of Scots, and Dowager of France †.

After the many indignities which she had lately suffered, Mary could no longer doubt but that her destruction

* Camd. 519. Johnst. Hist. 113. † Strype, 3. 362.

ſtruction was determined. She expected every moment, to end her days by poiſon, or by ſome of thoſe ſecret means, uſually employed againſt captive Princes. And leaſt the malice of her enemies, at the ſame time that it deprived her of life, ſhould endeavour likewiſe to blaſt her reputation, ſhe wrote to the Duke of Guiſe, and vindicated herſelf, in the ſtrongeſt terms, from the imputation of encouraging or being acceſſary to the conſpiracy for aſſaſſinating Elizabeth *. In the ſolitude of her priſon, the ſtrange reſolution of bringing her to a public trial had not reached her ears, nor did the idea of any thing ſo unprecedented, and ſo repugnant to regal Majeſty, once enter into her thoughts.

On the eleventh of October, the commiſſioners appointed by Elizabeth arrived at Fotheringay. Next morning they delivered a letter from her to Mary, in which, after the bitterest reproaches and accuſations, ſhe informed her, that regard to her own ſafety had, at laſt, rendered it neceſſary to make a public inquiry into her conduct, and therefore required her, as ſhe had lived ſo long under the protection of the laws of England, to ſubmit now to the trial, which they ordained to be taken of her crimes. Mary, though ſurpriſed at the meſſage, was neither appalled at the danger, nor unmindful of her own dignity. She proteſted, in the moſt ſolemn manner, that ſhe was innocent of the crime laid to her charge, and had never countenanced any attempt againſt the life of the Queen of England; but at the ſame time, refuſed to acknowledge the juriſdiction of her commiſſioners. "I came into the kingdom," ſaid ſhe, "an independent Sovereign, to implore the Queen's aſſiſtance, not to ſubject myſelf to her authority. Nor is my ſpirit ſo broken by its paſt misfortunes, or ſo intimidated by preſent dangers, as to ſtoop to any thing unbecoming the Majeſty of a crowned head, or that will diſgrace the anceſtors from whom I am deſcended, and the ſon to whom I ſhall leave my throne. If I muſt be tried, Princes alone can be my Peers. The Queen of England's ſubjects, however noble their

* Jebb, 2. 283.

their birth may be, are of a rank inferior to mine. Ever ſince my arrival in this kingdom, I have been confined as a priſoner. Its laws never afforded me any protection. Let them not now be perverted, in order to take away my life."

The commiſſioners employed arguments and entreaties to overcome Mary's reſolution. They even threatened to proceed according to the forms of law, and to paſs ſentence againſt her on account of her contumacy in refuſing to plead; ſhe perſiſted, however, for two days to decline their juriſdiction. An argument urged by Hatton, the Vice-Chamberlain, at laſt prevailed. He told her, that by avoiding a trial, ſhe injured her own reputation, and deprived herſelf of the only opportunity of ſetting her innocence in a clear light; and that nothing would be more agreeable to them, or more acceptable to the Queen their Miſtreſs, than to be convinced, by undoubted evidence, that ſhe had been unjuſtly loaded with theſe foul aſperſions.

No wonder pretexts ſo plauſible ſhould impoſe on the unwary Queen, or that ſhe, unaſſiſted, at that time, by any friend or counſellor, ſhould not be able to detect and elude all the artifices of Elizabeth's ableſt Miniſters. In a ſituation equally melancholy, and under circumſtances nearly ſimilar, her Grandſon, Charles I. refuſed, with the utmoſt firmneſs, to acknowledge the uſurped juriſdiction of the High Court of Juſtice; and poſterity has approved his conduct, as ſuitable to the dignity of a King. If Mary was leſs conſtant in her reſolution, it muſt be imputed ſolely to her anxious deſire of vindicating her own honour.

At her appearance before the judges, who were ſeated in the great hall of the caſtle, where they received her with much ceremony, ſhe took care to proteſt, that by condeſcending to hear and to give an anſwer to the accuſations, which ſhould be offered againſt her, ſhe neither acknowledged the juriſdiction of the court, nor admitted of the validity and juſtice of thoſe acts, by which they pretended to try her.

The Chancellor, by a counter-proteſtation, endeavoured to vindicate the authority of the court.

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Then the Queen's Attorney and ſolicitor opened the charge againſt her, with all the circumſtances of the late conſpiracy. Copies of her letters to Mendoza, Babington, Engleſield and Paget were produced. Babington's confeſſion, thoſe of Ballard, Savage, and the other conſpirators, together with the declarations of Naue and Curle her ſecretaries, were read, and the whole ranged in the moſt ſpecious order, which the art of the lawyers could deviſe, and heightened by every colour, their eloquence could add.

Mary liſtened to their harangues attentively, and without emotion. But at the mention of the Earl of Arundel's name, who was then confined in the Tower, on ſuſpicion of being acceſſary to the conſpiracy, ſhe broke out into this tender and generous exclamation. "Alas! how much has the noble houſe of How-"ard ſuffered for my ſake!"

When the Queen's council had finiſhed, Mary ſtood up, and with great magnanimity, and equal preſence of mind, began her defence. She bewailed the unhappineſs of her own ſituation, that, after a captivity of nineteen years, during which ſhe had ſuffered treatment no leſs cruel than unmerited, ſhe was at laſt loaded with an accuſation, which tended not only to rob her of her right of ſucceſſion, and to deprive her of life itſelf, but to tranſmit her name with infamy to future ages: That, without regarding the ſacred rights of ſovereignty, ſhe was now ſubjected to the laws framed againſt private perſons; though an anointed Queen, commanded to appear before the tribunal of ſubjects; and like a common criminal, her honour expoſed to the petulent tongues of lawyers, capable of wreſting her words, and of miſrepreſenting her actions: That, even in this diſhonourable ſituation, ſhe was denied the privileges uſually granted to criminals, and obliged to undertake her own defence, without the preſence of any friend with whom to adviſe, without the aid of council, and without the uſe of her own papers.

She then proceeded to the particular articles in the accuſation. She abſolutely denied any correſpondence with Babington: The name of Ballard was not ſo much

much as known to her: Copies only of her pretended letters to them were produced: Though no less than her hand-writing or subscription was sufficient to convict her of such an odious crime: No proof could be brought that the letters were delivered into her hands, or that any answer was returned by her direction: The confessions of wretches, condemned and executed for such a detestable action, were of little weight; fear or hope might extort from them many things inconsistent with truth, nor ought the honour of a Queen to be stained by such vile testimony. The declaration of her secretaries was not more conclusive; promises and threats might easily overcome the resolution of two strangers; in order to screen themselves, they might throw the blame on her; but they could discover nothing to her prejudice, without violating, in the first place, their oath of fidelity; and their perjury, in one instance, rendered them unworthy of credit in another: The letters to the Spanish ambassador were either nothing more than copies, or contained only what was perfectly innocent: "I have often," continued she, "made such efforts for the recovery of my liberty, as are natural to a human creature. And convinced, by the sad experience of so many years, that it was in vain to expect it from the justice or generosity of the Queen of England, I have frequently solicited foreign Princes, and called on all my friends to employ their whole interest for my relief. I have, likewise, endeavoured to procure for the English Catholics some mitigation of the rigour with which they are now treated; and if I could hope, by my death, to deliver them from oppression, I am willing to die for their sake. I wish, however, to imitate the example of Esther, not of Judith, and would rather make intercession for my people, than shed the blood of the meanest creature, in order to save them. I have often checked the intemperate zeal of my adherents, when either the severity of their own persecutions, or indignation at the unheard-of injuries which I have endured, were apt to precipitate them into violent councils. I have even warned the Queen of dangers to which these harsh proceedings

ings exposed herself. And worn out, as I now am, with cares and sufferings, the prospect of a Crown is not so inviting, that I should ruin my soul in order to obtain it. I am no stranger to the feelings of humanity, nor unacquainted with the duties of religion, and abhor the detestable crime of assassination, as equally repugnant to both. And, if ever I have given consent by my words, or even by my thoughts, to any attempt against the life of the Queen of England, far from declining the judgment of men, I shall not even pray for the mercy of God. *"

Two different days did Mary appear before the judges, and in every part of her behaviour maintained the magnanimity of a Queen, tempered with the gentleness and modesty of a woman.

The commissioners, by Elizabeth's express command, adjourned, without pronouncing any sentence, to the Star-Chamber in Westminster. When assembled in that place, Naue and Curle were brought into court, and confirmed their former declaration upon oath. And after reviewing their whole proceedings, the commissioners unanimously declared Mary "To be accessary to Babington's conspiracy, and to have imagined diverse matters, tending to the hurt, death, and destruction of Elizabeth, contrary to the express words of the statute, made for the security of the Queen's life. †"

It is no easy matter to determine whether the injustice in appointing this trial, or the irregularity in conducting it, were greatest and most flagrant. By what right did Elizabeth claim authority over an independent Queen? Was Mary bound to comply with the laws of a foreign kingdom? How could the subjects of another Prince become her judges? Or if such an insult on royalty were allowed, ought not the common forms of justice to have been observed? If the testimony of Babington and his associates was so explicit, why did not Elizabeth spare them for a few weeks, and by confronting them with Mary, overwhelm her with the full conviction of her crimes? Naue and Curle were both alive, wherefore did not they appear at Fotheringay,

* Camd 520. &c. † Ibid. 525.

Fotheringay, and for what reason were they produced at the Star-Chamber, where Mary was not present to hear what they deposed? Was this suspicious evidence enough to condemn a Queen? Ought the meanest criminal to have been found guilty, upon such feeble and inconclusive proofs?

It was not, however, on the evidence produced at her trial, that the sentence against Mary was founded. That served as a pretence to justify, but was not the cause of the violent steps taken by Elizabeth and her Ministers towards her destruction; and was employed to give some appearance of justice, to what was the offspring of jealousy and fear. And the nation, blinded with resentment against Mary, and solicitous to secure the life of its own Sovereign from every danger, observed no irregularities in the proceedings, and attended to no defects in the proof, but grasped at suspicions and probabilities, as if they had been irrefragable demonstrations.

The parliament met a few days after sentence was pronounced against Mary. In that illustrious assembly, more temper and discernment, than are to be found among people, might have been expected. Both Lords and Commons, however, were equally under the dominion of popular prejudices and passions, and the same excesses of zeal or of fear, which prevailed in the nation, are apparent in all their proceedings. They entered with impatience upon an inquiry into the conspiracy, and the dangers which threatened the Queen's life, and the peace of the kingdom. All the papers, which had been produced at Forthingay, were laid before them. And after many violent invectives against the Queen of Scots, both houses unanimously, ratified the proceedings of the commissioners by whom she had been tried, and declared the sentence against her to be just and well founded. Not satisfied with this, they presented a joint address to the Queen, beseeching her, as she regarded her own safety, the preservation of the Protestant religion, the welfare and wishes of her people, to publish the sentence; and without further delay to inflict on a rival, no less irreclaimable than dangerous, the punishment

nishment which she had merited by so many crimes. This request, dictated by fears unworthy of that great Assembly, was enforced by reasons still more unworthy. They were drawn not from justice, but from convenience. The most rigorous confinement, it was pretended, could not curb Mary's intriguing spirit; her address was found, by long experience, to be an overmatch for the vigilance and jealousy of all her keepers: The severest penal laws could not restrain her adherents, who, while they believed her person to be sacred, would despise any danger to which themselves alone were exposed. Several foreign Princes were ready to second their attempts, and waited only a proper opportunity for invading the kingdom, and asserting the Scottish Queen's title to the Crown. Her life, for these reasons, was incompatible with Elizabeth's safety; and if she were spared out of a false clemency, the Queen's person, the religion and liberties of the kingdom, could not be one moment secure. Necessity required that she should be sacrificed in order to preserve these; and to prove this sacrifice to be no less just than necessary, several examples in history were produced, and many texts of scripture quoted, but both the one and the other were misapplied, and distorted from their true meaning.

Nothing, however, could be more acceptable to Elizabeth than an address in this strain. It extricated her out of a situation, extremely embarrassing; and without depriving her of the power of sparing, it enabled her to punish her rival with less appearance of blame. If she chose the former, the whole honour would redound to her own clemency. If she determined on the latter, whatever was rigorous might now seem to be extorted by the solicitations of her people, rather than to flow from her own inclination. Her answer, however, was in a stile, which she often used, ambiguous and evasive under the appearance of openness and candor; full of such professions of regard for her people, as served to heighten their loyalty; of such complaints of Mary's ingratitude, as were calculated to excite their indignation; and of such insinuations that her own life was in danger, as could not

fail to keep alive their fears. In the end, ſhe beſought them to ſave her the infamy and the pain of delivering up a Queen, her neareſt kinſwoman, to puniſhment; and to conſider whether it might not ſtill be poſſible to provide for the public ſecurity, without forcing her to imbrue her hands in royal blood.

The true meaning of this reply was eaſily underſtood. The Lords and Commons renewed their former requeſt, with additional importunity, which was far from being either unexpected, or offenſive. Elizabeth did not return any anſwer more explicit; and having obtained ſuch a public ſanction of her proceedings, there was no longer any reaſon for protracting this ſcene of diſſimulation; there was even ſome danger that her feigned difficulties might at laſt be treated as real ones; ſhe therefore adjourned the parliament, and reſerved in her own hands the ſole diſpoſal of her rival's fate *.

All the Princes in Europe obſerved the proceedings againſt Mary, with aſtoniſhment and horror; and even Henry III. notwithſtanding his known averſion to the houſe of Guiſe, was obliged to interpoſe in her behalf, and to appear in defence of the common rights of royalty. Aubeſpine his reſident ambaſſador, and Bellievere who was ſent with an extraordinary commiſſion to the ſame purpoſe, interceded for Mary with great appearance of warmth. They employed all the arguments which the cauſe naturally ſuggeſted; they pleaded from juſtice, generoſity, and humanity; they intermingled reproaches and threats. But to all theſe Elizabeth continued deaf and inexorable, and having received ſome intimation of Henry's real unconcern about the Scottiſh Queen, and knowing his antipathy to all the race of Guiſe, ſhe truſted, that theſe loud remonſtrances would be followed by no violent reſentment †.

She paid no greater regard to the ſolicitations of the Scottiſh King, which, as they were urged with more ſincerity, merited more attention. Though her commiſſioners had been extremely careful to ſooth James, by publiſhing a declaration that their ſentence againſt Mary

* Camd 526. D'Ewes, 375. † Camd. 531.

Mary did, in no degree, derogate from his honour, or invalidate any title which he formerly poſſeſſed; he beheld the indignities to which his Mother had been expoſed with filial concern, and with the ſentiments which became a King. The pride of the Scottiſh nation was rouſed, by the inſult offered to the blood of their Monarchs, and called upon him to employ the moſt vigorous efforts in order to prevent or to revenge the Queen's death.

At firſt, he could ſcarce believe that Elizabeth would venture upon an action ſo unprecedented, which tended ſo viſibly to render the perſons of Princes leſs ſacred in the eyes of the people, and which degraded the regal dignity, of which, at other times, ſhe was ſo remarkably jealous. But as ſoon as the extraordinary ſteps which ſhe took diſcovered her intention, he diſpatched Sir William Keith to London; who, together with Douglas the ordinary ambaſſador, remonſtrated, in the ſtrongeſt terms, againſt the injury done to an independent Queen, in ſubjecting her to be tried like a private perſon, and by laws to which ſhe owed no obedience; and beſought Elizabeth not to add to this injury, by ſuffering a ſentence unjuſt in itſelf, as well as diſhonourable to the King of Scots, to be put in execution *.

Elizabeth returning no anſwer to theſe remonſtrances of his ambaſſador, James wrote to her with his own hand, complaining in the bitterest terms of her conduct, not without threats that both his duty and his honour would oblige him to renounce her friendſhip, and to act as became a ſon when called to revenge his mother's wrongs †. At the ſame time he aſſembled the nobles, who promiſed to ſtand by him in ſo good a cauſe. He appointed ambaſſadors to France, Spain, and Denmark, in order to implore the aid of theſe courts; and took other ſteps towards executing his threats with vigour. The high ſtrain of his letter enraged Elizabeth to ſuch a degree, that ſhe was ready to diſmiſs his ambaſſadors without any reply. But his preparations alarmed and embarraſſed her Miniſters, and at their entreaty ſhe returned a ſoft

* See Append. No. XIII. † Birch. Mem. I. 52.

and evasive answer, promising to listen to any overture from the King, that tended to his mother's safety; and to suspend the execution of the sentence, till the arrival of new ambassadors from Scotland *.

Meanwhile, she commanded the sentence against Mary to be published, and forgot not to inform the people, that this was extorted from her by the repeated entreaties of both houses of parliament. At the same time, she dispatched Lord Buckhurst and Beale to acquaint Mary with the sentence, and how importunately the nation demanded the execution of it, and though she had not hitherto yielded to these solicitations, she advised her to prepare for an event, which might become necessary for securing the Protestant religion, as well as quieting the minds of the people. Mary received the message not only without symptoms of fear, but with expressions of triumph. "No wonder, said she, the English should now thirst for the blood of a foreign Prince, they have often offered violence to their own Monarchs. But after so many sufferings, death comes to me as a welcome deliverer. I am proud to think that my life is esteemed of importance to the Catholic religion, and as a martyr for it I am now willing to die.†"

After the publication of the sentence, Mary was stripped of every remaining mark of royalty. The canopy of state in her apartment was pulled down; Paulet entered her chamber, and approached her person without ceremony; and even appeared covered in her presence. Shocked with these indignities, and offended at this gross familiarity, to which she had never been accustomed, Mary once more complained to Elizabeth; and at the same time, as her last request, entreated that she would permit her servants to carry her dead body into France, to be laid among her ancestors, in hallowed ground; that some of her domestics might be present at her death, to bear witness of her innocence, and firm adherence to the Catholic faith; that all her servants might be suffered to leave the kingdom, and to enjoy those small legacies, which she should bestow on them, as testimonies of her

* Spotsw. 251. Cald. 4. 5. † Camd. 528. Jebb, 291.

her affection; and that in the mean time, her Almoner, or ſome other Catholic Prieſt, might be allowed to attend her, and to aſſiſt her in preparing for an eternal world. She beſought her in the name of Jeſus, by the ſoul and memory of Henry VII. their common progenitor, by their near conſanguinity, and the royal dignity with which they were both inveſted, to gratify her in theſe particulars, and to indulge her ſo far as to ſignify her compliance by a letter under her own hand. Whether Mary's letter was ever delivered to Elizabeth is uncertain. No anſwer was ever returned, and no regard paid to her requeſts. She was offered a Proteſtant Biſhop or Dean to attend her. Them ſhe rejected; and without any Clergyman to direct her devotions, ſhe prepared, in great tranquillity, for the approach of death, which ſhe now believed to be at no great diſtance *.

James, without loſing a moment, ſent new ambaſſadors to London. Theſe were the maſter of Gray, and Sir Robert Melvil. In order to remove Elizabeth's fears, they offered that their Maſter would become bound that no conſpiracy ſhould be undertaken againſt her perſon, or the peace of the kingdom, with Mary's conſent; and for the faithful performance of this, would deliver ſome of the moſt conſiderable of the Scottiſh nobles, as hoſtages. If this were not thought ſufficient, they propoſed that Mary ſhould reſign all her rights and pretenſions to her ſon, from whom nothing injurious to the Proteſtant religion, or inconſiſtent with Elizabeth's ſafety, could be feared. The former propoſal, Elizabeth rejected as inſecure; the latter, as dangerous. The ambaſſadors were then inſtructed to talk in a higher tone; and Melvil executed the commiſſion with fidelity and with zeal. But Gray, with his uſual perfidy, deceived his Maſter who truſted him with a negociation of ſo much importance, and betrayed the Queen whom he was employed to ſave. He encouraged and urged Elizabeth, to execute the ſentence againſt her rival. He often repeated the old proverbial ſentence,

* Camd. 518. Jebb, 2. 295.

"The dead cannot bite." And whatever ſhould happen, he undertook to pacify the King's rage, or at leaſt to prevent any violent effects of his reſentment*.

Elizabeth, meanwhile, diſcovered all the ſymptoms of the moſt violent agitation and diſquietude of mind. She ſhunned ſociety, ſhe was often found in a melancholy and muſing poſture, and repeating, with much emphaſis, theſe ſentences which ſhe borrowed from ſome of the devices then in vogue; *Aut fer aut feri; ne feriare, feri.* Much, no doubt, of this apparent uneaſineſs muſt be imputed to diſſimulation; it was impoſſible, however, that a Princeſs, naturally ſo cautious as Elizabeth, ſhould venture on an action, which might expoſe her memory to infamy, and her life and her kingdom to danger, without reflecting deeply, and heſitating long. The people waited her determination in ſuſpence and anxiety; and leſt their fear or their zeal ſhould ſubſide, rumours of danger were artfully invented, and propagated with the utmoſt induſtry; Aubeſpine, the French Ambaſſador, was accuſed of having ſuborned an aſſaſſin to murder the Queen. The Spaniſh fleet was ſaid by ſome to be already arrived at Milford-haven. Others affirmed that the Duke of Guiſe had landed, with a ſtrong army, in Suſſex. Now, it was reported that the Northern Counties were up in arms; next day, that the Scots had entered England with all their forces; and a conſpiracy, it was whiſpered, was on foot for ſeizing the Queen, and burning the city. The panic grew every day more violent, and the people, aſtoniſhed and enraged, called for the execution of the ſentence againſt Mary, as the only thing which could reſtore tranquillity to the kingdom †.

While theſe ſentiments prevailed among her ſubjects, Elizabeth thought ſhe might ſafely venture to ſtrike the blow, which ſhe had ſo long meditated. She commanded Daviſon, one of the ſecretaries of ſtate, to bring to her the fatal warrant; and her behaviour, on that occaſion, plainly ſhewed that it is not to humanity, that we muſt aſcribe her forbearance hitherto.

* Spotſw. 352. See Append. No XIV.

† Camd. 533, 534.

hitherto. At the very moment she was subscribing the writ which gave up a woman, a Queen, and her own nearest relation, into the hands of the executioner, she was capable of jesting. "Go, says she, to "Davison, and tell Walsingham what I have now "done, though I am afraid he will die for grief when "he hears it." Her chief anxiety was how to secure the advantages which would arise from Mary's death, without appearing to have given her consent to a deed so infamous. She often hinted to Paulet and Drury, as well as to some other courtiers, that now was the time to discover the sincerity of their concern for her safety, and that she expected their zeal would extricate her out of her present perplexity. But they were wise enough to seem not to understand her meaning. Even after the warrant was signed, she commanded a letter to be written to Paulet, in less ambiguous terms; complaining of his remissness in sparing so long the life of her capital enemy, and begging him to remember at last what was incumbent on him as an affectionate subject, and to deliver his Sovereign from continual fear and danger, by shortening the days of his prisoner. Paulet, though rigorous and harsh, and often brutal in the discharge of what he thought his duty, as Mary's keeper, was nevertheless a man of honour and integrity. He rejected the proposal with disdain; and lamenting that he should ever have been deemed capable of acting the part of an assassin, he declared that the Queen might dispose of his life at her pleasure, but he would never stain his own honour, nor leave an everlasting mark of infamy on his posterity, by lending his hand to perpetrate so foul a crime. On the receipt of this answer, Elizabeth became extremely peevish; and calling him a *dainty* and *precise fellow*, who would promise much, but perform nothing, she proposed to employ one Wingfield, who had both courage and inclination to strike the blow *. But Davison remonstrating against this method, as no less dangerous than dishonourable, she again declared her intention that the sentence pronounced by the commissioners should be executed according to law;

* Biogr. Britan. Article *Davison*.

law; and as she had already signed the warrant, she begged that no farther application might be made to her on that head. By this the privy councellors thought themselves sufficiently authorised to proceed; and prompted, as they pretended, by zeal for the Queen's safety, or instigated, as is more probable, by the apprehension of the danger to which they would themselves be exposed, if the life of the Queen of Scots were spared, they assembled in the Council Chamber, and by a letter under all their hands empowered the Earls of Shrewsbury and Kent, together with the High Sheriff of the County, to see the sentence put in execution *.

On Tuesday the 7th of Feburary, the two Earls arrived at Fotheringay, and demanding access to the Queen, read in her presence the warrant for her execution, and required her to prepare to die next morning. Mary heard them to the end without emotion, and crossing herself in the name of the Father, and the Son, and the Holy Ghost, "That soul, said she, is not worthy of the joys of Heaven, which repines because the body must endure the stroke of the executioner; and though I did not expect that the Queen of England would set the first example of violating the sacred person of a Sovereign Prince, I willingly submit to that which Providence has decreed to be my lot." And laying her hand on a Bible, which happened to be near, she solemnly protested that she was innocent of that conspiracy which Babington had carried on against Elizabeth's life †. She then mentioned the requests contained in her letter to Elizabeth, but obtained no satisfactory answer. She entreated, with particular earnestness, that now in her last moments, her Almoner might be suffered to attend her, and that she might enjoy the consolation of those pious institutions prescribed by her religion. Even this favour which is usually granted to the vilest criminals, was absolutely denied.

Her attendants, during this conversation, were bathed in tears, and though overawed by the presence of the two Earls, with difficulty suppressed their anguish;

* Camd. 534. Strype. 3. 361, 364. † Jebb. 2. 301.

guiſh; but no ſooner did Kent and Shrewſbury withdraw, than they ran to their Miſtreſs, and burſt out into the moſt paſſionate expreſſions of tenderneſs and ſorrow. Mary, however, not only retained perfect compoſure of mind, but endeavoured to moderate their exceſſive grief. And falling on her knees, with all her domeſtics around her, ſhe thanked Heaven that her ſufferings were now ſo near an end, and prayed that ſhe might be enabled to endure what ſtill remained with decency, and with fortitude. The greater part of the evening ſhe employed in ſettling her worldly affairs. She wrote her Teſtament with her own hand. Her money, her jewels, and her clothes, ſhe diſtributed among her ſervants, according to their rank or merit. She wrote a ſhort letter to the King of France, and another to the Duke of Guiſe, full of tender but magnanimous ſentiments, and recommended her ſoul to their prayers, and her afflicted ſervants to their protection. At ſupper, ſhe ate temperately, as uſual, and converſed not only with eaſe, but with cheerfulneſs; ſhe drank to every one of her ſervants, and aſked their forgivenneſs, if ever ſhe had failed in any part of her duty towards them. At her wonted time ſhe went to bed, and ſlept calmly a few hours. Early in the morning ſhe retired into her cloſet, and employed a conſiderable time in devotion. At eight o'clock, the High Sheriff and his officers entered her chamber, and found her ſtill kneeling at the altar. She immediately ſtarted up, and with a majeſtic mein, and a countenance undiſmayed, and even cheerful, advanced towards the place of execution, leaning on two of Paulet's attendants. She was dreſſed in a mourning habit, but with an elegance and ſplendor which ſhe had long laid aſide, except on a few feſtival days. An *Agnus Dei* hung by a pomander chain at her neck; her beads at her girdle; and in her hand ſhe carried a crucifix of ivory. At the foot of the ſtair, the two Earls, attended by ſeveral gentlemen from the neighbouring Counties, received her; and there Sir Andrew Melvil, the maſter of her houſehold, who had been ſecluded, for ſome weeks, from her preſence, was permitted to take his laſt farewel. At the

ſight

ſight of a Miſtreſs whom he tenderly loved, in ſuch a ſituation, he melted into tears; and as he was bewailing her condition, and complaining of his own hard fate in being appointed to carry the account of ſuch a mournful event into Scotland, Mary replied, "Weep not, good Melvil, there is at preſent greater cauſe for rejoicing. Thou ſhalt, this day, ſee Mary Stewart delivered from all her cares, and ſuch an end put to her tedious ſufferings as ſhe has long expected. Bear witneſs that I die conſtant in my religion; firm in my fidelity towards Scotland; and unchanged in my affection towards France. Commend me to my ſon. Tell him I have done nothing injurious to his kingdom, to his honour, or to his rights; and God forgive all thoſe who have thirſted, without cauſe, for my blood."

With much difficulty, and after many intreaties, ſhe prevailed on the two Earls to allow Melvil, together with three of her men ſervants, and two of her maids, to attend her to the ſcaffold. It was erected in the ſame hall where ſhe had been tried, raiſed a little above the floor, and covered, as well as a chair, the cuſhion, and block, with black cloth. Mary mounted the ſteps with alacrity, beheld all this apparatus of death with an unaltered countenance, and ſigning herſelf with the croſs, ſhe ſat down in the chair. Beale read the warrant for execution with a loud voice, to which ſhe liſtened with a careleſs air, and like one occupied in other thoughts. Then the Dean of Peterborough began a devout diſcourſe, ſuitable to her preſent condition, and offered up prayers to Heaven in her behalf; but ſhe declared that ſhe could not in conſcience hearken to the one, nor join with the other; and falling on her knees repeated a Latin prayer. When the Dean had finiſhed his devotions, ſhe with an audible voice, and in the Engliſh tongue, recommended unto God the afflicted ſtate of the Church, and prayed for proſperity to her ſon, and for a long life, and peaceable reign to Elizabeth. She declared that ſhe hoped for mercy only through the death of Chriſt, at the foot of whoſe image, ſhe now willingly ſhed her blood; and lifting up, and kiſſing the

the Crucifix, ſhe thus addreſſed it, "As thy arms, O Jeſus, were extended on the Croſs; ſo with the outſtretched arms of thy mercy, receive me, and forgive my ſins."

She then prepared for the block, by taking off her veil, and upper garments; and one of the executioners rudely endeavouring to aſſiſt, ſhe gently checked him, and ſaid, with a ſmile, that ſhe had not been accuſtomed to undreſs before ſo many ſpectators, nor to be ſerved by ſuch valets. With calm but undaunted fortitude, ſhe laid her neck on the block; and while one executioner held her hands, the other at the ſecond ſtroke, cut off her head, which falling out of its attire, diſcovered her hair already grown quite grey with cares and ſorrows. The executioner held it up ſtill ſtreaming with blood, and the Dean crying out, "So periſh all Queen Elizabeth's enemies," the Earl of Kent alone anſwered Amen. The reſt of the ſpectators continued ſilent, and drowned in tears; being incapable, at that moment, of any other ſentiments, but thoſe of pity or admiration *.

Such was the tragical death of Mary Queen of Scots, after a life of forty-four years and two months, almoſt nineteen years of which ſhe paſſed in captivity. The political parties which were formed in the kingdom, during her reign, have ſubſiſted, under various denominations, ever ſince that time. The rancour, with which they were at firſt animated, hath deſcended to ſucceeding ages, and their prejudices, as well as their rage, have been perpetuated, and even augmented. Among Hiſtorians, who were under the dominion of all theſe paſſions, and who have either aſcribed to her every virtuous and amiable quality, or have imputed to her all the vices, of which the human heart is ſuſceptible, we ſearch in vain for Mary's real character. She neither merited the exaggerated praiſes of the one, nor the undiſtinguiſhing cenſure of the other.

To all the charms of beauty, and the utmoſt elegance of external form, ſhe added thoſe accompliſhments, which render their impreſſion irreſiſtible. Polite, affable, inſinuating, ſprightly, and capable of ſpeaking

* Camd. 534. Spotſ. 355. Jebb. 2, 300. Strype, 3. 383.

ſpeaking and of writing with equal eaſe and dignity. Sudden, however, and violent in all her attachments; becauſe her heart was warm and unſuſpicious. Impatient of contradiction; becauſe ſhe had been accuſtomed from her infancy to be treated as a Queen. No ſtranger, on ſome occaſions, to diſſimulation; which, in that perfidious court where ſhe received her education, was reckoned among the neceſſary arts of government. Not inſenſible of flattery, or unconſcious of that pleaſure, with which almoſt every woman beholds the influence of her own beauty. Formed with the qualities which we love, not with the talents that we admire; ſhe was an agreeable woman, rather than an illuſtrious Queen. The vivacity of her ſpirit, not ſufficiently tempered with ſound judgment. and the warmth of her heart, which was not, at all times, under the reſtraint of diſcretion, betrayed her both into errors, and into crimes. To ſay that ſhe was always unfortunate, will not account for that long and almoſt uninterrupted ſucceſſion of calamities which befel her; we muſt likewiſe add that ſhe was often imprudent. Her paſſion for Darnly was raſh, youthful, and exceſſive. And though the ſudden tranſition to the oppoſite extreme was the natural effect of her ill-requited love, and of his ingratitude, inſolence, and brutality; yet neither theſe, nor Bothwell's artful addreſs, and important ſervices, can juſtify her attachment to that nobleman. Even the manners of the age, licentious as they were, are no apology for this unhappy paſſion; nor can they induce us to look on that tragical and infamous ſcene which followed upon it. with leſs abhorrence. Humanity will draw a veil over this part of her character. which it cannot approve, and may, perhaps, prompt ſome to impute her actions to her ſituation, more than to her diſpoſition; and to lament the unhappineſs of the former, rather than to accuſe the perverſeneſs of the latter. Mary's ſufferings exceeded, both in degree, and in duration, thoſe tragical diſtreſſes, which fancy has feigned to excite ſorrow and commiſeration; and while we ſurvey them, we are apt altogether to forget her frailties, we think of her faults with

with lefs indignation, and approve of our tears, as if they were fhed for a perfon who had attained much nearer to pure virtue.

With regard to the Queen's perfon, a circumftance not to be omitted in writing the hiftory of a female reign, all cotemporary authors agree in afcribing to Mary, the utmoft beauty of countenance, and elegance of fhape, of which the human form is capable. Her hair was black, though, according to the fafhion of that age, fhe frequently wore borrowed locks, and of different colours. Her eyes were a dark gray; her complexion was exquifitely fine; and her hands and arms remarkably delicate, both as to fhape and colour. Her ftature was of an height that rofe to the majeftic. She danced, fhe walked, and rode with equal grace. Her tafte for mufic was juft, and fhe both fung and played upon the lute, with uncommon fkill. Towards the end of her life fhe began to grow fat; and her long confinement and the coldnefs of the houfes in which fhe was imprifoned, brought on a rheumatifm, which deprived her of the ufe of her limbs. No man, fays Brantome, ever beheld her perfon without admiration and love, or will read her hiftory without forrow.

None of her women were fuffered to come near her dead body, which was carried into a room adjoining the place of execution, where it lay, for fome days, covered with a coarfe cloath torn from a billiard table. The block, the fcaffold, the aprons of the executioners, and every thing ftained with her blood, were reduced to afhes. Not long after, Elizabeth appointed her body to be buried in the Cathedral of Peterborough, with royal magnificence. But this vulgar artifice was employed in vain; the pageantry of a pompous funeral did not efface the memory of thofe injuries, which laid Mary in her grave. James, foon after his acceffion to the Englifh throne, ordered her body to be removed to Weftminfter-abbey, and to be depofited among the Monarchs of England.

Elizabeth affected to receive the accounts of Mary's death, with the moft violent emotions of furprife, and of concern. Sighs, tears, lamentation and mourning,

 were

were all employed to display the reality and greatness of her sorrow. Evident marks of dissimulation and artifice may be traced through every period of Elizabeth's proceedings, against the life of the Scottish Queen. The commission for bringing Mary to a public trial was seemingly extorted from her, by the entreaties of her Privy Counsellors. She delayed publishing the sentence against her, till she was twice solicited by both houses of Parliament. Nor did she sign the warrant for execution, without the utmost apparent reluctance. One scene more of the boldest and most solemn deceit remained to be exhibited. She undertook to make the world believe that Mary had been put to death without her knowledge, and against her will. And Davison, who neither suspected her intention, nor his own danger, was her instrument in carrying on this artifice, and fell a victim to it.

It was his duty as secretary of state to lay before her the warrant for execution, in order to be signed; and by her command, he carried it to the Great Seal. She pretended, however, that she had charged him not to communicate what she had done to any person, nor to suffer the warrant to go out of his hands, without her express permission; that in contempt of this order he had not only revealed the matter to several of her Ministers, but had, in concert with them, assembled her Privy Counsellors, by whom, without her consent or knowledge, the warrant was issued, and the Earls of Shrewsbury and Kent empowered to put it in execution. Though Davison denied all this, and with circumstances which bear the strongest marks of truth and credibility; though it can scarce be conceived that her privy council, composed of the persons in whom she most confided, of her Ministers and favourites, would assemble within the walls of her palace, and venture to transact a matter of so much importance without her privity, and contrary to her inclination; yet so far did she carry her dissimulation, that, with all the signs of displeasure and of rage, she banished most of her Counsellors out of her presence; and treated Burleigh, in particular so harshly, and with such marks of disgust that he gave up himself for lost, and in

in the deepeſt affliction wrote to the Queen begging leave to reſign all his places, that he might retire to his own eſtate. Daviſon ſhe inſtantly deprived of his office, and committed him a cloſe priſoner to the Tower. He was ſoon after brought to a ſolemn trial in the Star Chamber; condemned to pay a fine of ten thouſand pounds; and to be impriſoned during the Queen's pleaſure. He languiſhed, ſeveral years, in confinement, and never recovered any degree of favour or of power. As her jealouſy and fear had bereaved the Queen of Scots of life, in order to palliate this part of her conduct, Elizabeth made no ſcruple of ſacrificing the reputation and happineſs of one of the moſt virtuous and able men in her kingdom *.

This ſolemn farce, for it deſerves no better name, furniſhed Elizabeth, however, with an apology to the King of Scots. As the proſpect of his Mother's danger had excited the King's filial care and concern, the account of her death filled him with grief and reſentment. His ſubjects felt the diſhonour done to him, and to the nation. In order to ſooth both, Elizabeth inſtantly diſpatched Robert Carey, one of Lord Hunſdane's ſons, with a letter expreſſing her extreme affliction on account of that miſerable accident, which, as ſhe pretended, had happened far contrary to her appointment, or intention. James would not permit her meſſenger to enter Scotland; and with ſome difficulty, received a memorial he ſent from Berwick. It contained the tale concerning Daviſon, dreſſed up with all the circumſtances, which tended to exculpate Elizabeth, and to throw the whole blame on his raſhneſs or treachery. Such a defence gave little ſatisfaction, and was conſidered as mockery added to inſult; and many of the nobles, as well as the King, breathed nothing but revenge. Elizabeth was extremely ſolicitous to pacify them, and neither wanted inſtruments, nor reaſons to gain her end. Leiceſter wrote to the King, and Walſingham to ſecretary Maitland. They repreſented the certain deſtruction to which James would expoſe himſelf, if with the forces of Scotland alone, he ſhould venture to attack a kingdom, ſo far

* Camd. 536. Strype, 3. 370.

far ſuperior in power; that the hiſtory of paſt ages, as well as his Mother's ſad experience, might convince him that nothing could be more dangerous or deceitful than dependence on foreign aid; that the King of France would never wiſh to ſee the Britiſh kingdoms united under one Monarch, nor contribute to inveſt a Prince ſo nearly allied to the houſe of Guiſe, with ſuch formidable power; that Philip might be a more active ally, but would certainly prove a more dangerous one, and under pretence of aſſiſting him, would aſſert his own right to the Engliſh Crown, which he already began openly to claim; that the ſame ſtatute, on which the ſentence of death againſt his Mother had been founded, would juſtify the excluding him from the ſucceſſion to the Crown; that the Engliſh, naturally averſe from the dominion of ſtrangers, would not fail, if exaſperated by his hoſtilities, to apply it in that manner; that Elizabeth was diſpoſed to repair the wrongs which the Mother had ſuffered, by her tenderneſs and affection towards the ſon; and that by engaging in a fruitleſs war, he would deprive himſelf of a noble inheritance, which, by cultivating her friendſhip, he muſt infallibly obtain. Theſe repreſentations, added to his conſciouſneſs of his own weakneſs, to the ſmallneſs of his revenues, to the mutinous ſpirit of ſome of the nobles, to the dubious fidelity of others, and to the influence of that faction, which was entirely at Elizabeth's devotion, convinced James that a war with England, however juſt, would in the preſent juncture be altogether impolitical. All theſe conſiderations induced him to ſtifle his reſentment; to appear ſatisfied with the puniſhment, inflicted on Daviſon; and to preſerve all the ſemblances of friendſhip with the Engliſh court *. In this manner, did the cloud which threatened ſuch a ſtorm paſs away. Mary's death, like that of a common criminal remained unavenged by any Prince; and whatever infamy Elizabeth might incur, ſhe was expoſed to no new danger, on that account.

Mary's death, however, proved fatal to the Maſter of Gray, and loſt him that favour which he had for ſome

* Spotſw. 358. Strype, 3. 377.

ſome time poſſeſſed. He was become as odious to the nation, as favourites, who acquire power without merit, and exerciſe it without diſcretion, uſually are. The treacherous part, which he had acted during his late embaſſy, was well known, and filled the King, who at length came to the knowledge of it, with ſurpriſe. The courtiers obſerved the ſymptoms of diſguſt ariſing in the King's mind, his enemies ſeized the opportunity, and Sir William Stewart, in revenge of the perfidy with which Gray had betrayed his Brother Captain James, publicly accuſed him before a Convention of nobles, not only of having contributed, by his advice and ſuggeſtions, to take away the life of the Queen, but of holding correſpondence with Popiſh princes, in order to ſubvert the religion eſtabliſhed in the kingdom. Gray, unſupported by the King, deſerted by all, and conſcious of his own guilt, made a feeble defence. He was condemned to perpetual baniſhment, a puniſhment very unequal to his crimes. But the King was unwilling to abandon one, whom he had once favoured ſo highly, to the rigour of juſtice; and Lord Hamilton his near relation, and the other nobles who had lately returned from exile, in gratitude for the zeal with which he had ſerved them, interceded warmly in his behalf.

Having thus accompliſhed the deſtruction of one of his enemies, Captain James thought the juncture favourable for proſecuting his revenge on them all. He ſingled out ſecretary Maitland, the moſt eminent both for abilities, and enmity to him; and offered to prove that he was no leſs acceſſary than Gray to the Queen's death, and had even formed a deſign of delivering up the King himſelf into the hands of the Engliſh. But time and abſence had, in a great meaſure, extinguiſhed the King's affection for a minion, who ſo little deſerved it. All the courtiers combined againſt him as a common enemy. And inſtead of gaining his point, he had the mortification to ſee the office of Chancellor conferred upon Maitland, who, together with that dignity, enjoyed all the power and influence of of a prime Miniſter.

In the Assembly of the Church, which met this year, the same hatred to the order of Bishops, and the same jealousy and fear of their incroachments, appeared. But as the King was now of full age, and a parliament was summoned on that occasion, the Clergy remained satisfied with appointing some of their number to represent their grievances to that court, from which great things were expected.

Previous to this meeting of Parliament, James attempted a work worthy of a King. The deadly feuds which subsisted between many of the great families, and which were transmitted from one generation to another, weakened the strength of the kingdom; contributed, more than any other circumstance, to preserve a fierce and barbarous spirit among the nobles; and proved the occasion of many disasters to themselves, and to their country. After many preparatory negociations, he invited the contending parties to a royal entertainment in the palace of Holyrood-house; and partly by his authority, partly by his entreaties, obtained their promise to bury their dissensions in perpetual oblivion. From thence he conducted them, in solemn procession, through the streets of Edinburgh, marching by pairs, each hand in hand, with his enemy. A collation of wine and sweet-meats was prepared at the public Cross, and there they drank to each other, with all the signs of reciprocal forgiveness, and of future friendship. The people, who were present at a transaction so unusual, conceived the most sanguine hopes of seeing concord and tranquillity established in every part of the kingdom, and testified their satisfaction by repeated acclamations. Unhappily the effects of this reconciliation were not correspondent either to the pious endeavours of the King, or the fond wishes of the people.

The first care of the Parliament was the security of the Protestant religion. All the laws passed in its favour, since the Reformation, were ratified; and a new and severe one was enacted against seminary Priests and Jesuits, whose restless industry in making proselytes brought many of them into Scotland about this time. Two acts of this Parliament deserve more particular

particular notice, on account of the consequences with which they were followed.

The one respected the lands of the Church. As the public revenues were not sufficient for defraying the King's ordinary charges; as the administration of government became more complicated and more expensive; as James was naturally profuse, and a stranger to œconomy; it was necessary, on all these accounts, to provide some fund proportioned to his exigencies. But no considerable sum could be levied on the Commons, who did not enjoy the benefit of an extensive commerce. The nobles were unaccustomed to bear the burden of heavy taxes. And the revenues of the Church were the only source whence a proper supply could be drawn. Notwithstanding all the depredations of the laity since the Reformation, and the various devices which they had employed to seize the Church-lands, some considerable portion of them remained still unalienated, and were held either by the Bishops, who possessed the benefices, or were granted to laymen during pleasure. All these lands were, in this parliament, annexed, by one general law *, to the Crown, and the King was empowered to apply the rents of them to his own use. The tithes alone were reserved for the maintenance of the persons who served the cure, and the principal mansion-house, with a few acres of land, by way of glebe, allotted for his residence. By this great accession of property, it is natural to conclude, that the King, must have acquired a vast increase of power, and the influence of the nobles have suffered a proportionable diminution. The very reverse of this seems, however, to have been the case. Almost all grants of Church-lands, prior to this act, were thereby confirmed; and titles, which were formerly reckoned precarious, derived from thence the sanction of parliamentary authority. James was likewise authorised, during a limited time, to make new alienations; and such was the facility of his temper, ever ready to yield to the solicitations of his servants, and to gratify their most extravagant demands, that, not only during that time, but

* Parl. 11. Jac. VI. c. 29.

but throughout his whole reign, he was continually employed in beſtowing, and his parliament in ratifying grants of that kind to his nobles; hence little advantage acrued to the Crown from that which might have been ſo valuable an addition to its revenues. The Biſhops, however, were great ſufferers by the law. But at this juncture, neither the King nor his Miniſters were ſolicitous about the intereſts of an order of men, odious to the people, and perſecuted by the Clergy. Their enemies promoted the law with the utmoſt zeal. The proſpect of ſharing in their ſpoils induced all parties to conſent to it; and after a ſtep ſo fatal to the wealth and power of the dignified Clergy, it was no difficult matter to introduce that change in the government of the Church, which ſoon after took place *.

The change, which the other ſtatute produced in the civil conſtitution, was no leſs remarkable. Under the Feudal ſyſtem, every Freeholder, or vaſſal of the Crown, had a right to be preſent in parliament. Theſe Freeholders were, originally, few in number, but poſſeſſed of great and extenſive property. By degrees, theſe vaſt poſſeſſions were divided by the proprietors themſelves, or parcelled out by the Prince, or ſplit by other accidents. The number of Freeholders became greater, and their condition more inequal; beſides the ancient Barons, who preſerved their eſtates and their power unimpaired, there aroſe another order, whoſe rights were the ſame, though their wealth and influence were far inferior. But, in thoſe rude ages, when the art of government was extremely imperfect, when parliaments were ſeldom aſſembled, and deliberated on matters little intereſting to a martial people, few of the *Leſſer Barons* took their ſeats, and the whole parliamentary juriſdiction, was exerciſed by the *Greater Barons*, together with the Eccleſiaſtical order. James I. fond of imitating the forms of the Engliſh conſtitution, to which he had been long accuſtomed, and deſirous of providing a counterpoiſe to the power of the great nobles, procured an act, in the year 1427, diſpenſing with the perſonal attendance

* Spotſw. 365.

tendance of the leſſer Barons, and impowering thoſe in each county, to chuſe two commiſſioners to repreſent them in parliament. This law, like many other regulations of that wiſe Prince, produced little effect. All the King's vaſſals continued, as formerly, poſſeſſed of a right to be preſent in parliament, and, unleſs in ſome extraordinary conjunctures, none but the greater Barons attended. By means of the Reformation, the conſtitution had undergone a great change. The ariſtocratical power of the nobles had been much increaſed, and the influence of the Eccleſiaſtical order, which the Crown uſually employed to check their uſurpations, and to balance their authority, had diminiſhed in proportion. Many of the Abbies and Priories had been erected into temporal peerages; and the Proteſtant Biſhops, an indigent race of men, and odious to the nation, were far from poſſeſſing the weight and credit, which their predeceſſors derived from their exorbitant wealth, and the ſuperſtitious reverence of the people. In this ſituation, the King had recourſe to the expedient employed by James I. and obtained a law reviving the ſtatute of 1427; and from that time the Commons of Scotland have ſent their repreſentatives to parliament. An act, which tended ſo viſibly to abridge their authority, did not paſs without oppoſition from many of the nobles. But as the King had a right to ſummon the leſſer Barons to attend in perſon, others were apprehenſive of ſeeing the houſe filled with a multitude of his dependents, and conſented the more willingly to a law, which laid them under the reſtriction of appearing only by their repreſentatives.

The year 1588 began with an univerſal expectation throughout all Europe, that it was to be diſtinguiſhed by wonderful events and revolutions. Several aſtrologers, according to the account of cotemporary hiſtorians, had predicted this; and the ſituation of affairs in the two principal kingdoms of Europe was ſuch, that a ſagacious obſerver, without any ſupernatural intelligence, might have hazarded the prediction, and have foreſeen the approach of ſome grand criſis. In France, it was evident from the aſtoniſhing progreſs

greſs of the league, conducted by a leader, whoſe ambition was reſtrained by no ſcruples, and whoſe genius ſurmounted all difficulties; as well as from the timid, variable, and impolitic councils of Henry III. that either that monarch muſt ſubmit to abandon the throne, of which he was unworthy; or by ſome ſudden and daring blow, cut off his formidable rival. Accordingly, in the beginning of the year, the Duke of Guiſe drove his Maſter out of his capital city, and forced him to conclude a peace, which left him only the ſhadow of royalty; and before the year expired, he himſelf fell a victim to Henry's fears, and to his own ſecurity. In Spain, the operations were ſuch, as promiſed ſomething ſtill more uncommon. During three years, Philip had employed all the power of his European dominions, and exhauſted the treaſures of the Indies, in vaſt preparations for war. A fleet, the greateſt that had ever appeared in the ocean, was ready to ſail from Liſbon, and a numerous land army was aſſembled to embark on board of it. Its deſtination was ſtill unknown, though many circumſtances made it probable that the blow was aimed, in the firſt place againſt England. Elizabeth had long given ſecret aid to the revolted provinces in the Low Countries, and now openly afforded them her protection. A numerous body of her troops was in their ſervice; the Earl of Leiceſter commanded their armies; ſhe had great ſway in the civil government of the republic; and ſome of its moſt conſiderable towns were in her poſſeſſion. Her fleets had inſulted the coaſts of Spain, intercepted the galleons from the Weſt Indies, and threatened the colonies there. Rouſed by ſo many injuries, allured by views of ambition, and animated by a ſuperſtitious zeal for propagating the Romiſh religion, Philip reſolved not only to invade, but to conquer England, to which his deſcent from the houſe of Lancaſter, and the donation of Pope Sixtus V. gave him, in his own opinion, a double title.

Elizabeth ſaw the danger approach, and prepared to encounter it, with the utmoſt intrepidity. The meaſures for the defence of her kingdom were concerted, and carried on, with the wiſdom and vigour which

which diſtinguiſh her reign. Her chief care was to ſecure the friendſhip of the King of Scots. She had treated the Queen his Mother with a rigour unknown among Princes; ſhe had often uſed himſelf harſhly, and with contempt; and though he had hitherto prudently ſuppreſſed his reſentment of theſe injuries, ſhe did not believe it to be altogether extinguiſhed, and was afraid that, in her preſent ſituation, it might burſt out with a fatal violence. Philip, ſenſible how much an alliance with Scotland would facilitate his enterpriſe, courted James with the utmoſt aſſiduity. He excited him to revenge his Mother's wrongs; he flattered him with the hopes of ſharing his conqueſts; and offered him in marriage his daughter the Infanta Iſabella. At the ſame time, Scotland ſwarmed with prieſts his emiſſaries, who ſeduced ſome of the nobles to Popery, and corrupted others with bribes and promiſes. Huntly, Errol, Crawford, were the heads of a faction, which openly eſpouſed the intereſt of Spain. Lord Maxwell, arriving from that court, began to aſſemble his followers, and to take arms, that he might be ready to join the Spaniards. In order to counterbalance all theſe, Elizabeth made the warmeſt profeſſions of friendſhip to the King, and Aſhby, her ambaſſador, entertained him with magnificent hopes and promiſes. He aſſured him that his right of ſucceſſion to the Crown ſhould be publicly acknowledged in England; that he ſhould be created a Duke in that kingdom; that he ſhould be admitted to ſome ſhare in the government; and receive a conſiderable penſion annually. James, it is probable, was too well acquainted with Elizabeth's arts, to rely entirely on theſe promiſes. But he underſtood his own intereſt in the preſent juncture, and purſued it with much ſteadineſs. He rejected an alliance with Spain, as dangerous. He refuſed to admit into his preſence an ambaſſador from the Pope. He ſeized Colonel Semple, an agent of the Prince of Parma. He drove many of the trafficking Prieſts out of the kingdom. He marched ſuddenly to Dumfries, diſperſed Maxwell's followers, and took him priſoner. In a Convention of the nobles, he declared his reſolution to adhere inviolably

violably to the league with England; and, without listening to the suggestions of revenge, determined to act in concert with Elizabeth, against the common enemy of the Protestant faith. He put the kingdom in a posture of defence, and levied troops to obstruct the landing of the Spaniards. He offered to send an army to Elizabeth's assistance, and told her ambassador that he expected no other favour from the King of Spain, but that which Polyphemus had promised to Ulysses, that when he had devoured all his companions, he would make him his last morsel *.

The zeal of the people, on this occasion, was not inferior to that of the King; and the extraordinary danger with which they were threatened, suggested to them an extraordinary expedient for their security. A bond was framed for the maintenance of true Religion, and the defence of the King's person and government, in opposition to all enemies, foreign and domestic. This contained a confession of the Protestant faith, a particular renunciation of the errors of Popery, and the most solemn promises, in the name, and through the strength of God, of adhering to each other, in supporting the former, and in contending against the latter, to the utmost of their power †. The King, the Nobles, the Clergy, and the people subscribed it with equal alacrity. Strange or uncommon as such a combination may now appear, many circumstances contributed, at that time, to recommend it, and to render the idea familiar to the Scots. When roused by any extraordinary event, or alarmed by any public danger, the people of Israel were accustomed to bind themselves, by a solemn Covenant, to adhere to that Religion, which the Almighty had established among them; this the Scots considered as a sacred precedent which it became them to imitate. In that age, no considerable enterprise was undertaken in Scotland, without a bond of mutual defence, which all concerned reckoned necessary for their security. The form of this religious confederacy is plainly borrowed from those political ones, of which so many instances have occurred;

* Camd. 544. Johnst. 139. Spotsw. 369.
† Dunlop's Collect. of Confess. Vol. 2. 108.

occurred; the articles, ſtipulations, and peculiar modes of expreſſion, are exactly the ſame in both. Almoſt all the conſiderable Popiſh Princes were then joined in a league for extirpating the Reformed religion, and nothing could be more natural, or ſeemed more efficacious, than to enter into a counter aſſociation, in order to oppoſe the progreſs of that formidable conſpiracy. To theſe cauſes, did the *Covenant*, which has become ſo famous in hiſtory, owe its origin. It was renewed at different times during the reign of James *. It was revived with great ſolemnity in the year 1638. It was adopted by the Engliſh, in the year 1643, and enforced by the civil and eccleſiſtical authority of both kingdoms. The political purpoſes to which it was then made ſubſervient, and the violent and unconſtitutional meaſures which it was then employed to promote, it is not our province to explain. But at the juncture, in which it was firſt introduced, we may pronounce it to have been a prudent and laudable device for the defence of the religion and liberties of the nation; nor were the terms in which it was conceived, other than might have been expected from men alarmed with the impending danger of Popery, and threatened with an invaſion by the moſt bigotted, and moſt powerful Prince in Europe.

Philip's eagerneſs to conquer England did not inſpire him either with the vigour or diſpatch neceſſary to enſure the ſucceſs of ſo mighty an enterpriſe. His fleet, which ought to have ſailed in April, did not enter the Engliſh channel till the middle of July. It hovered many days on the coaſt, in expectation of being joined by the Prince of Parma, who was blocked up in the ports of Flanders by a Dutch ſquadron. Continual diſaſters purſued the Spaniards during that time; ſucceſſive ſtorms and battles, which are well known, conſpired with their own ill conduct, to diſappoint their enterpriſe. And by the bleſſing of Providence, which watched with remarkable care over the Proteſtant religion, and the liberties of Britain, the Engliſh valour ſcattered and deſtroyed the Armado on which they had arrogantly beſtowed the name of Invincible. After

* Cald 4. 139.

ter being driven out of the English seas, they were forced to steer their course towards Spain, round Scotland and Ireland. Many of them suffered shipwreck on these dangerous coasts. Though James kept his subjects under arms to watch the motions of the Spaniards, and to prevent their landing in an hostile manner, he received seven hundred who were cast ashore by a tempest, and after supplying them with necessaries, permitted them to return into their own country.

On the retreat of the Spaniards, Elizabeth sent an ambassador to congratulate with James, and to compliment him on the firmness and generosity, he had discovered during a conjuncture so dangerous. But none of Ashby's promises were any longer remembered; that Minister was even accused of having exceeded his powers, by these too liberal offers; and conscious of his own falsehood, or ashamed of being disowned by his court, he withdrew secretly out of Scotland *.

Philip, convinced by fatal experience of his own rashness in attempting the conquest of England, by a naval armament, equipped at so great a distance, and subjected in all its operations, to the delays, and dangers, and uncertainties, arising from seas and winds, resolved to make his attack in another form, and to adopt the plan which the Princes of Lorrain had long meditated, of invading England through Scotland. A body of his troops, he imagined, might be easily wafted over from the Low Countries to that kingdom, and if they could once obtain footing, or procure assistance there, the frontier of England was open and defenceless, and the northern counties full of Roman Catholics who would receive them with open arms. Meanwhile, a descent might be threatened on the southern coast, which would divide the English army, distract their councils, and throw the whole kingdom into terrible convulsions. In order to prepare the way for the execution of this design, he remitted a considerable sum of money to Bruce, a seminary Priest in Scotland, and employed him, together with Hay, Creighton, and Tyrie,

* Johnst. 134. Camd. 548.

Tyrie, Scottish Jesuits, to gain over as many persons of distinction as possible to his interest. Zeal for Popery, and the artful insinuations of these emissaries, induced several of the nobles to favour a measure, which tended so manifestly to the destruction of their country. Huntly, though the King had lately married him to the daughter of his favourite, the Duke of Lennox, continued warmly attached to the Romish Church. Crawford and Errol were animated with the zeal of new converts. They all engaged in a correspondence with the Prince of Parma, and in their letters to him, offered their service to the King of Spain; and undertook, with the aid of six thousand men, to render him master of Scotland, and to bring so many of their vassals into the field, that he should be able to enter England, with a numerous army. Francis Stewart, grandson of James V. whom the King had created Earl of Bothwell, though influenced by no motive of religion, for he still adhered to the Protestant faith, was prompted, merely by caprice, and the restlessness of his nature, to join this treasonable correspondence.

All these letters were intercepted in England. Elizabeth, alarmed at the danger which threatened her own kingdom, sent them immediately to the King, and reproaching him with his former lenity toward the Popish party, called upon him to check this formidable conspiracy, by a proper severity. But James, though firmly attached to the Protestant religion, though profoundly versed in the theological controversies between the Reformers and the Church of Rome, though he had employed himself, at that early period of life, in writing a Commentary on the Revelation, in which he proved the Pope to be Antichrist, had nevertheless adopted, already, those maxims concerning the treatment of the Roman Catholics, to which he adhered through the rest of his life. The Roman Catholics, were at that time a powerful and active party in England; they were far from being an inconsiderable faction in his own kingdom. The Pope and King of Spain were ready to take part in all their machinations, and to second every effort of their bi-

gotry. The oppofition of fuch a body to his fucceffion to the Crown of England, added to the averfenefs of the Englifh from the government of ftrangers, might create him many difficulties. In order to avoid thefe, he thought it neceffary to footh rather than to irritate the Roman Catholics, and to reconcile them to his fucceffion, by the hopes of gentler treatment, and fome mitigation of the rigour of thofe laws, which were now in force againft them. This attempt to gain one party by promifes of indulgence and acts of clemency, while he adhered, with all the obftinacy of a difputant, to the doctrines and tenets of the other, has given an air of myftery, and even of contradiction, to this part of the King's character. The Papifts, with the credulity of a fect ftruggling to obtain power, believed his heart to be wholly theirs; and the Proteftants, with the jealoufy infeparable from thofe who are already in poffeffion, viewed every act of lenity as a mark of indifference, or a fymptom of apoftacy And in order to pleafe both, James often aimed at an exceffive refinement, mingled with diffimulation, in which he imagined the perfection of government, and of King-craft, to confift.

His behaviour on this occafion was agreeable to thefe general maxims. Notwithftanding the folicitations of the Queen of England, enforced by the jealous remonftrances of his own Clergy, a fhort imprifonment was the only punifhment he inflicted on Huntly and his affociates. But he foon had reafon to repent of an act of clemency, fo inconfiftent with the dignity of government. The firft ufe which the confpirators made of their liberty, was to affemble their followers, and under pretence of removing Chancellor Maitland, an able Minifter, but warmly devoted to the Englifh intereft, from the King's councils and prefence, they attempted to feize James himfelf. This attempt being defeated partly by Maitland's vigilance, and partly by their own ill conduct, they were forced to retire to the North, where they openly erected the ftandard of Rebellion. But as the King's government was not generally unpopular, or his Miniffers odious, their own vaffals joined them flowly, and difcovered

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no zeal in the cause. And the King, in person, advancing against them with such forces as he could suddenly levy, they durst not rely so much on the fidelity of their troops, which though superior in number, followed them with reluctance, as to hazard a battle; but suffering them to disperse, they surrendered to the King, and threw themselves on his mercy. Huntly, Errol, Crawford, and Bothwell were all brought to a public trial. Repeated acts of treason were easily proved against them. The King, however, did not permit any sentence to be pronounced; and after keeping them a few months in confinement, he took occasion, amidst the public festivity and rejoicings, at the approach of his marriage, to set them at liberty*.

As James was the only descendant of the ancient Monarchs of Scotland, in the direct line; as all hopes of uniting the Crowns of the two kingdoms would have expired with him; as the Earl of Arran, the presumptive heir to the throne, was lunatic; the King's marriage was on all these accounts, an event which the nation desired with the utmost ardour. He himself was no less desirous of accomplishing it; and had made overtures, for that purpose, to the eldest Daughter of Frederick II. King of Denmark. But Elizabeth, jealous of every thing, that would render the accession of the house of Stewart more acceptable to the English, endeavoured to perplex James, in the same manner she had done Mary, and employed as many artifices to defeat or retard his marriage. His Ministers, gained by bribes and promises, seconded her intentions; and though several different ambassadors were sent from Scotland to Denmark, they produced powers so limited, or insisted on conditions so extravagant, that Frederick could not believe the King to be in earnest; and suspecting that there was some design to deceive, or amuse him, gave his daughter in marriage to the Duke of Brunswick. Not discouraged by this disappointment, which he imputed entirely to the conduct of his own Ministers, James made his addresses to the Princess Anne, Frederick's second daughter. And though Elizabeth endeavoured to divert him from

* Spott. 373. Cald. 4. 103.

this, by recommending Catherine the King of Navarre's ſiſter, as a more advantageous match; though ſhe prevailed on the Privy Council of Scotland to declare againſt the alliance with Denmark; he perſiſted in his choice. And deſpairing of overcoming the obſtinacy of his own Miniſters, in any other manner, he ſecretly encouraged the citizens of Edinburgh to take arms. They threatened to tear in pieces the Chancellor, whom they accuſed as the perſon, whoſe artifices had hitherto diſappointed the wiſhes of the King, and the expectations of his people. In conſequence of this, the Earl Mariſhal was ſent into Denmark, at the head of a ſplendid embaſſy. He received ample powers and inſtructions, drawn with the King's own hand. The marriage articles were quickly agreed upon, and the young Queen ſet ſail towards Scotland. James made great preparations for her reception, and waited her landing with all the impatience of a lover; when the unwelcome account arrived, that a violent tempeſt had ariſen, which drove back her fleet to Norway, in a condition ſo ſhattered. that there was little hope of its putting again to ſea, before the Spring. This unexpected diſappointment. he felt with the utmoſt ſenſibility. He inſtantly fitted out ſome ſhips. and without communicating his intention to any of his council, ſailed, in perſon, attended by the Chancellor, ſeveral noblemen, and a train of three hundred perſons, in queſt of his bride. He arrived ſafely in a ſmall harbour, not far diſtant from Upſlo, where the Queen then reſided. There the marriage was ſolemnized. And as it would have been raſh to truſt thoſe boiſterous ſeas, in the winter ſeaſon, James accepted the invitation of the court of Denmark, and repairing to Copenhagen, paſſed ſeveral months there, amidſt continual feaſting, and amuſements, in which both the Queen and himſelf had great delight *.

No event in the King's life appears to be a wider deviation from his general character, than this ſudden ſally. His ſon Charles I. was capable of that exceſſive admiration of the other ſex, which ariſes from great

* Melv. 352. Spotſw. 377.

great ſenſibility of heart, heightened by elegance of taſte; and the romantic air of his journey to Spain ſuited ſuch a diſpoſition. But James was not ſuſceptible of any refined gallantry, and always expreſſed that contempt for the female character, which a pedantic erudition, unacquainted with politeneſs, is apt to inſpire. He was fretted, however, at the many obſtacles which had been laid in his way. He was anxious to ſecure the political advantages, which he expected from marriage; and fearing that a delay might afford Elizabeth, and his own Miniſters, an opportunity of thwarting him by new intrigues, he ſuddenly took the reſolution of preventing them, by a voyage from which he expected to return in a few weeks. The nation ſeemed to applaud his conduct, and to be pleaſed with this appearance of amorous ardour, in a young Prince. Notwithſtanding his abſence ſo long beyond the time he expected, the nobles, the clergy, and the people, vied with one another in loyalty and obedience; and no period in the King's reign was more remarkable for tranquillity, or more free from any eruption of thoſe factions, which ſo often diſturbed the kingdom.

THE

HISTORY

OF

SCOTLAND.

BOOK EIGHTH.

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racter. James proclaimed King of England. Takes possession of the throne. View of the Revolution in Scotland, since the accession of James VI.

ON the first of May the King and Queen arrived at Leith, and were received by their subjects with every possible expression of joy. The solemnity of the Queen's coronation was conducted with great magnificence; and so low had the order of bishops fallen, in the opinion of the public, that none of them were present on that occasion, and Mr Robert Bruce, a Presbyterian Minister of great reputation, set the Crown on her head, administered the sacred unction, and performed the other customary ceremonies.

The zeal and success, with which many of the Clergy had contributed towards preserving peace and order in the kingdom, during his absence, reconciled James, in a great degree, to their persons, and even to the presbyterian form of government. In presence of an Assembly, which met this year, he made high encomiums on the discipline, as well as the doctrine of the Church, promised to adhere inviolably to both, and permitted the assembly to frame such acts, as gradually abolished all the remains of episcopal jurisdiction, and paved the way for a full and legal establishment of the Presbyterian model *.

An event happened soon after, which afforded the Clergy no small triumph. Archbishop Adamson, their ancient enemy, having fallen under the King's displeasure, having been deprived of the revenues of his see in consequence of the act of annexation, and being oppressed with age, with poverty, and diseases, made the meanest submission to the Clergy, and delivered to the Assembly a formal recantation of all his opinions concerning Church government, which had been matter of offence. Such a confession, from the most learned person of the order, was considered as a testimony, which the force of truth had extorted from an adversary †.

Meanwhile

* Cald. 4. 204.

† Sotsw. 385. Cald. 4. 214.

Meanwhile the King's excessive clemency towards offenders multiplied crimes of all kinds, and encouraged such acts of violence, as brought his government under contempt, and proved fatal to many of his subjects. The history of several years, about this time, is filled with accounts of the deadly quarrels between the great families, and of murders and assassinations perpetrated in the most audacious manner, and with circumstances of the utmost barbarity. All the defects in the feudal aristocracy were now felt more sensibly, than at any other period in the history of Scotland, and universal licence and anarchy prevailed to a degree, scarce consistent with the preservation of society. While the King, too gentle to punish, or too feeble to act with vigour, suffered all these enormities to pass with impunity.

But though James connived at real crimes, witchcraft, which is commonly an imaginary one, engrossed his attention, and those suspected of it, felt the whole weight of his authority. Many persons, neither extremely old, nor wretchedly poor, which were usually held to be certain indications of this crime, but masters of families, and matrons of a decent rank, and in the middle age of life, were seized and tortured; and though their confessions contained the most absurd and incredible circumstances, the King's prejudices, those of the Clergy, and of the people, conspired in believing their extravagancies without hesitation, and in punishing their persons without mercy. Some of these unhappy sufferers accused Bothwell of having consulted them, in order to know the time of the King's death, and of having employed their art, to raise the storms, which had endangered the Queen's life, and had detained James so long in Denmark. Upon this evidence, that nobleman was committed to prison. His turbulent and haughty spirit could neither submit to the restraint, nor brook such an indignity. Having gained his keepers, he made his escape, and imputing the accusation to the artifices of his enemy, the Chancellor, assembled his followers, under pretence of driving him from the King's councils. Being favoured by some of the King's attendants,

tehdants, he was admitted, by a ſecret paſſage, under cloud of night, into the court of the palace of Holyrood-houſe. He advanced directly towards the royal apartment, but happily, before he entered, the alarm was taken and the doors ſhut. While he attempted to burſt open ſome of them, and to ſet fire to others, the citizens of Edinburgh had time to run to their arms, and he eſcaped with the utmoſt difficulty; owing his ſafety to the darkneſs of the night, and the precipitancy with which he fled *.

He retired towards the North, and the King having unadviſedly given a commiſſion, to the Earl of Huntly, to purſue him, and his followers, with fire and ſword; he, under colour of executing that commiſſion, gratified his private revenge, and ſurrounded the houſe of the Earl of Murray, burnt it to the ground, and ſlew Murray himſelf. The murder of a young nobleman of ſuch promiſing virtues, and the heir of the Regent Murray, the darling of the people, excited univerſal indignation. The citizens of Edinburgh roſe in a tumultuous manner; and though they were reſtrained, by the care of the magiſtrates, from any act of violence, they threw aſide all reſpect for the King and his Miniſters, and openly inſulted and threatened both. While this mutinous ſpirit continued, James thought it prudent to withdraw from the city, and fixed his reſidence for ſome time at Glaſgow. There Huntly ſurrendered himſelf to juſtice; and, notwithſtanding the atrocioufneſs of his crime, and the clamours of the people, the power of the Chancellor, with whom he was now cloſely confederated, and the King's regard for the memory of the Duke of Lennox, whoſe daughter he had married, not only protected him from the ſentence which ſuch an odious action merited, but exempted him even from the formality of a public trial †.

A ſtep of much importance was taken, ſoon after, with regard to the government of the Church. The Clergy had long complained of the encroachments made upon their privilege and juriſdiction, by the acts of the parliament 1584, and though theſe laws had now

* Melv. 388. Spotſ. 386. † Spotſ. 387.

now loſt much of their force, they reſolved to petition the parliament, which was approaching, to repeal them in form.

The juncture for puſhing ſuch a meaſure was well choſen. The King had loſt much of the public favour by his lenity towards the Popiſh faction, and ſtill more by his remiſſneſs in purſuing the murderers of the Earl of Murray. The Chancellor had not only a powerful party of the courtiers combined againſt him, but was become odious to the people, who imputed to him every falſe ſtep in the King's conduct. Bothwell ſtill lurked in the kingdom, and being ſecretly ſupported by all the enemies of Maitland's adminiſtration, was ready, every moment, to renew his audacious enterpriſes. James, for all theſe reaſons, was extremely willing to indulge the Clergy in their requeſt, and not only conſented to a law, whereby the acts 1584 were reſcinded or explained; but he carried his complaiſance ſtill further, and permitted the parliament to eſtabliſh the Preſbyterian government, its General Aſſemblies, Provincial Synods, Preſbyteries and Kirk ſeſſions, with all the different branches of their diſcipline and juriſdiction, in the moſt ample manner. All the zeal and authority of the Clergy, even under the adminiſtration of Regents, from whom they might have expected the moſt partial favour, could not obtain the ſanction of law, in confirmation of their mode of Eccleſiaſtical government. No Prince was ever leſs diſpoſed than James to approve a ſyſtem, whoſe republican genius inſpired a paſſion for liberty, ſo repugnant to his exalted notions of royal prerogative. Nor could any averſion be more inveterate than his, to the auſtere and uncomplying character of the Preſbyterian Clergy in that age; who, more eminent for zeal than for policy, often contradicted his opinions, and cenſured his conduct, with a freedom, equally offenſive to his dogmatiſm as a Theologian, and to his pride as a King. His ſituation however obliged him, frequently, to conceal, or to diſſemble his ſentiments; and as he often diſguſted his ſubjects, by indulging the Popiſh faction more than they approved, he endeavoured to atone for this

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by conceſſions to the Preſbyterian Clergy, greater than he himſelf would otherwiſe have choſen *.

In this parliament, Bothwell and all his adherents were attainted. But he ſoon made a new attempt to ſeize the King at Falkland; and James, betrayed by ſome of his courtiers, and feebly defended by others, who wiſhed well to Bothwell, as the Chancellor's avowed enemy, owed his ſafety to the fidelity and vigilance of Sir Robert Melvil, and to the irreſolution of Bothwell's aſſociates †.

This danger was ſcarce well over, when the nation was alarmed with the diſcovery of a new and more formidable conſpiracy. George Ker, the Lord Newbottle's brother, being ſeized as he was ready to ſet ſail for Spain, many ſuſpicious papers were found in his cuſtody, and among theſe, ſeveral blanks ſigned by the Earls of Angus, Huntly, and Errol. By this extraordinary precaution they hoped to eſcape any danger of diſcovery. But Ker's reſolution ſhrinking when torture was threatened, he confeſſed that he was employed by theſe noblemen, to carry on a negociation with the King of Spain; that the blanks ſubſcribed with their names were to be filled up by Crichton and Tyrie; that they were inſtructed to offer the faithful ſervice of the three Earls to that Monarch; and to ſolicit him to land a body of his troops, either in Galloway, or at the mouth of Clyde, with which they undertook, in the firſt place, to eſtabliſh the Roman Catholic Religion in Scotland, and then to invade England, with the whole forces of the kingdom. Sir David Graham of Fintry, and Barclay of Labyland, whom he accuſed of being privy to the conſpiracy, were taken into cuſtody, and confirmed all the circumſtances of his confeſſion ‡.

The nation having been kept for ſome time in continual terror and agitation by ſo many ſucceſſive conſpiracies, the diſcovery of this new danger completed the panic. All ranks of men, as if the enemy had already been at their gates, thought themſelves called upon to ſtand forth in defence of their country. The

* Cald. 4. 248, 252. Spotſ. 388.
† Melv. 402. ‡ Rymer, 16. 190.

Miniſters of Edinburgh, without waiting for any warrant from the King, who happened at that time, to be abſent from the capital, and without having received any legal commiſſion, aſſembled a conſiderable number of Peers and Barons, in order to provide an inſtant remedy againſt the impending danger. They ſeized the Earl of Angus, and committed him to the caſtle; they examined Ker; and prepared a remonſtrance to be laid before the King, concerning the ſtate of the nation, and the neceſſity of proſecuting the conſpirators with becoming vigour. James, though jealous of every encroachment on his prerogative, and offended with ſubjects, who inſtead of petitioning, ſeemed to preſcribe to him, found it neceſſary, during the violence of the ferment, not only to adopt their plan, but even to declare that no conſideration ſhould ever induce him to pardon thoſe who had been guilty of ſo odious a treaſon. He ſummoned the Earls of Huntly and Errol to ſurrender themſelves to juſtice. Graham of Fintry, whom his Peers pronounced to be guilty of treaſon, he commanded to be publicly beheaded; and marching into the North at the head of an army, the two Earls together with Angus, who had eſcaped out of priſon, retired to the mountains. He placed garriſons in the caſtles which belonged to them; compelled their vaſſals, and the Barons, in the adjacent counties to ſubſcribe a bond containing profeſſions of their loyalty towards him, and of their firm adherence to the Proteſtant faith; and, the better to ſecure the tranquillity of that part of the kingdom, conſtituted the Earls of Athol, and Marſhall, his Lieutenants there *.

Having finiſhed this expedition, James returned to Edinburgh, where he found Lord Borrough, an extraordinary ambaſſador from the court of England. Elizabeth, alarmed at the diſcovery of a conſpiracy, which ſhe conſidered as no leſs formidable to her own kingdom, than to Scotland, reproached James with his former remiſſneſs, and urged him, as he regarded the preſervation of the Proteſtant Religion, or the dignity of his own Crown, to puniſh this repeated treaſon with rigour; and if he could not apprehend the

* Spotſ. 391. Cald. 4. 291.

the perſons, at leaſt to confiſcate the eſtates of ſuch audacious rebels. She weakened, however, the force of theſe requeſts, by interceding, at the ſame time, in behalf of Bothwell, whom, according to her uſual policy in nouriſhing a factious ſpirit among the Scottiſh nobles, ſhe had taken under her protection. James abſolutely refuſed to liſten to any interceſſion in favour of one, who had ſo often, and with ſo much outrage, inſulted both his government and his perſon. With regard to the Popiſh conſpirators, he declared his reſolution to proſecute them with vigour; but that he might be the better able to do ſo, he demanded a ſmall ſum of money from Elizabeth, which ſhe, diſtruſtful, perhaps, of the manner in which he might apply it, ſhewed no inclination to grant. The zeal, however, and importunity of his own ſubjects obliged him to call a parliament, in order to paſs an act of attainder againſt the three Earls. But before it met, Ker made his eſcape out of priſon, and on pretence, that legal evidence of their guilt could not be produced, nothing was concluded againſt them. The King himſelf was univerſally ſuſpected of having contrived this artifice, on purpoſe to elude the requeſts of the Queen of England, and to diſſappoint the wiſhes of his own people. And therefore, in order to ſooth the Clergy who exclaimed loudly againſt his conduct, he gave way to the paſſing of an act, which ordained thoſe who obſtinately contemned the cenſures of the Church to be declared outlaws *.

While the terror excited by the Popiſh conſpiracy poſſeſſed the nation, the court had been divided by two rival factions, which contended for the chief direction of affairs. At the head of one, was the Chancellor, in whom the King repoſed entire confidence. For that very reaſon, perhaps, he had fallen early under the Queen's diſpleaſure. The Duke of Lennox, the Earl of Athol, Lord Ochiltree, and all the name of Stewart eſpouſed her quarrel, and widened the breach. And James, fond no leſs of domeſtic tranquillity, than of public peace, adviſed his favourite to retire, for ſome time, in hopes that the Queen's

* Cald. 4. 343. Spotſ. 393. Parl. 13. Jac. VI. c. 164.

resentment would subside. But as he stood in need, in the present juncture, of the assistance of so able a Minister, he had recalled him to court. In order to prevent him from recovering his former power, the Stewarts had recourse to an expedient no less illegal, than desperate. Having combined with Bothwell, who was of the same surname, they brought him back secretly into Scotland; and seizing the gates of the palace, introduced him in the royal apartment with a numerous train of armed followers. James, though deserted by all his courtiers, and incapable of resistance, discovered more indignation than fear, and reproaching them for their treachery, called on the Earl to finish his treasons, by piercing his Sovereign to the heart. But Bothwell fell on his knees, and implored pardon. The King was not in a condition to refuse his demands. And a few days after he signed a capitulation with this successful traitor, to whom he was really a prisoner, whereby he bound himself to grant him a remission of all past offences, and to procure the ratification of it in parliament; and in the mean time, to dismiss the Chancellor, the Master of Glamis, Lord Home, and Sir George Home, from his councils and presence. Bothwell, on his part, consented to remove from court, though he left there as many of his associates, as he thought sufficient to prevent the return of the adverse faction.

But it was now no easy matter to keep the King under the same kind of bondage, to which he had been often subject during his minority. He discovered so much impatience to shake off his fetters, that those who imposed, durst not continue, the restraint. They permitted him to call a convention of the nobles at Stirling, and to repair thither himself. All Bothwell's enemies, and all who were desirous of gaining the King's favour by appearing to be so, obeyed the summons. They pronounced the insult offered to the King's person and authority to be high treason, and declared him absolved from any obligation to observe conditions extorted by force, and which violated so essentially his royal prerogative. James, however, still proffered him pardon, provided he would sue for it as an act of mercy, and promise to retire out of the

the kingdom. These conditions Bothwell rejected with disdain, and betaking himself once more to arms, attempted to surprise the King, but finding him on his guard, fled to the borders *.

The King's ardour against Bothwell, compared with his slow and evasive proceedings against the Popish Lords, occasioned a general disgust among his subjects; and was imputed either to an excessive attachment to the persons of those conspirators, or to a secret partiality towards their opinions; both which gave rise to no unreasonable fears. The Clergy, as the immediate guardians of the Protestant Religion, thought themselves bound, in such a juncture, to take extraordinary steps for its preservation. And the provincial synod of Fife happening to meet at that time, a motion was made to excommunicate all concerned in the late conspiracy, as obstinate and irreclaimable Papists. And though none of the conspirators resided within the bounds of this synod, or were subject to its jurisdiction, such was the zeal of the members, that, overlooking this irregularity, they pronounced the sentence of excommunication, to which the act of last parliament added new terrors. And lest this should be imputed to a few men, and accounted the act of a small part of the Church, deputies were appointed to attend the adjacent synods, and to desire their approbation and concurrence.

An event happened, a few weeks after, which increased the people's suspicions of the King. As he was marching on an expedition against the borderers, the three Earls, coming suddenly into his presence, offered to submit themselves to a legal trial, and James, without committing them to custody, appointed a day for that purpose. The conspirators prepared to appear with a formidable train of their friends and vassals. But, in the mean time, the Clergy, together with many Peers and Barons, assembling at Edinburgh, remonstrated against the King's extreme indulgence with great boldness, and demanded of him, according to the regular course of justice, to commit to sure custody persons charged with the highest acts

* Cald 4. 326. Spots. 395.

of treason, who could not be brought to a legal trial, until they were absolved from the censures of the Church; and to call a Convention of estates, to deliberate concerning the method of proceeding against them. At the same time, they offered to accompany him in arms to the place of trial, lest such audacious and powerful criminals should overawe justice, and dictate to the judges, to whom they pretended to submit. James, though extremely offended both with the irregularity of their proceedings, and the presumption of their demands, found it expedient to put off the day of trial, and to call a Convention of estates, in order to quiet the fears and jealousies of the people. By being humoured in this point, their suspicions began gradually to abate, and the Chancellor managed the Convention so artfully, that he himself, together with a few other members, was empowered to pronounce a final sentence upon the conspirators. After much deliberation, they ordained that the three Earls, and their associates, should be exempted from all further enquiry or prosecution, on account of their correspondence with Spain; that, before the first day of February, they should either submit to the Church, and publicly renounce the errors of Popery, or remove out of the kingdom; that, before the first of January, they should declare which of these alternatives they would embrace; that they should find surety for their peaceable demeanour, for the future; and that if they failed to signify their choice in due time, they should lose the benefit of this act of *abolition*, and remain exposed to all the pains of law *.

By this lenity towards the conspirators, James incurred much reproach, and gained no advantage. Devoted to the Popish superstition, submissive to all the dictates of their priests, and buoyed up with hopes and promises of foreign aid, the three Earls refused to accept of the conditions, and continued their treasonable correspondence with the court of Spain. A convention of estates pronounced them to have forfeited the benefit of the articles, which were offered; and the King required them, by proclamation, to surrender

* Cald. 4. 330. Spots. 397.

render themselves to justice. The presence of the English ambassador contributed, perhaps, to the vigour of these proceedings. Elizabeth, ever attentive to James's motions, and imputing his reluctance to punish the Popish Lords to a secret approbation of their designs, had sent Lord Zouche to represent, once more, the danger to which he exposed himself, by this false moderation; and to require him to exercise that rigour, which their crimes, as well as the posture of affairs rendered necessary. And though the steps now taken by the King silenced all complaints on that head, yet Zouche, forgetful of his character as an ambassador, entered into private negociations with such of the Scottish nobles, as disapproved of the King's measures, and held almost an open correspondence with Bothwell, who, according to the usual artifice of malecontents, pretended much solicitude for reforming the disorders of the commonwealth; and covered his own ambition with the specious veil of zeal against those Councellors, who restrained the King from pursuing the avowed enemies of the Protestant faith. Zouche encouraged him in the name of his Mistress, to take arms against his Sovereign.

Meanwhile, the King and the Clergy were filled with mutual distrust of each other. They were jealous, perhaps to excess, that his affections leaned too much towards the Popish faction; he suspected them, without good reason, of prompting Bothwell to rebellion, and even of supplying him with money for that purpose. Little instigation, indeed, was wanting to rouse such a turbulent spirit as Bothwell's to any daring enterprise. He appeared suddenly within a mile of Edinburgh, at the head of four hundred horse. The pretences, by which he endeavoured to justify this insurrection were extremely popular; zeal for religion, enmity to Popery, concern for the King's honour, and for the liberties of the nation. James was totally unprovided for his own defence; he had no infantry, and was accompanied only with a few horsemen of Lord Home's train. In this extremity, he implored the aid of the citizens of Edinburgh, and, in order to encourage them to act with

zeal

zeal, he promised to proceed against the Popish Lords with the utmost rigour of law. Animated by their Ministers, they ran cheerfully to their arms, and advanced with the King at their head against Bothwell; but he, notwithstanding his success in putting to flight Lord Home, who had rashly charged him with a far inferior number of cavalry, retired to Dalkieth without daring to attack the King. His followers abandoned him soon after, and discouraged by so many successive disappointments, could never afterwards be brought to venture into the field. He betook himself to his usual lurking places, in the north of England; but Elizabeth, in compliance with the King's remonstrances, obliged him to quit that retreat *.

No sooner was the King delivered from one danger, than he was called to attend to another. The Popish Lords, in consequence of their negociations with Spain, received, in the Spring, a supply of money from Philip. What bold designs this might inspire, it was no easy matter to conjecture. From men under the dominion of bigotry, and whom indulgences could not reclaim, the most desperate actions were to be dreaded. The Assembly of the Church immediately took the alarm; and remonstrated against them with more bitterness than ever; and unanimously ratified the sentence of excommunication, pronounced by the synod of Fife. James himself, provoked by their obstinacy and ingratitude, and afraid that his long forbearance would not only be generally displeasing to his own subjects, but give rise to unfavourable suspicions among the English, exerted himself with unusual vigour. He called a Parliament; laid before it all the circumstances and aggravations of the conspiracy; and though there were but few members present, and several of these connected with the conspirators by blood or friendship, he prevailed on them, by his influence and importunity, to pronounce the most rigorous sentence the law can inflict. They were declared to be guilty of high treason, and their estates and honours forfeited. At the same

* Spotf. 403. Cald. 4. 359.

ame time, ſtatutes, more ſevere than ever, were enacted againſt the profeſſors of the Popiſh religion.

How to put this ſentence in execution, was a matter of greater difficulty. Three powerful Barons, cantoned in a part of the country almoſt inacceſſable, ſurrounded with numerous vaſſals, and ſupported by aid from a foreign Prince, were more than an overmatch for a Scottiſh Monarch. No entreaty could prevail on Elizabeth to advance the money, neceſſary for defraying the expences of an expedition againſt them. To attack them in perſon, with his own forces alone, might expoſe him both to diſgrace and to danger. He had recourſe to the only expedient which remained, in ſuch a ſituation, for aiding the impotence of Sovereign authority; he delegated his authority to the Earl of Argyle, and Lord Forbes, the leaders of two clans at enmity with the conſpirators; and gave them a commiſſion to invade their lands, and to ſeize the caſtles which belonged to them. Bothwell, notwithſtanding all his high pretenſions of zeal for the Proteſtant Religion, having now entered into a cloſe confederacy with them, the danger became every day more urging. Argyle, ſolicited by the King, and rouſed by the Clergy, took the field at the head of ſeven thouſand men. Huntly and Errol met him at Glenlivat, with an army far inferior in number, but compoſed chiefly of gentlemen of the low countries, mounted on horſe back, and who brought along with them a train of field pieces. They encountered each other with all the fury, which hereditary enmity and ancient rivalſhip add to undiſciplined courage. But the Highlanders, diſconcerted by the firſt diſcharge of the cannon, to which they were little accuſtomed, and unable to reſiſt the impreſſion of cavalry, were ſoon put to flight. And Argyle, a gallant young man of eighteen, was carried by his friends out of the field, weeping with indignation at their diſgrace, and calling on them to ſtand, and to vindicate the honour of their name *.

On the firſt intelligence of this defeat, James, though obliged to pawn his jewels in order to raiſe money †, aſſembled

* Cald. 4 408. † Birch, Mem. 1. 186.

assembled a small body of troops, and marched towards the North. He was joined by the Irwines, Keithes, Lesleys, Forbeses, and other clans at enmity with Huntly and Errol, who having lost several of their principal followers at Glenlivat, and others refusing to bear arms against their King in person, were obliged to retire to the mountains. James wasted their lands; put garrisons in some of their castles; burnt others; and left the Duke of Lennox, as his Lieutenant in that part of the kingdom, with a body of men sufficient to restrain them from gathering to any head there, or from infesting the low country. Reduced at last to extreme distress, by the rigour of the season, and the desertion of their followers, they obtained the King's permission to go beyond seas, and gave security that they should neither return without his licence, nor engage in any new intrigues against the Protestant Religion, or the peace of the kingdom *.

By their exile, tranquillity was re-established in the North of Scotland; and the firmness and vigour, which James had displayed in his last proceedings against them, regained him, in a great degree, the confidence of his Protestant subjects. But he sunk, in the same proportion, and for the same reason, in the esteem of the Roman Catholics. They had asserted his mother's right to the Crown of England with so much warmth, that they could not, with any decency, reject his. And the indulgence, with which he affected to treat the professors of that religion, inspired them with such hopes, that they viewed his accession to the throne as no undesirable event. But the rigour with which the King pursued the conspirators, and the severe statutes against Popery to which he had given his consent, convinced them that these hopes were visionary; and they began to look about in quest of some new successor, whose rights might oppose to his. The English Papists turned their eyes towards the Earl of Essex, whose generous mind, though firmly established in the Protestant faith, abhorred the severities inflicted in that age, on account of religious opinions.

* Spotsw 404. Cald. 373, &c.

opinions. Those of the same sect, who were in exile, formed a bolder scheme, and one more suitable to their situation. They advanced the claim of the Infanta of Spain; and Parsons the Jesuit published a book, in which, by false quotations from history, by fabulous genealogies, and absurd arguments, intermingled with bitter invectives against the King of Scots, he endeavoured to prove the Infanta's title to the English Crown to be preferable to his. And Philip, though involved already in a war both with France and England, and scarce able to defend the remains of the Burgundian Provinces against the Dutch commonwealth, eagerly grasped at this airy project. The dread of a Spanish Pretender to the Crown, and the opposition which the Papists began to form against the King's succession, contributed not a little to remove the prejudices of the Protestants, and to prepare the way for that event.

Bothwell, whose name has been so often mentioned as the disturber of the King's tranquillity, and of the peace of the kingdom, was now in a wretched condition. Abandoned by the Queen of England, on account of his confederacy with the Popish Lords; excommunicated by the Church, for the same reasons; and deserted, in his distress, by his own followers; he was obliged to fly for safety to France, and thence to Spain and Italy, where, after renouncing the Protestant faith, he led, many years, an obscure and indigent life, remarkable only for a low and infamous debauchery. The King, though extremely ready to sacrifice the strongest resentments to the slightest acknowledgments, could never be softened by his submissions, nor be induced to listen to any intercession in his behalf*.

This year the King lost Chancellor Maitland, an able Minister, on whom he had long devolved the whole weight of public affairs. As James loved him while alive, he wrote, in honour of his memory a copy of verses, which, when compared with the compositions of that age, are far from being inelegant †.

Soon

* Winw. Mem. 1. Spotf. 410.

† Spotf. 411.

Soon after his death, a conſiderable change was made in the adminiſtration. At that time, the annual charges of government far exceeded the King's revenues. The Queen was fond of expenſive amuſements. James himſelf was a ſtranger to œconomy. It became neceſſary, for all theſe reaſons, to levy the public revenues with greater order and rigour, and to huſband them with more care. This important truſt was committed to eight gentlemen of the law *, who from their number were called *Octavians*. The powers veſted in them were ample, and almoſt unlimited. The King bound himſelf neither to add to their number, nor to ſupply any vacancy that might happen, without their conſent: and knowing the facility of his own temper, agreed that no alienation of his revenue, no grant of a penſion, or order on the treaſury, ſhould be held valid, unleſs it was ratified by the ſubſcription of five of the commiſſioners; all their acts and deciſions were declared to be of equal force with the ſentences of judges in civil courts; and in conſequence of them, and without any other warrant, any perſon might be arreſted, or their goods ſeized. Such extenſive juriſdiction, together with the abſolute diſpoſal of the public money, drew the whole executive part of the government into their hands. United among themſelves, they gradually undermined the reſt of the King's Miniſters, and ſeized on every lucrative or honourable office. The ancient ſervants of the Crown repined, at being obliged to quit their ſtations to new men. The favourites, and young courtiers, murmured at ſeeing the King's liberality ſtinted by their preſcriptions. And the Clergy exclaimed againſt ſome of them as known apoſtates to Popery, and ſuſpected others of ſecretly favouring it. They retained their power, however, notwithſtanding this general combination againſt them; and they owed it entirely to the order and œconomy which they introduced into

* Alexander Seaton Peſident of the Seſſion, Walter Stewart Commedator of Blantyre, Lord Privy Seal, David Carnegy, John Lindſay James Elphingſton, Thomas Hamilton, John Skene Clerk Regiſter, and Peter Young Elemoſynar.

to the administration of the finances, by which the necessary expences of government were more easily defrayed, than in any other period of the King's reign*.

The rumour of vast preparations which Philip was said to be carrying on at this time, filled both England and Scotland with the dread of a new invasion. James took proper measures for the defence of his kingdom. But these did not satisfy the zeal of the Clergy, whose suspicions of the King's sincerity began to revive; and as he had permitted the wives of the banished Peers to levy the rents of their estates, and to live in their houses, they charged him with rendering the act of forfeiture ineffectual, by supporting the avowed enemies of the Protestant faith. The Assembly of the Church took under consideration the state of the kingdom, and having appointed a day of public fasting, they solemnly renewed the Covenant, by which the nation was bound to adhere to the Protestant faith, and to defend it against all aggressors. A committee, consisting of the most eminent Clergymen, and of many Barons, and Gentlemen of distinction, waited on the King, and laid before him a plan for the security of the kingdom, and the preservation of religion. They urged him to appropriate the estates of the banished Lords, as a fund for the maintenance of soldiers; to take the strictest precautions for preventing the return of such turbulent subjects into the country; and to pursue all who were suspected of being their adherents, with the utmost rigour.

Nothing could be more repugnant to the King's schemes, or more disagreeable to his inclination, than these propositions. Averse, through his whole life, to any course, where he expected opposition or danger; and fond of attaining his ends, with the character of moderation, and by the arts of policy, he observed with concern the prejudices against him, which were growing among the Roman Catholics, and resolved to make some atonement for that part of his conduct, which had drawn on him their indignation. Elizabeth was now well advanced in years; her life had lately been in danger; if any Popish competitor

* Spots. 413, 435.

ſhould ariſe to diſpute his right of ſucceſſion, a faction, ſo powerful as that of the baniſhed Lords, might be extremely formidable; and any diviſion among his own ſubjects might prove fatal, at a juncture, which would require their united and moſt vigorous efforts. Inſtead, therefore, of the additional ſeverities which the aſſembly propoſed, James had thoughts of mitigating the puniſhment, which they already ſuffered. And as they were ſurrounded, during their reſidence in foreign parts, by Philip's emiſſaries; as reſentment might diſpoſe them to liſten more favourably, than ever, to their ſuggeſtions; as deſpair might drive them to ſtill more atrocious actions; he reſolved to recal them under certain conditions, into their native country. Encouraged by theſe ſentiments of the King in their favour, of which they did not want intelligence, and wearied already of the dependent and anxious life of exiles, they ventured to return ſecretly into Scotland. Soon after, they preſented a petition to the King, begging his permiſſion to reſide at their own houſes, and offering to give ſecurity for their peaceable and dutiful behaviour. James called a Convention of eſtates to deliberate on a matter of ſuch importance, and by their advice he granted the petition.

So ſoon as they were informed of this, the members of a committee, appointed by the laſt aſſembly, met at Edinburgh, and with all the precipitancy of fear, and of zeal, took ſuch reſolutions as they thought neceſſary for the ſafety of the kingdom. They wrote circular letters to all the Preſbyteries in Scotland; they warned them of the approaching danger; they exhorted them to ſtir up their people to the defence of their juſt rights; they commanded them to publiſh in all their pulpits, the act excommunicating the Popiſh Lords; and enjoined them to lay all thoſe who were ſuſpected of favouring Popery under the ſame cenſure, by a ſummary ſentence, and without obſerving the uſual formalities of trial. And as the danger ſeemed too preſſing to wait for the ſtated meetings of the judicatories of the Church, they made choice of the moſt eminent Clergymen in different corners of the kingdom, appointed them to reſide conſtantly at Edinburgh,

burgh, and to meet every day with the Miniſters of that city, under the name of the *Standing Council of the Church*, and veſted in this body the ſupreme authority, by enjoining it, in imitation of the ancient Roman form, to take care that the Church ſhould receive no detriment.

Theſe proceedings, no leſs unconſtitutional than unprecedented, were manifeſt encroachments on the royal prerogative, and bold ſteps towards open rebellion. The King's conduct, however, juſtified in ſome degree ſuch exceſſes. His lenity towards the Papiſts, ſo repugnant to the principles of that age; his pardoning the conſpirators, notwithſtanding repeated promiſes to the contrary; the reſpect he paid to Lady Huntly, who was attached to the Romiſh religion, no leſs than her huſband; his committing the care of his daughter, the Princeſs Elizabeth, to Lady Levingſton, who was infected with the ſame ſuperſtition; the contempt with which he talked, on all occaſions, both of the character of Miniſters, and of their function; were circumſtances which might have filled minds, not prone by nature to jealouſy, with ſome ſuſpicions; and might have precipitated into raſh councils, thoſe, who were far removed from intemperate zeal. But, however powerful the motives might be which influenced the Clergy, or however laudable the end they had in view, they conducted their meaſures, with no addreſs, and even with little prudence. James diſcovered a ſtrong inclination to avoid a rupture with the Church, and, jealous as he was of his prerogative, would willingly have made many conceſſions for the ſake of peace. By his command, ſome of the Privy Counſellors had an interview with the more moderate among the Clergy, and inquired whether Huntly and his aſſociates might not, upon making proper acknowledgments, be again received into the boſom of the Church, and be exempted from any further puniſhment, on account of their paſt apoſtacy and treaſons. They replied, that though the gate of mercy ſtood always open for thoſe who repented and returned, yet as theſe noblemen had been guilty of idolatry, a crime deſerving death both by the law of God, and

of man, the civil magiſtrate could not legally grant them a pardon; and even though the Church ſhould abſolve them, it was his duty to inflict puniſhment upon them. This inflexibility in thoſe, who were reckoned the moſt compliant of the order, filled the King with indignation, which the imprudence and obſtinacy of a private Clergyman heightened into a rage.

Mr David Black, Miniſter at St Andrews, diſcourſing in one of his ſermons, according to cuſtom, concerning the ſtate of the nation, affirmed that the King had permitted the Popiſh Lords to return into Scotland, and by that action, had diſcovered the treachery of his own heart; that all Kings were the Devil's children; that Satan had now the guidance of the court; that the Queen of England was an atheiſt; that the judges were miſcreants and bribers; the nobility godleſs and degenerate; the Privy Counſellors cormorants and men of no religion; and in his prayer for the Queen, he uſed theſe words, We muſt pray for her for faſhion's ſake, but we have no cauſe, ſhe will never do us good. James commanded him to be ſummoned before the Privy Council, to anſwer for ſuch ſeditious expreſſions; and the Clergy, inſtead of abandoning him to the puniſhment, which ſuch a petulant and criminal attack on his ſuperiors deſerved, were ſo imprudent as to eſpouſe his cauſe, as if it had been the common one of the whole order. The controverſy concerning the immunities of the pulpit, and the rights of the Clergy to teſtify againſt vices of every kind, which had been agitated in 1584, was now revived. It was pretended, that with regard to their ſacred function, Miniſters were ſubject to the Church alone; that it belonged only to their Eccleſiaſtical ſuperiors to judge of the truth, or falſehood of doctrines, delivered in the pulpit; that if upon any pretence whatever, the King uſurped this juriſdiction, the Church would, from that moment, ſink under ſervitude to the civil Magiſtrate; that inſtead of reproving vice, with that honeſt boldneſs, which had often been of advantage to individuals, and ſalutary to the kingdom, the Clergy would learn to flatter the

paſſions

paſſions of the Prince, and to connive at the vices of others; that the King's eagerneſs to puniſh the indiſcretion of a Proteſtant Miniſter, while he was ſo ready to pardon the crimes of Popiſh conſpirators, called on them to ſtand on their guard; and that now was the time to contend for their privileges, and to prevent any encroachment on thoſe rights, of which the Church had been in poſſeſſion ever ſince the Reformation. Influenced by theſe conſiderations, the council of the Church enjoined Black to decline the juriſdiction of the Privy council. And he, proud of ſuch an opportunity to diſplay his zeal, preſented a paper to that purpoſe, and with the utmoſt firmneſs refuſed to plead, or to anſwer the queſtions which were put to him. In order to add greater weight to theſe proceedings, the council of the Church tranſmitted the declinature to all the Preſbyteries throughout the kingdom, and commanded every Miniſter to ſubſcribe it, in teſtimony of his approbation.

James defended his rights with no leſs vigour than they were attacked. Senſible of the contempt under which his authority muſt fall, if the clergy ſhould be permitted, publicly, and with impunity, to calumniate his Miniſters, and even to cenſure himſelf; and knowing, by former examples, what unequal reparation for ſuch offences he might expect from the judicatories of the Church, he urged on the inquiry into Black's conduct, and iſſued a proclamation, commanding the members of the council of the Church to leave Edinburgh, and to return to their own pariſhes. Black, inſtead of ſubmitting, renewed his declinature; and the council, in defiance of the proclamation, declared, that as they met by the authority of the Church, obedience to it was a duty ſtill more ſacred, than that which they owed to the King himſelf. The Privy council, notwithſtanding Black's refuſing to plead, proceeded in the trial; and, after a ſolemn inquiry, pronounced him guilty of the crimes of which he had been accuſed; But referred it to the King, to appoint what puniſhment he ſhould ſuffer.

Meanwhile, many endeavours were uſed to bring matters to accommodation. Almoſt every day pro-

duced some new scheme of reconcilement; but through the King's ficklenefs, the obstinacy of the Clergy, or the intrigues of the courtiers, they all proved ineffectual. Both parties appealed to the people, and by reciprocal and exaggerated accusations, endeavoured to render each other odious. Insolence, sedition, treason, were the crimes, with which James charged the Clergy; while they made the pulpits resound with complaints of his excessive lenity towards Papists, and of the no less excessive rigour, with which he oppressed the established Church. Exasperated by their bold invectives, he, at last, sentenced Black to retire beyond the river Spey, and to reside there during his pleasure; and once more commanding the members of the standing council to depart from Edinburgh, he required all the Ministers in the kingdom to subscribe a bond, obliging themselves to submit, in the same manner as other subjects, to the jurisdiction of the civil courts, in matters of a civil nature.

This decisive measure excited all the violent passions, which possess disappointed factions; and deeds no less violent immediately followed. These must be imputed in part to the artifices of some courtiers, who expected to reap advantage from the calamities of their country, or who hoped to lessen the authority of the Octavians, by engaging them in hostilities with the Church. On one hand, they informed the King that the citizens of Edinburgh were under arms every night, and had planted a strong guard round the houses of their Ministers. James, in order to put a stop to this imaginary insult on his government, issued a proclamation, commanding twenty-four of the principal citizens to leave the town, within six hours. On the other hand, they wrote to the Ministers, advising them to look to their own safety, as Huntly had been secretly admitted to an interview with the King, and had been the author of the severe proclamation against the citizens of Edinburgh *. They doubted

* Though matters were industriously aggravated by persons, who wished both parties to pursue violent measures; neither of these reports were altogether destitute of foundation.

doubted no more the truth of this intelligence, than the King had done of that which he received, and fell as blindly into the snare. The letter came to their hands, just as one of their number was going to mount the pulpit They resolved that he should acquaint the people of their danger; and he painted it, with all the strong colours, which men naturally employ, in describing any dreadful and instant calamity. When the sermon was over, he desired the nobles and gentlemen to assemble in the *Little Church*. The whole multitude, terrified at what they had heard, crowded thither; they promised and vowed to stand by the Church; they drew up a petition to the King, craving the redress of those grievances, of which the Clergy complained, and beseeching him to deliver them from all future apprehensions of danger, by removing such of his Counsellors, as were known to be enemies of the Protestant Religion. Two Peers, two Gentlemen, two Burgesses, and two Ministers, were appointed to present it. The King happened to be in the great hall of the Tolbooth, where the court of session was sitting. The manner in which the petition was delivered, as well as its contents, offended him. He gave an haughty reply; the petitioners insisted with warmth; and a promiscuous multitude pressing into the room, James retired abruptly into another apartment, and commanded the gates to be shut behind him. The deputies returned to the multitude, who were still assembled, and to whom a Minister had been reading, in their absence, the story of Haman. When they reported that the King had refused to listen to their petitions, the Church was filled in a moment with noise, threatnings, execrations, and all the outrage and confusion of a popular tumult. Some called for their arms; some to bring out the wicked Haman; others cried, the sword of the Lord

tion. As their Ministers were supposed to be in danger, some of the more zealous citizens had determined to defend them, by force of arms. Birch, Mem. 2. 250. Huntly had been privately in Edinburgh, where he had an interview, if not with the King, at least with some of his Ministers, Birch, Ibid. 230.

Lord and of Gideon; and rushing out with the most furious impetuosity, surrounded the Tolbooth, threatening the King himself, and demanding some of his Counsellors whom they named, that they might tear them in pieces. The Magistrates of the city, partly by authority, partly by force, endeavoured to quell the tumult; the King attempted to sooth the malecontents, by promising to receive their petitions, when presented in a regular manner; the Ministers, sensible of their own rashness in kindling such a flame, seconded both; and the rage of the populace, subsiding as suddenly as it had risen, they all dispersed, and the King returned to the palace; happy in having escaped from an insurrection, which, though the instantaneous and unconcerted effect of popular fury, had exposed his life to imminent danger, and was considered by him as an unpardonable affront to his authority *.

As soon as he retired, the leaders of the malecontents assembled, in order to prepare their petition. The punishment of the Popish Lords; the removal of those Counsellors, who were suspected of favouring their persons or opinions; the repeal of all the late acts of council, subversive of the authority of the Church; together with an act approving the proceedings of the standing council; were the chief of their demands. But the King's indignation was still so high, that the deputies, chosen for that purpose, durst not venture, that night, to present requests which could not fail of kindling his rage anew. Before next morning, James, with all his attendants, withdrew to Linlithgow; the session, and other courts of justice, were required to leave a city, where it was no longer consistent either with their safety, or their dignity to remain; and the noblemen and barons were commanded to return to their own houses, and not to reassemble without the King's permission. The vigour, with which the King acted, struck a damp upon the spirits of his adversaries. The citizens, sensible how much they would suffer by his absence, and the removal of the courts of justice, repented already

* Spotsw. 417, &c. Cald. 5. 54, &c. Birch, Mem. 2. 235.

ready of their conduct. The ministers alone resolved to maintain the contest. They endeavoured to prevent the nobles from dispersing; they inflamed the people by violent invectives against the King; they laboured to procure subscriptions to an association for their mutual defence; and conscious what lustre and power the junction of some of the greater nobles would add to their cause, the Ministers of Edinburgh wrote to Lord Hamilton, that the people, moved by the word of God, and provoked by the injuries offered to the Church, had taken arms; that many of the nobles had determined to protect the Protestant Religion, which owed its establishment to the piety and valour of their ancestors; that they wanted only a leader to unite them, and to inspire them with vigour; that his zeal for the good cause, no less than his noble birth, intitled him to that honour: They conjured him therefore not to disappoint their hopes and wishes, nor to refuse the suffering Church that aid, which she so much needed. Lord Hamilton, instead of complying with their desire, carried the letter directly to the King, whom this new insult irritated to such a degree, that he commanded the Magistrates of Edinburgh instantly to seize their Ministers, as manifest incendiaries, and encouragers of rebellion. The magistrates, in order to regain the King's favour, were preparing to obey; and the Ministers, who saw no other hope of safety, fled towards England *.

This unsuccessful insurrection, instead of overturning, established the King's authority. Those concerned in it were confounded and dispersed. And the rest of his subjects, in order to avoid suspicion, or to gain his favour, contended who should be most forward to execute his vengeance. A Convention of estates being called, pronounced the late insurrection to be high treason; ordained every Minister to subscribe a declaration of his submission to the King's jurisdiction, in all matters civil and criminal; empowered magistrates to commit instantly, to prison any Minister, who in his sermons, should utter indecent reflection's on the King's conduct; prohibited any

* Spotsw. 451. Cald. 5. 126.

any Ecclesiastical judicatory to meet, without the King's licence; commanded that no person should be elected a magistrate of Edinburgh, for the future, without the King's approbation; and that, in the mean time, the present magistrates should either discover, and inflict condign punishment on the authors of the late tumult, or the city itself should be subjected to all the penalties of that treasonable action *.

Armed with the authority of these decrees, James resolved to crush entirely the mutinous spirit of his subjects. As the Clergy had, hitherto, derived their chief credit and strength from the favour and zeal of the citizens of Edinburgh, his first care was to humble them. Though the magistrates submitted to him in the most abject terms; though they vindicated themselves, and their fellow citizens, from the most distant intention of violating his royal person or authority; though, after the strictest scrutiny, no circumstances that could fix on them the suspicion of premeditated rebellion had been discovered; though many of the nobles, and such of the Clergy as still retained any degree of favour, interceded in their behalf; neither acknowledgments, nor intercessions, were of the least avail † The King continued inexorable, the city was declared to have forfeited its privileges as a Corporation, and to be liable to all the penalties of treason. The capital of the kingdom, deprived of magistrates, deserted by its ministers, abandoned by the courts of justice, and proscribed by the King, remained in desolation and despair. The courtiers even threatened to raze the city to the foundation, and to erect a pillar where it stood, as an everlasting monument of the King's vengeance, and of the guilt of its inhabitants. At last, in compliance with Elizabeth, who interposed in their favour, and moved by the continual solicitations of his nobles, James absolved the citizens from the penalties of law, but, at the same time, he stripped them of their most important privileges; they were neither allowed to elect their own magistrates, nor their own ministers; many new burdens

* Cald. 5. 147. † Cald. 5. 149.

dens were impoſed on them; and a great ſum of money was exacted by way of peace offering *.

James was, meanwhile, equally aſſiduous, and no leſs ſucceſsful in circumſcribing the juriſdiction of the Church. Experience had diſcovered that to attempt this, by acts of parliament, and ſentences of privy council, was both ineffectual, and odious He had recourſe, now to an expedient more artful, and better calculated for obtaining his end. The Eccleſiaſtical judicatories, were compoſed of many members; the majority of the clergy were extremely indigent, and unprovided of legal ſtipends; the Miniſters in the neighbourhood of Edinburgh, notwithſtanding the parity eſtabliſhed by the Preſbyterian government, had aſſumed a leading in the Church, which filled their brethren with envy; every numerous body of men is ſuſceptible of ſudden and ſtrong impreſſions, and liable to be influenced, corrupted, or over-awed. Induced by theſe conſiderations, James thought it poſſible to gain the Clergy, whom he had in vain attempted to ſubdue. Proper agents were ſet to work all over the kingdom; promiſes, flattery, and threats were employed; the uſurpations of the brethren near the capital were aggravated; the jealouſy of their power, which was growing in the diſtant provinces, was augmented; and two different General Aſſemblies were held, in both, which, notwithſtanding the zeal and boldneſs, wherewith a few leading Clergymen defended the privileges of the Church, a majority declared in favour of thoſe meaſures, which were agreeable to the King. Many practices, which had continued ſince the Reformation, were condemned; many points of diſcipline, which had hitherto been reckoned ſacred and unconverted, were given up; the licence, with which Miniſters diſcourſed of political matters, was reſtrained; the freedom, with which they inveighed againſt particular perſons, cenſured; ſentences of ſummary excommunication declared unlawful; the convoking a General Aſſembly, without the King's permiſſion, prohibited; and the right of nominating Miniſters, to the principal towns, veſted in the Crown. Thus

* Spotſw. 434. 444.

Thus, the Clergy themſelves ſurrendered privileges, which it would have been dangerous to invade, and voluntarily ſubmitted to a yoke, more intolerable than any James would have ventured to impoſe by force; while thoſe who continued to oppoſe his meaſures, inſtead of their former popular topic of the King's violent encroachments on a juriſdiction which did not belong him, were obliged to turn their outcries againſt the corruptions of their own order *.

By the authority of theſe aſſemblies, the Popiſh Earls were allowed to make a public recantation of their errors; were abſolved from the ſentence of excommunication; and received into the boſom of the Church. But, not many years after, they relapſed into their former errors, were again reconciled to the Church of Rome, and by their apoſtacy juſtified, in ſome degree, the fears and ſcruples of the Clergy with regard to their abſolution.

The Miniſters of Edinburgh owed to the interceſſion of theſe aſſemblies, the liberty of returning to their charges in the city. But this liberty was clogged in ſuch a manner, as greatly abridged their power. The city was divided into diſtinct pariſhes; the number of Miniſters doubled; perſons on whoſe fidelity the King could rely were fixed in the new pariſhes; and theſe circumſtances, added to the authority of the late decrees of the Church, contributed to confirm that abſolute dominion in Eccleſiaſtical affairs, which James poſſeſſed during the remainder of his reign.

The King was ſo intent on new-modelling the Church, that the other tranſactions of this period ſcarce deſerve to be remembered. The Octavians, envied by the other courtiers, and ſpliting into factions among themſelves, reſigned their commiſſion; and the adminiſtration of the revenue returning into its former channel, both the King and the nation were deprived of the benefit of their regular and frugal œconomy.

Towards the end of the year, a parliament was held in order to reſtore Huntly, and his aſſociates, to their

* Spotſw. 433. Cald. 5. 189, 233.

their estates and honours, by repealing the act of forfeiture passed against them. The authority of this supreme court was likewise employed to introduce a farther innovation into the Church; but conformable to the system which the King had now adopted, the motion for this purpose took its rise from the Clergy themselves. As the act of general annexation, and that establishing the Presbyterian government had reduced the few Bishops, who still survived, to poverty and contempt; as those who possessed the Abbeys, and Priories, were mere laymen, and many of them temporal Peers, few or none of the Ecclesiastical order remained to vote in Parliament, and by means of that, the influence of the Crown was considerably diminished there, and a proper balance to the power and number of the nobles was wanting. But the prejudices, the nation had conceived against the name and character of Bishops, were so violent that James was obliged, with the utmost care, to avoid the appearance of a design to revive that order. He prevailed therefore on the commission appointed by last assembly to complain to parliament, that the Church was the only body in the kingdom destitute of its representatives in that supreme court, where it so nearly concerned every order to have some, who were bound to defend its rights; and to crave that a competent number of the Clergy should be admitted, according to ancient custom, to a seat there. In compliance with their request, an act was passed, by which those Ministers, on whom the King should confer the vacant Bishopricks and Abbeys, were entitled to a vote in parliament; and that the Clergy might conceive no jealousy of any encroachment on their privileges, it was remitted to the General Assembly, to determine what spiritual jurisdiction or authority in the government of the Church these persons should possess *.

The King, however, found it no easy matter to obtain the concurrence of the Ecclesiastical judicatories, in which the act of parliament met with a fierce opposition. Though the Clergy perceived how much lus-

* Spotsw. 450. Parl. 15th, Jac. VI. c. 235.

tre this new privilege would reflect upon their order; though they were not insensible of the great accession of personal power and dignity, which many of them would have acquired, by being admitted into the supreme council of the nation, their abhorrence of Episcopacy was extreme; and to that, they sacrificed every consideration of interest or ambition. All the King's professions of regard for the present constitution of the Church did not convince them of his sincerity; all the devices that could be invented for restraining and circumscribing the jurisdiction of those, who were to be raised to this new honour, did not diminish their jealousy and fear. Their own experience had taught them, with what insinuating progress the hierarchy advances, and though admitted at first with moderate authority, and under specious pretences, how rapidly it extends its dominion. "Varnish over this scheme, said one of the leading Clergymen, with what colours you please; deck the intruder with the utmost art; under all this disguise, I see the horns of his mitre." The same sentiments prevailed among many of his brethren, and induced them to reject power and honours, with as much zeal, as ever those of their order courted them. Many, however, were allured by the hopes of preferment; the King himself and his Ministers employed the same arts, which they had tried so successfully last year; and after long debates, and much opposition, the General Assembly declared that it was lawful for Ministers to accept of a seat in parliament; that it would be highly beneficial to the Church, to have its representatives in that supreme court; and that fifty one persons, a number nearly equal to that of the Ecclesiastics, who were anciently called to parliament should be chosen from among the Clergy for that purpose. The manner of their election, together with the powers to be vested in them, were left undecided for the present, and furnished matter of future deliberation *.

As the prospect of succeeding to the Crown of England drew nearer, James multiplied precautions in order

* Spots. 450. Cald. 5. 278.

der to render it certain. And as he was allied to many of the Princes of Germany by his marriage, he sent ambassadors extraordinary to their several courts, in order to explain the justness of his title to the English throne, and to desire their assistance, if any competitor should arise to dispute his undoubted rights. These Princes readily acknowledged the equity of his claim; but the aid they could afford him was distant and feeble. At the same time, Edward Bruce abbot of Kinloss, his ambassador at the English Court, solicited Elizabeth, with the utmost warmth, to recognize his title by some public deed, and to deliver her own subjects from the calamities which are occasioned by an uncertain or disputed succession. But age had strengthened all the passions, which had, hitherto, induced Elizabeth to keep this great question obscure, and undecided; and a general and evasive answer was all that James could obtain. As no impression could be made on the Queen, the ambassador was commanded to sound the disposition of her subjects, and to try what progress he could make in gaining them. Bruce possessed all the talents of secrecy, judgment, and address, requisite for conducting a negociation, no less delicate than important. A Minister of this character was entitled to the confidence of the English. Many of the highest rank unbosomed themselves to him without reserve, and gave him repeated assurances of their resolution to assert his master's right; in opposition to every pretender *. And as several pamphlets were dispersed, at this time, in England, containing objections to his title, James employed some learned men in his kingdom to answer these cavillers, and to explain the advantages which would result to both kingdoms, by the union of the Crowns. These books were eagerly read, and contributed not a little to reconcile the English to that event. A book published this year, by the King himself, produced an effect still more favourable. It was intitled *Basilicon Doron*, and contained precepts concerning the art of government, addressed to Prince Henry his son. Notwithstanding the great alterations and refinements in national taste since that time, we must allow this to be no contemp-

* Johnst. 242.

tible performance, and not to be inferior to the works of moſt cotemporary writers, either in purity of ſtyle, or juſtneſs of compoſition. Even that vain parade of erudition with which it abounds, and which now diſguſts us, raiſed the admiration of that age; and as it was filled with thoſe general rules, which ſpeculative authors deliver for rendering a people happy, and of which James could diſcourſe with great plauſibility, though often incapable of putting them in practice; the Engliſh conceived an high opinion of his abilities, and expected an increaſe of national honour and proſperity, under a Prince ſo profoundly ſkilled in politics, and who gave ſuch a ſpecimen both of his wiſdom, and of his love to his people *.

The Queen of England's ſentiments concerning James, were very different from theſe of her ſubjects. His exceſſive indulgence towards the Popiſh Lords; the facility with which he pardoned their repeated treaſons; his reſtoring Beaton, the Popiſh Archbiſhop of Glaſgow, who had fled out of Scotland at the time of the Reformation, to the poſſeſſion of the temporalities of that benefice; the appointing him his Ambaſſador at the court of France; the applauſe he beſtowed, in the Baſilicon Doron, on thoſe who adhered to the Queen his mother, Elizabeth conſidered as ſo many indications of a mind alienated from the Proteſtant religion; and ſuſpected that he would ſoon revolt from the profeſſion of it. Theſe ſuſpicions ſeemed to be fully confirmed, by a diſcovery which came from the Maſter of Gray, who reſided at that time in Italy, and who, rather than ſuffer his intriguing ſpirit to be idle demeaned himſelf ſo far as to act as a ſpy for the Engliſh court. He conveyed to Elizabeth the copy of a letter, written by James to Pope Clement VIII, in which the King, after many expreſſions of regard for that Pontiff, and of gratitude for his favours, declared his firm reſolution to treat the Roman Catholics with indulgence; and, in order to render the intercourſe between the court of Rome and Scotland more frequent and familiar, he ſolicited the Pope to promote Drummond, Biſhop of Vaizon, a Scotſman,

* Cand. Spotſ. 457.

man, to the dignity of a Cardinal *. Elizabeth, who had received, by another channel †, ſome imperfect intelligence of this correſpondence, was filled with juſt ſurpriſe, and immediately diſpatched Bowes into Scotland, to inquire more fully into the truth of the matter, and to reproach James for an action ſo unbecoming a Proteſtant Prince. He was no leſs aſtoniſhed at the accuſation, and with a confidence, which nothing but the conſciouſneſs of innocence could inſpire, affirmed the whole to be a mere calumny, and the letter itſelf to be forged by his enemies, on purpoſe to bring his ſincerity in religion to be ſuſpected. Elphingſton the Secretary of State denied the matter with equal ſolemnity. It came to be known by a very ſingular accident, which happened ſome years after, that the information which Elizabeth had received was well founded, though at the ſame time the King's declarations of his own innocence were perfectly conſiſtent with truth. Cardinal Bellarmine, in a reply which he publiſhed to a controverſial treatiſe, of which the King was the author, accuſed him of having abandoned the favourable ſentiments which he had once entertained of the Roman Catholic religion, and as a proof of this quoted his letter to Clement VIII. It was impoſſible, any longer, to believe this to be a fiction; and it was a matter too delicate to be paſſed over without ſtrict enquiry. James immediately examined Elphingſton, and his confeſſion unravelled the whole myſtery. He acknowledged that he had ſhuffled in this letter, among other papers, which he laid before the King to be ſigned, who, ſuſpecting no ſuch deceit, ſubſcribed it together with the reſt, and without knowing what it contained; that he had no other motive, however, to this action, but zeal for his Majeſty's ſervice; and, by flattering the Roman Catholics with hopes of indulgence under the King's government, he imagined that he was paving the way for his more eaſy acceſſion to the Engliſh throne. The Privy Council of England entertained very different ſentiments of the Secretary's conduct. In their opinion, not only the King's reputation had been ex-

* Cald. 333. † Winw. Mem. vol. i. 37, 52.

posed to reproach, but his life to danger, by this rash imposture; they even imputed the gunpowder treason to the rage and disappointment of the Papists, upon finding that the hopes which this letter inspired were frustrated. The Secretary was sent a prisoner into Scotland, to be tried for high treason. His peers found him guilty; but by the Queen's intercession, he obtained a pardon *.

According to the account of other historians, James himself was no stranger to this correspondence with the Pope; and, if we believe them, Elphingston being intimidated by the threats of the English council, and deceived by the artifices of the Earl of Dunbar, concealed some circumstances in his narrative of this transaction, and falsified others; and, at the expence of his own fame, and with the danger of his life, endeavoured to draw a veil over this part of his Master's conduct †.

But whether we impute the writing of this letter to the Secretary's officious zeal, or to the King's command, it is certain, that, about this time, James was at the utmost pains to gain the friendship of the Roman Catholic Princes, as a necessary precaution towards facilitating his accession to the English throne. Lord Home, who was himself a Papist, was intrusted with a secret commission to the Pope ‡; the Archbishop of Glasgow was an active instrument with those of his own religion ‖. The Pope expressed such favourable sentiments both of the King, and of his right to the Crown of England, that James thought himself bound, some years after, to acknowledge the obligation in a public manner §. Sir James Lindsay made great progress in gaining the English Papists to acknowledge his Majesty's title. Of all these intrigues Elizabeth received obscure hints, from different quarters. The more imperfectly she knew, the more violently she suspected the King's designs, and the natural jealousy of her temper increasing with age, she observed his conduct with greater solicitude than ever. The

* Spots. 456, 507. Johnst. 448.

† Cald. vol. v. 322. vi. 147. ‡ Winw. Mem. vol ii. 57.

‖ Cald. vol. vi. 147. § Ibid. vol. v. 604.

The queſtions with regard to the election and power of the repreſentatives of the church, were finally decided this year, by the General Aſſembly, which met at Montroſe. That place was choſen, as moſt convenient for the Miniſters in the north, among whom the King's influence chiefly lay. And although great numbers reſorted from the northern provinces, and the King employed his whole intereſt, and the authority of his own preſence, to gain a majority, the following regulations were with difficulty agreed on. That the General Aſſembly ſhall recommend ſix perſons to every vacant benefice, which gave a title to a ſeat in Parliament, out of whom the King ſhall nominate one; that the perſon ſo elected, after obtaining his ſeat in Parliament, ſhall neither purpoſe, nor conſent to any thing there, that may affect the intereſt of the church, without ſpecial inſtructions to that purpoſe; and he ſhall be anſwerable for his conduct to every General Aſſembly; and to ſubmit to its cenſure, without appeal, upon pain of infamy and excommunication; that he ſhall diſcharge the duties of a Paſtor, in a particular congregation; that he ſhall not uſurp any eccleſiaſtical juriſdiction, ſuperior to that of his other brethren; that if the church inflict on him the cenſure of deprivation, he ſhall thereby, forfeit his ſeat in Parliament; that he ſhall annually reſign his commiſſion to the General Aſſembly, which may be reſtored to him, or not, as the Aſſembly, with the King's approbation, ſhall judge moſt expedient for the good of the church *. Nothing could be more repugnant to the idea of Epiſcopal government, than theſe regulations. It was not in conſequence of rights derived from their office, but of powers conferred by a commiſſion, that eccleſiaſtical perſons were to be admitted to a ſeat in Parliament; they were the repreſentatives, not the ſuperiors of the clergy. Deſtitute of all ſpiritual authority, even their civil juriſdiction was temporary. James, however, flattered himſelf that they would ſoon be able to ſhake off theſe fetters, and gradually acquire all the privileges which belonged to the Epiſcopal order. The clergy dreaded

* Spotſ. 453, 457. Cald. vol. v. 368,

ed the ſame thing. And he contended for, and they oppoſed the nomination of theſe commiſſioners, not ſo much on account of the powers then veſted in them, as of thoſe, to which it was believed they would ſoon attain *.

During this ſummer, the kingdom enjoyed an unuſual tranquillity. The clergy, after many ſtruggles, were brought under great ſubjection; the Popiſh earls were reſtored to their eſtates and honours, by the authority of Parliament, and with the conſent of the church; the reſt of the nobles were at peace among themſelves, and obedient to the royal authority; when, in the midſt of this ſecurity, the King's life was expoſed to the utmoſt danger, by a conſpiracy altogether unexpected, and almoſt inexplicable. The authors of it were John Ruthven Earl of Gowry, and his brother Alexander, the ſons of that Earl who was beheaded in the year 1584. Nature had adorned both theſe young men, eſpecially the elder brother, with many accompliſhments. to which education had added its moſt elegant improvements. More learned, than is uſual among perſons of their rank; more religious, than is common at their age of life; generous, brave, popular; their countrymen, far from thinking them capable of any atrocious crime, conceived the moſt ſanguine hopes of their early virtues. Notwithſtanding all theſe noble qualities, ſome unknown motive engaged them in a conſpiracy, which, if we adhere to the account commonly received, muſt be tranſmitted to poſterity, as one of the moſt wicked, as well as one of the worſt concerted, of which hiſtory makes any mention.

On the fifth of Auguſt, as the King, who reſided during the hunting ſeaſon in his palace of Falkland, was going out to his ſport early in the morning, he was accoſted by Mr Alexander Ruthven, who, with an air of great importance, told the King, that the evening before he had met an unknown man, of a ſuſpicious aſpect, walking alone in a by-path, near his brother's houſe at Perth; and on ſearching him, had found, under his cloak, a pot filled with a vaſt quantity of foreign

* Spotſ. 454.

reign gold; that he had immediately ſeized both him and his treaſure, and without communicating the matter to any perſon, had kept him confined and bound in a ſolitary houſe; and that he thought it his duty to impart ſuch a ſingular event, firſt of all to his Majeſty. James immediately ſuſpected this unknown perſon to be a trafficking prieſt, ſupplied with foreign coin, in order to excite new commotions in the kingdom; and reſolved to empower the Magiſtrates of Perth to call the perſon before them, and inquire, into all the circumſtances of the ſtory. Ruthven violently oppoſed this reſolution, and with many arguments urged the King to ride directly to Perth, and to examine the matter with his own eyes. Meanwhile the chaſe began; and James, notwithſtanding his paſſion for that amuſement, could not help ruminating on the ſtrangeneſs of the tale, and on Ruthven's importunity. At laſt he called him, and promiſed, when the ſport was over, to ſet out for Perth. The chaſe, however, continued long; and Ruthven, who all the while kept cloſe by the King, was ſtill calling on him to make haſte. At the death of the buck, he would not allow James to ſtay till a freſh horſe was brought him; and obſerving the Duke of Lennox and the Earl of Mar preparing to accompany the King, he entreated him to countermand them. This James refuſed; and though Ruthven's impatience and anxiety, as well as the apparent perturbation in his whole behaviour, raiſed ſome ſuſpicions in his mind; yet his own curioſity, and Ruthven's ſolicitations, prevailed on him to ſet out for Perth. When within a mile of the town, Ruthven rode forward to inform his brother of the King's arrival, though he had already diſpatched two meſſengers for that purpoſe. At a little diſtance from the town, the Earl, attended by ſeveral of the citizens, met the King, who had only twenty perſons in his train. No preparations were made for the King's entertainment; the Earl appeared penſive and embaraſſed, and was at no pains to atone, by his courteſy or hoſpitality, for the bad fare with which he treated his gueſts. When the King's repaſt was over, his attendants were led to dine in another room, and

and he being left almoſt alone, Ruthven whiſpered him, that now was the time to go to the chamber where the unknown perſon was kept. James commanded him to bring Sir Thomas Erſkine along with them; but, inſtead of that, Ruthven ordered him not to follow: and conducting the King up a ſtair-caſe, and then through ſeveral apartments, the doors of which he locked behind him, led him at laſt into a ſmall ſtudy, in which there ſtood a man clad in armour, and with a ſword and dagger by his ſide. The King, who expected to have found one diſarmed and bound, ſtarted at the ſight, and inquired if this was the perſon; but Ruthven ſnatching the dagger from the girdle of the man in armour, and holding it to the King's breaſt, "Remember," ſaid he, "how unjuſtly my father "ſuffered by your command; you are now my pri-"ſoner; ſubmit to my diſpoſal without reſiſtance, or "outcry; or this dagger ſhall inſtantly avenge his "blood." James expoſtulated with Ruthven, entreated, and flattered him. The man, whom he found in the ſtudy, ſtood, all the while, trembling and diſmayed, without courage either to aid the King, or to ſecond his aggreſſor. Ruthven proteſted that if the King raiſed no outcry, his life ſhould be ſafe; and, moved by ſome unknown reaſon, retired in order to call his brother, leaving to the man in armour the care of the King, whom he bound by oath, not to make any noiſe during his abſence.

While the King was in this dangerous ſituation, his attendants growing impatient to know whither he had retired, one of Gowrie's attendants entered the room haſtily, and told them that the King had juſt rode away towards Falkland. All of them ruſhed out into the ſtreet; and the Earl, in the utmoſt hurry, called for their horſes. But, by this time, his brother had returned to the King, and ſwearing that now there was no remedy; he behoved to die; offered to bind his hands. Unarmed as James was, he ſcorned to ſubmit to that indignity; and cloſing with the aſſaſſin, a fierce ſtruggle inſued. The man in armour ſtood as formerly, amazed and motionleſs; and the King dragging Ruthven towards a window, which during his abſence he

he had perſuaded the perſon with whom he was left to open, cried, with a wild and affrighted voice, "Treaſon! Treaſon! Help! I am murdered!" His attendants heard, and knew the voice; and ſaw, at the window, a hand which graſped the King's neck with violence. They flew with precipitation to his aſſiſtance. Lennox and Mar, with the greater number, ran up the principal ſtair-caſe, where they found all the doors ſhut, which they battered with the utmoſt fury, endeavouring to burſt them open. But Sir John Ramſay, entering by a back-ſtair, which led to the apartment where the King was, found the door open; and ruſhing upon Ruthven, who was ſtill ſtruggling with the King, ſtruck him twice with his dagger, and thruſt him towards the ſtair-caſe, where Sir Thomas Erſkine and Sir Hugh Herries met, and killed him; he crying with his laſt breath, "Alas! I "am not to blame for this action." During this ſcuffle, the man, who had been concealed in the ſtudy, eſcaped unobſerved. Together with Ramſay, Erſkine, and Herries, one Wilſon, a footman entered the room where the King was, and before they had time to ſhut the door, Gowry ruſhed in with a drawn ſword in each hand, followed by ſeven of his attendants well armed, and with a loud voice threatened them all with inſtant death. They immediately thruſt the King into the little ſtudy, and ſhutting the door upon him, encountered the Earl. Notwithſtanding the inequality of numbers, Sir John Ramſay pierced Gowry through the heart, and he fell down without uttering a word; his followers having received ſeveral wounds, immediately fled. Three of the King's defenders were likewiſe hurt in the conflict. A dreadful noiſe continued ſtill at the oppoſite door, where many perſons laboured in vain to force a paſſage; and the King being aſſured that they were Lennox, Mar, and his other friends, it was opened on the inſide. They ran to the King, whom they unexpectedly found ſafe, with tranſports of congratulation; and he, falling on his knees, with all his attendants around him, offered thanks to God for ſuch a wonderful deliverance. The danger, however, was not yet

over.

over. The inhabitants of the town, whose Provost Gowry was, and by whom he was extremely beloved, hearing the fate of the two brothers, ran to their arms, and surrounding the house, threatened revenge, with many insolent and opprobrious speeches against the King. James endeavoured to pacify the enraged multitude, by speaking to them from the window; he admitted their Magistrates into the house; related to them the whole circumstances of the fact; and their fury subsiding by degrees, they dispersed. On searching the Earl's pockets for papers, that might discover his designs and accomplices, nothing was found but a small parchment bag, full of magical characters, and words of enchantment; and if we may believe the account of the conspiracy published by the King, "while these were about him, the wound "of which he died, bled not; but as soon as they "were taken away, the blood gushed out in great a-"bundance." After all the dangerous adventures of this busy day, the King returned in the evening to Falkland, having committed the dead bodies of the two brothers to the custody of the Magistrates of Perth.

Notwithstanding the minute detail which the King gave of all the circumstances of this conspiracy against his life, the motives which induced the two brothers to attempt an action so detestable, the end they had in view, and the accomplices, on whose aid they depended, were altogether unknown. The words of Ruthven to the King gave some grounds to think, that the desire of revenging their father's death had instigated them to this attempt. But, whatever injuries their father had suffered, it is scarce probable that they could impute them to the King, whose youth and subjection, at that time, to the violence of a faction, exempted him from being the object of resentment, on account of actions which were not done by his command. James had even endeavoured to repair the wrongs which the father had suffered, by benefits to his children; and Gowry himself, sensible of his favour, acknowledged it with the warmest expressions of gratitude. Three of the Earl's attendants, being convicted of assisting him in this assault on the King's servants,

ſervants, were executed at Perth, but they could give no light into the motives, which had prompted their maſter to an action ſo repugnant to theſe acknowledgments. Diligent ſearch was made for the perſon concealed in the ſtudy, and from him great diſcoveries were expected. But Andrew Henderſon the Earl's ſteward, who, upon a promiſe of pardon, confeſſed himſelf to be the man, was as much a ſtranger to his maſter's deſigns, as the reſt; and though placed in the ſtudy by Gowry's command, he did not even know for what end that ſtation had been aſſigned him. The whole tranſaction remained as impenetrably dark as ever; and the two brothers, it was concluded, had concerted their ſcheme without either confident or accomplice, with unexampled ſecrecy, as well as wickedneſs.

An accident, no leſs ſtrange than the other circumſtances of the ſtory, and which happened nine years after, diſcovered that this opinion, however plauſible, was ill founded; and that the two brothers had not carried on their machinations all alone. One Sprot, a notary, having whiſpered among ſome perſons that he knew ſeveral ſecrets relating to Gowry's conſpiracy, the privy council thought the matter worthy of their attention, and ordered him to be ſeized. His confeſſion was partly voluntary, and partly forced from him by torture. According to his account, Logan of Reſtalrig, a gentleman of an opulent fortune, but of diſſolute morals, was privy to all Gowry's intentions, and an accomplice in his crimes. Mr Ruthven, he ſaid, had frequent interviews with him, in order to concert the plan of their operations; the Earl had correſponded with him to the ſame purpoſe; and one Bour, Logan's confident, was truſted with the ſecret, and carried the letters between them. Both Logan and Bour were now dead. But Sprot affirmed that he had read letters written both by Gowry and Logan, on that occaſion; and in confirmation of his teſtimony, ſeveral of Logan's letters, which a curioſity fatal to himſelf had prompted Sprot to ſteal from among Bour's papers, were

 produced

produced *. These were compared, by the privy council, with papers of Logan's hand writing, and the resemblance was visible. Persons of undoubted credit, and well qualified to judge of the matter, examined them, and swore to their authenticity. Death itself did not exempt Logan from prosecution, his bones were dug up, and tried for High Treason, and by a sentence, equally odious and illegal †, his lands were

* Logan's letters were five in number. One to Bour, another to Gowry, and three of them without any direction; nor did Sprot declare the name of the person to whom they were written. Logan gives him the appellation of *Right Honourable*. It appears from this, however, and from other words in the letter, *Crom* 95. that there were several persons privy to the conspiracy. The date of the first letter is July 18th. Mr. Ruthven had communicated the matter to Logan only five days before. Ibid. It appears from the original *summons of Forfaulture* against Logan's heirs, that Bour, though he had letters addressed to him with regard to a conspiracy equally dangerous and important, was so illiterate that he could not read. "Jacobus Bour, literarum prorsus ignarus, dicti Georgii opera in legendis omnibus scriptis ad eum missis, vel pertinentibus, utebatur." This is altogether strange; and nothing but the capricious character of Logan can account for his chusing such a confident.

† By the Roman law, persons guilty of the crime of High Treason might be tried even after death. This practice was adopted by the Scots, without any limitation, Parl. 1540. c. 69. But the unlimited exercise of this power was soon conceived to be dangerous; and the Crown was laid under proper restrictions, by an act, A. D. 1542, which has never been printed. The words of it are, "And because the said Lords (i. e. the Lords of Articles) think the said act (viz. in 1540) too general, and prejudicial to the Barons in the realm, therefore statutes and ordains that the said act shall have no place in time coming, but against the heirs of them that notoriously commits or shall commit lese majesty against the King's person, against the realm for everting the same, and against them that shall happen to betray the King's army allenarly, and being notourly known in their time; and the heirs of these persons to be called and judged with infive years after the decease of the said persons

were forfeited, and his posterity declared infamous. Sprot was condemned to be hanged for misprison of treason. He adhered to his confession to the last, and having promised, on the scaffold, to give the spectators a sign in confirmation of the truth of what he had deposed, he thrice clapped his hands, after he was thrown off the ladder by the executioner *.

persons committers of the said crimes; and the said time being bypast, the said heirs never to be pursued for the same." The sentence against Logan violated this statute in two particulars. He was not notourly known during his life to be an accomplice in the crime for which he was tried; and his heirs were called in question more than five years after his death. It is remarkable that this statute seems not to have been attended to in the parliament which forfeited Logan. Another singular circumstance deserves notice. As it is a maxim of justice that no person can be tried in absence; and as lawyers are always tenacious of their forms, and often absurd in the devices for preserving them, they contrived that in any process against a dead person, his corpse or bones shall be presented at the bar. Examples of this occur freqnently in the Scottish history. After the battle of Corrichie, the dead body of the Earl of Huntly was presented in parliament, before sentence of *forfaulture* was pronounced against him. For the same reason the bodies of Gowry and his brother were preserved, in order that they might be produced in parliament. Logan's bones, in compliance with the same rule, were dug up. Mackenz. Crim. Law. Book I. Tit. 6. Sect. 22.

* It appears that Archbishop Spotswood was present at the execution of Sprot, *Crom.* 115; and yet he seems to have given no credit to his discoveries. The manner in which he speaks of him is remarkable, "Whether or not I should mention the arraignment and execution of George Sprot, who suffered at Edinburgh, I am doubtful. His confession though voluntary and constant, carrying small probability. This man deposed, *&c.* It seemed to be a very fiction, and a mere invention of the man's own brain, for neither did he shew the letter, nor could any wise man think that Gowry, who went about the treason so secretly, would have communicated the matter to such a man as Logan was known to be." p. 528. Spotswood could not be ignorant of the solemnity with which Logan had been tried, and of the

But though it be thus unexpectedly discovered that Gowry did not act without associates, little additional light is thrown by this discovery, on the motives and intention of his conduct. It appears al · st incredible that two young men of such distinguished virtue, should revolt, all at once, from their duty, and attempt a crime so atrocious, as the murder of their Sovereign. It appears still more improbable, that they should have concerted their undertaking with so little foresight and prudence. If they intended that the deed should have remained concealed, they could not have chosen a more improper scene for executing it than their own house. If they intended that Henderson should have struck the blow, they could not have pitched on a man more destitute of the courage, that must direct the hand of an assassin; nor could they expect that he, unsolicited, and unacquainted with their purpose, would venture on such a desperate action. If Ruthven meant to stab the King with his own hand, why did he withdraw the dagger after it was pointed at his breast? How could he leave the King,

the proof brought of the authenticity of his letters. He himself was probably present in parliament at the trial. The Earl of Dunbar, of whom he always speaks with the highest respect, was the person who directed the process against Logan. Such a peremptory declaration against the truth of Sprot's evidence, notwithstanding all these circumstances, is surprising. Sir Thomas Hamilton, the King's advocate at that time, and afterwards Earl of Hadington, represents the proof produced at Logan's trial as extremely convincing; and in an original letter of his to the King, 21st of June 1609 (in Bibl. Facult. Jurid.) after mentioning the manner in which the trial had been conducted, he thus goes on. "When the probation of the summons was referred to the Lords of Article's votes, they found uniformly, all in one voice, the said summons to be so clearly proved, that they seemed to contend who should be able most zealously to express the satisfaction of his heart, not only by the most pithy words but by tears of joy; diverse of the best rank confessing, that that whereof they doubted as their entry into the house was now so manifest, that they behoved to esteem them traitors, who should any longer refuse to declare their assured resolution of the truth of that treason."

King, after ſuch a plain declaration of his intention? Was it not prepoſterous to commit him to the keeping of ſuch a timid and falſe aſſociate, as Henderſon? For what purpoſe did he waſte time, in binding the hands of an unarmed man, whom he might eaſily have diſpatched with his ſword? Had providence permitted them to embrue their hands in the blood of their Sovereign, what advantage could have accrued to them by his death, and what claims or pretenſions could they have oppoſed to the rights of his children*? Inevitable and inſtant vengeance, together with perpetual infamy, were the only conſequences they could expect to follow ſuch a crime.

On the other hand, it is impoſſible to believe that the King had formed any deſign againſt the life of the two brothers. They had not incurred his indignation, by any crime; and were, in no degree, the objects of his jealouſy or hatred†; nor was he of a ſpirit

* It has been aſſerted, that, in conſequence of the King's death, the Earl of Gowry might have pretended to the Crown of England, as the ſon of Dorothea Stewart daughter of Lord Methven by Margaret of England, who after her divorce from the Earl of Angus, took that noblemen for her third huſband. Burnet Hiſt. of his own times. But this aſſertion is ill founded. It appears, from undoubted evidence that Lord Methven had only one child by Queen Margaret, which died in its infancy, and Dorothea Lady Ruthven was not the daughter of Queen Margaret, but of Janet Stewart Lord Methven's ſecond wife, a daughter of John Earl of Athol. Crawf. Peer. 329. And though Gowry had really been deſcended from the blood royal of England, the King had at that time a ſon and a daughter; and beſides them, Lady Arabella Stewart daughter of Charles Earl of Lennox had a preferable title to the Crown of England.

† Sir Henry Neville, in a letter to Sir Ralph Winwood imputes the death of the two brothers to a cauſe not mentioned by any of our Hiſtorians. "Out of Scotland we hear that there is no good agreement, but rather an open diffidence betwixt the King and his wife, and many are of opinion that the diſcovery of ſome affection between her and the Earl of Gowry's brother (who was killed with him) was the trueſt cauſe and motive of that tragedy." Winw. Mem. Vol. I. 274. Whether the following paſſages in Nicholſon's

so sanguinary, or so noted for rash and desperate valour, as to have attempted to murder them in their own house, where they were surrounded with many domestics, he only with a slender and unarmed train; where they could call to their assistance the inhabitants of a city, at the devotion of their family, while he was at a distance from all aid; and least of all would he have chosen for his associates, in such an enterprise the Earl of Mar, and the Duke of Lennox, the former connected in close friendship with the house of Gowry, and the latter married to one of the Earl's sisters.

Whichsoever of these opposite systems we embrace; whether we impute the intention of murder to Gowry, or to the King; insuperable difficulties arise, and we are involved in darkness, mystery, and contradictions. Perhaps the source of the whole conspiracy ought to be searched for deeper, and by deriving it from a more remote cause, we may discover it to be less criminal.

To keep the king of Scots in continual dependence, was one great object of Elizabeth's policy. In order to this, she sometimes soothed him; and sometimes bribed his Ministers and favourites; and when she failed of attaining her end by these means, she encouraged

Nicholson's letters be any confirmation of that suspicion, is submitted to the reader. In his letter, Sept. 22. 1602, he mentions the return of Gowry's two younger brothers into Scotland, and adds, "The coming in of these two, and the Queen of Scots dealing with them and sending away and furnishing Mrs Beatrix [their sister] with such information as Sir Thomas Erskine has given, hath bred great suspicion in the King of Scots, that they come not in but upon some dangerous plot." In another letter, January 1. 1603. "The day of writing my last Mrs Beatrix Ruthven was brought by the Lady Paisly, and Mrs of Angus, as one of their gentlewomen into the court in the evening, and stowed in a chamber prepared for her by the Queen's direction, where the Queen had much time and conference with her. Of this the King got notice, and shewed his dislike thereof to the Queen, gently reproving her for it, and examining quietly of the Queen's servants of the same, and of other matters thereunto belonging with such discretion and secrecy as requires such a matter.

eouraged the Clergy to render any adminiſtration ſhe diſtruſted unpopular, by decrying it, or ſtirred up ſome faction of the nobles to oppoſe and to overturn it. They, unacquainted with the arts of undermining a Miniſtry by intrigues, had recourſe to the ruder practice of rendering themſelves maſters of the King's perſon, that they might thereby obtain the directions of his councils. Thoſe nobles, who ſeized the King at the *Raid of Ruthven*, were inſtigated, and ſupported by her. Bothwell, in all his wild attempts, enjoyed her protection, and found a retreat in her dominions. The connections, which James had been forming of late with the Roman Catholic Princes, his ſecret negociations in England with her ſubjects, and the maxims by which he governed his own kingdom, all contributed to excite her jealouſy. She dreaded ſome great Revolution in Scotland to be approaching, and it was her intereſt to prevent it. The Earl of Gowry was one of the moſt powerful of the Scottiſh nobles, and deſcended from anceſtors warmly attached to the Engliſh intereſt. He had adopted the ſame ſyſtem, and believed the welfare of his country to be inſeperably connected with the ſubſiſtence of the alliance between the two kingdoms. During his reſidence at Paris, he had contracted an intimate friendſhip with Sir Henry Neville, the Queen's ambaſſador there, and was recommended by him to his Court, as a perſon of whom great uſe might be made *. Elizabeth received him, as he paſſed through England, with diſtinguiſhed marks of reſpect and favour. From all theſe circumſtances, a ſuſpicion may ariſe, that the plan of the conſpiracy againſt the King was formed at that time, in concert with her. Such a ſuſpicion prevailed in that age, and from the letters of Nicholſon, Elizabeth's agent in Scotland, it appears not to be deſtitute of foundation. An Engliſh ſhip was obſerved hovering for ſome time, in the mouth of the firth of Forth. The Earl's two younger brothers fled into England, after the ill ſucceſs of the conſpiracy, and were protected by Elizabeth. And James himſelf, though he prudently concealed it, took great

* Winw. I. 156.

great umbrage at her behaviour. None, however, of Elizabeth's intrigues in Scotland tended to hurt the King's perſon, but only to circumſcribe his authority, and to thwart his ſchemes. His life was the ſureſt ſafeguard of her own, and reſtrained the Popiſh pretenders to her Crown, and their abettors, from deſperate attempts, to which their impatience and bigotry might, otherwiſe, have urged them on. To have encouraged Gowry to murder his Sovereign, would, on her part, have been an act of the utmoſt imprudence. Nor does this ſeem to have been the intention of the two brothers. Mr Ruthven, firſt of all, endeavoured to decoy the King to Perth, without any attendants. When theſe proved more numerous than was expected, the Earl employed a ſtratagem in order to ſeperate them from the King, by pretending that he had rode away towards Falkland, and by calling haſtily for their horſes, that they might follow him. By ſhutting James up, meanwhile, in a diſtant corner of the houſe, and by attempting to bind his hands, their deſign ſeems to have been rather to ſeize, than to aſſaſſinate him. And though Gowry had not collected his followers, ſo as to have been able to detain him long a priſoner, in that part of the kingdom, by open force, he might ſoon have been conveyed aboard the Engliſh ſhip, which waited perhaps to receive him, and he might have been landed at Faſt-Caſtle, a houſe of Logan's, in which, according to many obſcure hints in his letters, ſome rendezvous of the conſpirators was to be held. Amidſt the ſurpriſe and terror, into which the King muſt have been thrown by the violence offered to him, it was extremely natural for him to conclude that his life was ſought. It was the intereſt of all his followers to confirm him in this belief, and to magnify his danger, in order to add to the importance, and merit of their own ſervices. And thus, his fear, and their vanity, aided by the credulity and wonder, which the contemplation of any great and tragical event, when not fully underſtood, is apt to inſpire, augmented the whole tranſaction. On the other hand, the extravagance and improbability of the circumſtances, which were added,

added, detracted from the credit of those, which really happened; and even furnished pretences for calling in question the truth of the whole conspiracy.

The account of what had happened at Perth reached Edinburgh, next morning. The privy council commanded the Ministers of that city instantly to assemble their people, and, after relating to them the circumstances of the conspiracy formed against the King's life, to return public thanks to God, for the protection, which he had so visibly afforded him. But as the first accounts transmitted to Edinburgh, written in hurry, and while the circumstances of the conspiracy were but imperfectly known, and the passions which it excited strongly felt, were indistinct, exaggerated, and contradictory, the Ministers laid hold of this, and though they offered to give public thanks to God for the King's safety, they refused to enter into any detail of particulars, or to utter from the chair of truth, what appeared to be still dubious and uncertain.

A few days after, the King returned to Edinburgh; and though Galloway, the Minister of his own Chapel, made an harrangue to the people at the public cross, in which he recited all the circumstances of the conspiracy; though James himself, in their hearing, confirmed his account; though he commanded a narrative of the whole transaction to be published; the Ministers of that city, as well as many of their brethren, still continued incredulous, and unconvinced. Their high esteem of Gowry, their jealousy of every part of the King's conduct, added to some false and many improbable circumstances in the narrative, not only led them to suspect the whole, but gave their suspicions an air of credibility. But at length, the King, partly by arguments, partly by threats, prevailed on all of them, except Mr Robert Bruce, to own that they were convinced of the truth of the conspiracy. He could be brought no farther than to declare that he reverenced the King's account of the transaction, but could not say that he himself was persuaded of the truth of it. The scruples or obstinacy of a single man would have been little regarded, but

as

as the ſame ſpirit of incredulity began to ſpread among the people, the example of one, in ſo high reputation for integrity and abilities, was extremely dangerous. The King was at the utmoſt pains to convince and to gain Bruce, but finding it impoſſible to remove his doubts, he deprived him of his benefice, and after repeated delays, and many attempts towards a reconcilement baniſhed him the kingdom *.

The proceedings of parliament were not retarded by any ſcruples of this ſort. The dead bodies of the two brothers were produced there, according to law; an indictment for High Treaſon was preferred againſt them; witneſſes were examined; and, by an unanimous ſentence, their eſtates and honours were forfeited; the puniſhment due to Traitors was inflicted on their dead bodies; and, as if the puniſhment due hitherto in uſe did not expreſs ſufficient deteſtation of their crimes, the parliament enacted that the ſurname of Ruthven ſhould be aboliſhed; and in order to preſerve the memory of the King's miraculous eſcape, and to declare the ſenſe which the nation had of the divine Goodneſs, to all future ages, appointed the fifth of Auguſt to be obſerved, annually, as a day of public thankſgiving †.

Though

* Spotſ. 461, *&c* Cald. 5. 389, *&c.*

† A few weeks after the death of the two brothers, the King publiſhed a *diſcourſe of their vile and unnatural conſpiracy againſt his life*. In the year 1713, George Earl of Cromerty publiſhed an "Hiſtorical account of the conſpiracy by the Earl of Gowry and Robert Logan of Reſtalrig againſt King James VI." He ſeems not to have ſeen the account which the King himſelf had given of that matter, and borrows the whole hiſtorical part from Spotſwood and other authors; but he has extracted from the public records the depoſitions of the witneſſes produced by the King's Council, in order to make good their charge againſt the two brothers and Logan their aſſociate. From theſe two treatiſes, our knowledge of all the material circumſtances of the conſpiracy is derived. The evidence which they contain, one would expect to be authentic and deciſive. An account of a fact, ſtill recent, publiſhed by royal authority, and the original depoſitions of perſons examined in preſence of the higheſt court in the nation, ought to convey a degree of evidence ſeldom attained.

Though Gowry's conspiracy occasioned a sudden and a great alarm, it was followed by no consequences of

ed in historical relations, and to exclude all remaining doubt and uncertainty. But as every thing with regard to this transaction is dark and problematical, the King's account and the depositions of the witnesses not only vary, but contradict each other in so many circumstances, that much room is still left for hesitation, and historical scepticism. The testimony of Henderson, is the fullest and most important, but in several particulars the King's account and his are contradictory. I. According to the King's account, while Mr Ruthven was holding the dagger at his breast, "the fellow in the study stood quaking and trembling." Disc. 17. But Henderson says that he himself wrested the dagger out of Mr Ruthven's hand. Disc. 53. Crom. 50. Henderson likewise boasted to his wife that he had twice saved the King from being stabbed Dis. 54. Crom. 53. II. The King asserts that Henderson opened the window during Mr Ruthven's absence, Dis 23. Henderson deposes that he was only attempting to open it when Mr Ruthven returned, and that during the struggle between the King and him, he opened it. Disc. 53, 54 Crom. 51, 52. III. If we may believe the King, the fellow in the study stood, during the struggle, behind the King's back inactive and trembling all the time. Disc. 27. But Henderson affirms that he snatched away the garter with which Mr Ruthven attempted to bind the King; that he pulled back Ruthven's hand while he was endeavouring to stop the King's mouth, and that he opened the window. Disc. 54. Crom. 52. IV. By the King's account, Mr Ruthven left him in the study, and went away in order to meet with his brother, and that the Earl came up stairs for the same purpose, Disc. 23. Henderson deposes that when Mr Ruthven left the King, "he believes that he did not pass from the door." Crom 51. It is apparent both from the situation of the house, and from other circumstances, that there could not possibly have been an interview between the brothers at this time. Disc. 23.

Henderson was twice examined, first at Falkland before the privy council in August, and next at Edinburgh before the Parliament in November. Not to mention some lesser variations between these depositions, we shall point out two which are remarkable. In his first deposition Mr Henderson relates the most material circumstance of the whole in these words. "Mr Ruthven pulled out the deponent's dagger and held the same to his Majesty's breast, saying,

remember

of importance; and having been concerted by the two brothers, either without any associates, or with such

remember you of my father's murder? you shall now die for it, and minting to his Highnesse's heart with the dagger, the deponent threw the same out of Mr Ruthven's hands and swore that as God shall judge his soul, that if Mr Ruthven had retained the dagger in his hand, the space a man may go six steps, he would have stricken the King to the hilts with it." Dis. 52. But at his second examination he varied from this in two material circumstances First the words which he at that time put in Mr Ruthven's mouth while he held the dagger at the King's breast are, "*Sir you must be my prisoner; remember on my father's death.*" Secondly when he threatened him with death, it was only to deter him from making any noise *Hold your tongue or by Christ you shall die*" 2. In this first deposition, the words of Mr Ruthven when he returned to the chamber where he had left the King, are "*There is no remedy, by God you must die.*" But in this second deposition, "By God there is no remedy, and offered to bind his Majesty's hands." Crom. 51. The material words *you must die* are omitted. The first deposition seems plainly to intimate that it was Ruthven's intention to murder the King. The second would lead us to conclude that he had no other design than to detain him as a prisoner.

There are likewise some remarkable contradictions in the testimonies of the other witnesses 1. In the discourse published by authority it is insinuated that the tumult of the inhabitants was raised against the King, and that it required some art to pacify them. Disc. 32. The Duke of Lennox confirms this in his disposition. Crom. 44. An act of privy council summoning the Magistrates of Perth to answer for that riot is still extant. And yet Andrew Roy, one of the Baillies of the town, deposes that he himself raised the people, and that they took arms in order to assist the King. Crom. 66 2. Henderson deposes that he gave an evasive answer to Mr John Moncrieff, who inquired where he had been that morning, because the Earl had commanded him not to let any man know that he had been at Falkland. Disc. 54. Moncrieff deposes to the same purpose. Crom. 64. And yet George Hay, afterwards Lord Kinnoul, and Chancellor of Scotland, and Peter Hay depose that the Earl in their presence, asked Henderson, "Whom he found with "the King at Falkland?" Crom. 70 71. Which question seems to prove that he did not aim at keeping that journey a secret.

fuch as were unknown, and chofe to remain fo, the danger was over, as foon as difcovered. But not long after, a confpiracy broke out in England againft Elizabeth, which, though the firft danger was inftantly difpelled, produced tragical effects, that rendered the clofe of that Queen's reign difmal and unhappy. As James was deeply interefted in that event, it merits our particular notice.

The court of England was, at this time, divided between two powerful factions, which contended for the fupreme direction of affairs. The leader of the one was Robert D'evreux, Earl of Effex; Sir Robert Cecil, the fon of Lord Treafurer Burleigh, was at the head of the other. The former was the moft accomplifhed, and the moft popular of all the Englifh nobles; brave, generous, affable; though impetuous, yet willing to liften to the councils of thofe whom he loved; an avowed, but not an implacable enemy; a friend no lefs conftant, than warm; incapable of difguifing his own fentiments, or of mifrepreferting thofe of others; better fitted for the camp, than for the court; and of a genius that qualified him for the firft place in the adminiftration, with a fpirit which fcorned the fecond, as below his merit. He was foon diftinguifhed by the Queen, who, with a profufion uncommon to her, conferred on him, even in his earlieft youth, the higheft honours, and moft important offices. Nor did this diminifh the efteem and affection of his countrymen; but, by a rare felicity, he was at once the favourite of his Sovereign, and the darling of the people. Cecil, on the other hand, educated in a Court, and trained under a father, deeply fkilled in all its arts, was crafty, infinuating, induftrious; and though poffeffed of talents, which fitted him for the higheft offices, he did not rely upon his merit alone for attaining them, but availed himfelf of every advantage, which his own addrefs, or the miftakes of others, afforded him. Two fuch men were formed to be rivals, and enemies. Effex defpifed the arts of Cecil, as low and bafe. To Cecil, the Earl's magnanimity appeared to be prefumption and folly All the military men, except Raleigh, favoured Effex.

Moſt of the courtiers adhered to Cecil, whoſe manners more nearly reſembled their own.

As Elizabeth advanced in years, the ſtruggle between theſe factions became more violent. Eſſex, in order to ſtrengthen himſelf, had early courted the friendſhip of the King of Scots, for whoſe right of ſucceſſion he was a zealous advocate, and held a cloſe correſpondence both with him, and with his principal Miniſters. Cecil, devoted to the Queen alone, roſe daily to new honours, by the aſſiduity of his ſervices, and the patience, with which he expected the reward of them. While the Earl's high ſpirit and impetuoſity ſometimes expoſed him to checks from a Miſtreſs, who, though partial in her affection towards him, could not eaſily bear contradiction, and conferred favours often unwillingly, and always ſlowly. His own ſolicitations, however, ſeconded maliciouſly by his enemies, who wiſhed to remove him at a diſtance from court, advanced him to the command of the army employed in Ireland, againſt Tyronne, and to the office of Lord Lieutenant of that kingdom, with a commiſſion almoſt unlimited. His ſucceſs in that expedition, did not equal either his own promiſes, or the expectations of Elizabeth. The Queen, peeviſh from her diſappointment, and exaſperated againſt Eſſex by the artifices of his enemies, wrote him a harſh letter, full of accuſations and reproaches. Theſe, his impatient ſpirit could not bear, and, in the firſt tranſports of his reſentment, he propoſed to carry over a part of his army into England, and by driving his enemies from the Queen's preſence, to reinſtate himſelf in favour, and in power. But, upon more mature thoughts, he abandoned this raſh deſign, and ſetting ſail with a few officers, devoted to his perſon, landed in England, and poſted directly to court. Elizabeth received him, without any ſymptom either of affection or of diſpleaſure. By proper compliances and acknowledgments, he might have regained his former aſcendant over the Queen. But he thought himſelf too deeply injured to ſubmit to theſe. Elizabeth, on the other hand, determined to ſubdue his haughty temper; and though her ſeverity drew from him

him the moſt humble letters, ſhe confined him to the Lord keeper's houſe, and appointed commiſſioners to try him, both for his conduct during his government of Ireland, and for leaving that kingdom without her permiſſion. By their ſentence, he was ſuſpended from all his offices, except that of Maſter of the horſe, and continued a priſoner during the Queen's pleaſure. Satisfied with having mortified his pride thus far, Elizabeth did not ſuffer the ſentence to be recorded, and ſoon after allowed him to retire to his own houſe. During theſe tranſactions, which occupied ſeveral months, Eſſex fluctuated between the allegiance he owed to his Sovereign and the deſire of revenge; and, ſometimes leaned to the one, and ſometimes to the other. In one of the intervals when the latter prevailed, he ſent a meſſenger into Scotland to encourage the King to aſſert his own right to the ſucceſſion by force of arms, and to promiſe that, beſides the aſſiſtance of the Earl and all his friends in England, Lord Mountjoy, now Lord Lieutenant of Ireland, would join him with five thouſand men, from that kingdom. But James did not chuſe to hazard the loſing a kingdom, which was juſt ready to fall into his hands, by a premature attempt to ſeize it. Mountjoy, too, declined the enterpriſe, and Eſſex adopted more dutiful ſchemes; all thoughts of ambition appearing to be totally effaced out of his mind.

This moderation, which was merely the effect of diſguſt and diſappointment, was not of long continuance. And the Queen, having not only refuſed to renew a lucrative grant, which ſhe had formerly beſtowed, but to admit him into her preſence, that new injury drove a temper, naturally impatient, and now much fretted, to abſolute deſpair. His friends, inſtead of ſoothing his rage, or reſtraining his impetuoſity, added to both, by their imprudent and intereſted zeal. After many anxious conſultations, he determined to attempt to redreſs his wrongs by violence. And conſcious how unpopular ſuch an enterpriſe would be, if it appeared to proceed from motives of private revenge alone, he endeavoured to give it the ſemblance of public utility, by mingling the King of

Scotland's interest with his own. He wrote to James that the faction, which now predominated in the English court, had resolved to support the pretensions of the Infanta of Spain to the crown, that the places of the greatest importance in the kingdom were put into the hands of his avowed enemies; and that unless he sent ambassadors, without delay, to insist on the immediate declaration of his right of succession, their measures were so well concerted, that all his hopes would be desperate. James, who knew how disagreeable such a proposal would be to the Queen of England, was not willing rashly to expose himself to her displeasure. But Essex, blinded by resentment, and impatient for revenge, abandoned himself to these passions, and acted like a man guided by frenzy or despair. With two or three hundred followers, incompletely armed, he attempted to assault a throne, the best established in Europe. Sallying, at their head, out of his own house, he called on the citizens of London, if they either valued his life, or wished to preserve the kingdom from the dominion of the Spaniards, to take arms, and to follow his standard. He advanced towards the palace, with an intention to drive Cecil and his faction out of the Queen's presence, and to obtain a declaration of the Scottish King's right of succession *. But though almost adored by the citizens, not a man would join him in this wild enterprise. Dispirited by their indifference, deserted by some of his own attendants, and almost surrounded by the troops, which marched under different leaders into the city, he retreated to his own house; and without any bold effort, suitable to his present condition or worthy of his former reputation for courage, he surrendered to his enemies

As soon as James heard of Essex's ill success, he appointed the Earl of Mar, and the Abbot of Kinlose, to repair as his ambassadors to the court of England. The former of these was the person, by whose means Essex had carried on his correspondence with the King. He was a passionate admirer of the Earl's character, and disposed to attempt every thing that could

* Birch, Mem. 2. 477.

could contribute to his safety. Bruce, united in a close friendship with Mar, was ready to second him with equal zeal. Nor was the purpose of the embassy less friendly to Essex, than the choice of the ambassadors; they were commanded to solicit, in the warmest manner, for the Earl's life, and if they found that the King, by avowing his friends, could either promote their designs, or contribute to their safety, they were impowered to lay aside all disguise, and to promise that he would put himself at their head, and claim what was due to him by force of arms*. But before the ambassadors could reach London, Essex had suffered the punishment he merited by his treason. Perhaps the fear of their interposing, in order to obtain his pardon, hastened his death. Elizabeth continued, for some time, irresolute concerning his fate, and could not bring herself to consign into the hands of the executioner, a man, who had once possessed her favour so entirely, without a painful struggle between her resentment against his late misconduct, and her ancient affection towards him. The distress to which he was now reduced tended naturally to soften the former, while it revived the latter with new tenderness; and the intercession of one faithful friend might perhaps have saved his life, and have procured him a remission, which, of herself, the Queen was ashamed to grant. But this generous nobleman had at that time no such friend. And Elizabeth, solicited incessantly, by her Ministers, and offended with the haughtiness of Essex, who, as she imagined scorned to sue for pardon, at last commanded the sentence to be put in execution. No sooner was the blow struck, than she repented of her own rashness, and bewailed his death with the deepest sorrow. James always considered him as one, who had fallen a martyr to his service, and after his accession to the English throne, restored his son to his honours, as well as all his associates in the conspiracy, and distinguished them with his favour†.

The Scottish ambassadors finding that they had arrived too late to execute the chief business committed

* Johnst. 289. Birch, Mem. 2. 510. † Camd. Spotf. 464.

to their charge, not only concealed that part of their instructions, with the utmost care; but congratulated the Queen, in their Master's name, on her happy escape from such an audacious conspiracy. Elizabeth, though no stranger to the King's correspondence with Essex, or that nobleman's intention of asserting James's right to the Crown, was not willing that these should be known to the people, and, for that reason, received the congratulations of the Scottish ambassadors with all possible marks of credit, and good will; and in order to sooth James, and to preserve the appearances of union between the two courts, increased the subsidy which she paid him annually. The ambassadors resided for some time in England, and were employed with great success, in renewing and extending the intrigues, which Bruce had formerly entered into with the English nobles. As Elizabeth advanced in years, the English turned their eyes more and more towards Scotland, and were eager to prevent each other in courting the favour of their future Monarch. Assurances of attachment, professions of regard, and promises of support, were offered to James from every corner of the kingdom. Cecil himself, perceiving what hopes Essex had founded on the friendship of the Scottish King, and what advantages he might have derived from it, thought it prudent to stand no longer at a distance from a Prince, who might so soon become his Master. But being sensible, at the same time, how dangerous such an intercourse might prove, under a Mistress naturally jealous, and whose jealousy grew stronger with old age; though he entered into a correspondence with him, he carried it on with all the secrecy and caution necessary in his situation, and peculiar to his character. And James, having gained the man whose opposition and influence he had hitherto chiefly dreaded, waited, in perfect security, till that event should happen, which would open his way to the throne of England. It was, with some difficulty, that he restrained, within proper bounds, his adherents in that kingdom, who labouring to distinguish themselves by that officious zeal, with which a Prince, who has a near prospect

of

of mounting the throne, is always served, urged him to allow a motion to be made in parliament for declaring his right of succession to the Crown. James prudently discouraged that design; but it was with no small satisfaction that he observed the ascendant he was acquiring in a court, whose dictates he had been, so long, obliged to obey; and which had either prescribed or thwarted every step he had taken during the whole course of his reign *.

Notwithstanding the violent struggles of the political factions which divided the court, and the frequent revolutions which had happened there, since the King first took the reins of government into his own hands, Scotland had enjoyed unusual tranquillity, being undisturbed by any foreign enemy, and free from any intestine commotion of long continuance. During this period, James endeavoured to civilize the Highlands and the Isles, a part of his dominions almost totally neglected by former Monarchs, though the reformation of it was an object highly worthy of their care. The long peace with England had afforded an opportunity of subuding the licentious spirit of the borderers, and of restraining their depredations, often no less ruinous to their countrymen, than to their enemies. The inhabitants of the Low Country began, gradually, to forget the use of arms, and to become attentive to the arts of peace. But the Highlanders, retaining their natural fierceness, averse from labour, and inured to rapine, infested their more industrious neighbours, by their continual incursions. James being solicitous not only to repress their inroads, but to render them useful subjects †, had at different times enacted many wise laws extremely conducive to these ends. All landlords, or Chiefs of Clans, were enjoined to permit no persons to reside in their estates, who could not find sufficient surety for their good behaviour; they were required to make a list of all suspicious persons under their jurisdiction, to bind themselves to deliver them up to justice, and to indemnify those who should suffer by their robberies; and

* Spots. 467, 471. Birch, Mem. 2. 514.
† Basil. Dor. 159.

and in order to ascertain the faithful performance of these articles, the chiefs themselves were obliged to give hostages to the King, or to put pledges in his hands. Three towns, which might serve as a retreat for the industrious, and a nursery for arts and commerce, were appointed to be built in different parts of the Highlands; one in Cantyre, another in Lochaber, and a third in the Isle of Lewis; and in order to draw inhabitants thither, all the privileges of Royal Boroughs were to be conferred upon them. Finding it, however, to be no easy matter to inspire the inhabitants of those countries with the love of industry, a resolution was taken to plant among them, colonies of people from the more industrious counties. The first experiment was made in the isle of Lewis; and as it was advantageously situated for the fishing trade, a source from which Scotland ought naturally to derive great wealth, the colony transported thither was drawn out of Fife, the inhabitants of which were well skilled in that branch of commerce. But before they had remained there long enough to manifest the good effects of this institution, the islanders enraged at seeing their country occupied by those intruders, took arms, surprising them in the night time, murdered some of them, and commanded the rest to abandon the settlement. The King's attention being soon after turned to other objects, we hear no more of this salutary project. Though James did not pursue the design, with that steady application and perseverance, without which it is impossible to change the manners of a whole people, he had the glory, however, not only of having first conceived the thought, but of having first pointed out the proper method of introducing the civil arts of life into that part of the Island*.

After having long enjoyed a good state of health, the effect of a sound constitution, and the reward of uncommon regularity and temperance, Elizabeth began, this winter, to feel her vigour decrease, and to be sensible of the infirmities of old age. Having removed on a very stormy day from Westminster to Richmond, whither she was impatient to retire, her complaints

* Parl. 1587, 1594, 1597. Spotf. 468.

complaints increaſed. She had no formed fever; her pulſe was good; but ſhe ate little, and could not ſleep. Her diſtemper ſeemed to proceed from a deep melancholy, which appeared both in her countenance and behaviour. She delighted in ſolitude; ſhe ſat conſtantly in the dark; and was often drowned in tears.

No ſooner was the Queen's indiſpoſition known, than perſons of all ranks, and of all different ſects and parties, redoubled their applications to the King of Scots, and vied with each other, in profeſſions of attachment to his perſon, and in promiſes of ſubmiſſion to his government. Even ſome of her own ſervants, weary of the length of her reign, fond of novelty, impatient to get rid of the burden of gratitude for paſt benefits, and expecting to ſhare in the liberality of a new Prince, began to deſert her. And crowds of people hurried towards Scotland, eager to pre-occupy the favour of the ſucceſſor, or afraid of being too late in paying homage to him.

Meanwhile, the Queen's diſeaſe increaſed, and her melancholy appeared to be ſettled and incurable. Various conjectures were formed concerning the cauſes of a diſorder, from which ſhe ſeemed to be exempted by the natural cheerfulneſs of her temper. Some imputed it to her being forced, contrary to her inclination, to pardon the Earl of Tyronne, whoſe rebellion had for many years created her ſo much trouble. Others imagined that it aroſe from obſerving the ingratitude of her courtiers, and the levity of her people, who beheld her health declining with moſt indecent indifference, and looked forward to the acceſſion of the Scottiſh King, with an impatience, which they could not conceal. The moſt common opinion, at that time, and perhaps the moſt probable, was, that it flowed from grief for the Earl of Eſſex. She retained an extraordinary regard for the memory of that unfortunate nobleman; and though ſhe often complained of his obſtinacy, ſeldom mentioned his name without tears *. An accident happened ſoon after her retiring to

* Birch. Mem. 2. 505.

to Richmond, which revived her affection with new tenderneſs, and imbittered her ſorrows. The Counteſs of Nottingham, being on her death-bed, deſired to ſee the Queen, in order to reveal ſomething to her, without diſcovering which, ſhe could not die in peace. When the Queen came into her chamber, ſhe told her, that while Eſſex lay under ſentence of death, he was deſirous of imploring pardon in the manner which the Queen herſelf had preſcribed, by returning a ring, which during the height of his favour ſhe had given him, with a promiſe that, if in any future diſtreſs, he ſent that back to her as a token, it ſhould entitle him to her protection; that Lady Scroop was the perſon he intended to employ in order to preſent it; that by a miſtake, it was put into her hands inſtead of Lady Scroop's; and that ſhe having communicated the matter to her huſband, one of Eſſex's moſt implacable enemies, he had forbid her either to carry the ring to the Queen, or to return it to the Earl. The Counteſs, having thus diſcloſed her ſecret, begged the Queen's forgiveneſs; but Elizabeth, who now ſaw both the malice of the Earl's enemies, and how unjuſtly ſhe had ſuſpected him of inflexible obſtinacy, replied, "God may forgive you, but I never can;" and left the room in great emotion *. From that moment,

* This anecdote concerning Elizabeth was firſt publiſhed by Oſburne, Mem. of Eliz. p. 23. is confirmed by the teſtimony of de Maurier, Mem 260. and by the traditional evidence of Lady Elizabeth Spelman, publiſhed by Dr Birch Negoc. 206. Camden mentions the Queen's grief for Eſſex's death as one of the cauſes of her melancholy. Some original papers remain which prove that this was commonly believed at the time. Birch Mem 2. 506. But Eſſex had been beheaded two years before her death, and there ſeems to have been no other reaſon, but that which we have aſſigned, why her ſorrow ſhould revive with ſo much violence at ſo great a diſtance of time. As the death of the Counteſs of Nottingham happened about a fortnight before the Queen's death, the coincidence of theſe events, together with the other evidence mentioned, adds ſo much probability to the ſtory related by Oſburne, as will entitle it to a place in hiſtory. The only objection to the account we have

moment, her ſpirit ſunk entirely; ſhe would ſcarce taſte food; ſhe refuſed all the medicines preſcribed her by her phyſicians; declaring that ſhe wiſhed to die, and would live no longer. No entreaty could prevail on her to go to bed; ſhe ſat on cuſhions, during ten days and nights, penſive, and ſilent, holding her finger almoſt continually in her mouth, with her eyes open, and fixed on the ground. The only thing to which ſhe ſeemed to give any attention, were the acts of devotion, performed in her apartment, by the Archbiſhop of Canterbury; and in theſe ſhe joined with great appearance of fervour. Waſted, at laſt, as well by anguiſh of mind, as by long abſtinence, ſhe expired without a ſtruggle, on Thurſday the 24th day of March, in the ſeventieth year of her age, and the forty-fifth of her reign *.

Foreigners often accuſe the Engliſh of indifference and diſreſpect towards their Princes. But without reaſon; no people are more grateful than they to thoſe Monarchs, who merit their gratitude. The names of Edward III. and Henry V. are mentioned by the Engliſh of this age, with the ſame warmth, as they were by thoſe, who ſhared in the bleſſings and ſplendor of their reigns. The memory of Elizabeth is ſtill adored in England. And the hiſtorians of that kingdom, after celebrating her love of her people; her ſagacity in diſcerning their true intereſt; her ſteadineſs in purſuing it; her wiſdom in the choice of her Miniſters; the glory ſhe acquired by arms; the tranquillity ſhe ſecured to her ſubjects; and the increaſe of fame, of riches, and of commerce, which were the fruits of all theſe; juſtly rank her among the moſt illuſtrious Princes. Even the defects in her character, they

have given of Elizabeth's attachment to Eſſex, ariſes from her great age. At the age of ſixty-eight, the amorous paſſions are commonly abundantly cool, and the violence of all the paſſions, except one, is much abated. But the force of this objection is entirely removed by an author who has illuſtrated many paſſages in the Engliſh Hiſtory, and adorned more. Catalogue of Roy. and Nob. Authors. Article Eſſex.

* Camd. Birch, Mem. 2. 506. Birch, Negoc. 206. Strype, 4. 373.

they obſerve, were not of a kind pernicious to her people. Her exceſſive frugality was not accompanied with the love of hoarding; and though it prevented ſome great undertakings, and rendered the ſucceſs of others incomplete, it introduced œconomy into her adminiſtration, and exempted the nation from many burdens, which a Monarch, more profuſe, or more enterpriſing, muſt have impoſed. Her ſlowneſs in rewarding her ſervants ſometimes diſcouraged uſeful merit; but it prevented the undeſerving from acquiring power and wealth, to which they had no title. Her extreme jealouſy of thoſe princes, who pretended to diſpute her right to the Crown, led her to take ſuch precautions, as tended no leſs to the public ſafety, than to her own; and to court the affections of her people, as the firmeſt ſupport of her throne. Such is the picture the Engliſh draw of this great Queen.

Whoever undertakes to write the Hiſtory of Scotland finds himſelf obliged, frequently, to view her in a very different, and in a leſs amiable light. Her authority, in that kingdom, during the greater part of her reign, was little inferior to that, which ſhe poſſeſſed in her own. But this authority, acquired at firſt by a ſervice of great importance to the nation, ſhe exerciſed in a manner extremely pernicious to its happineſs. By her induſtry in fomenting the rage of the two contending factions; by ſupplying the one with partial aid; by feeding the other with falſe hopes; by balancing their power ſo artfully, that each of them was able to diſtreſs, and neither of them to ſubdue the other; ſhe rendered Scotland long the ſeat of diſcord, confuſion, and bloodſhed: and her craft and intrigues, effecting what the valour of her anceſtors could not accompliſh, reduced that kingdom to a ſtate of dependence on England. The maxims of policy, often little conſonant to thoſe of morality, may, perhaps, juſtify this conduct. But no apology can be offered for her behaviour to Queen Mary; a ſcene of diſſimulation without neceſſity; and of ſeverity beyond example. In almoſt all her actions, Elizabeth is the object of our higheſt admiration; in this, we muſt allow that ſhe not only laid

aſide

aſide the magnanimity, which became a Queen, but the feelings, natural to a woman.

Though Elizabeth would never permit the queſtion concerning the right of ſucceſſion to the Crown to be determined in parliament; nor declare her own ſentiments concerning a point, which ſhe wiſhed to remain an impenetrable myſtery; ſhe had, however, formed no deſign of excluding the Scottiſh King from an inheritance, to which his title was undoubted. A ſhort time before her death, ſhe broke the ſilence, which ſhe had ſo long preſerved on that ſubject, and told Cecil and the Lord Admiral, "That her throne, was the throne of Kings; that ſhe would have no mean perſon to aſcend it, and that her Couſin the King of Scots ſhould be her ſucceſſor." This ſhe confirmed on her death-bed. And as ſoon as ſhe breathed her laſt, the Lords of the Privy Council proclaimed James King of England. All the intrigues carried on by foreigners, in favour of the Infanta, all the cabals formed, within the kingdom, to ſupport the titles of Lady Arabella, and the Earl of Hartford, diſappeared in a moment; and nobles, and people, forgetting their ancient hoſtilities with Scotland, and their averſion for the dominion of ſtrangers, teſtified their ſatisfaction with louder acclamations, than were uſual at the acceſſion of their native Princes. Amidſt this tumult of joy, a motion made by a few patriots, who propoſed to preſcribe ſome conditions to the ſucceſſor, and to exact from him the redreſs of ſome grievances, before they called him to the throne, was ſcarce heard; and Cecil, by ſtiffling it, added to his ſtock of merit with his new Maſter. Sir Charles Percy, brother of the Earl of Northumberland, and Thomas Sommerſet the Earl of Worceſter's ſon, were diſpatched to Scotland, with a letter to the King, ſigned by all the Peers and Privy Counſellors then in London; informing him of the Queen's death, of his acceſſion to the Throne, of their care to recognize his title, and of the univerſal applauſe, with which the public proclamation of it had been attended. They made the utmoſt haſte to deliver this welcome meſſage; but were prevented by the zeal of Sir Robert Carey, Lord Hunſdane's youngeſt

ſon, who ſetting out a few hours after Elizabeth's death, arrived at Edinburgh on Saturday night, juſt as the King had gone to bed. He was immediately admitted into the royal apartment, and kneeling by the King's bed, acquainted him with the death of Elizabeth, ſaluted him King of England, Scotland, France, and Ireland, and as a token of the truth of the intelligence which he brought, preſented him a ring, which his ſiſter Lady Scroop had taken from the Queen's finger after her death. James heard him with a decent compoſure. But as Carey was only a private meſſenger, the information he brought was not made public, and the King kept his apartment till the arrival of Percy and Sommerſet. Then his titles were ſolemnly proclaimed; and his own ſubjects expreſſed no leſs joy, than the Engliſh, at this increaſe of his dignity. As his preſence was abſolutely neceſſary in England, where the people were extremely impatient to ſee their new Sovereign, he prepared to ſet out for that kingdom, without delay. He appointed his Queen to follow him within a few weeks. He committed the government of Scotland to his Privy Council. He intruſted the care of his children to different noblemen. On the Sunday before his departure, he repaired to the Church of St Giles, and after hearing a ſermon, in which the Preacher diſplayed the greatneſs of divine goodneſs in raiſing him to the throne of ſuch a powerful Kingdom without oppoſition or bloodſhed, and exhorted him to expreſs his gratitude, by promoting to the utmoſt, the happineſs and proſperity of his ſubjects; the King roſe up, and addreſſing himſelf to the people, made many profeſſions of unalterable affection towards them; promiſed frequently to viſit Scotland; aſſured them that his Scottiſh ſubjects, notwithſtanding his abſence, ſhould feel that he was their native Prince, no leſs than when he reſided among them; and might ſtill truſt that his ears ſhould be always open to their petitions, which he would anſwer with the alacrity and love of a parent. His words were, often, interrupted by the tears of the whole audience; who, though they exulted at the King's proſperity,

prosperity, were melted into sorrow by these tender declarations*.

On the fifth of April, he began his journey, with a splendid, but not a numerous train; and next day he entered Berwick. Wherever he came, immense multitudes were assembled to welcome him; and the principal persons, in the different Counties through which he passed, displayed all their wealth and magnificence in entertainments prepared for him, at their houses. Elizabeth had reigned so long in England, that most of her subjects remembered no other court but her's; and their notions of the manners and decorum suitable to a Prince were formed upon what they had observed there. It was natural to apply this standard to the behaviour and actions of their new Monarch, and to compare him, at first sight, with the Queen, on whose throne he was to be placed. James, whose manners were extremely different from hers, suffered by the comparison. He had not that flowing affability, by which Elizabeth captivated the hearts of her people; and though easy among a few whom he loved, his indolence could not bear the fatigue of rendering himself agreeable to a mixed multitude. He was no less a stranger to that dignity, with which Elizabeth tempered her familiarity. And instead of that well-judged frugality, with which she conferred titles of honour, he bestowed them with an undistinguishing profusion, that rendered them no longer marks of distinction, or rewards of merit. But these were the reflections of the few alone; the multitude continued their acclamations; and amidst these, James entered London on the 7th of May, and took peaceable possession of the throne of England.

Thus were united two kingdoms, divided from the earliest accounts of time, but destined, by their situation, to form one great monarchy And by this junction of its whole native force, Great Britain hath risen to an eminence and authority in Europe which England and Scotland never could have attained.

The Scots had so long considered their Monarchs as next heirs to the English throne, that they had full

* Spott. 476.

leisure to reflect on all the consequences of their being advanced to that dignity. But dazzled with the glory of giving a Sovereign to their powerful enemy, relying on the partiality of their native Prince, and in full expectation of sharing liberally in the wealth and honours he would now be able to bestow, they attended little to the most obvious consequences of that great event, and rejoiced at his accession to the throne of England, as if it had been no less beneficial to the kingdom, than honourable to the King. They soon had reason, however, to adopt very different sentiments; and from that period, we may date a total alteration in the political constitution of Scotland.

The feudal Aristocracy, which had been subverted in most nations of Europe by the policy of their Princes, or had been undermined by the progress of commerce, still subsisted with full force in Scotland. Many causes had contributed gradually to augment the power of the Scottish nobles; and even the Reformation, which in every other country where it prevailed, added to the authority of the Monarch, had increased their wealth and influence. A King, possessed of a small revenue, with a prerogative extremely limited, and unsupported by a standing army, could not exercise much authority over such potent subjects. He was obliged to govern by expedients; and the laws derived their force not from his power to execute them, but from the voluntary submission of the nobles. But though this produced a species of government feeble and irregular beyond example; though Scotland, under the name, and with all the outward ensigns of a Monarchy, was really subject to an Aristocracy, the people were not altogether unhappy; and even in this wild form of a constitution, there were principles, which tended to their security and advantage. The King, checked and overawed by the nobles, durst venture upon no act of arbitrary power. The nobles, jealous of their King, whose claims and pretensions were many, though his power was small, were afraid of irritating their dependents by unreasonable exactions and tempered the rigour of aristocratical tyranny, with a mildness and equality

to

to which it is naturally a ſtranger. And while the military genius of the feudal government, remained in vigour, the vaſſals both of the Crown and of the Barons were not only free from oppreſſion, but courted by their ſuperiors, whoſe power and importance were founded on their attachment and love.

But, by his acceſſion to the throne of England, James acquired ſuch an immenſe acceſſion of wealth, of power, and of ſplendor, that the nobles, aſtoniſhed and intimidated, thought it vain to ſtruggle for priviſeges which they were now unable to defend. Nor was it from fear alone that they ſubmitted to the yoke; James, partial to his countrymen, and willing that they ſhould partake in his good fortune, loaded them with riches and honours; and the hope of his favour concurred with the dread of his power in taming their fierce and independent ſpirits. The will of the Prince became the ſupreme law in Scotland, and the nobles ſtrove, with emulation, who ſhould moſt implicitly obey commands, which they had formerly been accuſtomed to contemn. Satisfied with having ſubjected the nobles to the Crown, the King left them in full poſſeſſion of their ancient juriſdiction over their own vaſſals. The extenſive rights, veſted in a feudal Chief, became in their hands dreadful inſtruments of oppreſſion, and the military ideas on which theſe rights were founded being gradually loſt or diſregarded, nothing remained to correct or to mitigate the rigour with which they were exerciſed. The nobles, exhauſting their fortunes by the expence of frequent attendance upon the Engliſh court, and by attempts to imitate the manners and luxury of their more wealthy neighbours, multiplied exactions upon the people who durſt ſcarce utter complaints which they knew would never reach the ear of their Sovereign, nor move him to grant them any redreſs. And from the union of the Crowns, to the revolution in 1688, Scotland was placed in a political ſituation of all others the moſt ſingular and the moſt unhappy; ſubjected at once to the abſolute will of a Monarch, and to the oppreſſive juriſdiction of an Ariſtocracy, it ſuffered all the miſeries peculiar to both theſe forms

of government. Its Kings were despotic; its nobles were slaves and tyrants; and the people groaned under the rigorous domination of both.

During this period, the nobles, it is true, made one effort to shake off the yoke, and to regain their ancient independency. After the death of James, the Scottish nation was no longer viewed by our Monarchs with any partial affection. Charles I. educated among the English discovered no peculiar attachment to the kingdom of which he was a native. And the nobles, perceiving the sceptre to be now in hands less friendly and swayed by a Prince with whom they had little connection, and over whose councils they had little influence, no longer submitted with the same implicit obedience. Provoked by some encroachments of the King on their order, and apprehensive of others, the remains of their ancient spirit began to appear. They complained and remonstrated. And the people being, at the same time, violently disgusted; at the innovations in Religion, the nobles secretly heightened this disgust; and their artifices, together with the ill conduct of the court, raised such a spirit, that the whole nation took arms against their Sovereign, with an union and animosity of which there had formerly been no example. Charles brought against them the forces of England, and notwithstanding their union, and the zeal of the people, the nobles must have sunk in the struggle. But, the disaffection which was growing among his English subjects, prevented the King from acting with vigour. A civil war broke out in both kingdoms. And after many battles and revolutions which are well known, the Scottish nobles, who first began the war, were involved in the same ruin with the throne. At the Restoration, Charles II. regained full possession of the royal prerogative in Scotland; and the nobles, whose estates were wasted, or their spirit broken by the calamities to which they had been exposed, were less able and less willing than ever to resist the power of the Crown. During this reign, and that of James VII. the dictates of the Monarch were received in Scotland with most abject submission. The poverty to which many of the nobles were

were reduced, rendered them meaner slaves, and more intolerable tyrants than ever. The people, always neglected, were now odious, and loaded with every injury, on account of their attachment to religious and political principles, extremely repugnant to those adopted by their Princes.

The Revolution introduced other maxims into the government of Scotland. To increase the authority of the Prince, or to secure the privileges of the nobles, had hitherto been almost the sole object of our laws. The rights of the people were scarce ever mentioned, were disregarded, or unknown. Attention began, henceforward, to be paid to the welfare of the people. By the *claim of right*, their liberties were secured. And the number of their representatives being increased, they gradually acquired new weight and consideration in Parliament. As they came to enjoy more security, and greater power, their minds began to open, and to form more extensive plans of commerce, of industry, and of police. But the aristocratical spirit, which still predominated, together with many other accidents, retarded the improvement and happiness of the nation.

Another great event completed what the Revolution had begun. The political power of the nobles, already broken by the union of the two Crowns, was almost annihilated by the union of the two kingdoms. Instead of making a part, as formerly, of the supreme assembly of the nation, instead of bearing the most considerable sway there, the Scottish nobles are admitted into the British Parliament by their representatives only, and form but an inconsiderable part of one of those bodies in which the legislative authority is vested. They themselves are excluded absolutely from the House of Commons, and even their eldest sons are not permitted to represent their countrymen in that august assembly. Nor have their feudal privileges remained, to compensate for this extinction of their political authority. As commerce advanced in its progress, and government attained nearer to perfection, these were insensibly circumscribed, and at last, by laws no less salutary to the public, than fatal

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to the nobles, they have been almoſt totally aboliſhed. As the nobles were deprived of power, the people acquired liberty. Exempted from burdens to which they were formerly ſubject, ſcreened from oppreſſion, to which they had been long expoſed, and adopted into a conſtitution, whoſe genius and laws were more liberal than their own, they have extended their commerce, refined their manners, made improvements in the elegancies of life, and cultivated the arts and ſciences.

This ſurvey of the political ſtate of Scotland, in which events and their cauſes have been mentioned rather than developed, enables us to point out three æras, from each of which we may date ſome great alteration, in one or other of the three different members of which the ſupreme legiſlative aſſembly in our conſtitution is compoſed. At the *Acceſſion*, the Kings of Scotland, once the moſt limited, became in an inſtant, the moſt abſolute Princes in Europe, and exerciſed a deſpotic authority which their Parliaments were unable to controul, or their nobles to reſiſt. At the *Union*, the feudal ariſtocracy which had ſubſiſted ſo many ages, and with power ſo exorbitant, was overturned, and the Scottiſh nobles voluntarily ſurrendered rights and pre-eminences peculiar to their order, and reduced themſelves to a condition, which is no longer the terror and envy of other ſubjects. *Since the Union*, the Commons anciently neglected by their Kings and deſpiſed by the nobles, have emerged into dignity; and being admitted to a participation of all the privileges which the Engliſh had purchaſed at the expence of ſo much blood, muſt now be eſteemed a body not leſs conſiderable in the one kingdom, than they have long been in the other.

The church felt the effects of the abſolute power which the King acquired by his acceſſion; and its revolutions, too, are worthy of notice. James, during the latter years of his adminiſtration in Scotland, revived the name and office of Biſhops. But they poſſeſſed no eccleſiaſtical juriſdiction or pre-eminence; their revenues were inconſiderable, and they were ſcarce diſtinguiſhed by any thing, but by their ſeat in Par-

Parliament, and by being the object of the clergy's jealousy, and the people's hatred. The king, delighted with the splendor and authority which the English Bishops enjoyed, and eager to affect an union in ecclesiastical policy, which he had, in vain attempted in the civil government, resolved to bring both Churches to an exact conformity with each other. Three Scotsmen were consecrated Bishops at London. From them, their brethren were commanded to receive orders. Ceremonies unknown in Scotland were imposed. And though the clergy, less obsequious than the nobles, boldly opposed these innovations, James, long practised and well skilled in the arts of managing them, obtained at length their compliance. But Charles I. a superstitious Prince, unacquainted with the genius of the Scots, imprudent and precipitant in all the measures he pursued in that kingdom, pressing too eagerly the reception of the English liturgy, and indiscreetly attempting a resumption of church lands, kindled the flames of civil war; and the people being left at liberty to indulge their own wishes, the Episcopal church was overturned, and the Presbyterian government and discipline were re-established with new vigour. Together with Monarchy, Episcopacy was restored in Scotland. A form of government, so odious to the people, required force to uphold it; and though the whole rigour of authority, and all the barbarity of persecution were employed in its support, the aversion of the nation was insurmountable, and it subsisted with difficulty. At the Revolution, the inclinations of the people were thought worthy the attention of the legislature, the Presbyterian government was again established, and being ratified by the Union, is still maintained in the kingdom.

Nor did the influence of the Accession extend to the civil and ecclesiastical constitutions alone; the genius of the nation, its taste and spirit things of a nature still more delicate, were sensibly affected by that event. When learning revived in the fifteenth and sixteenth centuries, all the modern languages were in a state equally barbarous, devoid of elegance, of vigour, and even of perspicuity. No author thought of

of writing in languages so ill adapted to express and embellish his sentiments, or of erecting a work for immortality, with such rude and perishing materials. And as the spirit, which prevailed at that time, did not owe its rise to any original effort of the human mind, but was excited by admiration of the ancients, their compositions were esteemed not only the standards of taste, and of sentiment, but of style; and even the languages in which they wrote were thought to be peculiar and almost consecrated to learning and the Muses. Not only the manner of the ancients was imitated, but their language copied; and, extravagant as the attempt may appear to write in a dead tongue, in which men were not accustomed to think, and which they could not speak, nor even pronounce, the success of it was astonishing. As they formed their style upon the purest models, as they were uninfected with those barbarisms, which the inaccuracy of familiar conversation, the affectation of courts, intercourse with strangers, and a thousand other causes introduce into living languages, many moderns have attained to a degree of elegance in their Latin compositions, which the Romans themselves scarce possessed beyond the limits of the Augustan age. While this was almost the only species of composition, and all authors, by using one common language, could be brought to a nearer comparison the Scottish writers were not inferior to those of any other nation. The happy genius of Buchannan, equally formed to excel in prose and in verse, more various, more original, and more elegant, than that of almost any other modern who writes in Latin, reflects, with regard to this particular, the greatest lustre on his country.

But the labour attending the study of a dead tongue was irksome; the unequal return for their industry which authors met with, who could be read and admired only within the narrow circle of the learned, was mortifying; and men, instead of wasting half their lives in learning the language of the Romans, began to refine and polish their own. The modern tongues were found to be susceptible of beauties and graces, which if not equal to those of the ancient ones,

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were at least more attainable. And the Italians having first set the example, Latin was no longer used in the works of taste; it was confined to books of science; and the politer nations have banished it even from these. The Scots, we may presume, would have no cause to regret this change in the public taste, and would still have been able to maintain some equality with other nations, in their pursuit of literary honour. The English and Scottish languages, derived from the same sources, were, at the end of the sixteenth century, in a state nearly similar, differing from one another somewhat in orthography, though not only the words, but the idioms were much the same. The letters of several Scottish statesmen of that age are not inferior in elegance, or in purity, to those of the English Ministers with whom they corresponded. James himself was master of a style far from contemptible; and by his example and encouragement, the Scottish language might have kept pace with the English in refinements. Scotland might have had a series of authors in its own, as well as in the Latin language, to boast of; and in the improvements in taste, in the arts, and in the sciences, which spread over the other polished nations of Europe, would not have been unknown there.

But, at the very time when other nations were beginning to drop the use of Latin in works of taste, and to make trial of the strength and compass of their own languages, Scotland ceased to be a kingdom. The transports of joy which the Accession at first occasioned, were soon over; and the Scots, being at once deprived of all the objects that refine or animate a people, of the presence of their Prince, of the concourse of nobles, of the splendor and elegance of a court, an universal dejection of spirit seems to have seized the nation. The Court being withdrawn, no domestic standard of propriety and correctness of speech remained; the few compositions that Scotland produced were tried by the English standard, and every word or phrase that varied in the least from that, was condemned as barbarous; whereas if the two nations had continued distinct, each might have retained

retained idioms and forms of ſpeech peculiar to itſelf; and theſe, rendered faſhionable by the example of a court, and ſupported by the authority of writers of reputation, would have been conſidered in the ſame light with the varieties occaſioned by the different dialects in the Greek tongue, would have been marked as beauties, and, in many caſes, uſed promiſcuouſly by the authors of both nations. But by the Acceſſion, the Engliſh naturally became the ſole judges and lawgivers in language, and rejected as ſolecifms, every form of ſpeech to which their ear was not accuſtomed. Nor did the Scots, while the intercourſe between the two nations was inconſiderable *, and ancient prejudices were ſtill ſo violent as to prevent imitation, poſſeſs the means of refining their own tongue according to the purity of the Engliſh ſtandard. On the contrary, new corruptions flowed into it from every different ſource. The Clergy of Scotland, in that age, were more eminent for piety than for learning; and though there did not ariſe many authors among them, yet being in poſſeſſion of the privilege of diſcourſing publicly to the people, and their ſermons being too long, and perhaps too frequent, ſuch haſty productions could not be elegant, and many ſlovenly and incorrect modes of expreſſion may be traced back to that original. The pleadings of lawyers were equally looſe and inaccurate, and that profeſſion having furniſhed more authors, and the

* A remarkable proof of the little intercourſe between the Engliſh and Scots, before the union of the Crowns, is to be found in two curious papers, one publiſhed by Haynes, the other by Strype. In the year 1567, Elizabeth commanded the Biſhop of London to take a ſurvey of all the ſtrangers within the cities of London and Weſtminiſter. By his report, which is very minute, it appears that the whole number of Scots at that time was fifty-eight. Haynes 455. A ſurvey of the ſame kind was made by Sir Thomas Row, Lord Mayor, A. D. 1568. The number of Scots had then increaſed to eighty-eight. Strype 4. Supplement No I. On the Acceſſion of James a conſiderable number of Scots, eſpecially of the higher rank, reſorted to England; but it was not till the Union that the intercourſe between the two kingdoms became great.

the matters of which they treat mingling daily in common discource and business, many of those vicious forms of speech, which are denominated *Scotticisms*, have been by them introduced into the language. Nor did either the language or public taste receive any improvement in Parliament; where a more liberal and more correct eloquence might have been expected. All business was transacted there by the Lords of Articles, and they were so servilely devoted to the court, that few debates arose, and none were conducted with the spirit and vigour natural to a popular assembly.

Thus, during the whole seventeenth century, the English were gradually refining their language, and their taste; in Scotland the former was much debased, and the latter almost entirely lost. In the begining of that period, both nations were emerging out of barbarity; but the distance between them, which was then inconsiderable, became, before the end of it, immence. Even after science had once dawned upon them, the Scots seemed to be sinking back into ignorance and obscurity; and active and intelligent as they naturally are, they continued, while other nations were eager in the pursuit of fame and knowledge, in a state of langour and stupefaction. This, however must be imputed to the unhappiness of their political situation, not to any defect of genius; for no sooner was the one removed in any degree, than the other began to display itself. The act abolishing the power of the Lords of Articles, and other salutary laws passed at the Revolution, having introduced freedom of debate into the Scottish Parliament, eloquence, with all the arts that accompany or perfect it, became immediate objects of attention; and the example of Fletcher of Salton alone is sufficient to shew that the Scots were still capable of generous sentiments and, notwithstanding some peculiar idioms, were able to express themselves with energy, and with elegance

At length the Union having incorporated the two nations, and rendered them one people, the distinctions which had subsisted for many ages gradually

wear away; pecularities disappear; the same manners prevail in both parts of the island; the same authors are read and admired; the same entertainments are frequented by the elegant and polite; and the same standard of taste, and of purity in language, is established. And the Scots, after being placed, during a whole century, in a situation no less fatal to the liberty than to the taste and genius of the nation, were at once put in possession of privileges more valuable than those which their ancestors had formerly enjoyed, and every obstruction that had retarded their pursuit or prevented their acquisition of literary fame, was totally removed.

APPENDIX.

No. I. (Vol. I. p. 125.

A MEMORIAL of certain points meet for the restoring the Realm of SCOTLAND *to the ancient weale.*

IMPRIMIS, it is to be noted, that the best wordly felicity that Scotland can have, is either to continue in a perpetual peace with the kingdom of England, or to be made one monarchy with England, as they both make but one island, divided from the rest of the world.

If the first is sought, that is to be in perpetual peace with England. then must it necessarily be provided, that Scotland be not so subject to the appointments of France, as is presently, which, being an ancient enemy to England, seeketh always to make Scotland an instrument, to exercise, thereby, their malice upon England, and to make a foot-stool thereof to look over England as they may.

Therefore, when Scotland shall come into the hands of a mere Scottish man in blood, then may there be hope of such accord, but as long as it is at the commandment of the French, there is no hope to have accord long betwixt these two realms.

Therefore, seeing it is at the French king's commandment by reason of his wife, it is to be considered for the weale of Scotland, that until she have children, and during her absence out of the realm, the next heirs to the crown, being the house of the Hamiltons, should have regard hereto, and to see that neither the crown be imposed nor wasted; and on the other side, the nobility and commonalty ought to force that the laws and the old customs of the realm be not altered, neither that the country be not impoverished by taxes, empreſt, or new imposts, after the manner of France; for provision wherein, both by the law of God and man, the French king and his wife may be moved to reform their misgovernance of the land.

And for this purpose, it were good that the nobility and commons joined with the next heir of the crown, to seek due reformation of such great abuses as tend to the ruin of their country, which must be done before the French grow too strong and insolent.

First, That it may be provided, by consent of the three estates of the land, that the land may be free from all idolatry like as England is, for justification whereof, if any free general council may be had where the Pope of Rome have not the seat of judgment, they may offer to shew their cause to be most agreeable to Christ's religion.

Next, To provide that Scotland might be governed in all rules and offices, by the ancient blood of the realm, without either captains, lieutenants, or soldiers, as all other princes govern their countries, and especially that the forts might be in the hands of mere Scottish men.

Thirdly, That they might never be occasion to enter into wars against England, except England should give the first cause to Scotland.

Fourthly, That no nobleman of Scotland should receive pension of France, except it were whilst he did serve in France, for otherwise thereby the French would shortly corrupt many, and betray their own country.

Fifthly, That no office, abbey, living, or commodity, be given to any but mere Scottish men, by the assent of the three estates of the realm.

Sixth, That there be a council in Scotland appointed in the queen's absence to govern the whole realm, and in those cases not to be directed by the French.

Seventhly. That it be by the said three estates appointed how the queen's revenue of the realm shall be expended, how much the queen shall have for her portion and estate during her absence, how much shall be limited to the governance and defence of the realm, how much yearly appointed to be kept in treasure.

In these and such like points, if the French king and the queen be found unwilling, and will withstand these provisions from the weale of the land, then hath the three estates of the realm authority, forthwith, to intimate

intimate to the ſaid king and queen their humble requeſts; and if the ſame be not effectually granted, then humbly they may commit the governance thereof to the next heir of the crown, binding the ſame alſo to obſerve the laws and ancient rights of the realm.

Finally. If the queen ſhall be unwilling to this, as it is likely ſhe will, in reſpect of the greedy and tyrannous affection of France then it is apparent that Almighty God is pleaſed to transfer from her the rule of the kingdom for the weale of it, and this time muſt be uſed with great circumſpection, to avoid the deceipts and tromperies of the French.

And then may the realm of Scotland conſider, being once made free, what may be deviſed, by God's goodneſs, to accord the true realms, to endure from time to come at the pleaſure of Almighty God, in whoſe hands the hearts of all princes be.

No. II. (Vol. I. p. 170.

A Letter of Maitland of Lethington's, thus directed,

To my loving friend James. Be this delivered at London.

I UNDERSTAND by the laſt letter I received from yow, that diſcourſing with zour countrymen upon the mater of Scotland, and comoditeys may enſew to that realm, hereafter giff ze preſently aſſiſt us with zour forces, ze find a nombre of the contrary adviſe, douting that we ſall not at length be found truſty frends, nor mean to contynew in conſtant ametye, albeit we promiſe, but only for avoyding the preſent danger make zow to ſerve our turne, and after being delivered, becum enemies as of before. For proſe quhareof, they allege things have paſt betwixt us heretofore, and a few preſumptiones tending to the ſam end, all grounded upon miſtruſt; quhilks, at the firſt ſicht, have ſome ſhewe of apparence, gif men wey not the circumſtances of the mater; but gif they will confer the tyme paſt with the preſent, conſider the nature of this caus, and eſtate of our countrey I doubt not but judgement ſal be able to banyſh miſtruſt. And firſt, I wad wiſh ze ſhould examyne the cauſes off the old inmitye betwixt the realms of England and Scotland,

land, and quhat moved our anceſtours to enter into ligue with the Frenche; quhilks by our ſtoreys and regiſtres off antiquiteys appear to be theſe. The princes of England, ſome tyme, alledging a certaine kynde off ſoveraintye over this realm; ſome tyme upon hye courage, or incited by incurſions off our bordourares, and ſemblable occaſions, mony tymes enterpriſed the conqueſt of ws, and ſa far furth preiſt it by force off arms, that we wer dryven to great extramiteys, by loſs of our princes, our noblemen, and a good part of our countrey, ſa that experience taught ws that our owne ſtrength was ſcarſe ſufficient to withſtand the force of England. The French zour auncient enemyes, conſidering well how nature had ſa placed ws in a iſland with zow that na nation was able ſa to annoye England as we being eneymes, ſoucht to joine ws to theym in ligue, tending by that meane to detourne zour armyes from the invaſion off France, and occupy zow in the defence off zour country at hame, offering for that effect to beſtowe ſome charges upon ws, and for compaſſing off theyr purpos, choyſed a tyme to propone the mater, quhen the freſche memory off injuris lately receaved at zour hands, was ſa depely prented on our hartes, that all our myndes were occupyed how to be revenged, and arme ourſelves with the powar off a forayne prince againſt zour enterpriſes thereafter.

This wes the beginning off our confederacy with France. At quhilk tyme, our cronicles maks mention, that ſome of the wyſeſt forſaw the perrill, and ſmall frute ſhould redound to ws thereof at length: zit had affection ſa blinded jugement, that the adviſe of the maiſt part owercame the beſt The maiſt part of all querells betwixt ws ſince that tyme, at leaſt quhen the provocation came on our ſyde, hes ever fallen out by theyr procuremant rather than any one caus off our ſelfes: and quhenſoever we brack the peace, it come partly by theyr intyſements partly to eſchew the conqueſt intended by that realm But now hes God's providence ſa altered the caſe, zea changed it to the plat contrary, that now hes the Frenſche taken zour place, and we, off very jugement,

ment, becum disyrous to have zow in theyr rowme. Our eyes are opened, we espy how uncareful they have been of our weile at all tymes, how they made ws ever to serve theyr turne, drew us in maist dangerous weys for theyr commodite, and nevertheless wad not styck oft times against the natour of the ligue, to contrak peace leaving ws in weyr. We see that their support, off late zereys, wes not grantit for any affection they bare to ws, for pytie they had off our estate, for recompense off the lyke friendship schawin to theym in tyme off theyr afflictions, but for ambition, and insaciable cupidite to reygne, and to mak Scotland ane accessory to the crown of France. This was na friendly office, but mercenary, craving hyre farre exceeding the proportion of theyr deserving; a hale realm for the defence of a part. We see theym manifestly attempt the thing we suspected off zow; we feared ze ment the conquest off Scotland, and they are planely fallen to that work; we hated zow for doubt we had ze ment evill towards ws, and sall we love theym, quhilks bearing the name off frends, go about to bring ws in maist vile servitude? Gif by zour frendly support at this tyme, ze sall declare that not only sute ze not the ruyne off our country, but will preserve the libertie thereof from conquest by strangears, sall not the occasion of all inimity with zow, and ligue with theym, be taken away? The causes being removed, how sall the effectes remane? The fear of conquest, made ws to hate zow and love theym, the cais changed, when we see theym planely attempt conquest, and zow schaw ws frendship, sall we not hate theym, and favour zow? Gif we have schawne sa great constance, continuing sa mony zears amity with theym, off quhome we had sa small commoditie, quhat sall move us to breake with zow, that off all nationes my do ws greatest plesour?

But ze will say, this mater may be reconcyled, and then frends as off before. I think weill peace is the end of all weyr, but off this ze may be assured, we will never sa far trust that reconciliation, that we will be content to forgo the ametye of England, nor do

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any thing may bring ws in suspicion with zow. Giff we wold, at any tyme to please theym, break with zow, should we not besydes the losse off estimation and discrediting of ourselfes, perpetually expone our common weill to a maist manifest danger, and becum a pray to theyr tyranny? Quhais aid could we implore, being destitute of zour friendship, gif they off new wald attempt theyr formar enterprise? Quhat nation myght help ws giff they wald, or wald giff they myght? and it is like eneuch, they will not stick hereafter to tak theyr tyme off ws, quhen displesour and grudge hes taken depe rute on baith sydes, seing ambition has sa impyrit ower their reason, that before we had ever done any thing myght offend theym, but by the contrary pleased theym by right and wrang, they did not stick to attempte the subversion of our hale state. I wald ze should not esteme ws sa barayne of jugement that we cannot forese our awne perril; or sa foolische, that we will not study by all gode means to entertayne that thing may be our safetye; quhilk consistes all in the relaying of zour frendships. I pray zow consider in lyke case, when, in the days of zour princes off maist noble memory king Henry the VIII. and king Edward the VI. meanes were opened off amitye betwixt baith realms; was not at all tymes the difference of religion the onely stay they wer not embraced? Did not the craft of our clergy and power of theyr adherents subvert the devises of the better sort? But now has God off his mercy removed that block furth of the way: now is not theyr practise lyke to tak place any mare, when we ar comme to a conformity off doctrine, and profes the same religion with zow quhilk I take to be the strayest knot off amitye can be devised. Giff it may be alleged, that some off our countrymen, at ony tyme, violated theyr promis; giff ze liff to way the circumstances, ze sall fynd the promis is rather brought on by necessite, after a great overthraw off our men, then comme off fre will, and tending ever to our great incommodite and decay off our hail state at leist sa taken. But in this case, sall the preservation off our libertie be inseperably joined with the keping off

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promesse, and the violation off our fayth cast ws in maist miserable servitude. Sa that giff neyther the feare of God, reverence of man, religion othe, promise, nor wardly honestye wes sufficient to bynd ws, yet sall the zeals off our native countrey, the maintenance off our owne state, the safety of our wyffes and children from slavery, compell ws to kepe promisse. I am assured, it is trewly and sincerely ment on our part to continew in perpetual ametye with zow; it sall be uttered by our proceedings. Giff ze be as defyrous of it as we ar, assurances may be devysed, quharby all partyes will be out of doubte. There be gode means to do it fit instruments for the purpos, tyme serves weill, the inhabitants off baith realmes wish it, God hes wrought in the people's hartes on bayth parties a certaine still agreement upon it, never did, at any tyme, so money things concure at ones to knyt it up, the disposition of a few, quhais harts are in Godis hands, may mak up the hale. I hope he quha hes begun this work, and maintained it quhile now, by the expectation of man, sale perfyte it.

I pray zow, let not zour men dryve tyme in consulation, quhether ze sall support ws or no Seying the mater speaketh for itself, that ze mon take upon zow the defence off our caus, giff ze have any respect for zowr awne weill. Their preparatives in France, and levying of men in Germany, (quheyroff I am lately advertised) ar not altogydder ordeyned for us, ze ar the mark they shote at; they seke our realme, but for ane entrey to zours. Giff they should directly schaw hostilite to zow, they knaw zow wald make redy for theyme; therefor they do, by indirect meanes, to blind zow, the thing, they dare not as zet planely attempte. They seem to invade us to th' end, that having assembled theyr hale forces sa nere zour bordours, they may unlok it to attack zow: It is ane off theyr ald fetches, making a schew to one place, to lyght on ane other. Remember how covertly zour places about Boulougne were assaizeit and carryed away, ze being in peace as now. How the enterprise of Calais was feynely dissembled, I think ze have not

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ſa ſone forgotten. Beware of the third, prevent theyr policy by prudence. Giff ze ſe not the lyke diſpoſition preſently in theym, ze ſe nathing. It is a groſſe ignorance to miſknaw, what all nations planely ſpek off. Take hede ze ſay not hereafter. "Had I wiſt;" ane uncomely ſentence to procede off a wyſe man's mouth. That is onwares chanced on to zow, quhilk zow commonly wiſſed, that this countrey myght be divorſed from the Frenſche, and is ſa comme to paſs as was maiſt expedient for zow. For giff by your intyſement we had taken the mater in hand, ze myght have ſuſpected we would have been ontruſty frends, and na langer continued ſtedfaſte, than perril had appeared. But now, quhen off our felf, we have conceyved the hatred, provoked by private injuries, and that theyr evil dealing with ws hes deſerved our inimitye, let no man doubte but they ſall fynd ws ennemyes in erneſt, that ſa ungently hes demeyned our countrey, and at quhais hands we can look for nathing but all extremitye, giff ever they may get the upper hand. Let not this occaſion, ſa happely offered, eſcape zow? giff ze do, neglecting the preſent opportunite, and hoping to have ever gode luk comme ſleaping upon zow, it is to be feared zour enemye waxe to great, and ſa ſtrang, that afterwards quhen ze wald, ze ſall not be able to put him down; and then, to zour ſmart, after the tyme, ze will ackdowledge zour error. Ze have felt, by experience, quhath arme cometh off overſight, and truſting to zour enemyes promeſſe. We offer zow the occaſion, quheyrby zour former loſſes may be repayred. Quhilk gif ze let over ſlyde, ſuffering ws to be overrun, quha then, I pray zow, ſall ſtay the Frenſche, that they ſall not invade zow in zour own boundes, ſick is their luſt to reygne, that they can neyther be content with theyr fortune preſent, nor reſt and be ſatisfied when they have gode luck, but will ſtill follow on, having in theyr awne brayne conceaved the image of ſa great a conqueſt, quhat think ye ſal be the end? Is ther any of ſa ſmall jugement, that he doth not foreſee already, that theyr hail force ſall then be bent againſt zow?

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It ſal not be amis to conſider in quhat caſe the Frenſche be preſently. Theyr eſtate is not always ſa calme at hame, as every man thinketh. And trewly it wes not theyr great redines for weyr made theym to tak this mater on hand, at this tyme, but rather a vayne truſt in their awne policy, thinking to haif found na reſiſtance, theyr opinion has deceaved theym, andt hat makes them now amaſed. The eſtates off the empire (as I heare) has ſuted reſtitution off th' Imperial towns, Metz, Toull, and Verdun, quhilk may grow to ſome beſynes; and all thing is not a calme within theyr awne countrey, the leſs fit they be preſently for weyr, the mare oportune eſteme ye the tyme for zow. Giff the like occaſion wer offered to the Frenſche againſt zow, wey, how gladly would they embrace it. Are ze not eſchamed of zour ſleuth, to ſpare theym that hes already compaſſed your deſtruction, giff they wer able? Conſider with your ſelf quhilk is to be choyſed? To weyr againſt theym out with zour realme or within? Giff quhill ze ſleape, we ſal be overthrown, then ſall they not fayle to ſute zow in zour awne country, and uſe ws as a fote ſtool to overlooke zow. But ſome will ſay, perhaps, they meane it not It is foly to think they wald not giff they war able, quhen before hand they ſtick not to giff zour armes, and uſurpe the ſtyle of zour crown. Then quhat difference there is to camp within zowr awne bounds or without, it is manifeſt. Giff twa armyes ſhould camp in your country, but a moneith; albiet ye receaved na other hame, zit ſhould zowr loſſe be greater, nor all the charge ze will nede to beſtow on your ſupport will draw to beſydes the diſhonour.

Let not men that eyther lack gode adviſe, or ar not for perticular reſpects weill affected to the caus, move zow to ſubtract zour helping hand, by alleging things not apparent, for that they be poſſible It is not, I grant, unpoſſible that we may receave conditiones of peace; but I ſee lyttle likelyhode that our ennemyes will offer w ſik as will remove all miſtruſt, and giff we wald have accepted others, the matter had bene lang or now compounded. Let zow not be moved for that they terme ws rebelles, and diffames

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our just quarrell with the name of conspiracy against our soverayne. It is hir hyenes ryght we maintayne. It is the liberty off hir realme we study to preserve, with the hazard off our lyves. We are not (God knaweth) comme to this poynt for wantones as men impacient of rewll, or willing to schake off the zoke of government, but ar drawn to it by necessite, to avoyde the tyranny of strangeares seaking to defraude ws off lawfal government. Giff we should suffer strangeares to plant themselffes peaceably in all the strenthes of our realme, fortify the Sey portes, and maist important places, as aneentre to a plain conquest, now in the minorite of our soverane, beyng furth of the realme, should we not be thought oncareful off the common weill, betrayares of our native countrey, and evill subjects to hir majeste? Quhat other opinion could sche have off ws? Might she not justly hereafter call us to accompt, as negligent ministeres? Giff Strangeares should be thus suffered to broke the chefe offices, beare the hail rewll, alter and pervert our lawes and liberty at theyr plesour; myght not the people esteem our noblemen unworthy the place of counsalours! We mean na wyte to subtrak our obedience from our soverane to defraud hir hyenes off hir dew reverence, rents and revenues off hir crown. We seke nathing but that Scotland may remaine, as of before, a fre realme, rewlit by hir hyenes and hir ministeres borne men of the sam; and that the succession of the crown may remaine with the lawful blode.

I wald not ze sould not sa lyttil esteme the frendship of Scotland, that ze juged it not worthy to be embraced. It sall be na small commodite for zow to be delivered off the anoyance of so ner a nyghtbour, quhais inmityc may more trouble zow, nen off ony other nation albeit twyis as puissant, nor lyeng dry marche with zow. Besydes that ze tall not nede to feare the invasion off any prince lackyng the commodite to invade zow by land, on our hand. Consider quhat superfluous charges ze beste we on the fortification and keping of Barwick; quhilk ze may reduce to a mean sowme, having wa to frenges. The realme

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of Ireland being of natour a gode and fertill countrey, by reason off the continewalld unquietnes and lak of policy, ze knaw to be rather a burthen unto zow then great advantage; and giff it were peaceable may be very commodious. For pacification quhayroff, it is not onknowne to zow quhat service we ar abill to do. Refuse not theyr commoditeys, besides mony ma quhen they ar offred. Quhilks albeit I study not to amplify and dilate, yet is na other countrey able to offer zow the lyke, and are the rather to be embraced, for that zour aunceftors, by all meanes, maist ernestly suted our amity, and yet it was not theyr hap to come by it. The mater hes almaist caryed me beyond the boundes off a lettre, quharfor I will leave to trouble zow, after I have given you this note. I wald wiss that ze, and they that ar learned, fould rede the twa former orations of Demosthenes, called Olynthyacæ, and considre quhat counsall that wyse Oratour gave to the Athenians his countrymen, in a lyke case; quhilk hes so great affinite with this cause of ours, that every word thereoff myght be applyed to our purpos. There may ze learne off him quhat advise is to be followed, when zour nyghtbours hous is on fyre: Thus I bid zow hartely fareweill. From Sant Andrews, the 2 th of January, 1559.

No III. (Vol. I. p. 176)

Part of a Letter from Tho. Randolph to Sir William Cecil, from the camp before Leith, 29th of April, 1560.

I WILL only for this time, discharge myself of my promise to the earl of Huntly, who so desireth to be recommended to you, as one, who with all his heart favoureth this cause, to the uttermost of his power. Half the words that come out of his mouth were able to persuade an unexperienced man to speak farther in his behalf, than I dare be bold to write. I leave it to your honour to judge of him, as of a man not unknown to you, and will myself always measure my thoughts, as he shall deserve to be spoken of. With much difficulty, and great persuasion, he hath subscribed with the rest of the lords to join with them in

this action; whatsomever he can invent to the furtherance of this cause, he hath promised to do, with solemn protestation, and many words; he trusteth to adjoin many to this cause; and saith surely that no man shall lie where he taketh part. He hath this day subscribed a bond between England and this nation; he saith, that there was never thing that liked him better.

No. IV. (Vol. I. p. 196.)

Randolph to Cecil, 10th August 1560. From Edinburgh.

SINCE the 29th of July, at what time I wrote last to your honour, I have heard of nothing worth the reporting. At this present it may please you to know, that the most part of the nobles are here arrived, as your honour shall receive their names in writing. The earl of Huntly excuseth himself by an infirmity in his leg. His lieutenant for this time is the lord of Lidington, chosen speaker of the parliament, or harangue-maker as these men term it. The first day of their sitting in parliament will be on Thursday next. Hitherto, as many as have been present of the lords have communed and devised of certain heads then to be propounded, as, who shall be sent into France, who into England. It is much easier to find them than the other. It seemeth almost to be resolved upon, that for England the Master of Maxwell, and laird of Lidington. For France, Pitarow and the Justice Clerk. Also they have consulted whom they think meeteft to name for the XXIV. of the which the XII. counsellors must be chosen. They intend, very shortly, to send away Dingwall the herald into France, with the names of those they shall chuse; and also to require the king and queen's consent unto this parliament They have devised how to have the contract with England confirmed by the authority of parliament; how also to have the articles of the agreement between them and their king and queen ratified. These things yet have only been had in communication. For the confirmation of the contract with England I have no doubt; for that I hear many men very well like the same, as the earl of Athol, the earl of Sutherland,

Sutherland, the L. Glamis, who dined yesterday with the lord James. The L. James requested me this present day to bring the contract unto him. I intend also, this day, to speak unto the L. Gray, in our L. Gray's name, for that he promised in my hearing to subscribe, and then presently would have done it, if the contract could have been had. For the more assurance against all inconvenients, I would, besides that, that I trust it shall be ratify'd in parliament, that every nobleman in Scotland had put his hand and set his seal, which may always remain as a notable monument, tho' the act of parliament be hereafter disanulled. If it might, therefore, stand with your advice, that the lords might be written unto, now that they are here present to that effect, or that I might receive from your Hon^r. some earnest charge to travel herein, I doubt not but it would serve to good purpose. If it might be also known with what substancial and effectious words or charge you desire to have it confirmed, I think no great difficulty would be made. The Earl Marshal has oft been moved to subscribe, he useth mo delays than men judged he would. His son told me yesterday, that he would speak with me at leisure, so did also Drumlanrick; I know not to what purpose: I have caused lord James to be the earnester with the L. Marshal, for his authority's sake, when of late it was in consultation by what means it might be wrought, that the amity between these two realms might be perpetual; and among diverse men's opinion, one said that he knew of no other, but by making them both one, and that in hope of that mo things were done, than would otherwise have ever been granted; the earl of Argyll advised him earnestly to stick unto that, that he had promised for it, that it should pass his power and all the crafty knaves of his counsel, (I am bold to use unto your H. his own words) to break so godly a purpose. This talk liked well the assisters, howsomever it pleased him to whom it was spoken unto. The barons, who in time past have been of the parliament, had yesterday a convention among themselves in the church, in very honest and quiet sort; they thought it good to require to be

restored unto their ancient liberty, to have voice in parliament. They presented that day a bill unto the lords to that effect, a copy whereof shall be sent as soon as it can be had. It was answered unto gently and taken in good part. It was referred unto the lords of the articles when they are chosen, to resolve thereupon —*Here follows a long paragraph concerning the fortifications of Dunbar, &c.*— This present morning, *viz* the 9th, I understood, that the lords intended to be at the parliament, which caused me somewhat to stay my letter, to see what I could hear or learn worth the reporting unto your Hon^r. The lords, at ten of the clock, assembled themselves at the palace, where the duke lieth; from thence they departed towards the tolbooth, as they were in dignity. Each one being set in his seat, in such order as your H. shall receive them in this scroll. The crown, the mace, and the sword, were laid in the queen's seat. Silence being commanded, the L. of Lidington began his oration. He excused his insufficiency to occupy that place. He made a brief discourse of things past and of what necessity men were forced unto for the defence of their country, what remedy and support it pleased God to send them in the time of their necessity, how much they were bound heartily to acknowledge it, and to requite it. He took away the persuasion that was in many men's minds that lay back, that misdeemed other things to be meant than was attempted. He advised all estates to lay all particulars apart, and to bend themselves wholly to the true service of God and of their country. He willed them to remember in what state it had been of long time for lack of government, and exercise of justice. In the end, he exhorted them to mutual amity and hearty friendship, and to live with one another as members all of one body.—He prayed God long to maintain this peace and amity with all princes, especially betwixt the realms of England and Scotland, in the fear of God, and so ended. The clerk of register immediately stood up, and asked them to what matter they would proceed: It was thought necessary, that the articles of the peace should be confirmed with the common consent, for that it was thought necessary

neceſſary to ſend them away with ſpeed into France, and to receive the ratification of them as ſoon as might be. The articles being read, were immediately agreed unto: A day was appointed to have certain of the nobles ſubſcribe unto them, and to put to their ſeals, to be ſent away by a herald, who ſhall alſo bring the ratification again with him. The barons, of whom I have above written, required an anſwer to their requeſt, ſomewhat was ſaid unto the contrary. The barons alledged for them cuſtom and authority. It was in the end reſolved, that there ſhould be choſen ſix to join with the lords of the articles, and that if they after good adviſement, ſhould find it right and neceſſary for the commonwealth, it ſhould be ratify'd at this parliament for a perpetual law. The lords proceeded immediately hereupon, to the chuſing of the lords of the articles. The order is, that the lords ſpiritual chuſe the temporal, and the temporal the ſpiritual, and the burgeſſes their own. There were choſen as in this other paper I have written. This being done, the lords departed and accompanied the duke, all as far as the Bow, (which is the gate going out of the high ſtreet) and many down into the palace where he lieth. The town all in armour, the trumpets ſounding, and other muſic ſuch as they have. Thus much I report unto your honour of that that I did both hear and ſee. Other ſolemnities have not been uſed ſaving in times long paſt the lords have had parliament robes, which are now with them wholly out of uſe.

The names of as many earls and lords ſpiritul and temporal as are aſſembled at this parliament.

The duke of Chatelherault.

Earls.	Lords.	Lords Spiritual.
Arran.	Erſkine.	St Andrews.
Argyll.	Ruthven.	Dunkell.
Athole.	Lindſey.	Athens.
Crawford.	Sommervill.	The biſhop of the Iſles.
Caſſils.	Cathcart.	Abbots and Priors I know not how many.
Marſhall.	Livingſton.	
Morton.	Hume.	
Glencairn.	Innermeth.	

Earls.	Lords.
Sutherland.	Boyd.
Cathness.	Ogilvy.
Rothes.	Fleming.
Monteith.	Glamis.
	Gray.
	Ochiltrie.
	Gordon.

The Lords of the Articles,

Spiritual.	Temporal.	Barons elected to be of the Articles.
Athens.	The Duke.	Maxwell.
Isles.	Argyll.	Tillibardine.
Lord James.	Marshall.	Cunninhamhead.
Arbroath.	Athole.	Lochenvar.
Newbottle.	Morton.	Pitarrow.
Lindoris.	Glencairn.	Lundy.
Cowpar.	Ruthven.	Ten Provosts of the chief towns, which also are of the Articles.
Kinross.	Erskine.	
Kilwinning.	Boyd	
	Lindsay.	

So that with the Subprior of St Andrews, the whole is 36.

It were too long for me to rehearse particularly the disposition, and chiefly the affections of these men, that are at this time chosen Lords of the Articles. May it satisfy your Hon^r. for this time, to know that, by the common opinion of men, there was not a more substancialler or more sufficient number of all sorts of men chosen in Scotland these many years, nor of whom men had greater hope of good to insue. This present morning, *viz.* the 10th, the L. of Lidington, made me privy unto your letters; he intendeth, as much as may be, to follow your advice. Some hard points there are. He himself is determined not to go into France. He alledgeth many reasons, but speaketh least of that, that moveth him most, which is the example of the last, that went on a more grateful message than he shall carry, and stood on other terms with their prince than he doth, and yet your honour knoweth what the world judgeth.

Petition

Petition of the Lesser Barons to the Parliament, held Aug. 1560.

MY lords, unto your lordships, humbly means and shows, we the barons and freeholders of this realm, your bretheren in Christ, That whereas the causes of true religion, the common well of this realm, are, in this present parliament, to be treated, ordered, and established, to the glory of God, and maintainance of the commonwealth; and we being the greatest number in portion, where the said causes concern, and has been, and yet are ready to bear the greatest part of the charges thereuntill, as well in peace, as in war, both with our bodeis, and with our goods; and seeing there is no place where we may do better service now than in general councils and parliaments, in giving our best advice, and reason, vote and counsell for the furtherance thereof, for the maintainance of virtue, and punishment of vice, as use and custom had been of old by ancient acts of parliament observed in this realm; whereby we understand that we ought to be heard to reason, and vote in all causes concerning the commonwealth, as well in counsells as in parliaments; otherwise we think that whatsomever ordinances and statutes be made concerning us and our estate, we not being required and suffered to reason and vote at the making thereof, that the same should not oblige us to stand thereto. Therefore it will please your lordships to take consideration thereof, and of the charge born, and to be born by us, since we are willing to serve truly to the common well of this realm, after our estate, that ye will, in this present parliament, and all counsells, where the common well of the realm is to be treated, take our advice, counsell and vote, so that, without the same, your lordships would suffer nothing to be passed and concluded in parliament or councils aforesaid; and that all acts of parliament made, in times past, concerning us for our place and estate, and in our favour, be at this present parliament, confirmed, approved, and ratified, and act of parliament made thereupon. And your lordships answer humbly beseeches.

Of

Of the success of this petition, the following account is given by Randolph; Lett to Cecil, 19 Aug. 1560. The matters concluded and past by common consent on Saturday last, in such solemn sort as the first day that they assembled, are these. First, that the barons, according to an old act of parliament, made in the time of James I. in the year of God 1427 shall have free voice in parliament, this act passed without any contradiction.

No. V (Vol. I. p. 203.)

A Letter of Thomas Randolph the English resident, to the right worshipful Sir William Cecil, knt. principal secretary to the queen's majesty.

I HAVE received your honour's letters of the first of this month, written at Osyes in Essex, and also a letter unto the lord James, from his kinsman St Come, out of France, in this they agree both that the queen of Scotland is nothing changed of her purpose in home coming. I assure your honour that will be a stout adventure for a sick crased woman, that may be doubted as well what may happen unto her upon the seas, as also how heartily she may be received when she cometh to land of a great number, who are utterly persuaded that she intendeth their utter ruin, come when she will; the preparance is very small whensoever that she arrive, scarsely any man can be persuaded that she hath any such thought in her head. I have shewn your honour's letter unto the lord James, lord Morton, lord Lidington, they wish as your honour doth, that she might be stayed yet for a space, and if it were not for their obedience sake, some of them care not though they never saw her face. They travel what they can to prevent the wicked devises of these mischievous purposes of her ministers, but I fear that that will always be found that filij hujus seculi, they do what they can to stand with the religion, and to maintain amity with their neighbours; they have also need to look unto themselves, for their hazard is great, and that they see there is no remedy nor safety for themselves, but

but to repose themselves upon the queen's majesty, our sovereign's favours and support. Friends abroad they have none, nor many in whom they may trust at home. There are in mind shortly to try what they may be assured at of the queen's majesty, and what they may assuredly perform of that they intend to offer for their parties. This the queen of Scotland above all other things doubteth; this she seeketh by all means to prevent; and hath caused St Come, in her name, earnestly to write to charge him that no such things be attempted before her home coming; for that it is said, that they too already arrived here out of England for the purpose, what semblant somever the noblemen do make, that they are grieved with their queen's refusal, that cometh far from their hearts. They intend to expostulate with me hereupon. I have my answer ready enough for them. If she thrust all Englishmen out of this country, I doubt not but there will be some of her own that will bare us some kindness. Of me she shall be quit, so soon as it pleaseth the queen's majesty my mistress no longer to use my service in this place. By such talk, as I have of late had, with the lord James, and lord of Lidington, I perceive that they are of mind that immediately of the next convention, I shall repair towards you with their determinations, and resolutions, in all purposes, wherein your honour's advice is ernestly required, and shortly looked for. Whatsomever I desire myself, I know my will ought to be subject unto the queen my sovereign's pleasure, but to content myself, would God I were so happy as to serve her majesty in as mean a state as ever poor gentlemen did to be quit of this place; not that I do in my heart wax weary of her majesty's service, but because my time and years require some place of more repose and quietness than I find in this country. I doubt also my insufficience when other troubles in this country arise, or ought shall be required of me to the advancement of her majesty's service, that either my will is not able to compass, or my credit sufficient to work to that effect, as perchance shall be looked for at my hands. As your honour hath been a means

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of my continuance in this room, so I trust that I shall find that continual favour at hands, that so soon as I shall stand with the queen's majesty's pleasure, I may give this place unto some far worthier than I am my self, and in the mean season, have my course directed by your good advice how I may by my contrivance do some such service, as may be agreeable to her majesty's will and pleasure.

These few words, I am bold to write unto your honour of myself. For the rest, where that is wished that the lords will stoutly continue yet for one month. I assure your honour that there is yet nothing omitted of their old and accustomed manner of doing, and seeing that they have brought that unto this point, and should now prevail, they were unworthy of their lives.

I find not that they are purposed so to leave the matter. I doubt more her money, than I do her fair words; and yet can I not conceive what great things can be wrought with forty thousand crowns, and treasure of her own here I know there is no sure or ready means to get it. The lord of Lidington leaveth nothing at this time unwritten, that he thinketh may be able to satisfy your desire, in knowledge of the present state of things here. Whatsomever cometh of that, he findeth it ever best, that she come not; but if she do come, to let her know, at the first, what she shall find, which is due obedience, and willing service, if she embrace Christ, and desire to live in peace with her neighbours. By such letters as you have last received. your honour somewhat understandeth of Mr Knox himself, and also of others, what is determined, he himself to abide the uttermost, and other never to leave him until God have taken his life, and thus together with what comfort somever it will please you to give him by your letters, that the queen's majesty doth not utterly condemn him, or at the least in that point, that he is so sore charged with by his own queen, that her majesty will not allow her doing. I doubt not but it will be a great comfort unto him, and will content many others; his daily prayer is for the maintenance of unity with England, and that God will never suffer men to be so ungrate, as by any persuasion

suasion to run headlong unto the destruction of them, that have saved their lives, and restored their country to liberty. I leave farther, at this time, to trouble your honour, desiring God to send such an amity between these two realms, that God may be glorified to them of this world.—At Edenbourgh, the 9th of August, 1561.

No. VI. (Vol. I. p. 210.)

A Letter of Queen Elizabeth to Queen Mary.

To the right excellent, right high and mighty princesse, our right dear and well beloved sister and cousin the Queen of Scotland.

RIGHT excellent, right high, and mighty princesse, our right dear and well beloved sister and cousin, we greet you well. The lord of St Cosme brought to us your letters, dated the 8th of this present at Abbeville, whereby ye signify, that although by the answer brought to you by Monsieur Doyzell ye might have had occasion to have entered into some doubt of our amity, yet after certain purposes passed betwixt you and our ambassador, you would assure us of your good meaning to live with us in amity, and for your purpose therein ye require us to give credit to the said St Cosme. We have thereunto thought good to answer as followeth. The same St Cosme hath made like declaration unto us on your part, for your excuse in not ratifying the treaty as yourself made to our ambassador, and we have briefly answered to every the same points, as he can shew you; and if he shall not so do, yet least in the meane season you might be induced to think that your reasons has satisfied us, somerally we assure you, that to our requests your answer cannot be reputed for a satisfaction. For we require no benefit of you, but that you will perform your promise whereunto you are bound by your seal and your hand, for the refusal whereof we see no reason alledged can serve. Neither covet we any thing, but that which is in your own power a queen of Scotland, that which yourself in words and speech doth confess, that which your late husband's our good brother's ambassadors and you concluded, that which your

own nobility and people were made privy unto, that which indeed made peace and quietness betwixt us, yea that, without which, no perfect amity can continue betwixt us, as if it be indifferently weighed, we doubt not but ye will perceive, allow and accomplish. Nevertheless, perceiving by the report of the bringer, that you mean furthwith upon your coming home, to follow herein the advise of your council in Scotland, we are content to suspend our conceipt of all unkindness, and do assure you that we be fully resolved upon this being performed, to unite a sure band of amity, and to live in neighbourhood with you as quietly, friendly, yea as assuredly in the knot of friendship, as we be in the knot of nature and blood. And herein we be so earnestly determined, that the world should see if the contrary should follow, (which God forbid) the very occasion to be in you and not in us; as the story witnesseth the like of the king your father, our uncle, with whom our father sought to have knitt a perpetual bond, by inviting to come in this realm to York, of which matter we know there remain with us, and we think with you, sundry witnesses of our father's earnest good meaning, and of the error wherennto divers evil councellors induced your father; or finally where it seemeth that report hath been made unto you, that we had sent our admiral to the seas with our navy to empeache your passage, both your servants do well understand how false that is, knowing for a truth that we have not any more than two or three small barks upon the seas, to apprehend certain pirates, being thereto entreated, and almost compelled, by the earnest complaint of the ambassador of our good brother the king of Spain, made of certain Scottishmen haunting our seas as pirates. under pretence of letters of marque of which matter also we earnestly require you, at your coming to your realme, to have some good consideration, and the rather for respect that ought to be betwixt your realme and the countries of us of France, of Spain, and of the house of Burgundy. And so, right excellent, right high and mighty princess, we recommend us to you with most earnest request, not to neglect these

our

our friendly and ſiſterly offers of friendſhip, which, before God, we mean and intend to accompliſh. Given under our ſignet at Henyngham the 16th of Auguſt, in the third year of our reign.

No. VII. (Vol. I. p. 234)

A Letter of Randolph to the right honourable Sir William Cecil, knight, principal ſecretary to the queen's majeſty.

Of late, until the arrival of monſieur la Croch, I had nothing worth the writing unto your honour.—Before his coming, we had ſo little to hint upon, that we did nothing but paſs our time in feaſts, banquetting, maſking, at running at the ring, and ſuch like. He brought with him ſuch a number of letters, and ſuch abundance of news, that for the ſpace of three days, we gave ourſelves to nothing elſe but to reading of writings, and hearing of tales many ſo truely reported, that they might be compared to any that ever Luciane did write de veris narrationibus. Among all his tidings, for the moſt aſſured, I ſend this unto your honour as an undoubted truth, which is that the cardinal of Lorraine, at his being with the emperor, moved a marriage between his youngeſt ſon, the duke of Auſtruche, and this queen; wherein he hath ſo far travailed, that it has already come unto this point, that if ſhe find it good, the ſaid duke will out of hand ſend hither his embaſſador, and farther proceed to the conſummation hereof, with as convenient ſpeed as may be; and to the intent her mind may be the better known, la Croch is ſent unto her with this meſſage from the cardinal, who hath promiſed unto the emperor, to have word again before the end of May; and for this cauſe la Croch is ready for his departure, and his letters writing both day and night. This queen being before advertiſed of his towardneſs, by many means, hath ſought far off, to know my lord of Murray's mind herein, but would never ſo plainly deal with him, that he could learn what her meaning is, or how ſhe is bent. She uſeth no man's council, but only this man's that laſt arrived, and aſſuredly

until the L. of Lidington's return, ſhe will do wha ſhe can to keep that ſecret, and becauſe reſolution i his abſence cannot be taken, ſhe will for this time return la Croch with requeſt, to have longer time t deviſe; and after, with the moſt ſpeed ſhe can, ſh fully purpoſeth to advertiſe him, I mean her uncl the cardinal, of her mind. Of this matter the L. o Lidington is made privy. I know not whether b ſome intelligence that he had before his departure, o ſince his arrival in France, divers letters have paſſe between her grace and him, whereof as much as i imported not greatly the knowledge of, was commu nicated to ſome, as much as was written in cypher, i kept into themſelves. Whither alſo the L. of Liding-ton hath had any conference with the Spaniſh ambaſ-ſador in England of this matter, or any like, I leave i unto your honour's good means, to get true know-ledge thereof. Gueſſes or ſurmiſes in ſo grave mat-ters, I would be loth to write for verities. This alſo your honour may take for truth, that the empero hath offered with his ſon, for this queen's dower, the county of Tyroll, which is ſaid to be worth thirty thouſand franks by year. Of this matter alſo, the Rhingrave wrote a letter unto this queen, out of France, not long ſince. This is all that preſently I can write unto your honour hereof, as I can come by farther knowledge, your honour ſhall be informed.

I have received your honour's writings by the Scot-tiſh man that laſt came into theſe parts, he brought alſo letters unto this queen from the L. of Lidington, their date was old, and contained only the news of France. I perceive, divers ways, that Newhaven is ſorre cloſed, but I am not ſo ignorant of their nature, but that I know they will ſay as much as they dare do, I will not ſay as the proverb doth, 'canis timidus fortius latrat.' From hence I do aſſure them, what means ſomever they make, or how pitiful ſomever there mone be, they are like to receive but ſmall com-fort, for all their long allie. We ſtand daily in doubt what friendſhip we ſhall need ourſelf, except we put better order unto our miſruled papiſts, than yet we do,

do, or know how to bring to pafs, that we may be void of their comber.

To morrow, the 15th of this inftant, the queen departeth of this town, towards Edenbourgh. If my hap be good, you fhall thoroughly hear fome merry tidings of the Bp. of St Andrews; upon Wednefday next he fhall be arreigned, and five other priefts, for their maffing at Eafter laft. Thus moft humbly I take my leave; at St Andrews the 15th of May, 1563.

No. VIII. (Vol. I. p. 241.)

Letter of Randolph to the right honourable Sir William Cecil, knight, principal fecretary to the queen's majefty.

MAY it pleafe your honour, the 7th of this inftant, Rowlet, this queen's fecretary, arrived here; he reporteth very honeftly of his good ufage, he brought with him many letters unto the queen that came out of France, full of lamentation and forrow. She received from the queen mother two letters, the one contained only the rehearfal of her griefs, the other fignify the ftate of France as then it was, in what fort things were accorded, and what farther was intended for the appeafing of the difcords there, not miftrufting but that if reafon could not be had at the queen of England's hands, but that the realm of France fhould find her ready and willing to fupport and defend the right thereof, as by friendfhip and old alliance between the two realms fhe is bound.

How well thefe words do agree with her doings, your honour can well confider, and by her writings in this fort unto this queen, (which I affure your honour is true) you may affuredly know, that nothing fhall be left undone of her part, that may move debate or controverfie between this queen and our fovereign.

It was much mufed at by the queen herfelf, how this new kindnefs came about, that at this time fhe received two long letters written all with her own hand, faying, all the time fince her return fhe never received half fo many lines, as were in one of the letters, which I can myfelf teftify by the queen's own

ſaying, and other good aſſurances, where hitherto I have not been deceived. I can alſo farther aſſure your honour, that this queen hath ſayd that ſhe knoweth now, that the friendſhip of the queen's majeſty my ſovereign may ſtand her more in ſtead, than that of her good mother in France, and as ſhe is deſirous of them both, ſo will ſhe not loſe the one for the other. I may alſo farther aſſure your honour, that whatſoever the occaſion is, this queen hath ſome what in her heart that will burſt out in time, which will manifeſt that ſome unkindneſs hath paſſed between them, that will not be eaſy forgotten. In talk ſometimes with myſelf, ſhe ſaith that the queen mother might have uſed the matter otherwiſe than ſhe hath done, and doth much doubt what ſhall be the ſucceſs of her great deſire to govern alone, in all things to have her will. Seeing then that preſently they ſtand in ſuch terms one with the other, I tho't it better to confirm her in that mind, (this queen I mean) than to ſpeak any word that might cauſe her to conceive better of the other. And yet I am aſſured ſhe ſhall receive as friendly letters, and as many good words from this queen, as the other did write unto her. Whether the queen mother will ſpeak any thing unto the L. of Lydington of that purpoſe, ſhe did write unto this queen of, I know not, but if ſhe do, I think it hard if your honour can get no favour thereof, at his return, or perchance by ſome means here. It may, perchance be written only by that queen, to try what anſwer this queen will give, or underſtand what mind ſhe beareth unto the queen's majeſty our ſovereign. The queen knoweth now that the earl Bothwell is ſent for to London. She cauſed a gentleman of hers to enquire the cauſe; I anſwered, that I knew none other, but that his takers were in controverſy who took him, and that it ſhould be judged there. I know that ſhe thinketh much that he is not ſent into Scotland. It is yet greatly doubted that if he were here, he would be reſerved for an evil inſtrument. If the lord of Lidington have not been plain with your honour herein, he is in the wrong to thoſe who are his friends here, but moſt of

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all to himself. There comes a vulture in this realm, if ever that man come again into credit.

No. IX. (Vol. I. p. 247)

The Oration made by William Maitland of Lethington, younger secretary for the time, in the parliament holden by our sovereign the king's mother, queen of this realm for the time, the time of the restitution of Umquhile Matthew Earl of Lennox.

My lords and others here convened. Albeit, be that it has pleased her majesty most graciously to utter unto you, by her own mouth, ye may have sufficiently conceived the cause of this your present assembly; yet having her majesty's commandment to supply my Lord Chancellor's place, being presently as ye see deceased, I am willed to express the same somewhat more at large.

Notour it is, how, in her Highness's minority, a process of forefaultour was decreed against my Lord of Lennox, for certain offences alledged committed by him, specified in the dome and censement of Parliament given thereupon; by reason whereof he has this long time been exiled, and absent forth of his native country, how grievous the same has been unto him, it has well appeared by divers his suites, sundry ways brought unto her Majesty's knowledge, not only containing most humble and due submission, but always bearing witness of his good devotion to her Majesty his natural princess, and earnest affection he had to her Highness most humble service, if it should please her Majesty of her clemency to make him able to enjoy the benefit of a subject; many respects might have moved her Highness favourably to incline to his request, as the antiency of his house, and the surname he bears, the honour he has to appertain to her majesty by affinity, by reason of my Lady Margaret her highness's aunt, and divers other his good considerations, as also the effectuous request of her good sister the Queen's Majesty of England, whose earnest commendation was not of the least moment, besides that of her own natural, her majesty has a certain inclina-

tion to pity the decay of noble houſes, and as we heard, by her own report, has a great deal more pleaſure to be the inſtrument of the uphold, maintenance, and advancement of the ancient blood, than to have matter miniſtred of the decay or overthrow of any good race. Upon this occaſion, her majeſty the more tenderly looked upon his requeſt, and her good ſiſter the Queen of England's favourable letter, written for recommendation of his cauſe, in conſideration whereof not only has ſhe granted unto him her letter of reſtitution, by way of grace, but alſo liſcenced him to purſue, by way of reduction, the remedies provided by the law for ſuch as think themſelves grieved by any judgment, unorderly led, and to have the proceſs reverſed; for examination whereof, it has pleaſed her majeſty preſently to aſſemble you the three eſtates of this her realme, by whoſe advice, deliberation, and deciſion at her majeſty's mind, to proceed forward upon his complaints, as the merits of the cauſe, laws of the realm, and practice obſerved in ſuch caſes, will bear out. The ſum of all your proceedings at this time, being by that we have heard, thus as it were pointed out, I might here end, if the matter we have in hand gave me not occaſion to ſay a few more words, not far different from the ſame ſubject, wherein I would extend the circumſtances more largely. If I feared not to offend her highneſs, whoſe preſence and modeſt nature abhors long ſpeaking and adulation, and ſo will compel me to ſpeak ſuch things, as may ſeem to tend to any good and perfect point; and leaſt it ſhould be compted to me, as that I were oblivious, if I ſhould omit to put you in remembrance, in what part we may accept this, and the like demonſtrations of her gentill nature; whoſe gracious behaviour towards all her ſubjects, in general, may ſerve for a good proof of that felicity, we may look for under her happy government, ſo long as it ſhall pleaſe God to grant her unto us; for a good harmony to be had in the common weill, the offices between the prince and the ſubjects muſt be reciprocque; as by her majeſty's prudence we enjoy this preſent peace with all foreign nations, and quiet-

neſs

ness among yourselves, in such sort, that I think justly it may be affirmed Scotland, in no man's age that presently lives, was in greater tranquillity; so is it the duty of all us her loving subjects to acknowledge the same as a most high benefit, proceeding from the good government of her majesty, declaring ourselves thankful for the same, and rendering to her majesty such due obedience, as a just prince may look for at the hands of faithful and obedient subjects. I mean no forced nor unwilling obedience, which I know her nature does detest, but such as proceeds from the contemplation of her modest kind of regiment, will for love and duty sake produce the fruits thereof. A good proof have we all in general had of her majesty's benignity these three years, that she has lived in the government over you, and many of you have largely tasted of her large liberality and frank dealing; on the other part her highness has had large appearance of your dutiful obedience, so it becomes you to continue, as we have begun, in consideration of the many notable examples of her clemency above others her good qualities, and to abhor and detest all false bruites and rumours, which are the most pestilent evils that can be in any common weil, and the sowers and inventors thereof. Then may we be well assured to have of her an most gracious princesse, and she most faithful and loving subjects; and so both the head and the members, being encouraged to maintain the harmony and accord of the politick bodies, whereof I made mention before, as the glory thereof shall partly appertain to her majesty, so shall no small praise and unspeakable commodity redound therethrough to you all universally her subjects.

No. X. (Vol. I. p. 255.

The perils and troubles that may presently ensue, and in time to come follow, to the Queen's majesty of England, and state of this realm, upon the marriage of the Queen of Scots to the Lord Darnly.

FIRST, the minds of such as be affected to the Queen of Scotts, either for herself, or for the opinion of her pretense

pretence to this crown, or for the desire to have charge of the form of religion in this realm, or for the discontentation they have of the Queen's majesty, or her succession, or of the succession of any other beside the Queen of Scotts, shall be, by this marriage, erected, comforted, and induced to devise and labour how to bring their desire to pass; and to make some estimate what persons those are, to the intent the quantity of the danger may be weighed; the same may be compassed in those sorts either within the realm or without.

The first are such as are specially devoted to the Queen of Scotts, or to the Lord Darnly, by bond of blood and alliance; as first all the house of Lorrain and Guise for her part, and the Earl of Lennox and his wife, all such in Scotland as be of their blood, and have received displeasures by the Duke of Chatelherault and the Hamiltons. The second are all manner of persons, both of this realm and other countries, that are devoted to the authority of Rome, and mislike of the religion now received; and in these two sorts are the substance of them comprehended, that shall take comfort in this marriage.

Next therefore to be considered what perils and troubles these kind of men shall intend to this realm.

First, the general scope and mark of all their desires is, and always shall be, to bring the queen of Scotts to have the royal crown of this realm; and therefore, though the devisees may vary amongst themselves for the compassing hereof, according to the accidents of the times, and according to the impediments which they shall find by means of the queen's majesty's actions and governments, yet all their purposes, drifts, devises, and practices, shall wholly and only tend to make the queen of Scotts queen of this realm, and to deprive our sovereign lady thereof; and in their proceedings, there are two manners to be considered, whereof the one is far worse than the other: the one is intended by them, that either from malicious blindness in religion, or for natural affection to the queen of Scotts, or the lord Darnly, do persuade themselves that the said queen

of

of Scotts had presently more right to the crown than our sovereign lady the queen, of which sort be all their kindred on both sides, and all such as are devoted to popery, either in England, Scotland, Ireland, or elsewhere; the other is meant by them, which, with less malice, are persuaded that the queen of Scotts hath only right to be the next heir to suceed the queen's majesty and her issue, of which sort few are without the realm, but here within, and yet of them, not so many as are of the contrary, and from these two sorts shall the peril devises and practices proceed. From the first, which imagine the queen of Scotts to have perpetually right, are to be looked for these perils. First, is it to be doubted the devil will infect some of them to imagine the hurt of the life of our dear sovereign lady, by such means as the devil shall suggest to them, although it is to be assuredly hoped, that almighty God will, as he hath hitherto, graciously protect and preserve her from such dangers. Secondly, there will be attempted, by persuasions, by bruites, by rumours, and such like, to alienate the minds of good subjects from the queen's majesty, and to counciliate them to the queen of Scotts, and on this behalf the frontiers and the north will be much solicited and laboured. Thirdly, there will be attempted causes of some tumults and rebellions, specially in the north towards Scotland, so as thereupon may follow some open enterprize set by violence. Fourthly, there will be, by the said queen's council and friends, a new league made with France or Spain, that shall be offensive to this realm, and a furtherance to their title. And it is also very likely, that they will set a foot as many practices as they can, both upon the frontiers and in Ireland, to occasion the queen's majesty to encrease and continue her charge thereby, to retain her from being mighty or potent, and for the the attempting of all these things, many devises will be imagined, from time to time, and no negligence will therein appear.

From the second sort, which mean no other favour to the queen of Scotts, but that she should succeed in title to the queen's majesty, is not much to be feared, but

but that they will content themselves to see not only the queen's majesty not to marry, and so to impeach it, but to hope that the queen of Scotts shall have issue, which they will think to be more pleasible to all men, because thereby the crowns of England and Scotland shall be united in one, and thereby the occasion of war shall cease; with which persuasion many people may be seduced, and abused to incline themselves to the part of the queen of Scotts.

The remedies against these perils.

A DUPLICAT.

A summary of the consultation and advice given by the lords and others of the privy council Collected out of the sundry and several speeches of the said counsellors.

	Lord Keeper.	Mr Comptroller.
	Lord Treasurer.	Mr Vice Chamberlain.
Earls of	Derby.	Mr Secretary.
	Bedford.	Cave.
	Leicester.	Peter.
	Lord Admiral.	Mason.
	Lord Chamberlain.	

Questions propounded were these two.

FIRST, what perils might ensue to the queen's majesty, or this realm, of the marriage betwixt the queen of Scotts, and the Lord Darnly.

2. What were meet to be done, to avoid or remedy the same.

To the First.

The perils being sundry, and very many, were reduced by some counsellors into only one.

1. First, that by this marriage, the queen of Scotts, (being not married) a great number in this realm, not of the worst subjects, might be alienated in their minds from their natural duties to her majesty, to depend upon the success of this marriage of Scotland, as a mean to establish the succession of both the crowns in the issue of the same marriage, and so favour all devises and practices, that should tend to the advancement of the queen of Scotts.

2. Secondly, that considering the chief foundation of them, which furthered the marriage of the lord

Darnly

Darnly, was laid upon the truſt of ſuch as were papiſts, as the only means left to reſtore the religion of Rome, it was plainly to be ſeen, that both in this realm, and Scotland, the papiſts would moſt favour, maintain, and fortify this marriage of the lord Darnly, and would for furtherance of faction in religion, deviſe all means and practices that could be within this realm, to diſturb the eſtate of the queen's majeſty, and the peace of the realm, and conſequently to atchive their purpoſes by force, rather than fail. By ſome other, theſe perils having indeed many branches, were reduced, though ſomewhat otherwiſe, into two ſorts, and theſe were in nature ſuch as they could not be eaſily ſevered the one from the other, but were knit and lincked together, naturelly for maintaining the one with the other. The firſt of theſe ſort of perils was, that by this marriage with the lord Darnly, there was a plain intention to further the pretended title of the queen of Scotts, not only to ſucceed the queen's majeſty, as in her beſt amity ſhe had profeſſed, but that to occupy the queen's eſtates, as when ſhe was in power, ſhe did manifeſtly declare.

The ſecond was, that hereby the Romiſh religion ſhould be erected, and increaſed daily in this realm, and theſe two were thus knit together, that the furtherance and maintenance of the title ſtood in the furthering of the religion of Rome within this realm and in like manner the furtherance of the ſame religion ſtood by the title, for otherwiſe the title had no foundation.

Proves of the firſt.) And to prove that the intention to advance the title to diſturb the queen's majeſty, muſt needs enſue, was conſidered that always the intention and will of any perſon is moſt manifeſt, when their power is greateſt, and contrary when power is ſmall, then the intention and will of every perſon is covered and leſs ſeen. So as when the queen of Scotts power was greateſt, by her marriage with the dolphin of France, being afterwards French king, it manifeſtly appeared of what mind ſhe, and all her friends were uſing then manifeſtly all the means that could be deviſed to impeach and diſpoſſeſs the

queen's

queen's majesty, first by writing and publishing he self in all countries queen of England; by grantin charters, patents, and commissions with that stil and with the arms of England, both the French an Scotts, which charters remain still undefaced; and t prosecute it with effect, it is known what prepara tions of war were made, and sent into Scotland; an what other forces were assembled in foreign countrie yea, in what manner a shameful peace was made b the French with King Philip, to employ all the force of France, to pursue all the matter by force, which by God's providence, and the queen's majesty con trary power, were repelled; and afterwards, by he husband's death, her fortune and power being chan ged, the intention began to hide itself, and althoug by the Scottish queen's commissaries an accord wa made at Edenbrough, to reform all those titles, an claims, and pretences, yet to this day, by delays an cavillations, the ratification of that treaty hath bee deferred. And so now, as soon as she shall feel he power, she will set the same again abroad, and by considering of such errors as were committed in the first, her friends and allies will amend the same, and proceed substantially to her purpose. By some it was thought plainly, that the peril was greater of this marriage with the lord Darnly, being a subject o this realm, than with the mightiest prince abroad; for by this, he being of this realm, and having for the cause of religion, and other respects, made a party here, should encrease by force, with dimunition o the power of the realm, in that whatsoever power he could make by the faction of the papist, and o ther discontented persons here, should be as it were deducted out of the power of this realm; and by the marriage of a stranger, she could not be assured o any part here; so as by this marriage she should have a portion of her own power to serve her turn, and a small portion of adversaries at home in our own bowels, always seen more dangerous than treble the like a broad; whereof the examples are in our stories many, that foreign powers never prevailed in this realm, but with the help of some at home. It was also remembered

bered, that seeing now before this attempt of marriage, it is found, and manifestly seen, that in every corner of the realm, the faction that most favoureth the Scottish title, is grown stout and bold, yea seen manifestly in this court, both in hall and chamber, it could not be (but except good heed were speedily given to it) by this marriage, and by the practice of the fautors thereof, the same faction would shortly encrease, and grow so great and dangerous, as the redress thereof would be almost desperate And to this purpose it was remembered, how of late in perusing of the substance of the justices of the peace, in all the countrys of the realm, scantly a third was found fully assured to be trusted in the matter of religion, upon which only string the queen of Scotts title doth hang, and some doubt might be, that the friends of the earl of Lennox, and his, had more knowledge hereof than was thought, and thereby made avant now in Scotland, that their party was so great in England as the queen's majesty durst not attempt to contrary his marriage. And in this sort, was the sum of the perils declared, being notwithstanding more largely and plainly set out, and made so apparent by many sure arguments, as no one of the council could deny them to be but many, and very dangerous.

Second Question.

THE question of this consultation was what were meet to be done to avoid these perills, or else to divert the force thereof from hurting the realm; wherein there were a great number of particular devises propounded, and yet the more part of them was reduced by some into three heads.

1. The first thought necessary by all persons, as the only thing of the most moment and efficacy, to remedy all these perrils, and many others, and such as without it, no other remedy could be found sufficient, and that was to obtain that the queen's majesty would marry, and make therein no long delay.

2. The second was to advance, establish, and fortify indeed the profession of religion, both in Scotland, and in England, and to diminish, weaken, and feeble the contrary.

3. The third was, to proceed in ſundry things, either to diſappoint and break this intended marriage, or, at the leaſt, thereby to procure the ſame not to be ſo hurtful to this realm, as otherwiſe it will be.

The firſt of theſe three hath no particular rights in it, but an earneſt and unfeigned deſire and ſuite, with all humbleneſs, by prayer to Almighty God, and advice and council to the queen's majeſty, that ſhe would differ no more time from marriage, whereby the good ſubjects of the realm might ſtay their hearts, to depend upon her majeſty, and the iſſue of her body, without which no ſurety can be deviſed to aſcertain any perſon of continuance of their families or poſteries, to enjoy that which otherwiſe ſhould come to them.

Second, concerning the matters of religion, wherein both truth and policy were joined together, had theſe particulars.

Firſt, whereas of-late the adverſaries of religion in the realm have taken occaſion to comfort and increaſe their faction, both in England, Scotland, and abroad, with a rumour and expectation that the religion ſhall be ſhortly changed in this realm, by means that the biſhops, by the queen's majeſty's commandment, have of late dealt ſtreightly with ſome perſons of good religion, becauſe they had forborn to wear certain apparel, and ſuch like things, being more of form and accidents, than of any ſubſtance, for that it is well known that her majeſty had no meaning to comfort the adverſaries, but only to maintain an uniformity as well in things external, as in the ſubſtance; nor yet hath any intention to make any change of the religion, as it is eſtabliſhed by laws. It was thought by all men very neceſſary for the ſuppreſſing of the pride and arrogancy of the adverſaries, indirectly hereby to notify, by her ſpecial letters to the two arch-biſhops, that her former commandment was only to retain an uniformity, and not to give any occaſion to any perſon to misjudge of her majeſty, in the change of any part of religion, but that ſhe did determine firmly to maintain the form of her religion, as it was eſtabliſhed, and to puniſh ſuch as did therein violate

her

her laws. And in these points, some also wished that it might please her archbishops, that if they should see that the adversaries continued in taking occasion to fortify their faction, that in that case they should use a moderation therein, until the next parliament, at which time, some good, uniform, and decent order might be devised, and established, for such ceremonies, so as both uniformity and gravity might be retained amongst the clergy.

The second means was, that the quondam bishops, and others, which had refused to acknowledge the queen's majesty's power over them, according to the law, and were of late dispersed in the plague time to sundry places abroad, where it is known they cease not to advance their faction, might be returned to the tower or some other prison, where they might not have such liberty to seduce and inveigle the queen's majesty's subjects, as they daily do.

The third means was, that where the bishops do complain that they dare not execute the ecclesiastical laws, to the furtherence of religion, for fear of the premunire, wherewith the judges and lawyers of the realm, being not best affected in religion, do threaten them, and in many cases lett not to pinch and deface them, that upon such cases opened, some convenient authority might be given them, from the queen's majesty, to continue during her pleasure.

The fourth was, that there were daily lewd, injudicious and unlawful books in English brought from beyond seas, and are boldly received, read, and kept, and especially in the North, seducing of great numbers of good subjects, the like boldness whereof was never suffered in any other princess's time, that some streight order might be given to avoid the same, and that it might be considered by the judges, what manner of crime the same is, to maintain such books, made directly against her majesty's authority, and maintaining a foreign power, contrary to the laws of the realm.

The fifth was, that where a great number of monks, fryers, and such lewd persons are fled out of Scotland, and do serve in England, especially in the North, as

curates of churches, and all ſuch of them as are no found honeſt and conformable may be baniſhed ou of the realm, for that it appeareth they do ſow ſedi tion in the realm, in many places, and now will in creaſe their doings.

The ſixth, where ſundry having eccleſiaſtical living are on the other ſide the ſea, and from thence maintai ſedition in the realm; that livings may be better be ſtowed, to the commodity of the realm, upon goo ſubjects.

The ſeventh is, that the judges of the realm, having no ſmall authority in this realm in governance o all property of the realm, might be ſworn to the queen's majeſty, according to the laws of the realm, and ſo thereby they ſhould for conſcience ſake maintain the queen's majeſty's authority.

The particulars of the third intention, to break and avoid this marriage, or to divert the perils.

Firſt to break this marriage, conſidering nothing can likely do it, but force, or fear of force, it is thought by ſome that theſe means following might occaſion the breach of the marriage.

1. That the earl of Bedford repair to his charge.
2. That the works at Berwick be more advanced.
3. That the garriſon be there increaſed.
4. That all the wardens put their frontiers in order with ſpeed to be ready at an hour's warning.
5. That ſome noble perſon, as the duke of Norfolk, or the earl of Salop, or ſuch other, be ſent unto Yorkſhire, to be lieutenaut general in the North.
6. That preparations be made of a power, to be in readineſs to ſerve, either at Berwick or to invade Scotland.
7. That preſently the lady Lennox be committed to ſome place, where ſhe may be kept from giving or receiving of intelligence.
8. That the earl of Lennox and his ſon may be ſent for, and required to be ſent home by the queen of Scotts, according to the treaty; and if they ſhall not come, then to denounce to the queen of Scotts the breach of the treaty, and thereupon to enter with hoſtility; by which proceeding, hope is conceived

(ſo

(ſo the ſame be done in deeds and not in ſhews) that the marriage will be avoided, or at the leaſt that it may be qual fied from many perils; and whatſoever is to be done herein, is to be executed with ſpeed, whilſt ſhe has a party in Scotland that favoureth not the marriage, and before any league be made by the queen of Scots with France or Spain.

Some other allows well of all theſe proceedings, ſaving of proceeding to hoſtility, but all do agree in the reſt, and alſo to theſe particularities following.

9. That the earl's lands upon his refuſal, or his ſon's refuſing, ſhould be ſeized and beſtowed in gift or cuſtody, as ſhall pleaſe her majeſty, upon good ſubjects.

10. That all manifeſt favourers of the earl, in the North, or elſewhere, be inquired for, and that they be, by ſundry means well looked to.

11. That enquiry be made in the North, who have the ſtewardſhip of the queen's majeſty's lands there, and that no perſon, deſerving miſtruſt, be ſuffered to have governance or rule of any of her ſubjects or lands in the North, but only to retain their fees, and more truſty perſon have rule of the ſame peoples lands.

12. That all frequent paſſages into this realm, to and from Scotland, be reſtrained to all Scottiſh men, ſaving ſuch as have ſafe conduct, or be eſpecially recommended from Mr Randolph, as favourers of the realm.

13. That ſome intelligence be uſed with ſuch in Scotland, as favour not the marriage, and they comforted from time to time.

14. That the queen's majeſty's houſhold, chamber, and penſioners be better ſeen unto, to avoid broad and uncomely ſpeech uſed by ſundry againſt the ſtate of the realm.

15. That the younger ſon of the earl of Lennox, Mr Charles, be removed to ſome place, where he may be forth coming.

16. That conſidering the faction and title of the queen of Scotts hath now, of long time, received great favour, and continued, by the queen's majeſty's avour herein to the queen of Scotts and her miniſters

and the lady Catharine, whom the ſaid queen of Scotts accompted as a competor unto her in pretence of title, it may pleaſe the queen's majeſty, by ſome exterior act, to ſhew ſome remiſſion of her diſpleaſure to the lady, and to the earl of Hertford, that the queen of Scotts thereby may find ſome change, and her friends put in doubt of further proceeding therein.

17. That whoſoever ſhall be lieutenant in the North, Sir Ralph Sadler may accompany him.

18. That with ſpeed the realm of Ireland may be committed to a new governor.

19. Finally, that theſe adviſes being conſidered by her majeſty; it may pleaſe her to chuſe which of them ſhe liketh, and to put them in execution in deeds, and not to paſs them over in conſultations and ſpeeches.

For it is to be aſſured, that her adverſaries will uſe all means to put their intention in execution. Some by practice, ſome by force, when time ſhall ſerve, and no time can ſerve ſo well the queen's majeſty to interrupt the perils, as now at the firſt, before the queen of Scotts purpoſes be fully ſettled.

No. XI. (Vol. I. p. 263.)

Randolph to the earle of Leiceſter, from Edinburgh the 31ſt of July, 1565.

MAY it pleaſe your lordſhip, I have received your lordſhip's letter by my ſervant, ſufficient teſtimony of your lordſhip's favour towards me, whereof I think my ſelf always ſo aſſured, that what other miſhap ſoever befall me, I have enough to comfort my ſelf with; though I have not at this time received neither according to the need I ſtand, nor the neceſſity of the ſerviſe that I am employed in, I will rather paſs it, as I may with patience, than trouble your lordſhip to be further ſuter for me, when there is ſo little hope that any good will be done for me. I doubt not but your lordſhip hath heard by ſuch information, as I have given from hence, what the preſent ſtate of this country is, how this queen is now become a married wife, and her huſband, the ſelf ſame day of

his

his marriage, made a king. In their desires, hitherto, they have found so much to their contentment, that if the rest succeed and prosper accordingly, they may think themselves much happier, than there is appearance that they shall be, so many discontented minds, so much misliking of the subjects to have these matters thus ordered, and in this sort to be brought to pass; I never heard, of any marriage, so little hope, so little comfort as men do talk, was never seen, at any time, when men should most have shewed themselves to rejoice, if that consideration of her own honour and well of her country had been had as appertained in so weighty a case. This is now their fear, the overthrow of religion, the breach of amite with the queen's majesty, and the destruction of as many of the nobility as she hath misliking of, or that he liketh to pitch a quarrle unto. To see all these inconveniencys approaching, there are a good number that may sooner lament with themselves, and complain to their neighbours, than be able to find remedie to help them, some attempt with all the force they have, but are too weak to do any good, what is required otherwise, or what means there is made your lordship knoweth; what will be answered, or what will be done, therein, we are in great doubt, and though your intent be never so good unto us, yet do we so much fear your delay, that our ruin shall prevent your support when council is once taken. Nothing so needfull, as speedy execution. Upon the queen's majesty, we wholly depend, in her majesty's hands it standeth to save our lives, or to suffer us to perish; greater honor her majesty cannot have, than in that which lyeth in her majesty's power, to do for us; the sums are not great, the numbers of men are not many that we desire; many will dayly be found, though this will be some charge; men grow dayly, though, at this time, I think her majesty shall loose but few; her friends here being once taken away, where will her majesty find the like; I speak least of that which I think is most earnestly intended by this queen, and her husband, when by him it was lately said, that he cared more for the papists in England, than

than he did for the Proteſtants in Scotland; if therefore, his hopes be ſo great in the papiſts of England what may your lordſhip believe that he thinketh of the proteſtants there; for his birth, for his nurritour, for the honour he hath to be of kine to the queen my miſtreſs, if in preferring thoſe that are the queen's majeſties worſt ſubjects to thoſe that are her beſt, he declareth what mind he beareth to the queen's majeſtie ſelf, any man may ſay it is ſlenderly rewarded and his duty evil forgotten; he would now ſeem to be indifferent to both the religions, ſhe to uſe her maſs, and he to come ſometimes to the preaching; they were married with all the ſolemnities of the popiſh time ſaving that he heard not the maſs; his ſpeech and talk argueth his mind, and yet would he fain ſeem to the world that he were of ſome religion; his words to all men, againſt whom he conceiveth any diſpleaſure, how unjuſt ſoever it be, ſo proud and ſpitfull, that rather he ſeemeth a monarch of the world, than he that, not long ſince, we have ſeen and known the lord Darnly; he looketh now for reverence of many, that have little will to give it him; and ſome there are that do give it, that think him little worth of it; All honor that may be atributed unto any man by a wife, he hath it wholly and fully; all praiſes that may be ſpoken of him, he lacketh not from herſelf; all dignities that ſhe can indue him with, which are already given and granted; no man pleaſeth her that contenteth not him; and what may I ſay more, ſhe hath given over to him her whole will to be ruled and guided as himſelf beſt liketh; ſhe can as much prevail with him, in any thing that is againſt his will, as your lordſhip may with me to perſwade that I ſhould hang my ſelf; this laſt dignity out of hand to have been proclaimed king, ſhe would have it deferred untill it were agreed by parliament, or he had been himſelf of 21 years of age, that things done in his name might have the better authority He would, in no caſe, have it deferred one day, and either then or never; whereupon this doubt is riſin amongeſt our men of law whether ſhe being clade with a huſband, and her huſband not twenty one years, any thing without parliament can

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be of ſtrength that is done between them; upon Saturday at afternoon, theſe matters were long in debateing. And before they were well reſolved upon, at nine hours at night, by three heralds, at ſound of the trumpet, he was proclaimed king. This was the night before the marriage; this day, Monday at twelve of the clock, the lords, all that were in the toun, were preſent at the proclaiming of him again, where no man ſaid ſo much as amen, ſaving his father that cried out aloud God ſave his queen. The manner of the marriage was in this ſort, upon Sunday in the morning between five and ſix, ſhe was conveyed by divers of her nobles to the chapell; ſhe had upon her back the great mourning gown of black with the great wide mourning hood, not unlike unto that, which ſhe wore the dolfull day of the buriall of her huſband; ſhe was led into the chapell, by the earle of Lennox and Athole, and there was ſhe left untill her huſband came, who alſo was conveyed by the ſame lords, the miniſter prieſts, two, do there receive them, the bands are aſked the third time, and an inſtrument taken by a Notour that no man ſaid againſt them, or alledged any cauſe why the marriage might not proceed. The words were ſpoken, the rings which were three, the middle a rich diamond, were put upon her finger; They kneel together, and many prayers ſaid over them, ſhe tarrieth out the maſs, and he taketh a kiſs, and leaveth her there, and went to her chamber, whither within a ſpace ſhe followeth; and being required, according to the ſolemnity, to caſt off her cares and leave aſide thoſe ſorrowfull garments, and give herſelf to a more pleaſant life, after ſome pretty refuſall, more I believe for manner ſake than grief of heart, ſhe ſuffereth them that ſtood by, every man that could approach to take out a pin, and ſo being committed to her ladies, changed her garments, but went not to bed, to ſignifie to the world, that it was not luſt that moved them to marry, but only the neceſſity of her country, not, if God will long to leave it deſtitute of an heir Suſpicious men, or ſuch as are given of all things to make the worſt, would that it ſhould be believed, that they knew each other

other before that they came there, I would not your lordſhip ſhould ſo believe it, the likelihoods, are ſo great to the contrary, that if it were poſſible to ſee ſuch an act done, I would not believe it. After the marriage followeth commonly great cheer and dancing: to their dinner they were conveyed by the whole nobility; the trumpets ſound; a largeſs cried; money thrown about the houſe in great aboundance, to ſuch as were happy to get any part; they dine both at one table, ſhe upon the upper hand, there ſerve her theſe erals, Athole, Sewer, Morton, Carver Craufoorde upbearer; theſe ſerve him in like offices, earls Eglington Caſſels, and Glencairn; after dinner they danced awhile, and then retired themſelves till the hour of ſupper; as they dined ſo do they ſupe, ſome dancing there was and ſo they go to bed; of all this I have written to your lordſhip I am not Oculatis teſtis, to this, but of the verity your lordſhip ſhall not need to doubt, howſoever I came by it; I was ſent for to have been at the ſupper, but like a curriſh or uncourtly carle I refuſed to be there; and yet that which your lordſhip may think might move me much, to have had the ſight of my miſtreſs, of whom theſe eighteen days by juſt account I got not a ſight, I am my lord taken by all that ſort as a very evill perſon, which in my heart I do well allow, and like of myſelf the better, for yet can I not find either honeſt or good that liketh their doings; I leave at this time further to trouble your lordſhip, craving pardon for my long ſilence, I have more ado than I am able to diſcharge, I walk now more abroad by night than by day, and the day too little to diſcharge myſelf of that which I conceive, or receive in the night. As your lordſhip, I am ſure, is partaken of ſuch letters as I write to Mr Secretary, ſo that I truſt that he ſhall be to this, to ſave me of little labour, to write the ſame again, moſt humbly I take my leave at Edinburgh, the laſt day of July, 1565.

No.

No. XII. (Vol. I. p. 266.)

Letter of the Earl of Bedford to the honourable Sir William Cecil, knt. her majesty's principal secretary, and one of her highness's privy council.

AFTER my hearty commendations, this day at noon, Captain Brickwell came hither, who brought with him the Queen's majesty's letters containing her full resolution, and pleasure for all things he had in charge to give information of, saving that for the aid of the lords of the congregation, there is nothing determined or at the least expressed in the same letters, and for that purpose received I, this morning, a letter subscribed by the duke, the earl of Murray, Glencarne, and others, craving to be holpen with 300 harquebusyers out of this garrison, for their better defence. And albeit, I know right well the goodness of their cause, and the queen's majesty our sovereign's good will, and care towards them; and do also understand that it were very requisite to have them holpen, for that now their cause is to be in this manner decided, and that it now standeth upon their utter overthrow and undoing, since the queen's part is at the least 5000, and they not much above 1000; besides, that the queen hath harquebusiers, and they have none, and do yet want the power that the earl of Arguyle should bring to them, who is not yet joined with theirs; I have thereupon thought good to pray you to be a means, to learn her majesty's pleasure in this behalf, what, and how, I shall answer them, or otherwise deal in this matter, now at this their extreme necessity. For, on the one side, lyeth thereupon their utter ruin and overthrow, and the miserable subversion of religion there; and, on the other side, to adventure so great and weighty a matter as this is, (albeit it be but of a few soldiers, for a small time) without good warraunte, and thereby to bring peradventure, upon our heads some wilful warrs, and in the mean time to leave the place unfurnished, (having in the whole but 800) without any grant of new supply for the same; and by that means also, to leave the marches here the more subject to invasion, while in

in the mean ſeaſon new helps are preparing; to th know not I what to ſay, or how to do. And ſo muc more I marvel thereof, as that having ſo many tim written touching this matter, no reſolute determin tion cometh And ſo between the writing, and lool ing for anſwer the occaſion cannot paſs, but mu needs proceed and have ſucceſs. God turn it to h glory; but ſurely all men's reaſon hath great cauſe t fear it. Such a puſh it is now come unto, as this littl ſupply would do much good to advance God's ho nour, to continue her majeſty's great and careful me mory of them, and to preſerve a great many noble men and gentlemen. If it be not now helpen, it i gone for ever. Your good will and affection tha way, I do nothing miſtruſt, and herein ſhall take ſuc good advice, as by any means I can. I received fror theſe lords two papers incloſed, the effect wherec ſhall appear unto you. For thoſe matters that Cap tain Brickwell brought, I ſhall anſwer you by my next and herewith ſend you two letters from Mr Randolph both received this day. By him you ſhall here tha the proteſtants are retired from Edenborough, furthe off. So as I hope your reſolution for their aid ſhal come in time, if it come with ſpeed, for that they will not now ſo preſently need them; and ſo with my hearty thanks commit you to God. From Berwick this 2nd of Sept. 1565.

No. XIII. (Vol. I. p. 266.)

The queen to the earl of Bedford.

Upon the advertizements lately received from you with ſuch other things as came alſo from the lord Scrope and Thomas Randolph, and upon the whole matter well conſidered, we have thus determined. We will, with all the ſpeed that we can, ſend to you 3000 l. to be thus uſed. If you ſhall certainly under-ſtand that the earl of Murray hath ſuch want of money, as the impreſting to him of 1000 l. might ſtand him in ſtead for the help to defend himſelf, you ſhall preſently let him ſecretly to underſtand, that you will, as of yourſelf, let him have ſo much, and ſo we will that you

you let him have, in the moſt ſecret ſort that you can, when the ſaid ſum ſhall come to you, or if you can, by any good means, advance him ſome part there before hand.

The other 2000 l. you ſhall cauſe to be kept whole unſpent, if it be not that you ſhall ſee neceſſary cauſe to impreſt ſome part thereof to the now numbers of the 600 footmen, and 100 horſemen; or to the caſting out of wages of ſuch workmen, as by ſickneſs, or otherwiſe ought to be diſcharged. And where we perceive, by your ſundry letters, the earneſt requeſt of the ſaid earl of Murray and his aſſociates, that they might have, at the leaſt, 300 of our ſoldiers, to aid them. And that you alſo write, that though we would not command you to give them aid, yet if we would but wink at your doing herein, and ſeem to blame you for attempting ſuch things, as you with the help of others ſhould bring about, you doubt not but things would do well; you ſhall underſtand for a truth, that we have no intention, for many reſpects to maintain any other princes ſubjects, to take arms againſt their ſovereign? neither would we willingly do any thing to give occaſion to make warrs betwixt us and that prince, which hath cauſed us to forbear, hitherto, to give you any power to let them be aided with any men. But now, conſidering we take it, that they are purſued, notwithſtanding their humble ſubmiſſion, and offer to be ordered and tried by law and juſtice, which being refuſed to them, they are retired to Domfreſe, a place near our weſt marches, as it ſeemeth there to defend themſelves, and adding thereunto the good intention that preſently the French king pretendeth, by ſending one of his to join with ſome one of ours, and jointly to treat with that queen, and to induce her to forbear this manner of violent and rigorous proceeding againſt her ſubjects, for which purpoſe, the French ambaſſador here with us hath lately written to that queen, whereof anſwer is daily looked for, to the intent in the mean time the ſaid lords ſhould not be oppreſſed and ruined, for lack of ſome help to defend them, we are content and do authorize, if you ſhall ſee it neceſſary for their de-

fence, to let them (as of your own adventure, and without notifying that you have any direction thereir from us) to have the number of 300 soldiers, to be taken either in whole bands, or to be drawn out of all your bands, as you shall see cause. And to cover the matter the better, you shall send these numbers to Carlisle, as to be laid there in garrison, to defend that march, now in this time, that such powers are on the other part drawing to those frontiers, and so from thence as you shall see cause to direct of, the same numbers or any of them may most covertly repair to the said lords, when you shall expressly advertize, that you send them that aid only for their defence, and not therewith to make war against the queen, or to do any thing that may offend her person, wherein you shall so precisely deal with them, that they may perceive your care to be such as if it should otherwise appear, your danger should be so great, as all the friends you have could not be able to save you towards us. And so we assure you our conscience moveth us to charge you, so to proceed with them, for otherwise than to preserve them from ruin, we do not yield to give them aid of money, or men: And yet we would not that either of these were known to be our act, but rather to be covered with your own desire and attempt.

No. XIV. (Vol. I. p. 274.

Randolph to Cecil, from Edinburgh, 7th Feb. 1565-6.

My humble duty considered; what to write of the present state of the country I am so uncertain, by reason of the daily alterations of mens minds, that it maketh me much slower than otherwise I would. Within these few days, there was some good hope that this queen would have showed some favour towards the lords, and that Robert Melvin should have returned unto them with comfort, upon some conditions. Since that time there are come out of France Clernau by land, and Thorneton by sea; the one from the cardinal, the other from the bishop of Glasgow. Since whose arrival neither can there be good word gotten,

nor

nor appearance of any good intended them, except that they be able to perſwade the queen's majeſty our ſovereign to make her heir apparent to the croun of England. I write of this nothing leſs than I know that ſhe hath ſpoken. And by all means that ſhe thinketh the beſt doth travaile to bring it to paſs. There is a band lately deviſed, in which the late pope, the emperor, the king of Spain, the duke of Savoy, with divers princes of Italy, and the queen-mother ſuſpected to be of the ſame confederacy to maintain papiſtry throughout Chriſtendom; this band was ſent out of France by Thorneton, and is ſubſcribd by this queen, the copy thereof remaining with her, and the principal to be returned very ſhortlie as I hear by Mr Stephen Willſon, a fit miniſter for ſuch a deviliſh deviſe; if the coppie hereof may be gotten, that ſhall be ſent as I conveniently may. Monſieur Rambollet came to this toun upon Monday, he ſpoke that night to the queen and her huſband, but not long; the next day he had long conferences with them both, but nothing came to the knowledge of any whereof they intreated, I cannot ſpeak with any that hath any hope that there will be any good done for the lords by him, though it is ſaid that he hath very good will to do ſo to the uttermoſt of his power. He is lodged near to the court, and liveth upon the queen's charges. Upon Sunday the order is given, whereat means made to many to be preſent that day at the maſs, upon Candlemaſs day there carried their candles, with the queen her huſband, the earle of Lenox, and earle Athole; divers other lords have been called together and required to be at the maſs that day, ſome have promiſed, as Caſſels, Mongomerie, Seton, Cathueſs. Others have refuſed, as Fleming, Livingſton, Lindſay, Huntly and Bothell; and of them all Bothell is the ſtouteſt, but worſt thought of; it was moved in council that maſs ſhould have been in St Giles church, which I believe was rather to tempt men's minds, than intended indeed: ſhe was of late minded again to ſend Robert Melvin to negotiate with ſuch as ſhe truſteth in amongſt the queen's majeſty's ſubjects, of whoſe good will's this way I truſt that the bruit is

greater than the truth, but in these matters, her majesty is too wise not in time to be ware, and provide for the worst; some in that country are thought to be privie unto the bands and confederacie of which I have written, whereof I am sure there is some things, though perchance of all I have not heard the truth; in this court divers quarles, contentions, and debates; nothing so much sought as to maintain mischief and disorder, David yet retaineth still his place not without heart grief to many, that see their sovereign guided chiefly by such a fellow; the queen hath utterly refused to do any good to my lord of Argyll, and it is said that shall be the first voyage that she will make after she is delivered of her being with child; the bruit is common that she is, but hardly believed of many, and of this, I can assure you, that there have of late appeared some tokens to the contrary.

No. XV. (Vol. I. p. 280.)

Part of a Letter from the earl of Bedford and Mr Tho. Randolph to the lords of the council of England from Barwick. 27th of March. 1566. An Original in the Cotton Library, Caligula B. 10. fol. 372.

May it please your honours,

HERING of so maynie matters, as we do, and fyndinge such varietie in the reportes, we have myche ado to decerne the veritie: which maketh us the slower and loather to put any thing in wrytinge, to the entente we wold not that your honours, and by you the queen's majestie, our sovereigne, should not be advertised but of the verie trothe as we can possible. To this end we thought good to send up captain Carewe, who was in Edenbourge at the tyme of the last attemptate, who spoke there with diverse, and after that with the queen's self and her husband conforme to that, which we have learned by others, and know by this reporte, we send the same, confirmed by the parties self, that were there present and assysters unto these that were executors of the acte.

This we fynde for certain, that the queen's howsband being entred into a vehment suspicion of David, that

that by hym some thynge was commytted, which was most agynste to the queen's honour, and not to be borne of his perte, fyrste communicated his mynde to George Douglass, who fynding his sorrowes so great sought all the means he coulde to put some remedie to his grieff; and communicating the same unto my lord Ruthen by the king's commandment, no other waye coulde be found then that David sholde be taken oute of the waye. Wherein he was so earnest and daylye pressed the same, that no reste coulde be had untyll it was put in execution. To this that was found good, that the lord Morton, and Lord Lindsaye should be made previe to th' intente that theie might have their friends at hande, yf neade required; which caused them to assemble so mayny, as thaie thought sufficient against the tyme, that this determination of theirs should be put in executione; which was determined the ixth of this instante 3 daies afore the parliament should begyne, at which time the sayde lordes were assured, that the earles Argyle, Morraye, Rothes and their complices sholde have been forfeited, yf the king could not be persuaded through this means to be their friends; who for the desyre he hade that this intent should take effect th' one waye, was content to yielde without all difficultie to t'other, with this condition, that thaie shoulde give their consents, that he might have the crowne matrimonial. He was so impatient to see these things he saw, and were daylye brought to his eares, that he dayly pressed the said lord Ruthen, that there might be no longer delaye; and to the intent yt myght be manifest unto the world, that he approved the acte, was content to be at the doing of that himself.

Upon Saturdaye at neight neire unto VIII of the clock the king conveyeth himself, the lord Ruthen, George Douglass, and two others, throwe his owne chamber by the privie stayers up to the queen's chamber going to which there is a cabinet about xii foot square; in the same a little low reposing bed and a table at the which theyr were fitting at the supper the queene, the lady Argile, and David with his capp upon his head. Into the cabinet there cometh in the

king and lord Ruthen, who willed David to come forth, saying, that was no place for him. The queen said, that it was her will. Her howsband answerede, that yt was against her honour. The lord Ruthen saide, that he sholde learne better his deutie, and offering to have taken him by the arm, David took the queen by the blychtes of her gown and put himself behind the queen who wolde gladlee have saved him: But the king having loosed his hand, and holding her in his armes, David was thrust out of the cabinet thorow the bed chamber into the chamber of presens, whar were the lord Morton, lord Lindsey, who intending that night to have reserved hym, and the next day to hang him, so mane being about hym, that bore hym evill will, one thrust him into the boddie with a dagger, and after him a great many others, so that he had in his bodie above wonds. It is told for certayne, that the kinges own dagger was left sticking in him. Whether he stuck him or not we cannot here for certayn. He was not slayne in the queen's presens, as was said, but going down the stayers out of the chamber of presens.

There remayned along tyme with the queen her howsband and the lord Ruthen. She made, as we here, great intercession, that he shold have no harm. She blamed greatlee her howsband that was the actor of so foul a deed. It is said, that he did answer, that David had more companie of her boddie then he for the space of two months: and therefore for her honour an his own contentment he gave his consent that he should be taken away. "It is not" (sayeth she) "the woman's part to seek the husband," and therefore in that the fault was his own. He said that when he came, she either wold not, or made herself sick. "Well," saith she, "you have taken your last of me and your farewell." Then were pity, saith the lord Ruthen, he is your majesty's husband and must yield dutie to each other. "Why may I not," saythe she, "leave him as well as your wife did her husband?" Other have done the like. The lord Ruthen said that she was lawfully divorced from her husband, and for no such cause as the king found himself greve. Besyde

ſydes this man was mean, baſſe, enemie to the nobilitie, ſhame to her, and deſtruction to herſelf and country. "Well, ſaith ſhe, that ſhall be dear blude to ſome of you, yf his be ſpylt." God forbid, ſayth the lord Ruthen; for the more your grace ſhowe yourſelf offended, the world will judge the worſe.

Her huſband this tyme ſpeaketh little, herſelf continually weepeth. The lord Ruthen being ill at eaſe and weak calleth for a drynk, and ſaythe, "This I muſt do with your majeſties pardon," and perſuadeth her in the beſt ſort he could, that ſhe would pacifie herſelf. Nothing that could be ſaid, could pleaſe her.

In this mean time there roſe a nombre in the court; to pacifie which there went down the lord Ruthen, who went ſtrayt to the erles Huntly, Bothwell and Atholl to quiet them, and to aſſure them for the king that nothing was intend againſt them. Theſe notwithſtanding taking fear, when theie heard that my lord of Murray wold be there the next day, and Argile meet them, Huntly and Bothwell both get out of a window and ſo depart. Atholl had leave of the king with Flyſh and Glandores (who was lately called Dylley the perſon of Owne) to go where they wold, and bring concordie out of the court by the lord of Lidington. Theie went that night to ſuch places, where they thought themſelves in moſt ſauftie.

Before the king leaft talk with the queen, in the hearing of the lord Ruthen ſhe was contents that he ſhold lie with her that night. We know not how he * * himſelf, but came not at her, and excuſed hymſelf to his friends, that he was ſo ſleepie, that he could not wake in due ſeaſon.

There were in this companie two that came in with the king; the one Andrewe Car of Fawdenſide, whom the queen ſayth would have ſtroken her with a dagger, and one Patrick Balentine, brother to the lord juſtice clerk, who alſo her grace ſayth, offered a dag. againſt her belly with the cock down. We have been earneſtly in hand with the lord Ruthen to know the varitie; but he aſſoureth us of the contrarie. There were in the queen's chamber the lord Robert, Arthur Arſkin, one or two others. They at the firſt offering

to

to make a defence, the lord Ruthen drawd his dagger, and 4 mo weapons then that were not drawn nor seen in her presens, as we are by this lord assured.

[The letter afterwards gives an account of the flight to Dunbar-Castle, whether reforted unto the lords Huntly and Bothwell: That the earl of Morton and lord Ruthven find themselves left by the king for all his fair promises, bonds and subscriptions. That he had protested before the council, that he was never consenting to the death of David, and that it is sore against his will: "That of the great substance David had there is much spoken, some say in gold to the the value of 11 m £. His apparel was very good, as it is said, 28 pair of velvet hose. His chamber well furnished, armour, dagger, pystoletts, harquebuses, 22 swords. Of all this nothing spoyld or lacked saving 2 or 3 dagger. He had the custody of all the queen's letters, which all were delivered unlooked upon. We hear of a juill, that he had hanged about his neck of some price, that cannot be heard of. He had upon his back, when he was slayn a night gown of damask furred, with a satten dublet, a hose of russet velvet."

No. XVI. (Vol. I. p. 287.)

Part of a Letter from Randolph to Cecil, Jan. 10, 1565-6.

——I CANNOT tell what misliking of late there hath been between her grace and her husband; he presseth earnestly for the matrimoniall crown, which she is loath hastily to grant; but willing to keep somewhat in store, until she know how well he is worth to enjoy such a soverignity; and therefore it is thought that the parliament, for a time shall be deferred, but hereof I can write no certainty.

From Mr Randolph's Letter to Secretary Cecil.

THE justice-clerk, in hard terms, more for his brother's cause than any desert, and as far as I can hear the king of all other in worst, for neither hath the queen good opinion of him for attempting of any thing

thing that was against her will, nor the people that he hath denied so manifest a matter, being proved to be done by his commandment, and now himself to be the accuser and pursuer of them that did as he willed them. This Scott, that was executed, and Murray that was yesterday arreigned, were both accused by him. It is written to me, for certain, by one, that upon Monday last spoke with the queen, that she is determined that the house of Lennox shall be as poor in Scotland as ever it was. The earl continueth sick, sore troubled in mind; he staith in the Abby, his son has been once with him, and he once with the queen, since she came to the castle. The queen hath now seen all the covenants and bands that passed between the king and the lords, and now findeth that his declaration, before her and council, of his innocency of the death of David, was false; and grievously offended that, by their means, he should seek to come to the crown matrimonial.

Part of a Letter from Randolph to Cecil from Berwick, 25 April, 1566.

——There is continually very much speech of the discord between the queen and her husband, so far that, that is commonly said and believed of himself, that Mr James Thornton is gone to Rome to sue for a divorce between them. It is very certain that Malevasier had not spoken with him within these three days. He is neither accompany'd nor looked upon of any nobleman; attended upon by certain of his own servants, and six or seven of the guard; at liberty to do, and go where, and what he will, there have no hope, yet among themselves of quietness.

——David's brother, named Joseph, who came this way with Malevasieur, unknown to any man here, is become secretary in his brother's place.

No. XVII. (Vol. I. p. 29..)

The earl of Bedford to Cecil, 3d August, 1566.

The queen and her husband agree after the old manner, or rather worse. She eateth but very seldom with

with him, lieth not, nor keepeth company with him nor loveth any ſuch as love him. He is ſo far out of her books, as at her going out of the caſtle of Edinburgh, to remove abroad, he knew nothing thereof. It cannot for modeſty, nor with the honour of the queen, be reported what ſhe ſaid of him. One Hickman, an Engliſh merchant there, having a water-ſpaniel which was very good, gave him to Mr James Melvil, who afterwards, for the pleaſure which he ſaw the king had in ſuch kind of dogs, gave him to to the king. The queen thereupon fell marvelloufly out with Melvill, and called him diſſembler and flatterer, and ſaid ſhe could not truſt one, who would give any thing to ſuch one as ſhe loved not.

The earl of Bedford to Cecil, Auguſt 8.

THE diſagreement between the queen and her huſband continueth, or rather increaſeth. Robert Melvill drawing homewards, within twelve miles of Edinburg, could not tell where to find the Queen, ſith which time ſhe is come to Edinburgh, and had not twelve horſes attending on her. There was not then, nor that I can hear of ſince, any lord baron, or other nobleman in her company. The king her huſband is gone to Dumfermling, and paſſeth his time as well as he may; having at his farewell, ſuch countenance as would make a huſband heavy at the heart.

Sir John Forſter to Cecil, 8 Sept. from Berwick.

THE queen hath her huſband in ſmall eſtimation, and the Earl of Lennox came not in the queen's ſight ſince the death of Davy.

Sir John Forſter to Cecil, 11th Dec.

THE Earl of Bothwell is appointed to receive the ambaſſadors, and all things for the chriſtening are at his lordſhip's appointment, and the ſame is ſcarcely well liked of the nobility, as is ſaid. The king and queen is preſently at Craigmillar, but in little greater familiarity than he was all the while paſt.

Adver-

Advertisements out of Scotland from the earl of Bedford.

THAT the king and the queen agreed well together two days, after her coming from ———, and after my lord of Murray's coming to Edinburgh, some new discord has happened. The Queen hath declared to my lord of Murray that the king bears him evil will, and has said to her, that he is determined to kill him, finding fault that she doth bear him so much company; and in like manner, hath willed my lord of Murray to spiere it at the king, which he did a few nights since in the queen's presence, and in the hearing of divers. The king confessed, that reports were made to him, that my lord of Murray was not his friend, which made him speak that thing he repented; and the Queen affirmed, that the king had spoken such words unto her, and confessed before the whole house that she could not be content that either he or any other should be unfriend to my lord of Murray. My lord of Murray enquired the same stoutly, and used his speech very modestly, in the mean time the king departed very grieved; he cannot bear that the queen should use familiarity either with man or woman, and especially the ladies of Arguile, Murray, and Marre, who keep most company with her. My lord of Murray and Bothwell have been at evil words for the L. of Ledington, before the queen, for he and sir James Balfoure had new come from Ledington, with his answer upon such heads or articles as Bothwell and he should agree upon, which being reported to the said earl in the queen's presence, made answer, that e'er he parted with such lands as was desired, he should part with his life. My lord of Murray said stoutly unto him, that twenty as honest men as he should lose their lives ere he reafte Ledington. The Queen spake nothing, but heard both; in these terms they parted, and since, that I hear of, have not met. The queen after her hunting came to Edenburgh, and caryeth the prince thence to Sterling with her. This last Saturday was executed a servant of the lord Ruthven's, who confessed that he was in the cabinet, but not of council of the fact. The queen hath also opened

pened to my lord of Murray, that money was sen from the pope, how much it was, and by whom, and for what purpose it was brought.

No. XVIII. (Vol. I. p. 302.)

Part of a Letter from Elizabeth to Mary, Feb. 20. 1569. A copy interlined by Cecil. It contains an answer to a complaining letter of Mary's upon the imprisoning of the bishop of Ross.

——After this [i. e. Mary's landing in Scotland] how patiently did I bear with many vain delays in not ratifying the treaty accorded by your own commissioners, whereby I received no small unkindness, besides the manifold cause of suspicion that I might not hereafter trust to any writings. Then followed a hard manner of dealing with me, to entice my subject and near kinsman, the lord Darnly, under colour of private suits for land, to come into the realm, to proceed in treaty of marriage with him without my knowledge, yea to conclude the same without my assent or liking. And how many unkind parts accompany'd that fact; by receiving of my subjects that were base runnagates and offenders at home, and enhansing them to places of credit against my will, with many such like, I will leave, for that the remembrance of the same cannot but be noysome to you. And yet all these did I as it were suppress and overcome with my natural inclination of love towards you; and did afterwards gladly, as you know, christen your son, the child of my said kinsman, that had before so unloyally offended me, both in marriage of you, and in other undutiful usages towards me his sovereign. How friendly also dealt I by messages to reconcile him, being your husband, to you, when others nourished discord betwixt you, who as it seemed had more power to work their purposes, being evil to you both, than I had to do you good, in respect of the evil I had received. Well I will overpass your hard accidents that followed for lack of following my council. And then in your most extremity, when you was a prisoner indeed, and in danger of your life from your notorious evil willers, how

how far from my mind was the remembrance of any former unkindness you had shewed me. Nay, how void was I of respect to the designs which the world had seen attempted by you to my crown, and the security that might have ensued to my state by your death, when I finding your calamity to be great, that you were at the pit's brink to have miserably lost your life, did not only intreat for your life, but so threatened some as were irritated against you, that I only may say it, even I was the principal cause to save your life.

No. XIX. (Vol. I. p. 316.)

Letter Q. Elizabeth to Q. of Scots. Thus marked on the back with Cecil's hand ——Copia Literarum Regiæ Majestatis ad Reginam Scotorum. VIII°. Aprilis.

MADAME, vous ayant trop moleste par M. de Crocq, n'eusse eu si peu de consideration de vous fascher de cette lettre, si les liens de charite vers les ruinez, et les prières des miserables ne m'y contraignassent. Je entens que un edit a ete divulgue de par vous, madame, pue ung chascun, que veult justifier que ons este les meurtriers de votre feu mari, et mon feu cousin, viennent a le faire le XIIme de ce mois. La quelle chose, comme c'est plus honorable et necessaire, qui en tel cas se pourra faire, ne y estant cache quelque mistere ou finesse, ainsi le pere et amis du mort gentelhomme m'ont humblement requis, que je vous prisse de prolongue le jour, pource qu'ilz cognoissent que les iniques se sont combines par force de faire ce que par droict ils ne pourront pas faire; partant, je ne puis mais sinon pour l'amour de vous meme, a qui il touche le plus, et pour la consolation des innocens, de vous exhorter le leur conceder cette requeste, laquelle, si elle les seroit nie, vous tourneroit grandement en soupçon, de plus que j'espere ne pensez, et que ne voudriez volontiers ouyr. Pour l'amour de Dieu, madame, usez de telle sincerite & prudence en ce cas qui vous touche de si pres, que tout le monde aye raison; de vous livrer comme innocente d'ung crime si enorme, chose que si ne fistes, seriez dignement esbloye hors de rancz de princesses, & non sans

cause faite opprobre de vulgaire, et plutot que ce vous avienne, je vous fonhaiterois une sepulture h norable, qu'une vie maculee; vous voiez madam que je vou traite comme ma ville, et vous prome que si j'en eusse, ne luy souhaiterois mieulx, que vous desire, comme le Seigneur Dieu me porte t moignage, a qui je prie de bon cœur de vous inspir a faire ce qui vous sera plus a honneur, et a vos an plus de consolation, avec mes tres cordialles recom mendations comme a icelle a qui se souhaite le plus bien, qui vous pourra en ce monde avenir. De We ce 8 jour de Janvier* en haste.

No. XX. (Vol. I. p. 328.)

A Letter from England concerning the murder of ki Henry Darnly.

HAVING the commodity of this bearer Mr Clark, tho't good to write a few words unto you. I hav recd. some writs from you, as namely to the earl Bed ford of the 16th of May. I have participat the con tents thereof to such as I thought meet, this mekle can assure you; the intelligence given hither by th French was untrue, for there was not one papist no protestant which did not consent that justice shoul be done, be the queen my sovns. aid and suppor against such as had committed that abominable murder in your country; but to say truth, the lac & boldness did not rise from such as were called t council, but from such as should give life and execu tion thereunto. And further, I assure you, I neve knew no matter of estate proponed which had so many favourers of all sorts of nations as this had: yea I can say unto you, no man promoted the matter wit greater affection, than the Spanish ambassador. An sure I am, that no man dare openly be of any othe mind, but to affirm that whosoever is guilty of thi murder, handfasted with advoutre, is unworthy t live. I shall not need to tell you, which be our lett and stayes from all good things here. You are ac quainte

* A mistake in the date corrected with Cecil's han VIIIo. Aprilis.

quainted with them as well as I. Neds I must confess that howsoever we omit occasions of benefit, honour, and surety; it behoveth your whole nobility, and namely such as before, and after the murder, were deemed to allow of Bodwell, to prosecute with sword and justice the punishment of those abominable acts, though we lend you but a cold aid, and albeit you, and divers others, both honourable and honest, be well known to me, and sundry others here, to be justifiable in all their actions and doings; yet think not the contrary but your whole nation is blemished and infamit by these doings, which lately passed among you. What we shall do I know not, neither do I write unto you assuredly, for we be subject unto many mutations, and yet I think we shall either aid you, or continue you in the defence and safeguard of your prince, so as it appear to us that you mean his safeguard indeed, and not to run the fortune of France, which will be your own destruction, if you be unadvised. I know not one, no not one of any quality or estate in this country, which does allow of the queen your sovereign, but would gladly the world were rid of her, so as the same were done without farther slander, that is to say by ordinary justice. This I send the 23d May.

No. XXI. (Vol. I. p. 333)

Part of a Letter from Sir Nicolas Throgmorton to Cecil, 11th of July, 1567, from Berwick.

——Sir, Your letter of the 6th Jully, I received the 10th at Berwick. I am sorry to see that the queen's majesty disposition altereth not towards the lords, for when all is done, it is they which must stand her more in stead, than the queen her cousin, and will be better instruments to work some benefite and quietness to her majesty and her realm, than the queen of Scotland which is void of good fame.

A Letter from Sir Nicholas Throgmorton to Cecil from Fastcastle, 12th of July, 1567.

Sir, as yow might perceive by my letter of the 11th July, I lodged at Fastcastle that night, accompany-

ed with the Lord Hume, the lord of Ledington, and James Melvin, where I was intreated very well, according to the ſtate of the place, which is fitter to lodge priſoners then folks at liberty, as it is very littel, ſo it is very ſtrong. By the conference I have had with the lord of Ledington I find the lords his aſſociates and he hath left nothing unthought of, which may be either to their danger, or work them ſuerty, wherein they do not forget what good and harme France may do them, and likewiſe they conſider the ſame of England; but as farr as I can perceave, to be plain with yow, they find more perril to grow unto them through the queen's majeſty's dealing, than either they do by the French, or by any contrary faction amongſt themſelves, for they aſſure themſelves the queen will leave them in the bryers if they run her fortoun, and though they do ackowledge great benefit as well to them, as to the realm of England by her majeſty's doings at Leith, whereof they ſay mutually her majeſty and both the realms have received great fruit; yet upon other accidents which have chanced ſince, they have obſerved ſuch things in her majeſty's doings, as have ended to the danger of ſuch as ſhe hath dealt withal, to the overthrow of your own deſignments, and little to the ſurety of any party; and upon theſe conſiderations and diſcourſes at length, me thinketh I find a diſpoſition in them, that either they mind to make their bargain with France, or elſe to deal neither with France nor yow, but to do what they ſhall think meet for their ſtate and ſurety, and to uſe their remedys as occation ſhall move them; meaning neither to irritate France nor England, untill ſuch time as they have made their bargain aſſuredly with one of yow; for they think it convenient to proceed with yow both for awhile pari paſſu, for that was my lord of Ledington's terms. I do perceave they take the matter very unkindly, that no better anſwer is made to the letter, which the lords did ſend to her majeſty, and likewiſe that they hear nothing from yow to their ſatisfaction, I have anſwered as well as I can, and have alledged their own proceedings ſo obſcurly with the queen, and their uncertainty

certainty hath occationed this that is yet happned, and therefore her majesty hath sent me to the end I may inform her thoroughly of the state of the matters, and upon the declaration of their minds and intents to such purposes as shall be by me proposed on their majesty's behalf unto them, they shall be reasonably and resolutely answered. At these things the lord of Ledington smiled and shook his head, and said it were better for us yow would let us alone, than neither to do us nor your selves good, as I fear me in the end that will prove; S^r if their be any truth in Ledington, La Crocq is gone to procure Ramboilet his coming hither or a man of like quality, and to deliver them of their queen forever, who shall lead her life in France in a abby reclused, the prince at the French devotion, the realm governed by a council of their election of the Scottish nation. the forts committed to the custody of such as shall be chosen amongst themselves, as yet I find no great likeliehood that I shall have access to the queen, it is objected they may not so displease the French king, unless they were sure to find the queen of England a good friend; and when they once by my access to the queen have offended the French, then they say yow will make your profit thereof to their undoing; and as to the queen's liberty, which was the first head that I proposed, they said that thereby they did perceive that the queen wants their undoing, for as for the rest of the matters it was but folly to talk of them the liberty going before; but said they, if you will do us no good, do us no harm, and we will provide for ourselves. In the end they said, we should refuse our own commodity, before they concluded with any other, which I should hear of at my coming to Edin^r; by my next I hope to send yow the band concluded by Hamiltons, Argyll, Huntly and that faction, not so much to the prejudice of the lords of Edin^r, as that which was sent into France; thus having no more leisure but compell'd to leap on horseback with the lords to go to Edin^r, I humbly take my leave of you from Fastcastle the 12th July 1567.

To Sir Nicolas Throgmorton being in Scotland. By the queen the 14th Jully 1567.

TRUSTY and well beloved we greet you well, though we think that the cauſes will often change upon variety of accidents, yet this we think, for ſundry reſpects, not amiſs, that as yow ſhall deal with the lords having charge of the young prince for the committing of him into our realm, ſo ſhall yow alſo do well, in treaty with the queen, to offer her that where her realm appeareth to be ſubject to ſundry troubles from time to time, and there by (as it is manifaſt) her ſon cannot be free, if ſhe ſhall be contented that her ſon may enjoy fuerty and quietneſs, within this our realm, being ſo near as ſhe knows it is; we ſhall not faill to yield her as good fuerty therein for her child, as can be devifed for any that might be our child born of our own body, and ſhall be glad to ſhow to her therein the trew effect of nature; and herein ſhe may be by yow remembered how much good may enſue to her ſon to be nourifhed and acquainted with our country; and therefore, all things conſidered, this occation for her child, were rather to be ſought by her and the friends of him, than offered by us; and to this end, we mean that yow ſhall to deal with her, both to ſtay her in deed from inclining to the French practiſe, which is to us notoriouſs to convey her and the prince into France, and alſo to avoid any juſt offence, that ſhe might hereafter conceive, if ſhe ſhould hear that we ſhould deal with the lords for the prince.

Sir Nicolas Throgmorton to queen Elizabeth, 14th July 1567, from Edinburgh.

IT may pleaſe your majeſty to be advertiſed, I did ſignifie unto Mr Secretary by my letters of the 11th and 12th of July, the day of mine entry into Scotland, the cauſes of my ſtay, my lodging at Faſtcaſtle a place of the lord Humes, where I was met by the ſaid lord and by the lord Lidington, and what had paſſed in conference betwixt us, whileſt I was at the ſaid Faſtcaſtle. Since which time, accompanyed with the lords

lords aforesaid, and with 400 horses by their appointment for my better conduct, I came to Edin^r the 12th of this present. The 13th being Sunday appointed for a solemne communion in this town, and also a solemne fast being published, I could not have conference with the lords which be assembled within this town as I desired, that is to say the earles of Athole, and Morton, the lord Hume, the lord of Lidington, Sir James Balfour captain of the castle, Mr James M'Gill and the president of the session.

Nevertheless I made means by the lord of Lidington that they would use no protracte of time in mine audience, so did I likewise to the earle of Morton, whom I met by chance; I was answered by them both, that albeit the day were destined to sacred exercises, such as were there of the council would consult upon any moyen touching my access unto them and my conference with them, and said also that in the afternoon either they would come to me, or I should hear from them. About 4 of the clock in the afternoon, the said 13th day, the lord of Lidington came to my lodgings, and declared unto me on the behalf of the lords and others, that they required me to have patience though they had deffered my conference with them, which was grounded principally upon the absence of the earles of Mar, and Glencairn, the lords Semple, Crighton, and others of the council, saying also that that they did consider the matters which I was on your behalf to treate with them of, were of great importance, as they could not satisfy nor conveniently treate with me, nor give me answer without the advice of the lords, and others their associates; the lord of Lidington also said unto me, that where he perceived, by his private conference with me in my journy hitherwards, that I pressed greatly to have speedy access to the queen their sovereign, he perceived, by the lords and others which were here, that in that matter there was great difficulty for many respects, but specially because they had refused to the French ambassador the like access, which being granted unto me, might greatly offend the French, a matter which they desired and intend-

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ed to eſchew; for they did not find by your majeſty's dealings with them hitherto, that it behoved them to irritate the French king, and to looſe his favour and intelligence with him; I anſwered them as unto their refuſall, made unto the French ambaſſador, monſieur de Ville Roye was diſpatched forth of France before theſe accidents here happened, and his ſpecial errand was to impeach the queen's marriage with the earle of Bothwell, (for ſo indeed ſince my coming hither I learned his commiſſion tended to that end, and to make offer to the queen of another marriage) and as to monſieur de Crocq, he could have no order forth of France concerning theſe matters ſince they happened; and therefore they might very well hold them ſuſpected to have conference with the queen, leaſt they might treate of matters in this time without inſtructions and ſo rather do harm than good; but your majeſty being advertized of all things which had chanced had ſent me hither to treate with them, for the well of the realm, for the conſervation of their honors and credit, and for their ſuerty; and I might boldly ſay unto him, that your majeſty had better deſerved than the French had. He ſaid, for his own part, he was much bound unto your majeſty, and had always found great favour and courteſy in England, but to be plain with you Sir ſayed he there is not many of this aſſembly that have found ſo great obligation at the queen your ſovereigns hands, as at the French kings, for the earles of Morton and Glencairn be the only perſons which took benefit by the queens majeſtys aid at Leith, the reſt of the noblemen were not in the action, and we think ſaid he, the queens majeſty your ſovereign, by the opinion of her own council, and all the world, took as great benefit, by that charge as the realm of Scotland, or any particular perſon; and not to talk with yow as an ambaſſador, but with Sir Nicolas Throgmorton, my lord Morton, and ſuch as were in pain for the death of Davie, found but cold favour at the queen's majeſtys hands, when they were baniſh'd forth of their own contry; but I would all our whole company were as well willing to accompliſh the queen your ſovereign's

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intents and desires as I am, for mine own part, I am but one, and that of the meanest sort, and they be many noblemen and such as have great interest in the matter, mary yow shall be assured I will imploy my credit, and all that I may do, to satisfie the queen your mistress, as much as lyeth in me, and for your own part you have a great many friends in this assembly, with many other good words. But for conclusion I must take this for an answer to stay untill the other lord were come, and thereupon I thought meet to advertize your majesty what hath passed, and how far forth I have proceeded; your expectation being great to hear from hence.

And now to advertize your majesty of the state of all things, as I have learned since my coming hither, it may please your majesty to understand as followeth.

The queen of Scotland remaineth in good health in the castle of Lochleven, guarded by the lord Linsay and Lochleven the owner of the house; for the lord Ruthven is employed in another commission, because he began to show great favour to the queen and to give her intelligence. She is waited on with 5 or 6 ladys 4 or 5 gentlewomen, and 2 chamberers, whereof one is a French woman. The earle of Buchan, the earle of Murray's brother, hath also liberty to come at her at his pleasure; the lords aforesaid, which have her in guard, doe keep her very straitly, and as far as I can perceive, their rigour proceedeth by their order from these men, because that the queen will not by any means be induced to lend her authority to prosecute the murder, nor will not consent by any perswasion to abandon the lord Bothell for her husband, but avoweth constantly that she will live and die with him; and saith that if it were put to her choice to relinquish her crown and kingdom or the lord Bothell she would leave her kingdom and dignity, to go as a simple damsell with him, and that she will never consent that he shall fare worse, or have more harm than herself.

And as far as I can perceive, the principall cause of her detention is, for that these lords do see the queen

queen being of so fervent affection towards the ear of Bothell as she is, and being put at as they shou be compelled to be in continuall arms, and to ha occation of many battles, he being with manifest ev dence notoriously detected to be the principal mu derer, and the lords meaning prosecution of justi against him according to his merits.

The lords mean also a divorce betwixt the quee and him as a marriage not to be suffered for many re spects, which separation cannot take place if th queen be at liberty, and have power in her hands.

They do not also forget their own perill, conjoin with the danger of the prince, but as far as I can pe ceave they intend not either to touch the queen i surety or in honour, for they do speak of her wit respect and reverence, and do affirm, as I do learn that the conditions aforesaid accomplished, they wi both put her to liberty, and restore her to her estate

These lords have for the guard of their town 450 Harqubushers which be in very good order, for the entertainment of which companys, untill all matter be compounded, they did sue unto your majesty, to aid them with such sum of mony, as hath been mentioned to Mr Secretary by the lord of Lidington's writting amounting as I perceive to ten or twelve thousand crouns of the

They were latly advertized that the French King doth mind to send hither monsieur de la Chapell dez Ursine, a knight of the French order, and always well affectionate to the house of Guyse, and howsoever la Forest, Villaroye, and du Crocq have used language in the queen's favour and to these lords disadvantage there, to your majesty; la Crocq doth carry with him such matter as shall be little to the queen's advantage; so as it is thought the French king, upon his coming to his presence, will rather satisfie the lords, than pleasure the queen; for they have their party so well made, as the French will rather make their profit by them, than any other way.

Herewith I send your majesty the last bond agreed on, and signed by the Hamiltons, the Earl of Argyll, Huntly, and sundry others at Dumbarton.

Never-

Neverthelefs, fince my coming to this town, the Hamiltons have fent unto me a gentleman of their firname named Robert Hamilton with a letter from the bifhop of St Andrews and the Abbot of Arbroth, the coppy whereof I fend your majefty and mine anwer unto them, referring to the bearer the declaration of fome things, as thefe did by him unto me.

The earle of Argyll hath, in like manner, fent another unto me with a letter and credit, I have ufed him as I did the others, the coppy of both which letters I fend your majefty alfo. The lord Harrys hath alfo fent unto me but not written, and I have returned unto him in like fort.

Againft the 20th day of this month there is a generall affembly of all the churches, fhires, and boroughs towns of this realm, namely of fuch as be contented to repair to thefe lords to this town, where it is thought the whole ftate of this matter will be handeled, and I fear me much to the queen's difadvantage and danger; unlefs the lord of Ledington and fome others which be beft affected unto her do provide fome remedy; for I perceave the great number, and in manner all, but chiefly the common people, which have affifted in thefe doings, do greatly difhonour the queen, and mind feriouffy either her deprivation, or her deftruction; I ufed the beft means I can (confidering the furie of the world here) to proroge this affembly, for that appeareth to me to be the beft remedy; I may not fpeak of diffolution of it, for that may not be abiden, and I fhould thereby bring myfelf into great hatred and perril. The chiefeft of the lords which be here prefent at this time dare not fhow fo much lenity to the queen as I think they could be contented, for fear of the rage of the people. The women be moft furious and impudent againft the queen, and yet the men be mad enough; fo as a ftranger over bufie may foon be made a facrifice amongft them.

There was a great bruit that the Hamiltons with here adherents would put their force into the fields againft the 24th of this month, but I do not find that intent fo true, as the common bruit goeth.

The

The earle of Argyll is in the high lands, where there is trouble among his own contrymen.

The earle of Lennox is by these lords much desired here, and I do believe your majesty may so use him, and direct him, as he shall be able to promote your purpose with these men.

The earle of Argyll, the Hamiltons and he be incompatible.—I do find amongst the Hamiltons, Argyll and the company two strange and sundry humours.

Hamiltons do make show of the liberty of the queen, and prosecute that with great earnestness, because they would have these lords destroy her, rather than she should be recovered from them by violence; another time they seem to desire her liberty, and Bothell's destruction, because they would compass a marriage betwixt the queen and the lord of Arbroth.

The earl of Argyll doth affect her liberty, and Bothell's destruction, because he would marry the queen to his brother.

And yet neither of them, notwithstanding their open concurance, (as appeared by their bond) doth discover their minds to each other, nor mind one end; Knox is not here, but in the west parts, he and the rest of the ministers will be here at the great assembly whos austerity against the queen I fear as much as any man's.

By some conferrence which I had with some of this councill, me thinketh that they have intelligence that there is a disposition in the queen of Scotland, to leave this realm, and to retire herself either into England, or into France, but most willingly into England, for such——and mislikings as she knoweth hath been, and is meant unto her in France, leaving the regiment either to a number of persons deleagued, and authorized by her or to some one or more.

And it please your majesty, I think it not amiss to put yow in remembrance, that in case the said queen come into England by your allowance, without the French king's consent, she shall lose her dowery in France, and have little or nothing from hence to entertain her; and in case she do go into France with the King's contentment, she may be an instrument (if

(if she can recover favour, as time will help to cancell her disgrace) either by matching with some husband of good quality, or by some other devise, to work new unquietness to her own country, and so consequently to your majesty's.

Therefore it may please your majesty to consider of this matter, and to let me know your pleasure with convenient speed, how I shall answer the same, if it be propounded unto me, either by the queen, or by the councill, as a piece of the end and composition. For I am sure, of late, she hath seemed very desirous to have the matter brought to pass, that she might go into England, retaining her estate and jurisdiction in herself, though she do not exercise it; and likewise I understand that some of this council which be least affected to her safety do think there is no other way to save her. Thus Almighty God preserve your majesty in health honor and felicity; at Edin^r the 14th July 1567.

Sir Nicolas Throgmorton to Queen Elizabeth the 18th July 1567, from Edinburgh.

It may please your majesty, yow might perceave by my letters of the 16th, how far I had proceeded with these lords, and what was their answer; since which time I have spoken particularly with the earle Morton, the lord of Lidington, and Sir James Balfour captain of this castle, at whose hands I cannot perceave that as yet access to the queen to Lochleven will be granted me, staying themselves still by the absence of the lords and others their associates, which (they say) they look for within three days; and for that I find, by liklihood and apparent presumptions, that mine access to the queen will hardly be granted, I have thought good not to defer this dispatch untill I have a resolute answer in that matter.

May it therefor please your majesty to understand Robert Melvin returned from the queen in Lochleven, to this town, the 6th of July, and brought a letter from her written of her own hand to these lords, which doth contain as I understand matter as followeth—A request unto them to have consideration of

her health, and if they will not put her to liberty, change the place of restraint to the castle of Stirli to the end she might have the comfort and comp of her son, and if they will not change her fr Lochleven, she required to have some other gen women about her, naming none.

To have her apothecary, to have some modest nister.—To have an imbroiderer to draw forth su work as she would be occupied about, and to hav varlet of the chamber—Touching the government the realm, she maketh two offers, which are but nerally touched in her letter, the particularitys be s specified, but refered to Robert Melvin's credit, a one is to commit it only and wholly to the earle Murray; the other is to the lords whose names ensu assisted with such others, as they shall call unto the that is to say, the duke of Chattelrault, the earles Morton, Murray, Mar, and Glencairn.

She hath written unto them that I might have a cess unto her —She requireth further that if they w not treat her and regard her as their queen, yet use her as the king their sovereign's daughter, (who many of them knew) and as their prince's mother.- She will by no means yield to abandon Bothell for h husband, nor relinquish him; which matter will c her most harm of all, and hardeneth these lords great severity against her.

She yeildeth, in words, to the prosecution of th murder.

I have the means to let her know that your majest hath sent me hither for her relief.

I have also perswaded her to confirm herself to re nounce Bothell for her husband, and to be contente to suffer a divorse to pass betwixt them; she hath sen me word that she will in no ways consent unto that but rather die; grounding herself upon this reason taking herself to be seven weeks gone with child, b renouncing Bothell, she should acknowledge herse to be with child of a bastard, and to have forfeite her honor, which she will not do to die for it; I hav perswaded her to save her own life and her child, to choose the least hard condition.

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Mr Knox arrived here in this town the 6 of this onth, with whom I have had ſome conference, and ith Mr Craig alſo, the other miniſter of this town. I have perſwaded with them to preach and perſwad nity, I find them both very auſtere, in this confe- nce, what they ſhall do hereafter I know not, they e furniſhed with many arguments, ſome forth of e ſcripture, ſome forth of hiſtories, ſome grounded s they ſay) upon the laws of this realm, ſome upon actices uſed in this realm, and ſome upon the nditions and oth made by their prince at her coro- tion.

The biſhop of Galloway uncle to the earle of Huntly th ſent hither to theſe lords, that his nephew the rle and ſome others of that ſide, may, at Linlith- w or at Stirling, have ſome communication with me appointed on this ſide, aſſuring them that there a good diſpoſition in the lords of the other party to ncurre with theſe, aſſuring further that they will t diſſent for triffles or unneceſſary things, and (as m given to underſtand) they can be pleaſed the e queen's reſtraint be continu'd untill the murder purſued in all perſons, whereby the ſeperation of e queen and Bothell is implyed, the preſervation of e prince, the ſecurity for all men, and a good or- r taken for the governance of the realm in tran- ility.

Captain Clerk, which hath ſo long ſerved in Den- rk and ſerved at Newhaven, die the 16th of this onth (accompanyed with one of his ſoldiers, or ra- er the ſoldier as the greater fame goeth) kill one ilſon a ſeaman, and ſuch a one as had great eſti- tion with theſe lords both for his ſkill, his hardy- s, honeſty, and willingneſs in this action; where- on Clerk hath retired himſelf; their quarrel was out the ſhip which took Blacketer, which ſhip was pointed by theſe lords to go to the north of Scot- d to impeach the paſſage of the earle Bothell, in e he went either to the iſles, or to any other ce; by the death of this man this enterprize was hed.

The bishop of Galloway is come to Linlitgow, a doth desire to speak with the lord of Lidington.

The abbot of Kilwinning hath sent for Sir Jan Balfour captain of the castle, to have conferen with him.

As I wrote unto your Majesty in my last, the H miltons now find no matter to disever these lords a them assunder, but would concurr in all things (y in any extremity against the queen) so as that the might be assured the prince of Scotland were crou ed king, and should die without issue, that the ear of Lennox's son living should not inherit the crou of this realm, as next heir to his nephew.

And although the lords and councelors speak rev rently, mildly, and charitably of their queen, so as cannot gather by their speech any intention to cruel ty or violence, yet I do find by intelligence, that th queen is in very great perril of her life, by reaso that the people assembled at this convention do min vehemently the destruction of her.

It is a public speech amongst all the people, and a mongst all estates, (saving of the counselors) tha their queen hath no more liberty nor priviledge t commit murder nor adultry, than any other privat person, neither by God's law, nor by the laws o the realm.

The earl Bothwell and all his adherents and associ ates, be put to the horn by the ordinary justice o this town, named the lords of the [illegible] and com mandment given to all sherriffs, and all other officers to apprehend him, and all other his followers and receiptors.—— The earl of Bothel's porter, and one of his other servitors of his chamber, being apprehended, have confessed such sundry circumstances, as it appeareth evidently, that he the said earl was one of the principal executors of the murder, in his own person, accompany'd with sundry others, of which number I cannot yet certainly learn the names but of three of them, that is to say, two of the Ormiston's of Pivotdall, and one Hayborn of Bolton; the lords would be glad that none of the murderers should have any favour or receipt in England, and hereof their

their desire is, that the officers upon the border may be warned; Bothell doth still remain in the north parts, but the lord Seaton and Fleming, which have been there, have utterly abandoned him, and do repair hitherwards.— The intelligence doth grow daily betwixt these lords, and those which held of; and notwithstanding these lords have sent an hundred and fifty harqubushers to Stirling, to keep the town and passage from surprize; and so have they done in like manner to St Johnston, which be the two passages from the north, and west to this town, I do understand the captain of Dunbar is much busied in fortifying that place, I do mervile the carriages be not impeached otherwise than they be.

Of late this queen hath written a letter to the captain of the said castle, which hath been surprised; and thereby matter is discovered which maketh little to the queen's advantage.

Thus, having none other matter worthy your majesty's knowledge, I beseech God to prosper your majesty with long life, perfect health, and prosperous felicity. At Edinburgh the 18th of July, 1567.

Letter of Sir Nicholas Throgmorton to the right honourable the earl of Leicester, knt. of the order, and one of the lords of her majesty's most honourable privy Council.

By my former dispatches sent to her majesty, and Mr Secretary, since the 12th of July, your lordships might have percieved the state of this country, and to what end these matters be like to come; so as not to trouble your majesty with many words; this queen is like very shortly to be deprived of her royal estate, her son to be crowned king and she detained in prison within this realm, and the same to be governed, in the young king's name, by a council, consisting of certain of the nobility, and other wise men of this realm; so as it is easy to be seen that the power and ability to do any thing to the commodity of the queen's majesty, and the realm of England, will chiefly, and in manner wholly, rest in the hands of these lords, and others their associates, assembled at Edinburgh.

Now if the queen's majesty will still persist in her former opinion towards the queen of Scotland, (under whom she shall be able to do no good) then I do plainly see that these lords and all their accomplices will become as good French, as the French can wish, to all intents and purposes. And as for the Hamiltons, the earls of Arguile, Huntlye, and that faction, they be already so far inchanted that way, as there needed little devise to draw them to the French devotion. Then this is the state of things so come to pass of this country, that France has Scotland now as much conjoined unto them, to all purposes, as ever it was; and what an instrument, the young prince will prove to unquiet England, I report me to your lordships wisdom, and therefore considering the weight of the matter, and all the circumstances, I trust your lordships will well bethink you in time, (for 'tis high time) how to advise her majesty, to leave nothing undone that may bring the prince of Scotland to be in her possession, or, at the least, to be at her devotion. And amongst other things, that I can imagine, for the first degree, nothing is more meet to bring this to effect, than to allure this company here assembled, to bear her majesty their favour. Some talk hath passed between the lord of Liddington and me, in certain conferences, about this matter. By him I find, that when her majesty shall have won these men to her devotion, the principal point that will make them conformable to deliver their prince into England, will rest upon the queen, and the realms enabling him to the succession of the crown of England, for fault of issue of the queen's majesty's body, some other things will also be required, as the charge of the said prince and his train, to be at the charge of England. I do well perceive that these men will never be brought to deliver their prince into England, without the former condition, for the succession of England; for (saith Liddington) that taking place, the prince shall be as dear to the people of England as to the people of Scotland; and the one will be as careful of his preservation as the other. Otherwise, he saith, all things considered, it will be reported that the Scottishmen

have

have put their prince to be kept in safety, as those which commit the sheep to be kept by the wolves. So as for conclusion, your lordships may perceive here will be the scope of this matter. As unto the delivering of him upon hostages, he sayeth, let no man think, that the condition of the succession not being accomplished, the nobility and the gentry will never consent to leave themselves destitute of their sovereign, upon any hostages, neither upon any promises, nor likelihood of good to issue in time to come. It were not good for yourselves (saith he) that the matter were so handled; for then you should adventure all your goods in one ship, which might have a dangerous effect, considering the unwillingness of the queen your sovereign to consent to establishing any successor to the crown. And then, how unmete were it, that her majesty having in her possession already all such persons as do pretend to it, or be inheritable to the crown, to have our prince also in her custody. For so their might follow, without good capitulations, a strange and dangerous issue, tho' the queen your mistress do think that such imaginations could not proceed but from busy heads, as you have uttered unto us on her behalf. What is come to pass since my last dispatch, and how far forth things are proceeded I refer your lordship to be informed by my letters sent unto her majesty, at this time. And so I pray almighty God, preserve your lordship in much honour, and felicity. At Edenburgh this 14th of July, 1567.

It may please your good lordship to make my lord Stuard partner of this letter.

The queen to Sir Nicholas Throckmorton.

By the Queen.

TRUSTY and right well beloved, we greet you well, for as much as we do consider that you have now a long time remained in those parts, without expedition in the charge comitted unto you, we think it not meet seeing there hath not followed the good acceptation and fruit of our well meaning towards that state, which good reason would have required, that you

you ſhould contiuue there any longer, our pleaſure therefore, is, that you ſhall, immediately upon the receipt hereof, ſend your ſervant Middlemore unto the lords and eſtates of that realm, that are aſſembled together, willing him to declare unto them, that it cannot but ſeem very ſtrange unto us, that you having been ſent from us, of ſuch good intent, to deal with them, in matters tending ſo much to their own quiet and to the benefit of the whole eſtate of their country, they have ſo far forgotten themſelves and ſo ſlightly regarded us and our good meaning, not only in delaying to hear you, and deferring your acceſs to the queen their ſovereign, but alſo, which is ſtrangeſt of all, in not vouchſafing to make any anſwer unto us. And altho' theſe dealings be ſuch, indeed as were not to be looked for at their hands, yet do we find their uſage and proceedings towards their Sovereign and queen, to overpaſs all the reſt, in ſo ſtrange a degree, as we for our part, and we ſuppoſe the whole world beſides, cannot but think them to have therein gone ſo far beyond the duty of ſubjects, as muſt needs remain to their perpetual touche for ever. And therefore he ſhall ſay, that we have tho't good, without conſuming any longer time in vain, to revoke you to our preſence, requiring them to grant you liſcence and paſport ſo to do, which when you ſhall have obtained, we will that you make your repair hither, unto us, with as convenient ſpeed as you may.

Given, &c.

Indorſed 6th Auguſt, 1569.

Throgmorton to the right honourable Sir William Cecil, knight, one of her majeſty's privy council and principal ſecretary, give theſe.

Sir, What I have learned, ſince the arrival of my lord of Murray, and Monſ. de Linnerd, you ſhall underſtand by my letter to her majeſty, at this time. The French do, in their negotiations, as they do in their drink, put water to their wine. As I am able to ſee into their doings, they take it not greatly to the heart how the queen ſleep, whether ſhe live or die, whether ſhe be at liberty or in prizon. The

mark

rk they ſhoot at is to renew their old league and n be as well contented to take it of this little king, owſoever his title be) and the ſame by the order of eſe lords, as otherwiſe. Lyneroll came but yeſter-y, and me thinketh he will not tarry long; you y gueſs how the French will ſeek to diſpleaſe theſe ds, when they changed the coming of La Chap-le des Ourſins for this man, becauſe they doubted t de la Chappelle ſhould not be grateful to them, ng a papiſt. Sir, to ſpeak more plainly to you nn I will do otherwiſe, me thinketh the earl of urray will run the courſe that thoſe men do, and partaker of their fortune. I hear no man ſpeak re bitterly againſt the tragedy, and the players rein, than he, ſo little like he hath to horrible ſins, ear an inkling that Ledington is to go into France, ich I do as much miſlike, as any thing, for our rpoſe. I can aſſure you the whole proteſtants of ance will live and die in theſe mens quarrels; and, ere there is bruit amongſt you that aid, ſhould be t to the adverſe party, and that Martigues ſhould me hither with ſome force; Monſ. Baudelot hath aſ-ed me of his honour, that inſtead of Martigues ning againſt them, he will come with as good a ce to ſuccour them: And if that be ſent under aner conduct, Robert Steuart ſhall come with as ny to fortify them. But the conſtable hath aſſur-d theſe lords, that the king meaneth no way to of-d them. Sir I pray you find my [illegible] nient, and ſpeed you to further it, for I am here w to no purpoſe, unleſs it be to kindle theſe lords re againſt us. Thus I do humbly take my leave you, from Edenburgh the 12th of Auguſt, 1567.

Yours to uſe and command.

The Queen to Nicholas Throckmorton.

ruſty and well beloved we greet you well. We ve, within theſe two days, received three ſundry ters of yours, of the 20th, 22nd, and 23d, of this nth, having not before thoſe received any ſeven ys before; and do find, by theſe your letters, that u have very diligently and largely advertiſed us of

all

all the hasty and peremptory proceedings ther which as we nothing like, so we trust in time to them wax colder, and to receive some reformatic For we cannot perceive, that they with whom y have dealt, can answer the doubts moved by the H miltons, who howsever they may be carried for th private respects, yet those things which they mov will be allowed by all reasonable persons. For if th may not, being noblemen of the realm, be suffered hear the queen their sovereign declare her mind co cerning the reports which are made of her, by suc as keep her in captivity, how should they believe th reports, or obey them, which do report it? ar therefore our meaning is, you shall let the Hamilto plainly understand, that we do well allow of their pro ceedings, (as far forth as the same doth concern th queen their sovereign for her relief) and in such thing as shall appear reasonable for us therein to do, for th queen our sister, we will be ready to perform th same. And where it is so required, that upon you coming thence, the lord Scroope should deal with th lord Harris to impart their meanings to us, and our to them, we are well pleased therewith, and w require you to advertize the lord Scroope hereof b your letters, and to will him to shew himself favour able to them in their actions, that may appear plain ly to tend to the relief of the queen, and maintenance of her authority. And as we willed our secretary to write unto you, that upon your message done to the earl of Murray, you might return, so our meaning is you shall. And if these our letters shall meet you on the way, yet we will have you advertise both the lord Scroope, and the Hamiltons, of our meaning.

Indorsed 29 Aug. 1567.

No. XXII. (Vol. I. p. 338.)

Sir Nicholas Throckmorton to the archbishop of St Andrews, and the abbot of Arbrothe.

AFTER my good commendations to your good lordships, this shall be to advertize you, that the queen's majesty my sovereign having sent me hither her ambassador to the queen her sister your sovereign, to communicate

municate unto her ſuch matter as ſhe thought meet, conſidering the good amity and intelligence betwixt them, who being detained in captivity (as your lordſhips know) contrary to the duty of all good ſubjects, for the enlargement of whoſe perſon, and the reſtitution of her to her dignity, her majeſty gave me in charge to treat with theſe lords aſſembled at Edenburgh, offering them all reaſonable conditions and means as might be, for the ſafeguard of the young prince, the puniſhment of the late horrible murder, the diſſolution of the marriage betwixt the queen and the Bodweſl, and laſtly for their own ſureties. In the negotiation of which matters I have (as your lordſhips well know) ſpent a long time to no purpoſe, not being able to prevail in any thing with thoſe lords, to the queen my ſovereign's ſatisfaction. Of which ſtrange proceedings towards her majeſty, and undutiful behaviour towards their ſovereign, I have advertiſed the queen's majeſty; ſhe (not being minded to bear this indignity) hath given me in charge to declare her further pleaſure unto them, in ſuch ſort as they may well perceive her majeſty doth diſallow of their proceedings, and thereupon hath revoked me. And further hath given me in charge to communicate the ſame unto your lordſhips, requiring you to let me know, before my departure hence, (which ſhall be, God willing, as ſoon as I have received anſwer from you) what you and your confederates will aſſuredly do, to ſet the queen your ſovereign at liberty, and to reſtore her to her former dignity by force, or otherwiſe; ſeeing theſe lords have refuſed all other mediation, to the end the queen's majeſty my ſovereign, may concur with your lordſhips in this honourable enterprize.

And in caſe, through the diſperſion of your aſſociates, your lordſhips can neither communicate this matter amongſt you, nor receive reſolution of them all by that time, it may pleaſe you to ſend me the opinions of ſo many of you as may confer together, within two or three days, ſo as I may have your anſwer here in this town by Monday or Tueſday next at the furtheſt, being the 19th of this Auguſt; for I intend

intend (God willing) to depart towards England pon Wednesday following. Thus I most hum take my leave of your lordships at Edinburgh, 13th of Aug. 1567.

Indorsed 13th of Aug. 1567.

Sir Nicolas Throckmorton to the lord Herrys.

YOUR good lordship's letter of the 13th of Augu have received the 19th of the same. For ans whereunto it may like your lordship to understa that I will signifie unto you plainly, how far fort am already thoroughly instructed of the queen's m jesty my sovereign's pleasure, concerning the det tion of the queen your sovereign, and concerning relief.

To the first her majesty hath given in charge, use all kinds of persuasion in her name, to move th lords assembled at Edinburgh to desist from this v lent and undutifull behaviour, which they use tow their sovereign. And in this part, besides the sh of many reasons and sundry persuasions of amica treaty with them, her majesty hath willed me to some plain and severe speech unto them, tending far forth, as if they would not be better advised, a reform these their outrageous proceedings exercis against their sovereign, that then they might assured her majesty neither would, nor could indu such an indignity to be done to the queen, her goo cousin and neighbour.

And notwithstanding these my proceedings wi them, they have made proof to be little moved ther by, for as yet neither will they consent to the enlarg ment, neither suffer me to speak with her. So as seemeth to me, it is superfluous to treat any mo with them after this manner. Whereupon I have a vertised the queen's majesty my sovereign, expectin daily her majesty's further order; and as I shall b advertised thereof, so will not fail to signify the sam to your good lordship; and in the mean time will ad vertise her majesty also, what your lordship hath writ ten unto me. Thus with my due commendations t your good lordship, I commit the same to almight God

God, resting always to do you the pleasure and service that I can lawfully. At Edenburgh.

Indorsed 24th of August, 1567.

No. XXIII. (Vol. I. p. 346)

Account of Lord Herreis's behaviour in the parliament held December 15, 1567.

THE lord Herrys made a notable harangue, in the name of the duke and himself, their friends and adherents, (the duke himself, the earl of Cassilles, and the abbot of Kilwinning being also present) to persuade the union of the whole realm in one mind. Wherein he did not spare to set forth solemnly the great praise that part of this nobility did deserve, which in the beginning took means for punishment of the earl Bothwell, as also seeing the queen's inordinate affection to that wicked man, and that she could not be induced by their persuasion to leave him, that in sequestring her person within Lochlevin, they did the duty of noblemen. That their honourable doings, which had not spared to hazard their lives and lands, to avenge their native country from the slanderous reports that were spoken of it among other nations, had well deserved that all their brethren should join with them in so good a cause. That he and they, in whose names he did speak, would willingly, and without any compulsion, enter themselves in the same yoke, and put their lives and lands in the like hazard, for maintenance of our cause. And if the queen herself were in Scotland, accompanied with 20,000 men, they will be of the same mind, and fight in our quarrel. He hoped the remainder noblemen of their party, Huntly Arguile, and others, which had not as yet acknowledged the king, would come to the same conformity, whereunto he would also earnestly move them. And if they will remain obstinate, and refuse to qualify themselves, then will the duke, he, and their friends, join with us to correct them, that otherwise will not reform themselves. So plausible an oration, and more advantageous to our party, none of ourselves could have made. He did not forget to

term my lord regent, by the name of regent, (t was no mention at all of the earl of Murray) an call him grace at every word, when his ſpeeches v directed to him, accompanying all his words v low courteſies after his manner.

No. XXIV. (Vol. I. p. 364.)

Part of a Letter from ſir Francis Knollys to Cecil, Aug. 1568, from Bolton.

——But ſurely this queen doth ſeem, outwardly, only to favour the form, but alſo the chief article the religion of the goſpel, namely, juſtification faith only: and ſhe heareth the faults of papeſtry vealed, by preaching or otherwiſe, with conten ears, and with gentle and weak replys, and ſhe d not ſeem to like the worſe of religion throw me.

Part of a letter from ſir Francis Knollys to Cecil, September, 1568, from Bolton.

——It came to this queen's ears of late that ſhe w bruited to be lately turned to the religion of the g pell, to the great diſliking of the papiſts hereabou which thing ſhe herſelf confeſſed unto me, and y terday openly in the great chamber, when the aſſe bly was full, and ſome papiſts preſent, ſhe took c caſion to ſpeak of religion, and then openly ſhe p feſſed herſelf to be of the papiſt religion, and took pon her to patronize the ſame, more earneſtly th ſhe had done a great while afore, altho' her defen and arguments were ſo weak, that the effect of ſpeech was only to ſhew her zeal; and afterwards me alone, when I miſliked to ſee her become ſo co fidently backward in religion, why, ſaid ſhe, wou you have me to looſe France and Spain, and all m friends in other places, by ſeeming to change my re ligion, and yet I am not aſſured the queen my goo ſiſter will be my aſſured friend, to the ſatisfaction my honour and expectation.

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No. XXV. (Vol. I. p. 369.)

Queen Elizabeth to the earl of Murray.

HT trusty and right well beloved cousin, we greet well. Where we hear say, that certain reports made in sundry parts of Scotland, that whatsoe- should fall out now upon the hearing of the en of Scotts cause, in any proof to convince or to hit the said queen concerning the horrible murder er late husband our cousin, we have determined estore her to her kingdom and government, we o much mislike hereof, as we cannot endure the e to receive any credit: and therefore we have ght good to assure you, that the same is untruly sed by the authors to our dishonour. For as we been always certified from our said sister, both by letters and messages, that she is by no means guil- r participant of that murder, which we wish to rue, so surely if she should be found justly to be ty thereof as hath been reported of her, whereof would be very sorry, then, indeed, it should be- e us to consider otherwise of her cause than to fy her desire in restitution of her to the govern- t of that kingdom. And so we would have you all others think, that shall be disposed to conceive curably of us and our actions.

Indorsed 20 Sept. 1568.

No. XXVI. (Vol. I. p. 369.)

Francis Knollys to Cecil the 9th of October, 1568, from York.

MY lord's grace of Norfolk sending for me to on, to attend upon him here Thursday last, I e my repair hither accordingly, meaning to stay until Munday next; as touching the matters of commission, that his grace and the rest have from ighness, his grace hath imparted unto me of all s thereunto appertaining, and what hath hither- ssed, and altho' the matters be too weighty for weak capacity, to presume to utter any opinion ine own thereof, yet I see that my lord Herris

for his parte laboureth a reconciliation, to be without the extremity of odious accusations; lord Ledington also saith to me, that he co wish these matters to be ended in dulce maner, that it might be done with safety; of the rest can conceive, by the advertisements and writtin sent up by our commissioners.

A Letter from the bishop of Ross to the queen of Sc from York, October 1568.

PLEIS your majesty I conferred at length with A. great part of a night, who assurit me that he had r soned with B this Saturday C. on the field, who terminate to him that it was the D. determinit p pose not to end your cause at this time but to h the same in suspense, and did that was in her pow to make the E. pursue extremity, to the effect F. a his adherents might utter all they could to your c honour to the effect to cause you come in disd with the hail subjects of this realm, that ye may mair unable to attempt any thing to her disadvanta And to this effect is all her intention, and when th have produced all they can against you, D. will n appoint the matter instantly, but transport you up the country, and retain you there, till she think tir to shew you favour, which is not likely to be hasti because of your uncles in France, and the fear s has of yourself to be her unfriend. And therefo their council is, that ye write an writing to the meaning that ye are informit that your subjects wh has offendit you —— This in effect that your maje hearing the estate of your affairs as they proceed York, was informed that her majesty was informed you, that you could not gudely remit your subje in such sort as they might credit you hereafter. wh was a great cause of the stay of this controversy to ended. And therefore persuading her D. effectua not to trust any who had made such narration. B like as ye had rendered you in her hands, as m tender to you of any living, so prayit her to take opinion of you, but that ye wald use her counsell all your affairs, and wald prefer her friendship to

others, and assure her to keep that thing ye wald promise to your subjects by her advice. And if D. discredit you, ye wald be glad to satisfy her in that point be removing within her realm in secret and quiet manner, where her G. pleased, until the time her G. were fully satisfied, and all occasion of discredit removed from her. So that in the mean time your realm were holden in quietness, and your true subjects restored and maintained in their own estate, and sic other things tending to this effect. And affirms that they believe that this may be occasion to cause her credit you that ye offer so far; and it may come that within two or three months she may become better-minded to your grace, for now she is not well minded, and will not shew you any pleasure for the causes aforesaid.

N. B. The title of this paper is in Cecil's hand; the following key is added in another hand.

A. The laird of Lethington.
B. The duke of Norfolk.
C. Was the day he rode to Cawood.
D. The queen of England.
E. The queen of Scots commissioners.
F. The earl of Murray.

No. XXVII. (Vol. I. p. 377.)

Deliberation of secretary Cecil's concerning Scotland, Dec. 21, 1568.

THE best way for England, but not the easiest, that the queen of Scots might remain deprived of her crown, and the state continue as it is.

The second way for England profitable, and not so hard.——That the queen of Scotts might be induced, by some perswasions, to agree that her son might continue king, because he is crown'd and herself to remain also queen; and that the government of the realm might be committed to such persons as the queen of England should name, so as for the nomination of them it might be ordered, that a convenient number of persons of Scotland, should be first named to the queen of England, indifferently for the queen

of Scotts, and for her ſon, that is to ſay, the one half by the queen of Scots, and the other by the earle of Lennox, and lady Lennox, parents to the child; and out of thoſe, the queen's majeſty of England to make choice for all the offices of the realm, that are, by the laws of Scotland, diſpoſable by the king and queen of the land.

That untill this may be done by the queen's majeſty, the government remain in the hands of the earle of Murray as it is, providing he ſhall not diſpoſe of any office or perpetuals to continue any longer but to theſe offered of the premiſes.

That a Parliament be ſummoned in Scotland by ſeveral commandments, both of the queen of Scotts and of the young king.

——That hoſtages be delivered into England on the the young king's behalf, to the number of twelve perſons of the earle of Murray's part, as the queen of Scotts ſhall name; and likewiſe on the queen's behalf to the like number as the earl of Murray ſhall name; the ſame not to be any, that have by inheritance or office cauſe to be in this parliament, to remain from the beginning of the ſummons of that parliament, untill three months after the parliament; which hoſtages ſhall be pledges, that the friends of either part ſhall keep the peace in all caſes, till by this parliament it be concluded, that the ordinance which the queen of England ſhall deviſe for the government of the realm, (being not to the hurt of the crown of Scotland, nor contrary to the laws of Scotland for any man's inheritance, as the ſame was before the parliament at Edin^r. the Decem^r. 1567) ſhall be eſtabliſhed to be kept and obeyed, under pain of high treaſon to the breakers thereof.

——That by the ſame parliament alſo be eſtabliſhed all executions and judgments given againſt any perſon for the death of the late king.

——That by the ſame parliament, a remiſſion to be made univerſally from the queen of Scotts to any her contrarys, and alſo from every one ſubject to another, ſaving, that reſtitution be made of lands and houſes, and all other things heritable that have been

been by either ſide, taken from them which were the owners thereof, at the committing of the queen of Scots to Lochlevin.

That by the ſame parliament it be declared who ſhall be ſucceſſors to the crown next after the Q. of Scots and her iſſue; or elſe, that ſuch right as the D. of Chatelherault had, at the marriage of the Q. of Scots with the lord Darnley, may be conſerved and not prejudized.

That the Q. of Scots may have leave of the queen's majeſty of England, twelve months after the ſaid parliament, and that ſhe ſhall not depart out of England, without ſpecial licence of the qeeen's majeſty.

That the young king ſhall be nourifhed and brought up in England till he be years of age.

It is to be conſidered, that in this cauſe the compoſition between the queen and her ſubjects may be made with certain articles, outwardly to be ſeen to the world for her honour, as though all the parts ſhould come of her, and yet for the ſurety of contrarys, that certain betwixt her and the queen's mateſty are to be concluded.

No. XXVIII. (Vol. I. p. 378.)

The queen to Sir Francis Knolleys, 22 Jan. 1568-9.

We greet you well, we mean not, at this point, be any writing, to renew that which it hath pleaſed God to make grevious to us, and ſorrowful to yow; but forbearing the ſame as unmeet at this point, having occaſion to command yow in our ſervice, and yow alſo whileſt yow are to ſerve us. We require yow to conſider of this that followeth with like conſideration and diligence, as hitherto yow have accuſtumate in our ſerviſe; at the time of our laſt letters written to yow the fourteenth of this month for removing of the queen of Scots, we had underſtanding out of Scotland of certain writings ſent by her from thence into Scotland, amongſt the which one is found to contain great and manifeſt untruths touching us and others alſo, as ſhall and may plainly appear unto yow by the copy of the ſame, which likewiſe

wiſe we ſend yow, and becauſe at the ſame time were advertiſed, that it ſhould be ſhortly proclaim in Scotland, though then it was not, we thought go firſt to remove the queen, before we would diſclo the ſame, and then expect the iſſue thereof; and no this day by letters from our couſin of Hunſdon are aſcertained, that ſince that time the ſame matte contained in the writting, are publiſhed in diver parts of Scotland, whereupon we have thought it ve meet, for the diſcharge of our honor, and to confou the falſehood contained in that writting, not only have the ſame reproved by open proclamation up our frontiers, the coppy whereof we do herewi ſend yow, but alſo in convenient ſort to charge th queen therewith, ſo as ſhe may be moved to declare t authors thereof, and perſuaders of her to write in ſu ſlanderous ſort ſuch untruths of us; and in the me ſeaſon, we have here ſtayed her commiſſioners, kno ing no other whom we may more probably preſur to be parties hereunto, than they, untill the que ſhall name ſome other, and aquit them; who bei generally charged without expreſſing to them any pa ticularity, do uſe all manner of ſpeeches to diſchar themſelves; wherefore our pleaſure is, that ye ſha after ye have well peruſed the coppy of this writti ſent to yow, ſpeedily declare unto her, that we ha underſtanding given us of diverſe letters and wr tings, ſent by her into Scotland, ſigned by her ow hand, amongeſt which one writting is ſent with h commandment expreſly as now it is already publiſ ed, as we are much troubled in mind that a pri ceſs as ſhe is having a cauſe in our hands ſo implic ted with difficulties and calamitys, ſhould either co ceave in her own mind, or allow of them that ſhou deviſe ſuch falſe, untrue, and improbable matters gainſt us, and our honor, and ſpecially to have t aventure to have the ſame being known ſo untrue be publiſhed; and you ſhall alſo ſay, becauſe we w not think ſo ill of her, as that it ſhould proceed her ſelf, but rather ſhe hath been counſelled the unto, or by abuſe made to think ſome part there to be true, we require her, even as ſhe may look

ay favour at our hands, that ſhe will diſburden her-
lf as much as truly ſhe may herein, and name them
hich have been the authors and perſuaders thereof,
nd ſo ſhe ſhall make as great amends to us as the caſe
ay require; after you have thus far proceeded, and
ad ſome anſwer of her, whether ſhe ſhall deny the
riting abſolutely, or name anythat have been the advi-
rs thereof, you ſhall ſay unto her that we have ſtayed
er commiſſioners here, until we may have ſome anſwer
ereof, becauſe we cannot but impute to them ſome
art of this evil dealing, untill by her anſwer the au-
hors may be known; and as ſoon as you can have
irect anſwers from her, we pray you to return us
he ſame; for as the cauſe ſtandeth, we cannot but
e much diſquieted with it, having our honour ſo deep-
y touched contrary to any intention in us, and for
ny thing we know in our judgement, the earl of
Murray and others named in the ſame writing void
f thought for the matters, to them therein imputed;
ou may impart to the queen of Scots either the con-
ents of the ſlanderous letter, or ſhew her the copy to
ead it, and you may alſo impart this matter to the
ord Scroop, to join with you there as you ſhall think
heet.

ir Francis Knolleys to queen Elizabeth, from Wetherby the 28 January, 1568.

—I WILL ſuppreſs my own grieffs, and paſs them
ver with ſilence, for the preſent learning of your
najeſty—and for this queen's anſwer to the coppie of
er ſuppoſed letter ſent into Scotland, I muſt add this
nto my brother's letter, ſent unto Mr Secretary yeſ-
ernight late; in proceſs of time, ſhe did not deny but
hat the firſt lines contained in the ſame copie, was
greeable to a letter that ſhe had ſent unto Scotland,
which touched my lord of Murray's promiſe to deli-
er her ſon into your majeſty's hands, and to avoid
hat the ſame ſhould not be done without her conſent,
made her, ſhe ſaith, to write in that behalf; ſhe ſaith
lſo that ſhe wrote that they ſhould cauſe a proclama-
ion to be made to ſtir her people to defend my lord
f Murray's intent and purpoſe, for delivering of her
ſaid

ſaid ſon, and impunge his rebellious government, as ſhe termed it, but ſhe utterly denyeth to have written any of the other ſlanderous parts of the ſaid letter touching your majeſty; ſhe ſaid alſo, that ſhe ſuſpected that a Frenchman, now in Scotland, might be the author of ſome Scotch letters deviſed in her name, but ſhe would not allow me to write this for any part of her anſwer.

No. XXIX. (Vol. I. p. 385.)

Sir Nicholas Throgmorton to the right honourable the lord of Liddington.

YOUR letter of the 3d of July, I have received the 14th of the ſame. For anſwer whereunto you ſhall underſtand, that friends here to my lord regent and you do wiſh ſuch a concurrence in all doings, as in matter and circumſtances there ariſe no diſſention, or at the leaſt, no more nor other than the difference of countries doth neceſſarily require. We here do think convenient that as few delays be uſed as may be, for the conſummation of the matter in hand, which principally to advance, your allowance, proſecution, and ſpeedy promotion, in Scotland, is moſt requiſite, for you are ſo wiſe, and well acquainted with the ſtate of the world, and with all our humours, as you know that ſome do allow and diſallow for reaſon, ſome for reſpect of multitude, ſome for reſpect of perſons, and ſo the cauſe is to go forward as men do like to ſet it forward. You are not to ſeek that ſome will uſe cautions, ſome neutrality, ſome delays, and ſome will plainly impugne it. And yet all and every of theſe ſorts will alter their doings, when they ſhall ſee the regent and his favourers accord with the beſt and greateſt part there, and agree with the wiſeſt and ſtrongeſt party here. Tho' the matter has taken its beginning here, upon deep and weighty conſiderations, for the weil of both the princes and their realms, as well preſently, as in time to come, yet it is thought moſt expedient, that the regent and the realm of Scotland, by you, ſhould propoſe the matter to the queen our ſovereign, if you like to uſe convenience,

venience, good order, or be diſpoſed to leave but a ſcar, and no wound of the hurts paſt. I would be glad that this my letter ſhould come to your hands before the convention, whereat it ſeems your queen's reſtoration and marriage to the duke of Norfolk ſhall be propounded, either to wynne in them both allowance or rejection. To which proceedings, becauſe you pray me to write frankly, I ſay and reaſon thus, me thinketh you uſe a propoſterous order, to demand the conſent of ſuch perſons, in ſuch matters, as their minds to a good end hath rather been felt or prepared, and therefore there muſt needs follow either a univerſal refuſal, or a factious diviſion amongſt you, whereby a blouſtering intelligence muſt needs come to queen Elizabeth of the intended mrrriage from thence, which ought to have been ſecretly and adviſedly propounded unto her highneſs; hereby you ſee then the meaning is, by this dealing, her majeſty ſhall be made inexorable, an ſo bring the matter to ſuch paſſe, as this which ſhould have wrought ſurety, quietneſs, and a ſtay to both the queens and their realms, ſhall augment your calamity, and throw us your beſt friends into divorſe with you, and into unhappy diviſion amongſt ourſelves; for you may not conjecture that the matter is now in deliberation, but expecteth good occaſion for executing; ſure I am you do not judge ſo ſlenderly of the managing of this matter, as to think we have not caſt the worſt, or to enter therein ſo far without the aſſiſtance of the nobility, the ableſt, the wiſeſt, and the mightieſt of this realm except queen Elizabeth; from whom it hath been concealed until you, as the fitteſt miniſter, might propound it to her, on the behalf of the regent, and the nobility of Scotland. How far maſter Woddes deamations do carry them of queen Elizabeth's affections, and maſter ſecretary's, to aſſiſt the regent and ſuppreſs the queen of Scotts, I know not, nor it is not material; but I do aſſuredly think, that her majeſty will prefer her ſurety; the tranquility of her reign, and the conſervation of her people, before any device, which may proceed from vain diſcourſe, or imperfections of paſſions, and inconſiderate affections. And

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as for Mr Secretary, you are not to learn, that as liketh not to go too faſt afore, ſo he coveteth not tarry too far behind, and ſpecial when the reliq be of no great value or power. If I could as well ſure you of his magnanimity, and conſtancy, as his preſent conformity, I would ſay confidently, y may repoſe as well of him in this matter, as of duke of Norfolk, the earls of Arundel, Pembro Leiceſter, Bedford, Shrewſbury, and the reſt of nobility; all which do embrace and proteſte the compliſhment of this caſe. I have, according to y advice, written preſently to my lord Regent, with ſame zeal and care of his well-doing that I owe him, whom I love and honour. Mr Secretary h aſſured unto him the queen of Scotland's favour a good opinion, wherewith he ſeemeth to be well ſa fy'd. If your credit be as I truſt, haſten your co ing hither, for it is very neceſſary that you were h preſently. Q. Elizabeth both doth write to my lo Regent in ſuch ſort, as he may perceive Mr Woo diſcourſes of her majeſty's affection to be vain, a Mr Secretary otherwiſe bent than he conjectureth him, the effect of which her majeſty's letter you ſh underſtand, by my lord Leiceſter's letter unto yo at this diſpatch. At the court, 20th July, 1569.

No. XXX. (Vol. I. p. 386.)

Part of a Letter from the earl of Murray to L. B. p bably Lord Burleigh.

——BECAUSE I ſee that great advantage is taken ſmall motions, and that the mention of the marria betwixt the queen my ſovereign's mother, and the of Norfolk, hath this while paſt been very frequ in both the realms, and then I myſelf to be ſpoken as a motioner, which I perceive is at the laſt come her majeſty's ears. I will, for ſatisfaction of highneſs, and the diſcharge of my duty towards majeſty, manifeſt unto you my intereſt, and medl in that matter, from the very beginning, know whatſoever is prejudicial to her highneſs, cannot be hurtful to the king my ſovereign, this his reali

an

d me. What conferrences was betwixt the duke of orfolk, and any of them that were with me within e realm of England, I am not able to declare; but am no-wife forgetful of any thing that paſſed twixt him and me, either at that time, or ſince. d to the end her majeſty may underſtand how I ve been dealt with, in this matter, I am compelled touch ſome circumſtances, before there was any ntion of her marriage. In York, at the meeting of all commiſſioners, I found very—and neutral dealing h the duke, and others her highneſs's commiſſion-, in the beginning of the cauſe, as in the making the others to proceed ſincerely, and ſo further. ring which time, I entered into general ſpeech, king at our juſt defence in the matters that were ected againſt us, by the ſaid queen's commiſſioner's, king certainly for no other thing, but ſummary nition in the cauſe of controverſy, with a ſmall laration to have followed. Upon a certain day, Lord Lithington's ſecretary rode with the duke to ward, what purpoſe they had I cannot ſay, but t night Lithington returning, and entering in con-ence with me upon the ſtate of our action, I was iſed by him to paſs to the duke, and require fa-iar conferrence, by the which I might have ſome ing to what iſſue our matters would tend. Ac-ding to which advice, having gotten time and place venient in the gallery of the houſe where the duke lodged, after renewing of our firſt acquaintance de at Berwick, the time before the aſſize at Leith, ſome ſpeeches paſſed betwixt us; he began to ſay me, how he in England had favour and credit, and Scotland had will and friendſhip of many, it was to ho't there could be none more fit inſtruments, to el for the continuance of the amity betwixt the ms, than we two. And ſo that diſcourſe upon preſent ſtate of both, and how I was entered in action tending ſo far to the queen's diſhonour, I willed by him to conſider how matters ſtood in , what honour I had received of the queen, and t inconveniencies her defimation in the matters to her charge might breed to her poſterity. Her

 reſpect

respect was not little to the crown of England, there was but one heir. The Hamiltons my unfriends had the next respect, and that I should esteem the issue of her body would be the more affectionate to me and mine than any other that could attain to that crown. And so it should be meetest, that she affirmed her dimission made in Lochlevin, and we to abstract the letters of her hand write, that she should not be defamed in England. My reply to that was, how the matter had passed in parliament, and the letters seen to many, so that the abstracting of the same could not then secure her to any purpose, and yet should we, in that doing, bring the ignominy upon us. Affirming it would not be fair for us that way to proceed, seeing the queen's majesty of England was not made privy to the matter as she ought to be, to be in respect we were purposely come in England for that end, and for the—of the grants of our cause. The duke's answer was, he would take in hand to handle matters well enough at the court. After this, on the occasion of certain articles, that were required to be resolved on, before we entered on the very declaration of the very ground of our action, we came up to the court; where some new commissioners were adjoined to the former, and the hearing of the matter ordained to be in the parliament house at Westminster, in presence of which commissioners for the said queen, and——through the ——rebuking of the queen of England's own commissioners, we uttered the whole of the action, and produced such evidences, letters, and probations, as we had, which might move the queen's majesty to think well of our cause. Whereupon expecting her highness declaration, and seeing no great likelihood of the same to be suddenly given, but daily motions then made to come to an accord with the said queen, our matters in hand in Scotland, in the mean season, standing in hazard and danger, we were put to the uttermost point off our witt, to imagine whereunto the matters would tend, tho' albeit we had left nothing undone for justification of our causes, yet appeared no end, but continual motions made to come to some accord with the queen, and restore her to whole or half reign.

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I had no other anſwer to give them, but that I ſhould neither do againſt conſcience nor honour in that matter. Notwithſtanding ſeeing this my plain anſwer wrought no end, nor diſpatch to us, and that I was informed that the duke began to miſſike of me, and to ſpeak of me, as that I had reported of the ſaid queen irreverently, calling her———and murderer, I was adviſed to paſs to him, and give him good words and to purge myſelf of the things objected to me, that I ſhould not open the ſudden entry of his evil grace, nor have him to our enemy——conſidering his greatneſs. It being therewithal whiſpered, and ſhewed to me, that if I departed, he ſtanding diſcontented and not ſatisfied, I might peradventure find ſuch trouble in my way, as my throat might be cut before I came to Berrick. And therefore ſince it might well enough appear to her marriage, I ſhould not put him in utter diſpair, that my good will could not be had therein. So few days before my departing, I came to the park in Hampton-court, where the duke and I met together, and there I declared unto him that it was come to my ears, how ſome miſreport ſhould be made of me to him, as that I ſhould ſpeak irreverently and raſhly of the ſaid queen my ſovereign's mother, ſuch words as before expreſſed, that he might——thereby my affection to be ſo alienate from her, as that I could not love her, nor be content of her preferment, howbeit he might perſuade himſelf of the contrary, for as ſhe once was the perſon in the world that I loved beſt, having that honour to be ſo near unto her, and having received ſuch advancement and honour by her, I was not ſo ungrate or ſo unnatural ever to wiſh her body harm, or to ſpeak of her as was untruly reported of me, (howſoever the truth were in the ſelf) and as to the preſervation of her ſon, now my ſovereign, had moved me to enter into this cauſe, and that her own preſſing was the occaſion of that was uttered to her———whenſoever God ſhould move her heart to repent of her by paſt behaviour and life, and after her known repentance, that ſhe ſhould be ſeparate from that ungodly and unlawful marriage that ſhe was entered in. and then after were joined

with ſuch a godly and honourable a perſonage, were affectioned to the true religion, and whom might truſt, I could find in my heart to love her, a to ſhew her as great pleaſure, favour, and good-wi as ever I did in my life; and in caſe, he ſhould that perſonage, there was none whom I could bett like of, the queen——in——of England be made privy to the matter, and ſhe allowing thereo which being done, I ſhould labour in all things th I could, to her honour and pleaſure, that were n prejudicial to the king my ſovereign's eſtate, a prayed him not to think otherwiſe of me, for my affect on was rather buried and hidden within me, awaitin until God ſhould direct her to know herſelf, than u terly alienated and abſtracted from her; which I ſeemed to accept in very good part, ſaying, Earl o Murray thou thinks of me that thing, whereunto will make none in England or Scotland privy, an thou haſt Norfolk's life in thy hands. So departin I came to my lodging, and by the way, and all nigh I was in continual thought and agitation of mine how to behave myſelf in that weighty matter, firſ imagining whereunto this ſhould tend, if it were a tempted without the queen's Majeſty of England knowledge and good will, this realm and I myſelf i particular having received ſuch favour and comfort a her highneſs's hands, and this whole iſle ſuch peac and quietneſs, ſince God poſſeſſed her majeſty wit her crown. And on the other part, ſeeing the duk had diſcloſed him to me, proteſting, none other were or ſhould be privy to our ſpeech, I tho't I could n find in my heart to utter any thing, that might e danger him; moved to the uttermoſt with theſe cog tations, and all deſire of ſleep then removed, I praye God to ſend me ſome good relief and outgate, to m diſcharge, and ſatisfaction of my troubled mind, which I found indeed; for upon the morn, or withi a day or two thereafter, I entered in converſatio with my lord of Leiceſter, in his chamber at the court, where he began to find ſtrange with me, that in th matter I made ſo difficult to him, ſtanding ſo preciſe ly on conferrence, and how when I had in my com-

munication

munication with the duke, come so far———and there he made some discourse with me, about that which was talk betwixt us, I perceiving that the duke had———the matter to my lord of Leicester, and thinking me thereby discharged at the duke's hands, therefore I repeated the same communication in every point to my lord of Leicester, who desired me to shew the same to the queen's majesty, which I refused to do, willing him if he tho't it might import her highness any thing, that he as one———by her majesty, and for many benefits received at her highness's hands is obliged to wish her well, should make declaration of the same to her majesty, as I understand by some speech of her highness to me, he did. This my declaration to the duke was the only cause, that staid the violence, and trouble prepared for me unexecuted, as I have divers ways understand. The same declaration I was obliged to renew since in writings of———sent to my servant John Wood. The sum whereof, I trust, he shewed the duke, and something also I wrote to himself, for it was tho't this should redeem some time, that the duke should not suddenly declare him our enemy, for his greatness was oft laid before me, and what friendship he had of the chief nobility in England, so that it might appear to the queen's majesty of England—so cold towards us, and doing nothing publicly that might seem favourable for us, we had some cause to suspect that her highness should not be contrarious to the marriage when it should be proposed to her. The sharp message sent by her majesty with the lord Boyd, who had the like commission from the duke tending so far to the said queen's preferment, as it were proposing one manner of conditions from both, gave us to think that her highness had been foreseen in the duke's design, and that she might be induced to allow thereof. But howbeit it was devised in England, that the lord of Lethington should come as from me, and break the matter to her highness, as her majesty in a letter declared that she looked for his coming, yet that devise proceeded never of me, nor the noblemen at the convention could no wise accord to his sending, nor

allow of the matter motioned, but altogether
liked it, as bringing with the ſame, great inco
niences, to the ſurety and quietneſs of this whole
for our proceedings have declared our miſliking
diſallowance of the purpoſe from the beginning,
if we had pleaſed, he was ready for the journey.
in likewiſe it was deviſed to give conſent, that th
between the ſaid queen and Bothwell, ſhould be
fered to proceed in this realm, as it was deſired
the ſaid lord Boyd, by reaſon we could not und
ſtand what was the queen's majeſty's pleaſure, and
lowance in that behalf——And whereas ye me
that her highneſs was not made privy of any ſuch
tention, the fault was not in me. The firſt mot
being declared, as I have written, to my lord of L
ceſter, and by him imparted to her majeſty, ſo far
I could perceive by ſome ſpeech of her highneſs's
me, before my departing. Thus I have plainly
clared how I have been dealt withal for this marria
and how juſt neceſſity moved me not to require
rectly, that which the duke appeared ſo——un
And for my threatnings, to aſſent to the ſame, I ha
expreſſed the manner; the perſons, that laid t
matter before me were of my own company. B
the duke ſince hath ſpoken, that it was his writi
which ſaved my life at that time. In concluſion
pray you perſuade her majeſty, that ſhe let no ſpeech
nor any other thing paſſed and objected to my pr
judice, move her majeſty to alter her favour——
towards me, or any ways to doubt of my aſſured co
ſtancy towards her highneſs; for in any thing whic
may tend to her honour and ſurety, I will, while
live, beſtow myſelf, and all that will do for me, no
withſtanding my hazard or danger, as proof ſhall de
clare, when her majeſty finds time to employ me.

APPENDIX

APPENDIX

TO THE VI. VII. and VIII. BOOKS.

No. I. (Book VI. p. 394.)

William Maitland of Ledington, to my lord of Leicester, March 20th, 1570, from Ledington.

THE great desolation threatned in this whole realm, be the divisions thereof in dangerous factions, doth press me to frame my letters to your lordship, in other sort, then were behovefull for me, if I had no other respect, but only to maintain my private credit; therefor I am driven to furnish them with matter, which I know not to be plausible, whereupon by misconstruing my meaning, some there may take occasion of offence, thinking that I rather utter my own passions, than go about to inform your lordship truly of the state; but I trust my plain dealing shall bear record to the sincerity of my meaning; to make the same sensible, I will lay before your lordship's eyes, the plat of this country; which first is divided into two factions, the one pretending the maintenance of the king's reign, the other alledging the queen to have been cruelly delt withall, and unjustly deprived of her state; the former is composed of a good number of nobility, gentlemen, and principal burroughs of the realme, who shall have, as Mr Randolph beareth us in hand, the queen's majesty your sovereign's allowance and protection; the other hath in it some most principal of the nobility, and therewithall, good numbers of the inferior sort, throughout the whole realm, which also look assuredly that all kings do allow their quarrel and will aid them accordingly. What consequence this division will draw after it, I leave it to your lordship's consideration, there is fallen out another division, accedentally, by my lord regent's death, which is like to change the state of the other two factions,

tions, to increaſe the one, and diminiſh the other which is grounded upon the regiment of the realm. Some number of noblemen aſpire to the government pretending right thereto by reaſon of the queen's demiſſion of the croun, and her commiſſion granted at that time for the regiment during the king's minority; another faction doth altogether repine againſt that diviſion, thinking it neither fit nor tolerable, that three or four of the meaneſt ſort amongſt the earls, ſhall preſume to challenge to themſelves a rule over the whole realme, the next of the blood, the firſt in rank, the greateſt alway both for the antientry of their houſes, degree, and forces, being negleckted; this order they think prepoſterous, that the meaner ſort ſhall be placed in publick function to command, and the greater ſhall continue as private men to obey; beſides that, they think if the commiſſion had in the beginning been valewable, (which the moſt part will not grant) yet can it be extended to the preſent, for that the conditions therennto annexed are ceaſed, and ſo the effect of the whole void; the letter part of this diviſion hath many pretences, for beſides the queen's faction, which is wholly on that ſide, a great number of theſe that have heretofore profeſſed the king's obedience, do favour the ſame, and will not yield to the government of the other, whoſe preferment for reſpects they miſlike, when the queen's faction ſhall be increaſed, with a part of the king's, and theſe not of leaſt ſubſtance, and yow may judge what is like to inſue; an other incident is like to move men to enter in further diſcourſes, it is given out here in Scotland, that the queen's majeſty is ſetting forth ſome forces towards the border, which ſhall enter this realm, to countenance theſe, that aſpire to the regiment, and ſuppreſs the contrary faction, and bruts are ſpread, that the ſame ſhall be here out of hand; theſe that think themſelves of equal force with their contrary faction at home, or rather an over-match to them, yet not able to encounter with the forces of another prince, rather than yield to their inferiors, will I fear, take adviſe of neceſſity, and evil councillors, and ſeek alſo the maintenance of ſome foreign

gn prince, whereby her majesty (altho' no further onvenient were to be feared) must be driven to exlive charges, and it would appear there were a conracy of all the elements at one time to set us toger by the ears, for now when the rumour of your ces coming towards the border is spread abroad, n at the same time is arrived at Dumbarton, a galn with a messenger sent expressly from the king of nce, to that part of the nobility, that favours the een, to learn the state of the country, and what port they lack or desire, either for furtherance of affairs, or for their own safety; assuredly this ssage will be well received, and suffered according- this is the present state of Scotland. Now if your dship would also know my opinion, how to choice best, as the case standeth; I will in that also satisyour lordship, I am required from them to deal nly, and your lordship shall judge whither I do so not; for I think it plain dealing, when I simply er my judgement, and go not about to disguise my nts. I trust the queen's majesty hath a desire to in at her devotion the realme of Scotland, which hath gone about to purchase, with bestowing at charges, and the loss of some of her people; desire is honourable for her highness, profitable both the contrys, and of none to be disallowed; cially if it be (as I take it) to have the amity of the ole realm, for it is not a portion of Scotland can e her turn, nor will it prove commodious for her uit the friendship of a faction of Scotland, for in oing, in gaining the best, she may lose the more, the same would bring all her actions with us in icion, if she should go about to nourish factions ngst us, which meaning I am sure never entered her majesty's heart; then if it be the friendship e whole she doth demand, let her not, for plea- of one part, go about to overthrow the remnant, ch will not be so faisiable, as some may give her nderstand; but rather, by way of treaty, let her bout to pacify the whole state, bring the parties u accord, reduce us all by good means to an uniity, so shall she give us all occasion to think well

of

of her doings, that ſhe tendeth our wealth, and p
voks us univerſally to wiſh unto her majeſty a n
proſperous continuance; by the contrary, if for
pleaſure of a few, ſhe will ſend forces to ſupp
theſe whom they miſlike, and ſo conſequently offi
many; men be not ſo faint hearted, but they h
courage to provide for their own ſafety, and not o
will embrace the means partly offered, but will alſo p
cure further, at the hand of other princes. This
mine own part, I do abhorr, and proteſt I deſire ne
to ſee forces of ſtrangers to ſet foot within this land,
I know not what point neceſſity may drive men in
as if men in the middle of the ſea were in a ſhip, wh
ſuddenly ſhould be ſet on fire, the fear of burni
would make them leap into the ſea, and ſoon af
the fear of the water would drive them to cle
again to the fired ſhip, ſo for avoiding preſent ev
men will many times be inforced to have recourſe
another, no leſs dangerous. Truſt me forces w
not bring forth any good fruit to her majeſty's b
hove, it muſt be ſome way of treaty ſhall ſerve t
turn, wherein by my former letters your lordſh
doth know already what is my judgement; yow ſ
how plainly I do write, without conſideration in wh
part my letters may be taken, yet my hope is th
ſuch as will favourably interpret them, ſhall thin
that I mean as well to her majeſty, and th
realme, as theſe that will utter other language.
wiſh the continuance of the amity betwixt the tw
contrys, without other reſpect, and will not conce
from her majeſty any thing to my knowledge, tend
ing to the prejudice thereof; if I ſhall perceave h
majeſty taking frank dealings in evill part, I ſhall fro
henceforth forbear; in the mean ſeaſon I will n
ceaſe to trowble your lordſhip, as I ſhall have o
caſion to write, and ſo I take my leave of you
lordſhip.

No.

No. II. (Book VI. p. 399.)

A Letter of queen Elizabeth to the earle of Sussexs, July 2d, 1570.

RIGHT trusty and well beloved cousin we greet you well, this day we have received your letters of 28 the last month, with all other letters, sent from Scotland, and mentioned in your letters, whereunto answer is desired to be given before the tenth of this month; which is a very short time, the weightiness of the matters, and the distance of the places considered; nevertheless we have, as the shortness could suffer it, resolved to give this answer following, which we will, that yow, by warrand hereof, shall cause to be given in our name to the earle of Lennox and the rest of the noblemen conveened with them. Where it is by them, in their letters, and writtings alledg'd, that for lack of our resolute answer concerning the establishing of the regiment of the realm under their young king, great inconveniences have happened, and therefore they have deferred now at their last convention to determine of the samine, who shall have the place of governour, untill the 21st this month, before which time they require to have our advise, in what person or persons the government of that realm shall be established, we accept very thankfull the good will and reputation they have of us, in yielding so frankly to require and follow our advise in a matter, that toucheth the state of their king, their selves, and realm so near wherein as we perceive, that by our former forbearing to intermeddle therein, they have taken some discomfort, as though that we would not have regard to their state and suerty, so on the other part, they of their wisdoms ought to think, that it might be by the whole world evill interpreted in us to appoint them a form of government, or a governour by name, for that howsoever we should mean well if we should do so, yet it could not be without some jealousy in the heads of the estate, nobility, and community of that realm, that the government thereof should be by me specially named, and ordain'd; so as finding difficul-

ty

ty on both parts, and yet mifliking moft that t
fhould-take any difcomfort by our forbearing to fl
our mind therein, we have thought in this fort fo
proceed, confidering with ourfelvess how now t
realm had been a good fpace of time ruled in the na
of their king, and by reafon of his bafe age, gover
heretofore by a very carefull and honourable perf
the earle of Murray, untill that by a mifchievous g
fon, (an evil example) he was murdered, wher
great diforder and confufion of neceffity had, and
more follow, if determination be not made of fo
other fpecial perfon, or perfons, to take the cha
of governour, or fuperior ruler fpeciall for
miniftration of law and juftice, we cannot but v
well allow the defire of thefe lords to have fome fp
cial governour to be chofen; and therefore being w
affured, that their own underftanding of all others
beft to confider the ftate of that realm, and to difce
the abilities and qualities of every perfon meet and
pable for fuch a charge, we fhall better fatisfie o
felves, whom they by their common confent fhall fi
choofe and appoint to that purpofe, then of any
be by us aforehand uncertainly named, and that b
caufe they fhall perceave that we have care of the p
fon of their king, who by nearnefs of blood, and
refpect of his fo young years, ought to be very tend
and dear to us, we fhall not hide our opinion fre
them, but if they fhall all accord to name his gran
father, our coufin, the earl of Lennox to be govern
alone, or jointly with others, (whom we hear to
in the mean time by their common confent appoint
lieutenant general) reafon moveth us to think th
none can be chofen in that whole realm, that fh
more defire the prefervation of the king, and be mo
meet to have the government for his fafety, being ne
to him in blood of any nobleman of that realm,
elfe-where, and yet, hereby, we do not mean to pr
fcrive to them this choice, except they fhall of the
felves fully and freely allow thereof; furthermore
would have them well affured, that whatfoever repo
of devifes, are, or fhall be fpread or invented, th
we have already yielded our mind to alter the ftate
th

the king or government of that realm, the same are without just cause or ground by us given, for we have already advertised them, that although we have yielded to hear, which in honour we could not refuse what the queen of Scots or her part shall say and offer. not only for her own assurance but for the wealth of that realm. yet not knowing what the same will be, that shall be offered, we mean not to break the order of law and justice, by advancing her cause, or prejudging her contrary, before we shall deliberately and assuredly see, upon the hearing of the whole, some place necessary, and just cause to do; and therefore finding that realm ruled by a king, and the same affirmed by laws of that realm. and thereof invested by coronation and other solemnities used and requisite. and generally so received by the whole estates, we mean not, by yielding to hear the complaints or informations of the queen against her son, to do any act whereby to make conclusion of governments, but as we have found it, so to suffer the same to continue, yea not to suffer it to be altered by any means that we may impeshe, as to our honor it doth belong, as by your late actions hath manifestly appeared, untill by some justice, and clear cause, we shall be directly induced otherwise to declare our opinion; and this we would have them to know to be our determination and course that we mean to hold, whereon we trust they for their king may see how plainly and honourably we mean to proceed, and how little cause they have to doubt of us, whatsoever to the contrary they have or shall hear; and on the other part, we pray them of their wisdoms to think how unhonourable, and contrary to all human order it were for us, when the queen of Scotland doth so many ways require to hear her cause, and doth offer to be ordered be us in the same, as well for matters betwixt ourselves and her. as betwixt herself and her son and his party of that realm, against which offers no reason could move us to refuse to give ear, that we should aforehand openly and directly, before the causes be heard and considered, as it were, give a judgment or sentence either for ourselves or for them, whom she maketh to be her contraries. Finally ye

ſhall admoniſh them, that they do not, by mi
ceiving our good meaning toward them, or by in
aſſertions of their adverſary grounded on untr
hinder or weaken their own cauſe, in ſuch ſort,
our good meaning towards them ſhall not take
effect towards them, as they ſhall deſire, or them
have need of. All this our anſwer ye ſhall cau
given them, and let them know, that for the ſhor
of time, this being the end of the ſecond of
month, we neither could make any longer declar
of our mind, nor yet write any ſeveral letters, as if
might have ſerved we would have done. 2 July, 1

No. III. (Book VI. p. 399

*The biſhop of Roſs to ſecretary Lidington from Cha
worth.*

I HAVE received your letters dated the 26th of N
here at Chattiſworth, the 10th of January, but
the receipt thereof I had written to you at len
like as the queen did with my lord Levingſton,
the which you will be reſolved of many points
tained in your ſaid letter. I write to you that I re
ved your letter and credit from Thos. Cowy at L
don, and ſent to Leiceſter to know the queen of E
land's mind whether if you ſhould come here or
He ſent me word, that ſhe will no ways have
come as one of the commiſſioners, becauſe ſhe is
offended with you; and therefore it appears g
that ye come not hither, but remain where you
to uſe your wiſdom and diligence, as may beſt
vance the queen's affairs, for I perceive your weill
ſafety depends thereon, in reſpect of the great
and ennimity born againſt you by your Scots peo
and the great heirſhip taken of your father's lan
both were ſure demonſtrations of their malice.
I am encouraged by your ſtout and deliberate m
Aſſure yourſelf no deligence ſhall be omitted to p
cure ſupports forth off all parts where it may be h
We will not refuſe the aid neither of Papiſt, Jew, n
Gentil, after my advice; and to this end, during th
treaty, let all things be well prepared. And ſeein
my lord Seaton is deſirous to go into Flanders, th
quee

en thinks it very neceſſary that he ſo do, for the
e D'Alva has gotten expreſs command of the king
pain to give ſupport, and I am ſure that there he
have aid both of Flanders and the pope, for it
es only on the coming of ſome men of counte-
ce, to procure and receive the ſame. He muſt
s tarry there, on the preparations thereof, during
treaty, which will be a great furtherance to the
here. The queen has already written to the
e D'Alva for this effect, advertizing of his coming;
e is certain ſums of money coming for ſupport of
Engliſhmen, as I wrote to you before, from the
. Whereupon I would he had a general com-
on to deal for them, and receive ſuch ſums as
be given. The means ſhall be found to cauſe
be anſuerit of the ſums you writ for, to be diſ-
t upon the furniſhing of the caſtle of Eden-
h, ſo being ſome honeſt and true man were
to Flanders to receive it, as ſaid is, which I
ld you prepared and ſent. Orders ſhall be taken
the metals as you writ of. We have proponit
avyce in entring to treat with the queen of
and, for retiring of her forces puntyoally for lack
d. Your anſwers to the Engliſhmen are tho't very
, but above all keep you weil out of their hands,
hat caſe, eſtote prudentes ſicut ſerpentes. You
take experience with the hard dealing with me,
ye would be uſed if ye were here, and yet I am
orth of danger being in medio nationes pravæ; al-
no fear, with God's grace, ſhall make me ſhrink
her majeſty's ſervice. Since the queen of Eng-
has refuſed that you come here, it appears to me
nondum eſt ſedata malitai amorreorum, &c. and
efore if Athol or Cathenes might by any means
rocured to come, they were the moſt fit for the
oſe, Rothes were alſo meet if he and I were not
of one ſirname; ſo the treaty would get the leſs
t either in Scotland or here. Therefore avys,
ſend the beſt may ſerve the turn, and fail not
ert Melvil come with them whoever comes for
the queen's pleaſure; in my laſt packet, with
s Fogo, to you, in the beginning of May, I ſent

a letter of the queen's own hand writing to him, whi I truſt ye received. I am ſorry ye come not for t great relief I hoped to have had by your preſence, f you could well have handled the queen of Englan after her humour, as you were wont to do. The re I refer to your good wiſdom, praying God to ſen you health. From Chattiſworth the 15th of Januar

No. IV. (Book VI. p. 414.)

The declaration of John Cais to the lords of Grainge an Lethington zoungare upon the 8th day of Oct. 1571.

WHEREAS you deſire to know the queen's majeſty pleaſure, what ſhe will do for appeaſing of theſe controverſies, and therewith has offered yourſelves to b at her commandment, touching the common tran quility of the whole iſle, and the amity of both realms her pleaſure is in this behalf, that ye ſhould leave of the maintenance of this civil diſcord, and give you obedience to the king, whom ſhe will maintain to th utmoſt of her power.

And in this doing, ſhe will deal with the regen and the king's party, to receive you into favour, upon reaſonable conditions for ſecurity of life and livings.

Alſo ſhe ſays that the queen of Scotts, for that ſhe has practiſed with the pope and other princes, and alſo with her own ſubjects in England, great and dangerous treaſons againſt the ſtate of her own country, and alſo to the deſtruction of her own perſon, that ſhe ſhall never bear authority, nor have liberty while ſhe lives.

If ye refuſe theſe gentle offers, now offered unto you, ſhe will preſently aid the king's party, with men, ammunition, and all neceſſary things, to be had againſt you.

Whereupon her majeſty requires your anſwer with ſpeed, without any delay.

No. V. (Book VI. p. 499.)

Articles ſent by Knox to the general aſſembly, Auguſt 5th. 1572.

FIRST, deſiring a new act to be made ratifying all things concerning the king and his obedience that were

e enacted of before witho t any change, and tha t
ministers who have con raveend the former act s
corrected as acco deth.

That sute be made to the regent's grace and nobi-
maintaining the king's cause, that whatsover pro-
leth in this treaty of peace they be mindful the
be not prejudg'd thereby, in any sort, and they
ially of the ministers, that have been robbed of
r possessions within the kirk during the time of
troubles, or otherwise dung and injured, may be
ored.

o sute at the regent, that no gift of any bishop-
or other benefice be given to any person, contrary
he tenor of the acts made in the time of the first
nt of good memory, and they that are given con-
the said acts, or to any unqualified person, may
evoked and made null be an act of secret council,
that all bishopricks so vacand may be presented,
qualified persons nominat thereunto, within a
after the vaking thereof, according to the order
n in Leith be the commissioners of the nobility
of the kirk in the month of January last, and in
ial to complain upon the giving of bishoprick of
s to the lord Methven.

hat no pentions of benefices, great or small, be
n be simple donation of any lord regent, without
sent of the possessor of the said benefices having
e thereto, and the admission of the superintendent
ommissioners of the province where this benefice
h, or of the bishops lawfully elected according to
said order taken at Leith; and desire an act of
ncil to be made thereupon, untill the next parlia-
t, wherein the samine may be specially inacted,
inhibition to the lords of session to give any let-
or decreets, upon such simple gifts of benefices
entions not being given in manner above rehearsed,
that the kirk presently assembled declare all such
null so far as lyeth in their power.

hat the first form of presentation to benefices, which
e in the first and second regents time, be not
g'd as now it is commonly: but that this clause
ontinued in the presentation, that if the persons

presented make not residence, or be slanderou found unworthy either in life or doctrine be the j ment of the kirk (to which alwise he shall be sub or meet to be transported to another room at the of the kirk, the said presentation and all that shal therenpon shall be null and of no force nor eff and this to have place also in the nomination of bishops.

That an act be made in this assembly that all th done in prejudice of the kirk's assumptions of thirds, either be papists or others, by giving of fe life rents, or tacks or any otherwise disponing said assumed thirds, be declared null with a sole protestation the whole kirk disasenteth thereto.

That an act be made decerning and ordaining bishops, admitted to the order of the kirk now re ved, to give account of their whole rents, and int missions therewith once in the year, as the kirk sh appoint, for such causes as the kirk may easily c sider the same to be most expedient and necessar.

Anent the jurisdiction of the kirk, that the sa be determined in this assembly, because, this arti hath been long potpond to make sute to the reg and council for remedy against messengers and exco municate persons.

Last that orders be taken anent the procurers the kirk, who procure against ministers and min try, and for sutting of justice of the kirk's actions the session.

No VI. (Book VI p 426.)

Declaration of Henry Killigrew Esq; upon the pea concluded the 23d Feb. 15 2.

Be it known to all men, by these presents, that Henry Killigrewe, Esq; ambassador for the queen majesty of England, Forasmuch as, at the earnest me tion and solicitation being made to me, on her high ness's behalf, there is accord and pacification of th public troubles and civil war within this realm o Scotland agreed and concluded, and the same favour ably extended towards the right honourable George earl of Huntly, lord Gordon and Baidzenoch, and

the

e lord John Hamilton, ſon to the duke's Grace of aſtellarault, and commendatour of the abby of birbrotho k for the ſurety of the lives, livings, hours, and goods of them, their kinſolks friends, vants, and partakers, now properly depending on em; in treating of the which ſaid pacification, e murcerers of the late earl of Murray uncle, l the earl of Levenax grandfather, late regent the king's majeſty of Scotland his realm and ges, as alſo an article touching the diſcharge the fructis or moveable goods which the ſaid per- have taken fra perſonis profeſſing the king's obe- nce, or for the damages done or committed by m, ſince the 15th day of Junij 1567. and before penult day of July laſt by paſſed, by reaſon of the mmon cauſe or any thing depending thereupon, ng thought by the king's commiſaries materis of h wecht and importance, as the king's preſent re- t could not conveniently, of himſelf, remit or diſ- rge the ſame. Yet in reſpect of the neceſſity of preſent pacification, and for the weil of the king, common quietneſs of this realm and lieges, it is orded, that the matters of remiſſion of the ſaid rderers, and of the diſcharge of the ſaid fructis, veable goods, and other damages moved by the ſons deſiring the ſaid remiſſions and diſcharge to queen's majeſty my ſovereign, as to the princeſs reſt both in blood and habitation to the king of Scotts. d whatſoever her majeſty ſhall adviſe and councel ching the ſaid remiſſion and diſcharge, the ſaid d regent, for the weil of the king and univerſal etneſs of the realm of Scotland, ſhall perform, obſerve, fulfill the ſame. And in likewiſe the ſaid earl ntly, and commendatour of Abirbrothock, being ed to have delivered pledges and hoſtages for obſer- on of the conditions of the ſaid accord and pacifi- on, hath required me in place thereof, in her majeſ- name, by virtue of my commiſſion, to promiſe for n that they ſhall truly and faithfully obſerve and keep aid pacification, and all articles and conditions there- or their parts, and that it would pleaſe her majeſty nterpoſe herſelf, as ſurety and cautioner for them

to

to that effect, to the king's majesty of Scotland the sovereign and his said regent, which I have done and promise to do, by virtue of his majesty's commission, as by the honourable and plain dealing of the said earl and lord, their intention to peace well appears, the same being most agreeable to the mind of the queen's majesty my sovereign, which so long her ministers hath travelled for the said pacification and in the end, at her motion and sollicitation, the same is accorded, knowing her majesty's godly desire that the same may continue unviolate, and that the noblemen and others now returning to the king's obedience shall have sufficient surety for their lives, savings, honours and goods Therefore in her majesty's name, and by virtue of my commission, I promise to the aforesaid earl Huntly and commendator of Abirbrothock, that by her majesty's good means, the said remission and discharge shall be purchased and obtained to them, their kinfolks, friends, servants and partakers, now properly depending upon them (the persons specified in the first abstinance always excepted) as also that the said pacification shall be truly observed to them and that her majesty shall interpose herself as conservatrix thereof, and endeavour herself to cause the same to be truly and sincerely kept in all points and articles thereof accordingly. In witness whereof, I have to this present subscribed with my hand, and sealed the same with mine own seal the 13th day of Feb^ry, Anno Domini, 1572. And this to be performed by me, betwixt the date hereof, and the parliament which shall be appointed for their restitution, or at the furthest before the end of the said parliament. Sic subscribitur.

The bishop of Glasgow's note concerning the queen of Scotland's dowry.

THE queen of Scotland, dowager of France, had for her dowry besides other possessions the dukedom of Turrene, which was solemnly contracted and given to her by the king and estates of parliament; which dukedom she possessed peaceably till 1576, and then, upon the pacification betwixt the king and Monsr his brother,

other, to augment whose appennage this dutchy s given, to which the queen of Scotland yielded on account of princes, who were her near relations, vided the equivalent which was promised her uld be faithfully performed. So that year, after reat many sollicitations, in lieu of that dutchy, she l granted her the county of Vermaudaise with the ds and bailiwicks of Seuley and Vetry; tho' 'tis own that county, and the other lands were not of al value with Turene but was promised to have addition of lands in the neighbourhood to an equal ue. Upon this letters patent were granted, which e confirmed in the courts of parliament, chamber ccompts, court of aids, chamber of the treasury, others necessary; upon which she entered into ession of that county, &c. Afterwards, by a vation of the commissioners of the chamber of acpts, it was found, that the revenue of that coun- &c. did not amount to those of Turene by 3000 es. But instead of making up this deficiency acding to justice, some of the privy council, viz. M. Cheverny, the presidents of Bellievre, Nicocholay, St Bonet, in the name of the king, notwithstand- of her aforesaid losses, did sell and alienate the lands enlis, and the dutchy of Estiampes, to madam de npensier, from whom the king received money; which sale the councellors aforesaid obliged themes to be guarantees, which hath hindred the afore- queen to have justice done her. So that made Monpensier hath been put in possession of e lands of Senlis, contrary to all the declara- , protestation, and assurances of the king of nce to queen Mary's ambassadors. So that the en of Scotland is dispossessed of her dowry, contrary ll equity, without any regard to her quality.

N. VII. (Book VI. p. 430)

etter from the lord of Lochlevin to the regent Mortoun.

will please your grace, I received your grace's letand has considered the same. The parson of Cam- was here at me before the receit thereof, directed fra

fra my lord of Mar, and the maſter anent my la written, which was the anſwer of the writing that tl maſter ſent to me, which I ſend to your grace, deſirir me to come to Sterling to confer with them. I ha given my anſwer before the receipt of your grace letter, that I behuiffit to be beſyd Sanct Androis, a ane friends tryſt, which I might not omit; I under ſtand by my ſaid couſin, that the king's majeſty is t write to divers of the nobility to come there, anent your lordſhip's trial, and that he had written befor his departing to my Lord Monthrois. I underſtanc likewiſe, he will write to your grace to come ther for the ſame effect, which I tho't good to make you grace foreſeen of the ſame, praying your grace, fo the love of God Almighty, to look upon the beſt and not to ſleep in ſecurity, but to turn you with un feigned heart to God, and to conſider with yourſelf that when the king's majeſty was very young, Goc made him the inſtrument to diveſt his mother from her authority, who was natural princeſs, for offend ing of his divine majeſty, and that there ran no vice in her, but that the ſame is as largely in you, except that your grace condeſcended not to the deſtruction of your wife For as to harlotry, and ambition, I think your grace has as far offended God, and far more in avaritiouſneſs, which vycis God never left unplagued, except ſpeedy repentance, which I pray God grant to your grace, for otherwiſe your grace can never have the love of God nor man I pray your grace flatter not yourſelf, for if your grace be lieves that ye have the good will of them that are the king's good willers, ye deceive yourſelf; for ſurely I ſee perfectly that your own particulars are not contented, lat by the reſt, and that moſt princi pally for your hard dealing. I pray your grace, beir with me that I am thus hamlie, for certainly it pro ceeds from no grudge, but from the very affection of my heart towards your grace, which has continued ſince we were acquainted. And now I ſee, becauſe the matter ſtands in your grace's handling with the king's majeſty, for certainly, if your grace fall forth with him now, I ſee not how ye ſhall meet hereafter;

I

pray your grace to call to God, and look on the
ſt, and caſt from your grace both your vices, to
t, ambition and avaritiouſneſs I am riding this
y to Sanct Androis, and truſt to return on Wed-
ſday at the fartheſt. If your grace will command
e in any offices that are honeſt, that I may do your
ace pleaſure in at Sterling, advertiſe of your grace's
nd, and ſhall do to my power and knowledge, and
s with my heartilie, &c. &c.

To our truſty couſin the lord Lochleven.

RUSTY couſin, after our moſt hearty commendations,
received your letter of the 3d of March, and as we
ke your plainneſs therein in good part, as proceed-
g from a friend and kinſman, in whoſe good affec-
n towards us we never doubted, ſo ye may not
ink it ſtrange that we purge ourſelf ſo far of your
cuſation, as in conſcience we find not ourſelf to have
ended in. As touching our offence to God, we in-
d not to excuſe it, but to ſubmit us to his mercy; for
bition ſurely we think none can juſtly accuſe us; for
our private eſtate we could, and can live as well
ntented, as any of our degree in Scotland, without
ther aſpiring. The bearing to the charge of the
vernment of the realm, indeed, mon lead us, or any
ner that ſhall occupy that place, not ſimply to re-
ct ourſelf, but his majeſty's rowme which we ſup-
, and therein not tranſcending the bounds of mea-
e, as, we truſt, it ſhall not be found we have done,
ought not to be attributed to any ambition in us.
r as ſoon as ever his majeſty ſhall think himſelf ready
d able for his own government, none ſhall more
lingly agree and advance the ſame nor I, ſince I
nk never to ſet my face againſt him, whoſe honour,
ty and preſervation has been ſo dear unto me, nor
ill never believe to find otherwiſe at his hand than fa-
ur, although all the unfriends I have in the earth were
out him, to perſuade him to the contrary. As we
te unto you, our friendly dealing and confidence
s the houſe of Mar is not thankfully acquit; as we
ſt yourſelf conſiders, but becauſe the ambaſſadors
England, my lord of Angus, the chancellor, trea-
ſurer,

ſurer, and ſome noblemen rides weſt this day to the king, we pray you heartily addreſs yourſelf t there as ſoon as ye can, and as ye ſhall find the li hood of all things, let us be advertized thereof, your own advice, by Alex^r Hay, whom we have t good to ſend weſt, ſeeing my lord of Angus from S ling rides to Douglas. And ſo we commit you in protection of God. At Holyroodhouſe, the 4t March, 1577.

For the avariciouſneſs laid to our charge, indee lies not in us ſo liberally to deal the king's geare to ſatisfy all crevers, nor never ſhall any ſovereign native born prince, let be any officer, eſchew the dains of ſuch. as thinks them judges to their own ward; in many cauſes, I doubt not to find the aſ ance of my friends, but where my actions ſhall pear unhoneſt, I will not crave their aſſiſtance, but me bear my own burthern.

No. VIII. (Book VI. p. 463.)

The coppy of the king of France his directions ſent Scotland with Seineur de la Motte Fenelon. Tranſ ted out of the French.

First, on her majeſty's moſt chriſtian part, he ſh make the moſt honourable ſalutation and viſiti to the moſt ſerene king of Scotland, their good br ther and little ſon, that in him is poſſable.

To give him their letters that are cloſed, ſuch an ſuch like as they have written to him with their hand and to ſhow expreſly the perfect friendſhip and ſing lar affection, that their majeſtys bear to him, and bring back the anſwer.

To take head to the things which touch near t moſt ſerene king, to the effect that his perſon may in no danger, but that it may be moſt ſurely preſerv

And that he be not hindred in the honeſt liber that he ought to have, and that no greater, or ſtrai er guards be about him than he had before,

And ſuch like, that he be not impeached in the au thority, that God hath given to him of king and prince ſovereign above his ſubjects, to the effect he may a freely

ely ordain and command in his affairs, and in the airs of his country, with his ordinary council, as was used to do of before.

That his nobility, barons and commonality of his ntry may have their free liberty to resort to his se- e majesty, without suspicion of greater guards or re armed men about his person then the use was, t they be not affraid and hindered to resort; and ther that the segnieur de la Motte Fenelon sall libe- y and freely speak to the said serene king and coun- requiring the re-establishing of that that may or h been changed or altered.

And that he may know if the principalls of the no- ty, and other men of good behaviour of the towns commonality of the contry conveens, and are con- t with the form of government presently with the serene king, to the end that if their be any mis- tent he may travaile to agree them together, and t he return not without the certainty of the famine. And if he may understand that there be any who e not used them so reverently towards the said se- king their sovereign lord, as the duty of their o- ience required, that he may pray on this behalf of majesty most christian the said serene king his good her, giving him council wholly to forget the same exorting them to do their duty towards his majes- in time coming, in all respects with the obedi- , and true subjection they ought him.

nd if the said segnieur De la Motte, perceves the serene king to be in any manner constrained of person, authority, liberty, and disposition of his rs, than he used to be, and not convenient for royal dignity, or as the sovereignty of a prince require, that he use all moyen lawful and ho- to place him in the famine, and that he employ nuch as the credit of his most christian majesty do toward the nobility, and subjects of that con- and as much as may his name, with the name is crown towards the Scottish nation, the which ves and confides in as much as they were proper chmen.

And that he wittneſs to the ſaid ſerene king, and eſtates, of his conſent and to all the nobility and p cipall perſonages of the contry, that his moſt Chri majeſtie will continue on his part in the moſt anc alliance and confederacy, which he hath had with ſaid ſerene king his good brother, praying his no ty and contry, with his principal ſubjects, to pe vere in the ſamine in all good underſtanding and frie ſhip with him; the which, on his part, he ſhall obſerving the ſamine moſt inviolable.

Further his moſt chriſtian majeſty underſtand that the ſerene king his good brother was conten with the duke of Lennox, and his ſerviſe, the i ſignieur De la Motte had charged to pray his ſer majeſty that he might remain beſide him to his c tentment, believing that he ſhould more willing in tain the points of love and confedrace, betwixt th majeſtys and their contrys, becauſe he was a gc ſubject to them both; and if he might not rema without ſome alteration of the tranquility of his eſta that he might retire him to his own houſe in the ſ contry, in ſurenes, or if he pleaſed to return to Fran that he might ſuerly——and if it pleaſes his ſer majeſty, to cauſe ceaſe and ſtay the impeachmen that are made of new upon the frontiers, to the fect that the natural Frenchmen may enter as free into the contry, as they were wont to do of before

And that there may be no purpoſe of diffamatic or no ſpeech but honourable of the moſt Chriſti king, in that contry, but ſuch like as is ſpoken mo honourably of the ſerene king of Scotland in Franc

He had another head to propone, which he co cealed till a little before his departure, to wit, th the queen, the king's mother, was content to recei her ſon in aſſociation of the kingdom,

No. IX. (Book VII. Vol. II. p. 4.)

Lord Hunſdane to Sir Francis Walſingham, the 14th Auguſt, 1585, from Berwick.

SIR,

ACCORDING to my former letters, touching my meet ing with the earle of Arran upon Wedinſday laſt

ther

re came hither to me from the earle, the justice rk, and sir William Stuart, captain of Dumbarton, h of the king's privie council, to treat with me out the order of our meeting, referring wholly to to appoint the hour, and the number we should et withal; so as we concluded the place to be Foul-, the hour to be ten o'clock, and the number with selves to be 13 of a side; and the rest of our troops tand each of them a mile from the toun; the one the one side, the other on the other side, so as our ops were two miles asunder; I was not many horse-n, but I supplied it with footmen, where I had a shot on horse, but they were very near 500 horse l appointed: According to which appointment, met yesterday, and after some congratulations, earle fell in the like protestations of his good-will readiness to serve the queen's majesty, before any ce in the world, next his sovereign, as he has e heretofore by his letters, and rather more with earnest vows, as unless he be worse than a devil, majesty may dispose of him at her pleasure; this g ended, I entered with him touching the cause I to deal with him, and so near as I could, left no g unrehearsed, that I had to charge the king or with any unkind dealing toward her majesty, ac-ing to my instructions, which without any delay nswered presently, as ye shall perceive by the said ers, sent herewith; but I replying unto him, he fied them with many more circumstances, but his effect. Then I dealt with him touching the t of her majesty's satisfaction, for the uttering practices as has been lately set on foot for the uieting of her majesty and her estate, who eof made sundry discourses, what marriages have offered to his majesty by sundrie princes, and what means the earle has sought to divert them, for what causes; the one, for that be marriage Spain or France, he must also alter his religion, ch as he is sure the king will never doe, so will he r suffer him to hearken unto it, so long as he has credit with him; he denys not but the king has dealt withal be practices to deal against her ma-

jesty, which he has so far denied and refused to e
into, as they have left dealing therein, but whatso
the king or he knoweth therein there shall be not
hidden from her majesty, as her majesty shall kn
very shortly; surely it seems by his speeches, tha
the king would have yielded thereunto there had b
no small company of French in Scotland ere now
disquiet her majesty.——This being ended, I d
with him earnestly for the stay of this parliame
which now approacheth; or at the least that th
may be nothing done therein, to the prejudice
these noblemen and others now in England, for
forfaulting of their livings and goods, hereupon
made a long discourse to me, first of the earle of A
gus dealing about the earle of Morton, then of
going out, notwithstanding of sundrie gracious off
the king had made him, then of the road of Ruthv
how that presently after they had the King's maje
in their hands, they imprisoned himself, dealt w
the king for putting of the duke out of the realm, t
king refused so to do, they told him plainly that if
would not he should have the earle of Arran's he
in a dish; the king asked what offence the earle h
made? and they answered it must be so, and shou
be so; hereupon for the safeguard of Arran's life, t
king was content to send away the duke, and yet A
ran afterwards sundrie times in danger of his life;
alledged unto him the king's letter to the queen
majesty, and his acts in council, that they had do
nothing but for his service, and with his good lik
and contentment, who answered me he durst do n
otherwise, nor could not do any thing but that whi
pleased them, with such a number of other their de
ings with the king whilest he was in their hands
are too long to be written, and too bad if they we
true; I said the king might have let the queen's m
jesty's ambassador have known his mind secretly, a
her majesty would have relieved him; he answer
that the king was not ignorant that the apprehensio
in that manner, proceeded from Mr Bow's practice
and thereby durst not impart so much to him, a
yet the king was content, and did give remission

many, as would acknowledge their faults, and ask
mission, and such as would not, he thought fit to
nish, to try their further loyalty, in which time
ey conspired the king's second apprehension, and
e killing of the earle and others, and seduced the
nisters to their faction, and yet not satisfied with
ese conspiracies and treasonable dealings, (as he
rms them) are entered into a third, being in Eng-
d under her majesty's protection, to dishonour her
ajesty as far as in them lyeth, or at least to cause
e king conceive some unkindness in her majesty, for
rbouring of them; I wrote to yow what the con-
racy was, the taking of the king, the killing of the
le of Arran, and some others, the taking of the
tle of Edin^r, and bringing home the earles, to take
arge of the king; all which (says he) is by Drum-
ond confessed, and by the provost of Glencudden
t greatly denied, and the constable of the castle
reupon fled; the earle brought Drummond with
n as far as Langton, where he lay to have confes-
the conspiracy before me, but having, at his light-
, received a blow on his leg with a horse, so as he
uld bring him no further, I replyed that I thought
ily they would not work any such practices, in
pect of the of the queen's majesty, abiding within
realme, and if there be any such practices, they
e proceeded from others, and they not privie un-
them; and that if it be not apparently proved a-
nst them, that it will be thought to be some prac-
e to aggravate the fault, and to make them the
re odious to the king. He answered me, that it
uld be proved so sufficiently, that they should not
able, with truth, to deny it for their own hands
o be showed to part of it, and therefore concluded,
t if her majesty should so press the king for them
his time, that would rather hinder this matter of
amitty, nor further it, and that since they seek
efly his life, he could not, in any reason, seek to
them any good; and besides he assured me, that
e would, he dare not, this last matter being fallen
as it is; and suerly if this matter had not fallen
, I would not have doubted the restoring of the

earle of Marr very ſhortly, if her majeſty would h
employed me therein, but for the earl of Angus
perceive the king is perſuaded that both he, and
reſt of the Douglaſſes, have conceived ſo mortall
hatred againſt him and the earl of Arran, about t
death of the earl of Morton, as if they were at hom
to-morrow next, they would not leave to pract
and conſpire the death of them both, and therefor
hard matter to do any thing for him: finally, he co
cluded and required me to aſſure her majeſty fro
the king, that there ſhall nothing be hid from h
nor any thing left undone that may ſatisfie her maje
with reaſon, and that the king ſhall never do a
thing, nor conſent to have any thing done in her pr
judice, ſo long as he had any credit with him,
authority under him. Having this far procee
ed, he deſired, to ſhow me his commiſſion, which
under the great ſeal, to himſelf only, which is
large as may be, and yet ſundrie of the privie counc
there with him, but not one in commiſſion, nor pr
ſent, nor near us all this time; having ſpent almo
five hours in theſe matters; he preſented to me th
Maſter of Gray, who delivered to me a letter fro
the king in his commendation, whom I perceive th
king means to ſend to her majeſty, and therefore r
quires a ſafe conduct for his paſſage, which I pra
yow procure, and ſo ſend it ſo ſoon as you may;
let him underſtand of the lord Seaton's negotiatio
with the French king. He ſwore to me, that Seato
was but a knave, and that it was partly againſt h
will, that he ſhould be ſent thither. But his commi
ſion and inſtruction being of no great importance, h
yielded the ſooner; and if Seaton has gone beyo
his inſtructions, which Arran drew himſelf, he w
make Seaton ſmart for it. Touching William New
gate, and Mark Golgan, he proteſted he never heart
of any ſuch; he ſays there was a little poor foul, wit
a black beard, come thither a begging, who ſaid h
was an enemy to Deſmond, to whom he gave a croun
but never heard of him ſince, and for any Scot
man going into Ireland, he ſays there is no ſuch mat
ter; if there be, there may be ſome few raſkels tha

knows not of; and touching the coming of any its into Scotland, he fays it is but the flande- s devife of the king's enemys, and fuch as would e the world believe the king were ready to revolt eligion, who the world fhall well fee will continue onftant therein, as what prince foever profeffed it ft; and the earle himfelf dos proteft to me, that, his knowledge he never faw a jefuit in his life, and affure me if there was any in Scotland, they uld not do fo much harm in Scotland, as their ifters would do, if they preach fuch doctrine as y did in Scotland; and touching on Ballanden, of om I wrote to yow, I heard from Mr Colvil, the e avows conftantly that he knows not, nor hath heard of any fuch man, but he would inquire at juftice clerk, and would inform me what he ld learn of that; thus I have made yow as fhort fcourfe as I can of fo many matters, fo long dif- rfed upon, but thefe are the principal points of all talk, fo near as I can remember it, and for this e I commit yow to the Almighty. At Berwick, 14th of Auguft, 1584.

he king is very defirous to have fon Robert Carrie to come to him. ay you know her majefty's pleafure.

an's anfwers to the grieffs or articles proponed to the lord Hunfdane, fet down in another form.

to the ftrait and fevere perfecution of all fuch, as e been noted to have been well affected to the en's majefty, it cannot appear they were either that caufe punifhed, or hardly dealt with, fince majefty of late has been fo careful and diligent to ce out good inftruments to deal betwixt her ma- and him, as his majefty has done in electing of lordfhip and me; befides that in all their accufa- s, their good will and affection born to her maje- was, at no time, laid to their charge, but capital ons of treafon many way tried now be the whole e eftates, and more than manifeft to the world. s for his majefty inhibiting, be publick proclama- , fuch as were banifhed, not to repair in Eng-

land

land; the bruits and whiſperings that came to majeſty's ears, of their conſpiracies and treaſ which ſince ſyn they accompliſhed, ſo far as in t lay, moved his majeſty to inhibit them to repai any place, ſo near his majeſty's realm, leaſt t ſhould have attempted theſe things which ſhortly t did atempt, being farther off, and more diſtant b by ſea and land.

As for reception of jeſuits, and others her maj fugitives, and not delivering them according to promiſe, as your lordſhip propones, his majeſty wo be moſt glad that ſo it might fall out by your lo ſhips traviles, that no fugitive of either realme ſho be received of either, and when ſo ſhall be it ſ not fail on his majeſty's part, albeit in very deed t time by gone his majeſty has been conſtrained to ceipt her majeſty's mean rebells and fugitives, cont his good naturall, ſince her majeſty hath receipt, effect, the whole and greateſt rebells and traitors majeſty in his own blood ever had; as for the agr ment with his majeſty's mother anent their aſſoc tion, his majeſty has commanded me, in preſence your lordſhip's ſervant, to aſſure her majeſty and yo lordſhip, in his majeſty's name, that it is altogeth falſe, and an untruth, nor any ſuch like matter do yet.

His majeſty has alſo commanded me to aſſure yo lordſhip, that is alſo falſe and untrue, that his maj ſty has, by any means direct or indirect, ſent any me ſage to the pope, or received any from him; or th his majeſty has dealt with Spain or any foreigners, harm her majeſty or her realm, which his maje could have no honour to do, this good intelligence king place, as I hope in God it ſhall.

As concerning the contemptuous uſage of her m jeſty's miniſters, ſent unto his majeſty, his maje uſed none of them ſo; and if his majeſty had, ſu cient cauſe was given by them, as ſome of their ow writs do yet teſtify; as I more particularly ſhewe your lordſhip at Foulden at our late meeting.

N

No. X. (Book VII. Vol. II. p. 1[illegible].)

Letter of Q. Mary to Q. Elizabeth.

Madame ma bonne Seur,

M'ASSEURANT que vous avez eu communication d'une lettre de Gray que vostre homme Semer me livra hier soubz le nom de mon filz y recongnoissant quasi de mot a mot les mesmes raisons que le dit Gray m'escrivit en chifre estant dernierement pres de vous desmontrant la suffisance & bonne intention du personage je vous prieray seulement suivant ce que si devant je vous ay tant instantement importune que vous me permettiez desclaircir librement & ouvertement ce point de l'association d' entre moy and mon filz & me deslier les mains pour proceder avec lui comme je jugeray estre requis pour son bien & le mein. Et j'entreprendz quoy que l'on vous die & puisse en rapporter de faire mentir ce petit brouillon qui persuade par aucuns de vos ministres a entrepris cette separation entre moy & mon enfant, & pour y commencer je vous supplie m'octroyer que je puisse parler a ce justice clerk qui vous a este nouvellement envoye pour mander par luy a mon filz mon intention sur cela, ce que je me promis que ne me refuserez quant ce ne feroit que pour demonstrer en effect la bonne intention que vous m'avez asseuree avoir a l'accord & entretien de natural devoir entre la mere & l'enfant qui dit en bonnes termes estre empesche pour vous me tenant captive en un desert ce que vous ne pourrez mieux desmentir & faire paroitre vostre bon desir a notre union que me donnant les moyens d 'y proceder & non m'en retenir & empescher comme aucune de vos, ministres pretendent a fin de laisser toujours lieu a leur mauvais & finistres practiques entre nous, La lettre porte que l'association n'est pas passee, aussi ne luy ai-je-jamais dit, bienque mon filz avoit accepte ; & que nous en avions convenu ensemble, comme l'acte signe de sa main, & ces letters tant a moy, que en France en foat foy, ayant donne ce meme temoignage de sa bouche propre a plusieurs ambassadeurs & personne de credit, s'excusant de ne l'oser faire publier par craint de vous seulement, demandant forces

pour

pour vous resister d'avant de se declarer si ouve
ment estant journellement persuade au contraire
vos ministres qui luy prometoyent avecque une
treire a Yorck le faire declarer votre heretier.
surplus Madame quand mon enfant seroit se r
heureux que de s'opiniastrer en cette extreme imp
& ingratitude vers moy, je ne puis penser que v
non plus qu'aucum aultre prince de la Chretient
vouliffiez en cela applaudir ou meintenir pour
fayre acquerir ma malediction, ains que plutos *in*
viendrez pour luy faire recongnoitre la raison t
juste & evidant devant Dieu & les hommes Helas
encores ne luy vouleier je'n ofter, mays donner a
droit ce qu'il tient par usurpation. Je me suis
tout commise a vous, & fidelement faites si il v
plest que je ne en soye pis qu' aupravant, & que
faulsete des uns ne prevale desvant la verite vers vo
pour bien recevant mal, & la plus grande afflict
qui me scaurroit arriver a scavoir la perte de mon f
Je vous supplie de me mander en cas qu'il persiste
cette m'esconnoissance de son devoir, que de luy
de moy il vous plaist advouer pour legittime roy
royne d'Ecosse, & si vous aves agreable de poursui
avec moy a part la traite commence entre nous
quoy je vous requires sans plus attendre de respon
de ce mal gouverne enfant vous en requerrant av
autant d' affection que se sens mon cœur oppre
d'ennuy. Pour Dieu souvenez vous de la prome
que m'avez faites de me prendre en votre protecti
me raportant du tout a vous, & sur ce priant Di
qu'il vous viueille preserver de touts vos ennemys
dissimulez amys, comme je le desire de me conso
& de me venger de ceulz qui pourchassent un tel m
heur entre la mere & l'enfant. Je cesseray de vo
troubler, mais non a m'ennuier que je ne reco
quelque consolation de vous & de Dieu encore
coup je le supplie de vous garder de tout peril. Fu
bery XII Mars.

Vostre fidelement vouee sœur
& obeissante cousine,

A la reyne d'Angleterre
madame ma bonne sœur &
cousine.

MARIE

No

No. XI. (Book VII. Vol. II. p. 15.)

A Teſtament by Q. Mary.

B. The following paper was tranſcribed by the evd. Mr Crawford late regius profeſſor of church iſtory in the univerſity of Edinburgh. Part of his paper, according to him, is written by Naue Mary's ſecretary, the reſt with the queen's own and. What is marked " is in the queen's hand.

NSIDERANT par ma condition preſente l'eſtat de humaine, ſi incertain, que perſonne ne s'en peuſt, doibt aſſeurer, ſinnon ſoubs la grande et infinie ricorde de Dieu. Et me voulant prenaloir d'icelle tre tous les dangers et accidens, qui me pour-nt inopinement ſurvenir en cette captivite, meſ- a cauſe des grandes et longues maladies, ou j'ay detenue juſques a preſent; j'ay adviſe tandis qui la commodite, ou raiſon en jugement, de pour- apres ma la ſalut de mon ame, enterrement de corps, et diſpoſition de mon bien, eſtat, & affaires, ce preſent mon teſtament et ordonnance de mon ier volonte, qui s'enſuyt.

u nom du Pere, du Filz, et du benoiſe St Eſprit. nierement, me recongnoiſſant indigne pechereſſe plus d'offences envers mon Dieu, que de ſatis- on par toutes les adverſites que j'ay ſouffert; dont loue ſa bonte. Et m'appuyant ſur la croix de Sauveur et Redempteur Jeſus Chriſt. Je recom- de mon ame a la benoiſte et individue Trinite, et pieres de la glorieuſe Vierge Marie, et de tous nges ſaincts and ſainctes de paradis, eſperant par merites et interceſſion, eſtre aydee a obtenir de faicte participante avec eulx de felicite eternelle. our m'acheminer de cueur plus net et entier, deſ- llant des a preſent tout reſentement des injures, mnies, ribellions, et aultries offenſes, qui me roint avoir eſte faictes durant ma vie, par mes ts rebelles et aultres ennemies; J'en retriet la eance a Dieu, & le ſupplié leur pardonner, de ne affection, que je luy requiers pardon a mes es, et a tous ceuls et celles pue je puis avoir of- de factis ou de parolles.

Je

Je veülx et ordone, &c. [*The two following p graphs contain directions concerning the place and cumstances of her burial*]

Pour ne contrevenir a la gloire, honneur, et c servation de l' Eglise catholique, apostolique et maine, en la quelle je veulx vivre et mourir, prince d'Escosse mon filz y peust etre reduiet co la mauvaise nourriture, qu'il a prise a mon tres gr regret en l'heresie de Calvin entre mes rebelles, je laisse seul et unique heritier de mon royaume d'Esc se, de droict que je pretende justement en la cour ne d'Angleterre et pays que en dependent, et ge rallement de tous et chacun mes meubles et imm bles qui resteront apres ma mort, et execution de present testament.

Si non, et que mon dit filz continue a vivre en dite heresie, Je cede, transporte, et faicte don " touts et chacuns mes droicts, que je pretende et p pretendre a la couronne d'Angleterre, et aulti droicts, seigneuries, ou royaulmes en dependantz, roy catholique, ou aultre de siens qu'il luy plai avesques advis, consentment de sa saintete ; tant po le vouyr aujourdhuy le seul seurs appui de la religi catholique que pour reconoissance de gratuites f veurs que moy, et les miens recommandez par mo ont avons receu de luy en ma plus grande necessite et resguard aussi an droict que luy mesme peut pr tendre a ces ditz royaulmes et pays, je le suppli qu'en recompence il preign alliance, de la maison d Lorraine, et si il ce pleut de celle de Guise, po memoire de la race de laquelle je suis sortie au co de Mere, n'a ayant de celuy de mon pere, que m seul enfant, lequel estant Catholique j'ay tousjou voue pour une de ses filles, si il luy plaisoit de l'a cepter, ou faillant une de ses niepces mariee comm sa fille.

Je laysse mon filz a la protection du roy, de princ et ducs de Lorrayne et de Guise, et du Mayne, au puelz je recommende et son estat en Escosse, et no droict en Angleterre, si il est catholique, et quelle h parlie de ceste royne."

fautz don au "compte de Lenox" de comte de
x tenu par feu ſon pere, et commande mon filtz,
ne mon heretier et ſucceſſeur, d' obeyr en ceſt
bit a mon volonte.

veulx et ordonne toutes les ſommes et deniers,
ſe troveront par moy deues, tien mis cauſe de
eſtre faits "a Lohliven" etre promptement payes
quittes, et tout tort et griefs repares par lèſdits
uteurs deſquelz J'en charge la conſcience. Oultre
[*Follow two or three paragraphs concerning parti-
legacy's, and then is added*] Faict au manoir de
ield en Angleterre le jour de——Mil cinq cens
nt & dix ſept.

After a blank page follows in the queen's hand.

Si mon filz meurt, au comte de Lenox, ou Claude
ilton lequel ſe montrera le plus fidelle vers moy,
us conſtant en religion, au judgment de
de Lorraine et de Guyſe, ou je le rapport ſur
ceulx a que j'auray donnay la charge de trayter
ue eux de par moy et ceulx, a condition de ſe
er ou allier en la dite mayſon ou par ſeur advis."

Follow near two pages of particular legacys.

Et le remets ma tante de Lenox au droict quelle
pretendre a la conte d' Angous avant l'acort fait
non commandment entre ma dite tante de Lenox
comte de Morton, veu quil a eſte fait & par le
by mon Mary et moy, ſur la promeſſe de ſa fidel-
ſtance, ſi luy et moy encourions dangier et be-
d'ayde, ce qu'il rompit, s'entendant ſecretement
s nos ennemis rebelles, qu' attemtprient contre
et pour ceſt affect pris les armes, et ont porte les
ers deſploiees, contre nous, je revoque auſſi toute
don que je luy ay fait de conte de Morton ſur
eſſes de ſes bons ſervices a advenir, et entends
a dite Conte ſoit reunie a la couronne, ſi ell ſe
e y partenir, comme ſes trahiſons tant en la mort
on feu Mary, que en mon baniſſement, et pour-
le la mienne l'ont merite. Et defends a mon
e ſe jamays ſervire de luy pour de luy pour la
qu'il aye a ſes parents, la quelle je crains ne

s'estende jusques à luy, le connoissant du tout a
onne aux ennemier de mon droit en ce royaum
quel il est penconnaire."

"Je recommende mon nepveu Francois Stuart
filz, luy commande detenir pres de luy laysse le
du conte de Boduel son oncle, en respect qui'l
mon sang, mon filleul, et ma este laisse en lutel
son pere."

"Je declare que mon frere bastard Robert Ab
St Croix na'en que par circonvention Orkenay, e
le ne fut jamays mon intention, comme il apre
la revocation que j'ay fayte depuis, et ete aussi
d'avant la asge de xxv. ans, ce que j'aimois deli
si il ne m'eussent prenner par prison de se de de
aulx estats je veulx donc que Orkenay soit re
la couronne comme une de plus necessareis,
mon filz, et sans la mayson ne pourra etre bien ter

"Les filles de Morra ne parvient accessi heriter,
revient la conte a la Conronne, si il luy plest luy
ner sa ou fille en marriasge, et il nome
sienne ligne."

No. XII. (Book VII. Vol. II. p. 24.)

*A Letter from Mr Archibald Douglas to the que
Scots.*

PLEASE your majesty, I received your letter of
date the 12th of Nov^r, and in like manner has
some part of the contents of one other of the
date, directed to Monsr. de Movlsir, ambassador
his majesty the most Christian king, both which
agreeable to your princely dignity, as by the one y
highness desires to know the true cause of my ba
ment, and offers unto me all favour if I shall be in
cent of the heinous facts committed in the perso
your husband of good memory, so by the other
said ambassador is willet to declare unto me, if y
husband's murder could be laid justly against
that you could not sollicit in my cause, neither
for any person that was participant of that execra
fact, but would seek the revenge thereof, when
should have any means to do it; your majesty's of

if I be innocent of that crime, is moſt favourable, and your deſire to know the truth of the ſame is moſt equitable; and therefore that I ſhould with all my ſimplicity, ſincerity and truth anſwer thereunto is moſt reaſonable, to the end that your princely dignity may be my help, if my innocence ſhall ſufficiently appear, and procure my condemnation, if I be culpable in any matter, except in the knowledge of the evil diſpoſed minds of the moſt part of your nobility againſt your ſaid huſband, and not revealing of it, which I am aſſured was ſufficiently known to himſelf, and to all that had judgment never ſo little in that realm; which alſo I was conſtrained to underſtand, as he, that was ſpecially employed betwixt the earl Morton, and a good number of your nobility, that they might with all humility intercede at your maſeſty's hand for his relief, in ſuch matters as are more ſpecially contained in the declaration following, which I am conſtrained for my own juſtification, by this letter to call to your majeſty's remembrance. Notwithſtanding that I am aſſured to my grief, the reading thereof will not ſmally offend your princely mind. It may pleaſe your majeſty to remember, that in the year of God 1566, the ſaid earl of Morton, with divers other nobility and gent. were declared rebels to your majeſty, and baniſhed your realm for inſolent murder committed in your majeſty's own chamber, which they alledged was done by command of your huſband, who notwithſtanding affirmed that he was compelled by them to ſubſcribe the warrant given for that effect, howſoever the truth of that matter remains amongſt them; it appertains not to me at this time to be curious; true it is that I was one of that number, that heavily offended againſt your majeſty, and paſſed in France the time of our baniſhment, at the deſire of the reſt, to humbly pray your brother the Moſt Chriſtian king, to interceed that our offences might be pardoned, and your majeſty's clemency extended towards us, albeit divers of no ſmall reputation, in that realm, was of the opinion, that the ſaid fact merited neither to be requiſite for, nor yet pardoned. Always ſuch was the careful mind of his majeſty towards the quietneſs

of that realm, that the dealing in that cause was
mitted to Monsr. de Movisir, who was direct
that time to go into Scotland, to congratulat
happy birth of your son, whom Almighty God
goodness may long preserve in happy estate an
petual felicity; the careful travel of the said de
visir was so effectual, and your majesty's mind
clined to mercy, that within short space thereaf
was permitted to repair in Scotland, to deal with
Murray, Athol, Bodvel, Arguile, and secret^y Le
ton, in the name and behalf of the said earl Mo
lords Reyen, Linsay. and remanent complesis,
they might make offer in the names of the said
of any matter that might satisfy your majesty's w
and procure your clemency to be extended in
favours; at my coming to them, after I had op
the effect of my message, they declared that the
riage betwixt you and your husband had been th
casion already of great evil in that realm, and if
husband should be suffered to follow the appetite
mind of such as was about him, that kind of de
might produce with time worse effects; for hel
of such inconvenience that might fall out by that
of dealing, they had thought it convenient to
themselves in league and band with some other no
men, resolved to obey your majesty as their nat
sovereign, and have nothing to do with your husba
command whatsoever, if the said earl would for h
self enter into that band and confederacy with th
they could be content to humbly request and tr
by all means with your majesty for his pardon,
before they could any farther proceed, they desire
know the said earl's mind herein; when I had
swered that he nor his friends, at my depart
could not know that any such like matter would
proponit, and therefore was not instructed what
answer therein, they desired that I should return
ficiently instructed in this matter to Sterling, bef
the baptism of your son, whom God might preser
this message was faithfully delivered by me at Ne
castle in England, where the said earl then remain
in presence of his friends and company, where t

all condescended to have no farther dealing with your husband, and to enter into the said band. With this deliberation I returned to Sterling, where at the request of the Most Christian king and the queen's majesty of England by their ambassadors present, your majesty's gracious pardon was granted unto them all, under condition always that they should remain banished forth of the realm, the space of two years, and farther during your majesty's pleasure, which limitation was after mitigated at the humble request of your own nobility, so that immediately after the said earl of Morton repaired into Scotland to Quhittingaime, where the earl Bodvell and secretary Ledington come to him; what speech passed there amongst them, as God shall be my judge, I knew nothing at that time, but at their departure I was requested by the said earl Morton to accompany the earl Bodvell and secretary to Edenburgh, and to return with such answer as they should obtain of your majesty, which being given to me by the said persons, as God shall be my judge, was no other than these words, "Schaw to the earl Morton that the queen "will hear no speech of that matter appointed unto "him;" when I crafit that the answer might be made more sensible, secretary Ledington said, that the earl would sufficiently understand it, albeit few or none at that time understand what passed amongst them It is known to all men, als veill be railling letters past betwixt the said earl and Lidington when they become in divers factions, as also ane buck sett furtht by the ministers wherein they affirm that the earl of Morton has confessed to them, before his death, that the earl Bodvell come to Quhittingaime to prepon the calling away of the king your husband, to the which proposition the said earl of Morton affirms that he could give no answer unto such time he might know your majesty's mind therein, which he never received. As to the abominable murder, it is known too by the depositions of many persons that were executed to the death for the committing thereof, that the same was executed by them, and at the command of such of the nobility, as had subscrivit band for that effect

by this unpleasant declaration, the most part thereof known to yourself, and the remainder may be understood by the aforesaid witnesses that was examined in torture, and that are extant in the custody of the ordinary judges in Scotland, my innocency so far as may concern any fact does appear sufficiently to your majesty. As for my dealing aforesaid, I can be no otherwise charged therein, but as what would accuse the vessel that preserves the vine from harm, for the intemperancy of such as immoderately use the same. As for the special cause of my banishment, I think the same has proceeded upon an opinion conceived, that I was able to accuse the earl of Morton of so much matter as they alledge himself to have confessed before he died, and would not be induced, for loss of reputation, to perform any part thereof. If this be the occasion of my trouble, as I suppose it is, what punishment I should deserve I remit me to your majesty's better judgment, who well knows how careful ever ilk gentleman should be of his fame, reputation, and honour, and how far ever ilk man should abhor the name of a pultroun, and how indecent it would have been to me to accuse the earl of Morton, being so near of his kin, notwithstanding all the injuries I was constrained to receive at his hand all the time of his government, and for no other cause, but for shewing of particular friendship to particular friends in the time of the last cruel troubles in Scotland. Sorry I be now to accuse him in any matter being dead, and more sorry that being on lyff, be such kind of dealing obtained that name of Ingrate. Always for my own part, I have been banished my native country those three years and four months, living in anxiety of mind, my holl guds in Scotland, which were not small, intermittit and disponit upon, and has continually since the time I was relieved out of my last troubles at the desire of Monsr. de Movisir, attended to know your majesty's pleasure, and to await upon what service it should please your majesty for to command. Upon the 8th of April inst. your good friend secretary Walsinghame has declared unto me, that her highness tho't it expedient that I should retire myself where

where I pleased. I declared unto him I had no means whereby I might perform that desire, until such time as I should receive it from your majesty. Neither knew I where it would please your highness to direct me, until such time as I should have received further information from you. Upon this occasion, and partly by permission, I have taken the hardress to write this present letter, whereby your majesty may understand any part of my troubles past, and strait present. As to my intention future, I will never deny that I am fully resolved to spend the rest of my days in your majesty's service, and the king your son's, wheresover I shall be directed by your majesty, and for the better performing thereof, if so shall be your majesty's pleasure, to recommend the tryal of my innocency, and examination of the verity of the preceding narration, to the king your son, with request that I may be pardoned for such offences as concerned your majesty's service, and var common to all men the time of his les aige and perdonit to all, except to me, I should be the bearer thereof myself, and be directed in whatsoever service it should please your majesty for to command. Most humble I beseech your majesty to consider hereof, and to be so gracious as to give order, that I may have means to serve your majesty according to the sincerity of my meaning, and so expecting your majesty's answer, after the kissing your hand with all humility, I take leave from London.

No. XIII. (Book VII. Vol. II. p. 39.)

Letter from the king of Scots to Mr Arcibald Douglas his ambassador in England, October, 1586.

RESERVE up yourself na langer in the earnest dealing for my mother, for ye have done it too long; and think not that any your travellis can do goode if hir lyfe be takin, for then adeu with my dealing with thaime that are the special instrumentis thairof: And theirfore, gif ye looke for the contineuance of my favour towartis you, spair na paines nor plainnes in this cace, but reade my letter wrettin to Williame Keith, and conform yourself quhollie to the contentis thair-

of

of, and in this requeist let me reap the fructis of y great credit there, ather now or never. Fairv October 1586.

Letter to sir William Keith, ambassador in England, bably from secretary Maitland. Nov. 27, 1586

By your letter sent by this bearer, (albiet concern no pleasant subject) his majesty conceives well of y earnestness and fidelity in your negociations, as of Mr Archibald's activity and diligence, whom so greatly praise and recommend. I wish the i correspond to his majesty's opinion, your care travell, and his great diligence as you write majesty takes this rigorous proceeding against his r ther deeply in heart, as a matter greatly concern him both in honour and otherwise. His highne actions and behaviour utter plainly not only how nature prevails, but also how he apprehends of sequel of that process, and of what moment he estee it. There is an ambassade shortly to be direct wherein will be employed an earl and two coun lors, on whose answer will depend the continuance diffolution of the amity and good intelligence betw the princes of this isle. In the mean season, if f ther extremity be used, and his majesty's suit and quest disdained, his highness will think himself dis noured and contemned far besides his expectation a deserts. Ye may perceive his majesty's disposition his letter to you, which you shall impart to Mr A chibald; and both deal according thereto. I n not to recommend to you care, concerning your m ter's service both in weil and in honour. As you a your colleague shall behave yourself in this behalf, for my own part, will I interpret your affection your master. I am glad of that I hear of yours and I do fully credit that you write of Mr Archiba whose friends here make great account of his pro sed devotion to the queen, besides the duty he ow to the king's majesty her son. Farther I am constra ed to remit to next occasion, having scarce time scribble these few lines (which of themselves may be witne

witness of my haste.) Wishing you a prosperous issue of your negotiation, I commit you, &c. Halyrudhouse, Novr. 27th, 1586.

The people, and all estates here are so far moved, by the rigorous proceedings against the queen, that, his majesty, and all that have credit are importuned and may not go abroad for exclamations against them and imprecations against the queen of England.

No. XIV. (Book VII. Vol. II. p. 42.)

To the king's majesty, from Mr Archibald Douglas.

PLEASE your majesty, I received your letter of the date 28th of September, the 5th of October, which was the same day that I directed W^{m}. Murray towards your highness; by such letters as he carried, and others of several dates, your majesty may perceive that I had omitted nothing so far as my travel might reach unto, anent the performing of the two chief points contained in the said letter before the receipt thereof, which by these presents I must repeat for answering of the saidis. As to the first, so far as may concern the interceeding for the queen your majesty's mother her life, I have divers times and in every audience travelled with this queen in that matter, specially to know what her full determination must be in that point, and could never bring her to any further answer, but that this proceeding against her by order of justice was no less against her mind, than against their will that loved her best: As towards her life she could give no answer thereunto, until such time as the law hath declared whether she was innocent or guilty. Herew thall it was her pleasure thus far to inform me, that it was a number of the associants that earnestly pressed her that the law might proceed against her, giving reasons that so long as she was suffered to deal in matters, so long would never this realm be in quiet, neither her life, neither this state in assurance; and in the end they used this protestation that if she would not in this matter follow their advice, that they should remain without all blame whatsoever should fall out; whereupon she had granted

granted them liberty to proceed, leaſt ſuch as had made the requeſt, might hereafter have charged herſelf with inconvenience if any ſhould happen.

And by myſelf I know this her ſpeech to be true, becauſe both papiſt and proteſtant has behaved them, as it hath been her pleaſure to declare, but upon divers reſpects, the one to avoid ſuſpicion that otherwiſe was conceived againſt them, the other upon zeal and care that they will be known to have for preſervation of their ſovereign's life and eſtate in this perrelous time, upon conſideration whereof, I have been conſtrained to enter into ſome dealing with both, wherewith I made her majeſty acquainted; the proteſtants, and ſuch as in other matters will be known to bear no ſmall favour unto your majeſty's ſervice, hath prayed that they may be excuſed from any dealing in the contrary of that, which by their oath they have avowed, and by their ſpeech to their ſovereign requeſted for, and that before my coming in this country; if they ſhould now otherwiſe do, it would produce no better effect but to make them ſubject to the accuſation of their ſovereign, when it ſhould pleaſe her to do it, of their inconſtancy, in giving councel whereby they might incur the danger of ill councellors, and be conſequent worthy of puniſhment. Such of the papiſts as I did deal with, went immediately, and told her majeſty what I had ſpoken to them, who albeit ſhe underſtood the matter of before, ſent for me and declared to me my own ſpeech that I had uttered to them, willing me for the weil of my maſter's ſervice to abſtain from dealing with ſuch, as were not yet ſufficiently moved to think of my maſter as ſhe did. I craved leave of her majeſty, that I might inform them of your majeſty's late behaviour towards her, and the ſtate of this realm, whereunto with ſome difficulty ſhe gave her conſent. At my late departure from court, which was upon the 5th of this inſtant, and the day after that the lords of this grand jury had taken their leaves of her majeſty to go northward to Fothringhame, it was her pleaſure to promiſe to have further ſpeech in this matter at the returning of the ſaid lords, and to give full anſwer according to

your

your majesty's contentment to the remainder matters, that I had proponit in name of your majesty. As to the 2d part concerning the association, and desire that the promise made to the master of Gray concerning your majesty's title may be fulfilled; it appears by the said letter, that the very point, whereupon the question that may bring your majesty's title in doubt hath not been rightly at the writing of the said letter considered, which I take to have proceeded for lack of reading of the act of parliament, wherein is fulfilled all the promise made by the queen to the said master, and nothing may now cause any doubt to arise against your said title, except that an opinion should be conceived by these lords of this parliament that are so vehement at this time against the queen your majesty's mother, that your majesty is, or may be proved hereafter assenting to her proceedings, and some that loves your majesty's service were of that opinion that too earnest request might move a ground, whereupon suspicions might grow in men so ill affected in that matter, which I tho't might be helped by obtaining of a declaration in parliament of your majesty's innocence at this time, and by reason that good nature and public honesty would constrain you to intercede for the queen your mother, which would carry with itself, without any further, some suspicion that might move ill affected men to doubt. In my former letters I humbly craved of your majesty that some learned men in the laws, might be moved to advise with the words of the association, and the mitigation contained in the act of parliament, and withall to advise what suspicious effects your majesty's request might work in these cholerick men at this time, and how their minds might be best moved to receive reason; and upon all these considerations they might have formed the words of a declarator of your majesty's innocence to be obtained in this parliament, and failing thereof, the very words of a protestation for the same effect that might best serve for your majesty's service, and for my better information. Albeit this was my simple opinion, I shall be contented to follow any direction it shall please your majesty to give

give; I have already opened the ſubſtance hereof to queen of this realm, who ſeems not to be offenc herewith, and hath granted liberty to deal ther with ſuch of the parliament as may remain in a doubt of mind. This being the ſum of my proce ings in this matter, beſides the remainder, contained other letters of ſeveral dates, I am conſtrained to lay whole open before your majeſty, and to humbly pr that full information may be ſent unto me what fu ther to do herein, in this middle time, while I sh receive more ample direction I ſhall proceed and doing according to ſuch direction as I have alrea received. And ſo, moſt gracious ſovereign, wiſhi unto your majeſty all happy ſucceſs in your affairs, humbly take my leave from London, this 16th of Oc 1586. Your majeſty's moſt humble ſubject and obe ſervant.

A memorial for his majeſty by the Maſter of Gray.

It will pleaſe your majeſty, I have tho't meeter to f down all things as they occur, and all advertiſemen as they came to my ears, than jointly in lettre.

I came to Vare the 24th of Decr. and ſent to Wm Keith, and Mr Archibald Douglas to advertize th queen of it, like as they did at their audience. Sh promiſed the queen your majeſty's mother's life ſhoul be ſpared till we were heard. The 27th, they cam to Vare to me, the which day ſir Robt came to Vare where they ſhewed us how far they had already gon in their negociation, but for that the diſcourſe of is ſet down in our general letter, I remit me to i only this far I will teſtify unto your majeſty that Wm Keith hath uſed himſelf right honeſtly and juſtly t our coming, reſpecting all circumſtances, and chief his colleague his dealing, which indeed is not bette than your majeſty knows already.

The 29th day of Decr. we came to London, where we were no ways friendly received, nor after th honeſt ſort it has pleaſed your majeſty uſe her am baſſadors, never man ſent to welcome or convey us. This ſame day we underſtood of Mr de Bellivere h

leave

ve taking, and for that the cuſtom permitted not e ſent our excuſes by Mr George Young.

The 1ſt day of Jan^ry, W^m. Keith and his colleague cording to the cuſtom ſent to crave our audience. e received the anſwer contained in the general let-, and could not have anſwer till the 6th day, what s done that day your majeſty has it in the general, t we was not out of expectation at that time albeit received hard anſwers.

The 8th day we ſpeak with the earl of Leiceſter, ere our conferrence was, as is ſet down in the ge-ral. I remarked this, that he that day ſaid plainly e detaining of the queen of Scotland priſoner was that ſhe pretended a ſucceſſion to this crown. dge then by this, what is tho't of your majeſty as ſhall hear a little after.

The 9th day we ſpeak with the French ambaſſador, om we find very plain in making to us a wiſe diſ-urſe of all his proceedings, and Mr de Bellievre we nked him in your majeſty's name, and opened ſuch ngs as we had to treat with this queen, ſave the point, as more largely ſet down by our general. t is tho't here, and ſome friends of your majeſty's iſed me, that Bellievre his negotiation was not ef-tual, and that the reſident was not privy to it, as in-d I think is true, for ſince Bellievre his perting, re is a talk of this Chaſteauneuf his ſervants taken h his whole papers and pacquets, which he was ding in France, for that they charge him with a ſpiracy of late againſt the queen here her life. It alledged his ſervant has confeſſed the matter, but om I ſhall truſt I know not, but till I ſee proof I l account him an honeſt man, for indeed ſo he ears, and one (without doubt) who hath been very ant in this matter. I ſhew him that the queen and of Leiceſter had deſired to ſpeak with me in pri-e, and craved his opinion; he gave it freely that tho't it meeteſt, I ſhew him the reaſon why I com-nicate that to him, for that I had been ſuſpected ome of her majeſty's friends in France to have e evil offices in her ſervice, that he ſhould be my neſs that my earneſt dealing in this ſhou'd be a

ſufficient teſtimony that all was lyes, and that th knave Nane who now had betrayed her, had in th: done evil offices; he deſired me, ſeeing ſhe ſaw oni with other folks eyes, that I ſhould no ways impu it to her, for the like ſhe had done to himſelf by Na his perſuaſion. I anſwered he ſhould be my witne in that.

The 9th day we ſent to court to crave audienc which we got the 10th day; at the firſt, ſhe ſaid thing long looked for ſhould be welcome when it come I would now ſee your maſter's offers. I anſwere no man makes offers but for ſome cauſe; we woul and like your majeſty, firſt know the cauſe to be e tant for which we offer, and likewiſe that it be extar till your majeſty has heard us. I think it be extar yet, but I will not promiſe for an hour, but yo think to ſhift in that ſort. I anſwered we mind n to ſhift, but to offer from our ſovereign all things th with reaſon may be; and in ſpecial, we offered as ſet down in our general, all was refuſed and tho't no thing. She called on the three that were in the houſ the earl of Leiceſter, my lord admiral, and chambe lain, and very deſpitefully repeated all our offers i preſence of them all. I opened the laſt part, an ſaid, Madam, for what reſpect is it that men de againſt your perſon or eſtate for her cauſe? She an wered, becauſe they think ſhe ſhall ſucceed to m and for that ſhe is a papiſt, appearingly ſaid I bot the cauſes may be removed, ſhe ſaid ſhe would b glad to underſtand it. If Madam, ſaid I, all that ſh has of right of ſucceſſion were in the king our ſove reign's perſon, were not all hope of papiſts removec She anſwered, I hope ſo. Then Madam I think th queen his mother ſhall willingly demit all her righ in his perſon. She anſwered ſhe hath no right, fo ſhe is declared unable. Then I ſaid, if ſhe have n right, appearingly the hope ceaſes already, ſo that is not to be feared that any man attempt for her. Th queen anſwered, but the papiſts allow not our decla ration; then let it fall, ſays I, in the king's perſo by her aſſignation. The earl of Leiceſter anſwere She is a priſoner, how can ſhe demit. I anſwere

th

he demiſſion is to her ſon, by the advice of all the riends ſhe has in Europe, and in caſe, as God forbid, hat any attempt conttit the queen here away, who hall party with her to prove the demiſſion or aſſignaion to be ineffectual her ſon being oppoſite party nd having all the princes her friends for him, haing bounded for the efficacy of it with his majeſty of efore. The queen made as ſhe could not comprehend my meaning, and ſir Robt opened the matter gain, ſhe yet made as tho' ſhe underſtood not. So he earl of Leiceſter anſwered that our meaning was, hat the king ſhould be put in his mother's place. Is t ſo, the queen anſwered, then I put myſelf in a worſe aſe than of before; by God's paſſion, that were to ut my own throat, and for a dutchy, or an earldome o yourſelf, you or ſuch as you would cauſe ſome of our deſperate knaves kill me. No, by God, he hall never be in that place. I anſwered he craves othing of your majeſty but only of his mother. The arl of Leiceſter anſwered that were to make him party to the queen my miſtreſs. I ſaid, he will be far more party, if he be in her place thro' her death. She would ſtay no longer, but ſaid ſhe would not have worſe in his mother's place. And ſaid, tell your ing what good I have done for him in holding the rown on his head ſince he was born, and that I mind o keep the league that now ſtands between us, and f he break it ſhall be a double fault, and with this minded to have bidden us a farewell; but we eſcheuit. And I ſpeak craving of her that her life may be pared for fifteen days; ſhe refuſed. Sir Robt. craved for only eight days, ſhe ſaid not for an hour; and o geid her away. Your majeſty ſees we have delivered all we had for offers, but all is for nothing, for he and her council has laid a determination that they mind to follow forth, and I ſee it comes rather of her ouncil than herſelf, which I like the worſe; for vithout doubt, ſir it ſhall cut off all friendſhip ye had here. Altho' it were that once they had meand well to your majeſty, yet remembering themelves, that they have medled with your mother's lood, good faith they cannot hope great good of

yourself, a thing in truth I am sorry for; further your majesty may perceive by this last discourse of that I proponit, if they had meaned well to your majesty, they had used it otherwise than they have done for reason has bound them. But I dare not write all I mind something to speak in this matter, because we look shurly our letters shall be troucit by the way.

For that I see private credit nor no means can alter their determination, altho' the queen again and the earl of Leicester has desired to speak with me in particular; I mind not to speak, nor shall not; but assuredly shall let all men see that I in particular was no ways tyed to England, but for the respect of your majesty's service. So albeit, at this time, I could not effectuate that I desired. yet my upright dealing in it shall be manifested to the world. We are, God willing, then to crave audience where we mind to use sharply our instructions, which hitherto we have used very calmly, for we can, for your honour's cause, say no less for your majesty, than the French ambassador has said for his master.

So I pray your majesty consider my upright dealing in your service, and not the effect, for it had been double by any I might have here had credit, but being I came only for that cause I will not my credit shall serve here to any further purpose. I pray God preserve your majesty and send you a true and sincere friendship. From London this 12th of Jan. 1586.

I understand the queen is to send one of her own to your majesty.

To the right hon. my lord vice chancellor and secretary to his majesty, from the master of Gray.

My lord, I send you these lines with this inclosed to his majesty, whereby your lordship shall understand how matters goes here. And before all things I pray your lordship move his majesty to respect my diligence, and not the effect in this negotiation, for I swear if it had been for the crown of England to myself I could do no more, and let not unfriends have advantage of me, for the world shall see that I loved England for his majesty's service only. I look shortly

to

to find your lordſhip friend as ye made promiſe, and by God I ſhall be to you if I can. Wm. Keith and I deſired, if matters had gone well, to have run a courſe that your lordſhip might have here been in credit and others diſappointed, but now I will do for you as for myſelf; which is to care for no credit here, for in conſcience they mean not honeſtly to the king our ſovereign, and if they may, he will go the get his mother is gone or ſhortly to go, therefore my lord without all kind of ſcruple I pray you to adviſe him the beſt is not this way. They ſay here, that it has been ſaid by one who heard it from you, that ye deſired not the king and England to agree, becauſe it would rack the noblemen, and give an example of it by king James the fourt, I anſwered in your name that I was aſſured you never had ſpoken it. Mr Archibald is the ſpeaker of it, who I aſſure your lordſhip has been a poiſon in this matter, for they lean very mickle to his opinion. He cares not, he ſays, for at length the king will be fain to deal this way, either by fair means or neceſſity, ſo that when he deals this courſe he is aſſured to be welcome; to ſet down all that is paſt of the like purpoſes, it would conſume more paperthan I have here, ſo I defer it to meeting. There is a new conſpiracy alledged againſt the queen to have been intended, for the French ambaſſador reſident three of his men taken, but I think in the end it ſhall prove nothing. Mr Stafford, who is ambaſſador for this queen in France, is touched with it, his brother is taken here, always it has done this harm in our negotiation, that all this council would not move this queen to medle with the queen of Scotland's blood, till this invention was found forth. I remit all other things to the incloſed. We minded to have ſent to his majeſty a diſcourſe, which we have ſet down of all our proceedings ſince our hither coming, but we are ſurely advertized that the bearer is to be truſſant by the way for our pacquets, ſo that we defer it till our own coming; this I have put in a privy part beſide the pacquet. We ſhall I think take leave on Fryday the 13th day, where we mind exactly to follow the rigour of our inſtructions, for it cannot ſtand

with the king's honour that we say less than th French ambassador, which was, le roy mon maistr ne peult moins faire que se resentir. So that about th 24th I think we shall, God willing, be at home, ex cept that some stay come which we look not fo The queen and the earl of Leicester has desired t speak with me. I refused save in presence of my co leagues, by reason I see a determination which parti cular credit cannot help, and I crave no credit bu for that cause. It will please your lordship retire th the inclosed from his majesty and keep it. So afte my service commended to yourself and bedfellow, commit you to God. From London the 12th of Jan 1586.

To the king's majesty, from sir Robert Melvill.

It may please your majesty, since the direction of ou former letters, we had audience, and her majesty appeared to take our overtures in good part, in presence of her council; albeit no offence would take place with them, having taken resolution to proceed with extremity, not the less it pleased her majesty to desire us to stay for two days on taking our leave, until she had advised upon our propositions; since which time, her majesty is become more hard by some letters (as we are informed) has come from Scotland, making some hope to believe that your majesty takes not this matter to heart, as we know the contrary in effect, and had of before removed the like opinion out of her majesty's mind, which by sinister information was credited, their reports has hindered our commission, and abused this queen, fearing in like manner we shall be stayed until answer come from Scotland by such person as they have intelligence of. And albeit that it will be well enough known to all men how heavily your majesty takes these proceedings to heart, the truth is, that they have by this occasion so persuaded the queen, that it is like to hinder our negotiation. As also Allynour Stewart is to be directed in their party, by our knowledge, who has awantyt more of his credit, than I believe he may perform, and we willed him to desist from this dealing, saying it

does harm, and he is not meet for that purpose, emitting to your majesty's good direction to take order herein as we shall be answerable to your majesty ot to omit any point we have in charge, as the truth , the master of Grhaye has behaved himself very ghtly and discreetly in this charge, and evil tayne ith be divers in their parties who were of before his iends. We have been behalding to the menstrals ho has born us best company, but has not been oubled with others. Wylzeme Kethe hath left noing undone that he had in charge. As for master rchibald he has promised at all times to do his woyr, wherein he shall find true report made to our majesty, craving pardon of your majesty that I ave been so tedious, after I have kissed your majes's hand I humbly take my leave. Praying God to ant your majesty many good days and happy, in hose protection I commit your majesty at London, e 20th Jan. 1586.

SIR,

ALBERT Master George has not been in commisn, he is not inferior in his service to any of us, as ell by his good advice and diligent care he takes for e advancement of your service, wherein we have not en a little furthered.

the king's majesty, from the master of Gray and sir Robert Melvill.

LEASE it your majesty in the last audience we had, ce our last advertizement, by Wm. Murray, we d her majesty at the resuming our offers something itigated, and inclined to consider more deeply of em, before we got our leave, at our reasoning, cern of the council, namely my lord of Leicester, sir ristopher Haton, my lord Hunsdon, and my lord awart, being present in the chamber, gave little are of any great contentment to have her from her rmer resolution, now cassin in perplexity what she ould do, always we left her in that state, and since ve daily pressed conferrence with the whole coun, which to this hour we have not yet obtained.

This

This day we have ſent down to crave our leave. Th greateſt hinder which our negotiation has found h therto is a perſuaſion they have here that either yo majeſty deals ſuperficially in this matter, or that wi time ye may be moved to digeſt it, which when wi great difficulty we had expugnit, we find anew th certain letters written to them of late from Scotla has found ſome place of credit with them in our co trare. So that reſolving now to clear them of th doubt by a ſpecial meſſage, they have made choice ſir Alexander Stewart to try your highneſs's meani in it, and to perſuade your majeſty to like of the proceedings, wherefrom no terror we can lay o unto him is able to divert him, he has given o that he has credit with your majeſty, and that h doubts not to help this matter at your highneſs hand. If he come there that errand, we think yo majeſty will not overſee the great diſgrace that h attempts ſhall give us here, if he be not tane o der with before that he be further heard, and ſo be that any other be directed (as our intelligen gives us there ſhall) our humble ſuit is to your m jeſty, that it may pleaſe your highneſs to hear us what we find here, and at what point we lea this matter with her majeſty, before that they fi accidence, the cauſes whereof remitting to our pr vate letters. We commit your majeſty for the pr ſent to God's eternal protection. From London th 21ſt of Jan. 1586.

ADDITIONA

ADDITIONAL

APPENDIX.

had no opportunity of seeing several of the following papers, till those sheets of the histroy, to which they relate, were printed off. For this reason no references are made to them there; but I have supplied that defect by marking the particular passages in the history which they serve to illustrate.

No. XXXI. (Vol. I. p. 325. line 12.)

account of the sentence of divorce between the earl of Bothwell and lady Jean Gordon his wife. From a manuscript belonging to Mr David Falconar, advocate. Fol. 455.

ROUN the 29 of Apryle 1567, before the richt hon. r Robert Maitland dean of Aberdene, Mr Edward enryson doctor in the laws, two of the senators of e college of justice, Mr Clement Little, and Mr lexander Syme advocattis, commissers of Eden; mpeered Mr Henry Kinrosse, procurator for Jean ourdoune countes of Bothwell, constitute be her r pursewing of ane proces of divorcement, intendit her contra James erle Bothwell her husband for ultery, committed be him with Bessie Craufurde, e pursuers servant for the time; and sicklyke, for e said erle, compeared Mr Edmond Hay, who efr he had persued and craved the pursuer's procurar's oath de calumnia, if he had just caus to persew e said action, and obtened it, denyd the lybell, d the said Mr Harrie took the morne, the last day Apryle, to prove the same pro prima. The quhilk y, having produced some witnesses, he took the xt day, being the 1 of May, to do farther diligence. pon the quhilk 1 of May, he produced some moe itnesses, and renounced farther probatioune After hilk, he desired a term to be assigned to pronounce ntence. To whom the said commissars assigned tterday next, the 3 of May to pronounce sentence

therein

therein, ſecundum alligata et probata, quilk accordingly was given that day in favour of the perſewar.

At the ſame time there was another proces intend be the erl of Bothwell contra his lady, for to hav their marriage declared null, as being contracte againſt the canons, without a diſpenſation, he an his lady being within degrees defendand, viz ferdi a kin, and that wyſe for expending of this proce there was a commiſſioune grantit to the archbiſho of St Androis to cognoce and determine it, and Ro biſhop of Dunkeld, William biſhop of Dumblane, M Andro Craufurd chanon in Glaſgow, and parſon o Egelſhame, Mr Alexander Criechton, and Mr Georg Cook chancellor of Dunkeld, and to Mr Johne Manderſtonne, chanon in Dunbar and prebendar of Peltoune, or any ane of them. This commiſſione is dati 27 Aprile 1567, was preſented to two of the ſaid commiſſioners, viz. Mr And^r. Crawfurd and Mr John Manderſtoune on Setterday 3 May, by Mr Thomas Hepburne parſon of Auldhamſtocks, procurator for the erle of Bothwell, who accepted the delegatioune, and gave out their citation by precept, directed, Decano Chriſtianitates de Hadingtone, nec non vicano ſeu curato eccle. parochiæ de Criechtoune, ſeu cuieunq; alteri capallano debite requiſitis, fer ſummoning at the ſaid erles inſtance, both of the lady perſonally if ſhe could be had, or otherwiſe at the parofche kerk of Creichtoune the time of ſervice, or at her dwelling place before witneſſes, primo, ſecundo, tertio, et peremptorie unico tamen contextu protuplice edicto. And likeways to be witneſſes in the ſaid matter, Alex biſhop of Galloway, who did marry the ſaid erle and his lady, in Halyreud-houſe kirk, in Feb. 1565, ſir John Bannatyne of Auchnoule juſtice clerk, Mr Robert Creichtoune of Elliot the queen's advocate, Mr David Chalmers provoſt of Creichtoun and chancellor of Roſs, Michael——— abbot of Melroſs, and to compear before the ſaid judges, or any one of them, in St Geils kirk in Eden^r. on Monday the 5 of May, be thamſelves, or their procurators. Upon the ſaid 5 day, Mr John Manderſtoune, one of the juges delegat only being pre-

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t compeared the ſame procurators for both the rties that were in the former proces, Mr Edmond y (articulatlie) and ſome of the tneſſes ſummoned produced, and received for pro- g of the ſame. The ſaid procurator renounced der probatioune, and the judge aſſigned the morne, 6th of May, ad publicandum producta, nempe ɔoſitiones ipſorum teſtium. The quhilk day, poſt blicatas depoſitiones prædictas, Mr Hen. Kinroſſe, ɔcurator for the lady inſtanter objecit objectiones, is generaliter, contra pro ductæ, inſuper renun- vit ulteriori defenſioni; proindo concluſa de con- ſu procuratorum hinc inde cauſa, judex prædictus tuit craſtinum diem pro termina, ad pronuncian- n ſuam ſententiam definituram, ex depuctis coram in præſanti cauſa et proceſſa. Conform hereun- on Wedneſday the 7th of May, the ſaid judge e out his ſentence in favors of the erle, declaring marriage to be, and to have been null from the ginning, in reſpect of their contingence in blood, ich hindered their lawfull marriage without a diſ- nſation obtained of befoir.

No. XXXII. (Vol. I. p. 362. line 10.)

Queen Mary to Queen Elizabeth.

MADAM,

THOUGH the neceſſity of my cauſe (which maketh to be importune to you) do make you to judge t I am out of the way; yet ſuch as have not my ſion, nor the reſpects whereof you are perſuaded, l think that I do as my cauſe doth require. Ma- n, I have not accuſed you, neither in words, nor hought, to have uſed your ſelf evil towards me. d I believe, that you have no want of good under- nding, to keep you from perſwaſion againſt your ural good inclination. But, in the mean time, I 't chuſe (having my ſenſes) but perceive very evil therance in my matters, ſince my coming hither. hought that I had ſufficiently diſcourſed unto you diſcommodities, which this delay bringeth unto . And eſpecially that they think, in this next month

month of Auguſt, to hold a parliament againſt m and all my ſervants. And in the mean time, I a ſtayed here, and yet will you, that Iſhould put m ſelf forther into your country, (without ſeeing yo and remove me further from mine; and there to m this diſhonour, at the requeſts of my rebels, as ſend commiſſioners to hear them againſt me, as yo wold do to a mere ſubject, and not hear me b mouth. Now, madam, I have promiſed you t come to you, and having there made my moan an complaint of theſe rebels, and they coming thithe not as poſſeſſors, but as ſubjects, to anſwer. I woul have beſought you to hear my juſtification of tha which they have falſly ſet furth againſt me, and if could not purge myſelf thereof, you might then di charge your hands of my cauſes, and let me go fo ſuch as I am. But to do as you ſay, if I were cul pable I would be better advis'd; but being not fo I can't accept this diſhonour at their hands, that be ing in poſſeſſion they will come and accuſe me befor your commiſſioners, whereof I can't like: And ſeein you think it to be a ainſt your honour and conſig nage to do otherwiſe, I beſeech you that you wil not be mine enemy, untill you may ſee how I ca diſcharge myſelf every way. And to ſuffer me to g into France, where I have a dowry to maintain me or at leaſt to go into Scotland, with aſſurance tha if there come any ſtrangers thither, I will bind my ſelf for their return without prejudice to you, or if i pleis you not to do thus, I proteſt that I will no impute it to falſhood, if I receive ſtrangers in my country, without making you any other diſcharge for it. Do with my body as you will, the honou or blame ſhall be your's. For I had rather die here and that my faithful ſervants may be ſuccored (tho you wou'd not ſo) by ſtrangers, than to ſuffer them to be utterly undone, upon hope to receive, in time to come, particular commodity. There be many things to move me to fear that I have ſhall to do, in this contry, with others, than with you. But foraſmuch as, nothing hath followed upon my laſt moan, I hold my peace, happen what may happ. I have as leef

to

to { abide / endure } my fortune, as to ſeek it, and not find it. Further, it pleaſed you to give licence to my ſubjects to go and come. This hath been refuſed by my lord Scroop and Mr Knolls (as they ſay) by your commandment, becauſe I would not depart hence to your charge, until I had anſwer of this letter, tho' I ſhewed them that you required my anſwer, upon the two points, contained in your letter.

The one is to let you briefly underſtand, I am come to you to make my moan to you, the which being heard, I would declare unto you mine innocency, and then require your aid, and for lack thereof, I can't but make my moan and complaint to God, that I am not heard in my juſt quarrell, and to appeal to other princes to have reſpect thereunto, as my caſe requireth; and to you, madam, firſt of all, when you ſhall have examined your conſcience before him, and have him for witneſs.—And the other, which is to come further into your country, and not to come to your preſence, I will eſteem that as no favour, but will take it for the contrary, obeying it as a thing forced. In the mean time, I beſeech you, to return to me my lord Herreis, for I can't be without him, having none of my counſal here, and alſo to ſuffer me, if it pleaſe you, without further delay, to depart hence whitherſoever it be out of this country. I am ſure you will not deny me this ſimple requeſt, for your honour's ſake, ſeeing it doth not pleaſe you to uſe your natural goodneſs towards me otherwiſe, and ſeeing that of mine own accord, I am come hither, let me depart again, with yours. And if God permit my cauſes to ſucceed well, I ſhall be bound to you for it; and happening otherwiſe, yet I can't blame you. As for my lord Fleeming, ſeeing that upon my credit you have ſuffered him to go home to his houſe, I warrant you he ſhall paſs no further, but ſhall return when it ſhall pleaſe you. In that you truſt me I will not (to die for it) deceive you. But *from* (perhaps *for*) Dumbarton I anſwer not, when my L. Fleeming ſhall be in the Tower. For they which are within it, will not forbear to receive ſuccour, if I don't aſſure them of

yours; no, tho' you would charge me with all, for have left them in charge, to have more respect to m servants and to my estate, than to my life. Good siste be of another mind, win the heart and all shall be your and at your commandment. I thought to satisfy yo wholly, if I might have seen you. Alas! do not a the serpent, that stoppeth his hearing, for I am n inchanter, but your sister and natural cousin. If Cæsa had not disdained to hear or read the complaint of a advertiser, he had not so died; why should prince ears be stopped, seeing that they are painted so long Meaning, that they should hear all and be well ad vised, before they answer. I am not of the nature o the basilisk, and less of the chameleon, to turn yo to my likeness, and tho' I should be so dangerou and curs'd as men say, you are sufficiently arm'd wit constancy and with justice, which I require of God who give you grace to use it well with long and happ life. From Carlile, the 5th of July, 1568.

No. XXXIII. (Vol. I. p. 363. line 35.

A Letter from my lord Herries to my lord Scroop an sir F. Knollis. September 3d, 1568.

My lords, pleasit your honourable lordships, I am informit by James Borthwick, lately come from the queen's majesty your soverane, that it is schawin to her highness, I suld have ridden in Crawfurdmure, sen my last cuming into this realm, upon the earl of Murray's dependants. And that I suld have causit, or been of counsall to Scottismen to have ridden in Ingland, to slay or spulzie her majesty's subjects.

My lords, I thought it right needful because your lordships is, be your soverane, commanded to attend upon the queen's majesty my mistress, so having daily access in thir matters, to declare upon the truth; humbly desiring that your lordships will, for God's cause, certificate the queen your soverane the same.

As God lives, I have neither consented, nor any wise has had knowledge of the Scottisman's ryding in England, to do the subjects thereof hurt in bodies or goods, sene the siege of Leith; and as I understand it

ſhall be fund true, that gif ony ſic open hurt be ne, it is by the queen my ſovereign's diſobedients, d that I have not ridden nor hurt no Scottiſhman, r commanded any hurt to be done to them, ſen my ming from the queen's majeſty of England, it is ll kend for that never ane will complain of me.

I have done more good to Crawfurdmure, nor ever e earl of Murray has done, and will be loatheſt to them any harm, than he will. Except the queen's jeſty your ſovereign, command ſic falſe reports to tryit, quhereof this is altogidder an inventit leaſing, r grace ſall be trublit, and tyne the hearts of true n here, quhom of ſic report ſall be made, that ith would ſerve hir, and may, better than they unorthy liars.

My lords, I underſtand the queen's majeſty your vereign is not contented of this bruit, that there uld ony Frenchman come in this realm, with the ke of Chattlerault. Truth it is, I am no manner way the counſall of their cuming, nor has no ſic tainty thereof, as I hear by Borthwick's report m the queen's majeſty your ſovereign. And gif I ght as well ſay it, as it is true indeed, her grace f is all the wyitt, and the counſal that will never her take order with my maiſtriſs cauſe. For t our ſovereign havand her majeſty's promiſe, be iting, of luff, friendſhip, and aſſiſtance giff need d ſo requirit, enterit that realm, upon the 16 day May, ſen that time the queen's majeſty has comnded me diverſe times to declare ſhe would acot her cauſe, and do for her, and to put her in aceable poſſeſſion of this realme, and when I reired of her majeſty, in my maiſtreſs name, that highneſs wold either do for her, (as her ſpecial ſt was ſhe wold) according to her former proſes, or otherwiſe gif her counſal wold not conſent, I ſhow her grace I fand diverſe repugnant) then t ſhe would permit her to paſs in France, or to ne other prince, to ſeek ſupport, or failing hereof, hilk was agains all reaſon) that ſhe wold permit her return in her awin countrie, in ſic ſempil manner ſhe came out of it, and ſaid to her majeſty ane of

thir, of her honour, would not be refusit, secand tha she was comed in her realm upon her writings an promises of friendship. And siclike, I said to he highness, gif my maistress had the like promise of he nobility and estates, as she had of herself, I shoul have reprovit them highly, gif they had not condescen dit to one of thir three, and so I say and so I write, tha in the warld it shall be maist reprehendable, gif thi promise taketh not other good effect, nor yet it does Notwithstanding, I get gud answer of thir promise of friendship made to my sovereign, and to put he grace in this her awin countrie peaceably, we hav fund the contrary working by Mr Middlemore, direc tit from her highness to stay the army that cuist down our houses. And alsua, in the preceding of this lat pretendit parliament, promised twenty days before the time to myself to have caused it been dischargit And yet contrary to this promise, have they made their pretendit manner of forfaulture of 31 men of guid reputation, bishops, abbottis, and barronis obedient subjects to our sovereign, only for her cause.

They have also disponit. sen our sovereigns cause was taken upon hand be the queen's majesty of that realm, an hundred thousand pounds Scots worth of her awin true subjects geir, under the color of their law, groundit upon their false, treasonable, stowin, authority.

The murders, the oppressions. the burnings, the ravishing of women, the destruction of policy, both ecclesiastical and temporal. in this mean time, as in my former writings I said it was lamentable to ony christian man to hear of, except God gif grace, the profession of the evangile of Jesus Christ professit be your prince, counsall and realme, be mair myndit, nor the auld inamity that has stand betwixt the realms, many of my countrymen will doubt in this article, and thir proceedings puttis my self in sanct Thomas belief.

Now my lords, gif the queen's majesty of that realm, upon quhais promise and honour my maistress came there, as I have said will leave all the French writings and French phrases of writings, quhilks amongis them

is

ver meikle on baith the ſides unfit, and plainly, ac-
ding to the auld true cuſtom of Ingland and Scot-
d, quherein be a word promiſt truth was obſerved,
miſe, in the name of the eternal God, and upon the
h honour of that nobill and princely blude of the
gs of Ingland, quhereof ſhe is deſcendit, and pre-
tly wears the diadem, that ſhe will put my maiſ-
ſs in her awin country, and cauſe her as queen
reof in her authority and ſtrength to be obeyit,
t to do the ſame will appoint an certain day with-
two months, at the fartheſt. As we underſtand
s to be our weil, ſua will we, or the maiſt part of
all, follow upon it, leaving the Frenchmen, and
ir evil French phraſes togidder. And therefore,
t for the true perpetual friendſhip of that realm,
l condition, and for our part, with the grace of
mighty God, keep ſic heads and conditions of a-
ement, as noble and wiſe men can condeſcend u-
n, for the weill of this haill iſland. As I have been
tlings declaring to the queen your ſovereign, quhilk
new to your lordſhips ſelfis, both in religion, in
punishment of the earl Bothwilie, for the queen's
huſband's ſlaughter, and for a mutual band of a-
y perpetually remain amaingis us.

Doubtles, my lords, without that, we may find ſic
e and friendful working, as may gif us occaſion
th to forgett Middlemore, and this late pretendit
liament, we will turn the leaf, leaving our ſove-
gn agains our will to reſt where ſhe is, under the
miſe of friendſhip. As I have baith ſaid, and will
r affirm, made be your ſovereign, quhilk was only
ſe of her graces coming in that realme, and ſeek
help and moyen of French, or Spaniſh, till ex-
ſe this treaſonable and falſe pretendit authority,
hilk means to reign above us.

My lords, I deſire your lordſhips conſider, that it
ne, that maiſt deſires the amity betwixt Ingland
l Scotland to continue, and of a poor man beſt
ſe has, that writes this.

My brother, the laird of Skirling, ſchaws me, that
your lordſhips communing with him, it appearit
him, your mind was we ſhold ſuffer the earl of

Murray to work, altho' it ware agains reason to t and complain thereof to the queen's majesty, a her highness wald see it reformit. My lords, her m jesty will be over meikle troublit to reform the wrang we have sustainet already. For I am sure, gif reas and justice may have place, our maistress, and we h subjects, have received express wrang, far above tw hundred thousand pounds sterling, in the time of th unhappy government, seeing the reformation of great causes, comes, now a days, so slowlie, a the ungodly law of oblivion in sic matters so mei practis'd, I think nowther for the queen's honou nor our weill, your lordships would sua mean, n that it is good to us to follow it. And that ye w give your sovereign sic advertisement hereof, as yo good wisdoms shall find in this cause meet. It w be true and friendful working for us, indeed, a nowther French phrases, nor boasting, and findin little other effect, that will cause us to hold awa the Frenchmen. This, is plainly written, and I de sire your lordships plain answer, for in truth and plain ness langest continues gud friendship, quhilk in thi matter I pray God may lang continue, and have yo lordships in his keeping. Off Dumfries, the 3d da of September 1568.

Your lordships at my power
to command leifully
HERRIS

Queen Mary to Q. Elizabeth.

MADAME ma bonne soeur. J'ay resceu de vos lettres, d'une mesme date; l'une, ou vous faites mention de l'excuse de Monsr. de Murra pour tenir son pretendu parlement, qui me semble bien froid, pour obtenir plus de tollerance que je m'estois persuadee n'avoir par vostre promesse, quant a n'oser donner commission de venir sans un parlement pour leur peu de nombre de noblesse alors, je vous respons, qu'ils n'ont que trois ou quatre d'aventage, qui eussent aussi bien dit leur opinion hors de parlement, qui' n'a este tenu tant pour cette effect, mais pour faire ce qu' expressement nous avions requis estre empesches, qui est la

forfalture

forfalture de mes ſubjects pour m'avoir eſtes fidelles, ce que je m'aſſurois, juſques a hier, avoir eu en promeſſe de vous, par la lettre ecrite a mi lord Scrup e Maiſtre Knoleis vous induire a ire contre eulx, voire, a les enſayre reſentir; toutefois je vois que je l'ay mal pris, j'en ſuis plus marrie, pour ce que ſur votre lettre qu'il me montrerent, et leur parole, je l'ay ſi divulguement aſſuray que pour vengeance que j'en deſiraſſe, ſi non mettre difference entre leur faux deportemens, et les miens ſinceres. Dans voſtre lettre auſſi datee du 10me d'Aouſt, vous metties ces mots. "I think your adverſe party, upon my ſundry former advices, will hold no parliament, at all; and if they do, it ſhall be only in form of an aſſembly, to accord whom to ſend into this realm, and in what ſort; for otherwiſe, if they ſhall proceed in manner of a parliament, with an act of judgement againſt any perſon, I ſhall not, in any wiſe, allow thereof; and if they ſhall be ſo overſeen, then you may think the ſame to be of no other moment, than the former procedures; and by ſuch their raſh manner of proceeding, they ſhall moſt prejudice themſelves; and be aſſured to find me ready to condemn them, in their doings." Sur quoy, j'ay contremande mes ſerviteurs, les faiſant retirer, ſouffrant ſelon voſtre commandement d'etre fauſſement nommes traitres, par ceulx, qui le ſont de vray; et encore d'etre provoques par eſcarmons dies, et par prinſes de mes gens et lettres, et au contraire vous etes informee que mes, ſubjects ont evahis les voſtres, Madame qui a fait ce rapport n'eſt pas homme de bien, car laird Serford et ſon fils ſont et ont eſtes mes rebelles depuis le commencement; enquires vous, s'ils n'eſtoient a Donfris aveques eulx, j'avois offri reſpondre de ſa frontiere, ce qui me fut refuse, ce qui m'endevroit aſſés deſcharger, neanmoins, pour vous faire preuve de ma fidelite, et de leur ſalſite, s'il vous me fayte donner le nom des coulpables, et me fortifier, je commanderay mes ſubjects les pourſuivre, ou ſi vous voules que ce ſoit les voſtres, les miens leur ayderont; je vous prie m'en mander voſtre volonte, au reſte mes ſubjects fidelles ſeront reſponſables a tout ce que leur ſera mis

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ſu les contre vous, ni les voſtres, ni les rebelles deſpuis que me conſeillates les faire retirer. Quant aux Francois, j'eſcrivis que l'on m'en fit nulle pourſuite, car j'eſperois tant en vous, que je n'en aurois beſoign, —je ne ſceu ſi le dict aura en mes lettres mais, je vous jure devant Dieu que je ne ſcay choſe du monde de leur venue, que ce que m'em aves manday, ni n'en ai oui de France mot du monde, et ne le puis croire pour ceſt occaſion, et ſi ils ſi ſont, c'eſt ſan mon ſceu ni conſentement, Pourquoy je vous ſupplie ne me condamner ſans m'ouire, car je ſuis preſt de tenir tout ce que j'ay offert a Meſter Knoleis, et vous aſſure que voſtre amite, qu'il vous pleſt m'offrir, ſera reſcue avant toutes les choſes du monde, quant France ſervit la pour preſſer leur retour a ceſte condition, que prenies mes affaires en mien, en ſoeur, et bonne ami, comme ma France eſt en vous; mais une choſe ſeule me rende confuſe, j'ay tant d'enemis qu'ont votre oreille, laquelle ne pouvant avoir par parolle, toutes mes actions vous ſont deſguiſees, et falſement raportees, par quoi il m'eſt impoſſible de m'aſſurer de vous, pour les manteries qu'on vous a fait, pour deſtruire voſtre bonne volonte de moy; par quoy je deſirerois bien avoir ce bien vous faire entendre ma ſincere et bonne affection, laquelle je ne puis ſi bien deſcrire, que mes enemis a tort ne la decolore. Ma bonne ſoeur, gagnes moy; envoyes moy querir, n'entres en jalouſie pour faulx raports de celle qui me deſire que votre bonne grace; je me remettray ſur Meſter Knoleis a qui je me ſuis librement deſcouverte, et apres vous avoir baisee les mains, je prieray Dieu vous donner en ſante, longue et heureuſe vie. De Boton, ou je vous promets, je n'eſpere partir, qu'aveques voſtre bonne grace, quoyque les menteurs mentent. Ce 26 d'Aouſt.

No. XV. (Vol. I. p. 441. line 2.)

Letter of Walſingham's to Randolph, Feb. 3. 1580-1.

SIR,

I HAVE received from my lord lieutenant the copy of your letter of the 25th of the laſt directed unto his lordſhip

lordſhip, containing a report of your negociation with the king and his councill, in your ſecond audience, wherewith having made her majeſty acquainted, ſhe ſeemed ſomewhat to *miſtake*, that you ſhould ſo long *defer to deal for the enlargement of* Empedocles. But I made anſwer in your behalf, that I thought you were directed by the advice of the ſaid Empedocles *friends*, in the ſolliciting of that cauſe, who knew what time was fitteſt for you to take to deal therein, with moſt effect, and beſt ſucceſs, with which anſwer, her majeſty did in the end reſt very well ſatisfied, touching that point.

Your putting of us in hope that D'aubigny might eaſily be won at her majeſty's devotion, was at firſt interpreted to have been ironie ſpoke by you. But ſince it ſeemeth you inſiſt upon it, I could wiſh you were otherwiſe perſuaded of the man, or at leaſt kept that opinion to yourſelf, for conſidering the end and purpoſe of his coming into Scotland, as may be many ways ſufficiently proved, was only to advance the queen's liberty, and reception into that government, to overthrow religion, and to procure a foreign match with Villenarius, wherein the incloſed copy, which you may uſe to good purpoſe there, ſhall partly give you ſome light; there is no man here can be perſuaded that he will change his purpoſe, for ſo ſmall advantage, as he is likely to find by it, and therefore you ſhall do well to forbear to harp any more upon that ſtring, as I have already written to you. The prince of Orange ſending, I fear will not be in time that it may do any good, for beſides that theſe people are in themſelves ſlow in their reſolutions, their own affairs are, at preſent, ſo great, their ſtate ſo confuſed, and the prince's authority ſo ſmall, that he cannot ſo ſoon take order in it; and yet for mine own part, I have not been negligent or careleſs in the matter, having more than three weeks paſt, ſent one about it, from whom nevertheleſs I do yet hear nothing. The letters, you deſire ſhould be written thither by the French miniſters, I have given order to Mr Killingrew to procure, who, I doubt not, will carefully perform it, ſo that, I hope, I ſhall have them to ſend

you

you by the next. And so I commit you to God. At Whitehall the third of February 1580.

Your very loving cousin and servant,

FRA. WALSINGHAM.

This letter is an original, and in some parts of it wrote in cyphers and explained by another hand. By Empedocles is understood Morton, by Villenarius the king of Scotts, D'Aubigney is marked thus o—1—o.

3 Feb. 1580.

Sundry Notes gathered upon good diligence given, and in time to be better manifested, being now thought meet to be in convenient sort used, and laid against D'Aubigny. to prove him abusing the king, the nobility, and that state.

First, it hath been informed, by credible means, that D'Aubigny was privy and acquainted with La Naue, the king's mother's secretary, coming into Scotland, and of his errand there, tending chiefly to persuade the king, to think and esteem it an evil president for princes, that subjects might have power to deprive their lawful sovereigns, as they did his mother, who was not minded, by an mean, to defeat him, either of the present government of that realm, or yet of the possession of the crown and inheritance thereof, but rather to assure the same to him: and that for the accomplishment of that assurance, the king should have been advised and drawn to have governed, for some short time, as prince, calling D'Aubigny to rule as governor of the prince, by commission from the queen his mother, until the king's enemies were suppressed; after which time, D'Aubigny should have power given to establish and resign that kingdom to the king, by his mother's voluntary consent, whereby all such, as had before been in action against the queen, or her authority, might, be brought to stand in the king's mercy. And for that the king might live in more surety, D'Aubigny should be declared both second person in succession of that crown, and also lieutenant-general of Scotland, and that D'Aubigny, before his departure out of France, received commission

from the king's mother to the effects remember- or near the ſame. That in this behalf he had con- ence with the biſhops of Glaſgow, and Roſs, and h Sir James Baford, with which perſons, and with Duke of Guiſe, he had and hath frequent intel- nce, and by Sir James Baford he was adviſed, to fer with the Lord John Hamilton before his re- into Scotland, whereunto he agreed, and yet af- wards he ſent one John Hamilton to the ſaid Lord n to excuſe him in this part, alledging, that he forbear to come to him, leſt thereby he ſhould r or hinder greater effects to be executed by him cotland.

hat before his coming into that realm, the nobili- and country were well quieted, and united in good cord, with great love betwixt the king and nobili- and amongſt the nobleſſe, but he hath both drawn king againſt ſundry of the chieſeſt of his nobility, have been moſt ready and have expended their d and poſſeſſions to preſerve religion, and defend king's perſon, his government and eſtate, and al- ath given occaſions of great ſuſpicions and offence e engendered betwixt the king and his nobility, eſpecially with ſuch as have been in action againſt king's mother, and her authority, who by force means of the ſaid commiſſion and practice, ſhould e been brought into moſt dangerous condition; who may find themſelves in no ſmall peril, whiles poſſeſſes the king's ear, abuſeth his preſence, and leth ſuch of the principal keys and ports of his re- as he preſently enjoyeth.

hat he hath drawn the king, not only to forget great benefits done to him and his realm, by the en's majeſty of England, but alſo to requite the e with ſundry ſigns of great unthankfulneſs, and nding therewith the honour of her majeſty, and eby hath adventured to ſhake the happy amity time continued betwixt theſe princes.

nd whereas theſe griefs were to be repaired by le letters and good offers, to have paſſed, and done betwixt them: In which reſpect, the king council having reſolved to write to her majeſty,

for

for her highness' better satisfaction in the last negotiation of Mr Alexander Hume of Northberwick, had given order to the king's secretary to frame that letter: He minding to break the bond of amity in sunder, willed the secretary to be sure that nothing should be inserted in that letter whereby the king should crave any thing at her hand, seeking thereby to cut off all loving courtesies betwixt them, as by the declaration of the said secretary may be better learned, and thereupon further approved.

That under the hope and encouragement of D'Aubigny's protection, Alexander King presumed with that boldness to make his lewed harangue, and by his means hath hitherto escaped chastisment and correction, due for his offence.

That Sir James Baford, condemned of the slaughter of the king's father, hath been called into that realm by Lennox, without the privity of the king. And whereas the said Sir James found in a green velvet desk, late the earl of Bothwell's, and saw, and had in his hands the principal band of the conspirators in that murder, and can best declare and witness who were authors and executors of the same; he is drawn by Lennox to suppress the truth, and to accuse such as he himself knoweth to be innocent; and as by order of law, will be so found, if they may have due trial, which, contrary to all justice, is by Lennox means denied.

This is the charge against D'Aubigny, mentioned in the foregoing letter by Walsingham; but by Baford they mean Sir James Balfour.

No. XVI. (Vol. II. p. 7, line 40.)

The Scottish queen's offers upon the effect of her liberty propounded by her secretary Naw, November 1584.

THE queen my mistress being once well assured of your majesty's amity,

1. Will declare openly that she will (as it is sincerely her meaning) straitly to join unto your majesty, and to the same to yeild and bear the chief honour and respect, before all other kings and princes in Christendom.

2. She

2. She will ſwear, and proteſt ſolemnly, a ſincere rgetfulneſs of all wrongs which ſhe may pretend to ve been done unto her in this realm and will never, any ſort or manner whatſoever, ſhew offence for e ſame.

3. She will avow and acknowledge, as well in her vn particular name, as alſo for her heirs and others ſcending of her for ever, your majeſty for juſt, true, d lawful queen of England.

4. And conſequently, will renounce, as well for rſelf, as for her ſaid heirs, all rights and pretences hich ſhe may claim to the crown of England, du- g your majeſty's life, and other prejudice.

5. She will alſo revoke all acts and ſhews, by her retofore made, of pretence to this ſaid crown, to e prejudice of your majeſty, as may be the taking of e arms and ſtile of queen of England, by the com- ndment of king Francis her late lord and huſband.

6. She will renounce the pope's bull, for ſo much may be expounded to turn in her favour, and for r behoof, touching the deprivation of your majeſty, d will declare that ſhe will never help and ſerve ſelf with it.

7. She will not proſecute, during your majeſty's , by open force or otherways, any publick decla- ion of her right in the ſucceſſion of this realm, ſo ſecret aſſurance be given unto her, or at the leaſt blick promiſe, that no deciding thereof ſhall be de in the prejudice of her, or of the king her ſon, ing your majeſty's life, nor after your deceaſe, un- ſuch time as they have been heard thereupon, in blick, free, and general aſſembly of the parliament this ſaid realm.

8. She will not practiſe, directly or indirectly, with of your majeſty's ſubjects, neither within nor out our realm, any thing tending to war, civil or fo- n, againſt your majeſty and your eſtate, be it un- pretext of religion, or for civil and politick go- nment.

9. She will not maintain or ſupport any of your ects declared rebels, and convicted of treaſon a- ſt you.

10. She will enter into the affociation which was ſhewed her at Wingfield for the ſurety of your majeſty's life, ſo as there be mended or right expricated ſome clauſes, which I will ſhew to your majeſty, when I ſhall have the copy thereof, as I have before time required.

11. She will not treat with foreign kings and princes, for any war or trouble againſt this ſtate, and will renounce, from this time, all enterpriſes made or to be made in her favour for that reſpect.

12. Furthermore, this realm being aſſailed by any civil or foreign war, ſhe will take part with your majeſty, and will aſſiſt you in your defence with all her forces and means, depending of herſelf, and with all her friends of Chriſtendom.

13. And to that effect, for the mutual defence and maintainance of your majeſty, and the two realms of this iſle, ſhe will enter with your majeſty in a league defenſive, as ſhall be more particularly adviſed, and will perſwade as much as in her the king her ſon to do the like. The leagues with all parts abroad remaining firm, and eſpecially the antient league between France and Scotland, in that which ſhall not be againſt this preſent.

14. She will enter into a league offenſive, having good aſſurance, or ſecret declaration and acknowledgment of her right in the ſucceſſion of this crown, and promiſe, that happening any breach betwixt France and this realm, (which ſhe prayeth God never to happen) the juſt value of her dowry ſhall be placed for her in the lands of the revenue of the crown.

15. For aſſurance of her promiſes and covenants, ſhe doth offer to abide herſelf in this realm for a certain time, (better hoſtage can ſhe not give than her own perſon) which, ſo as ſhe be kept in the liberty here before propounded, is not in caſe to eſcape ſecretly out of this country in the ſickly ſtate ſhe is in, and with the good order which your majeſty can take therein.

16. And in caſe your majeſty do agree to her full and whole deliverance, to retire herſelf at her will out of

this realm, the said queen of Scots she will give ficient hostage for such time as will be advised.

7. If she abide in this realm, she will promise not depart out of it without your licence, so as it be mised unto her that her state, in such liberty as l be accorded unto her, shall not be in any sort red, until after tryal to have attempted against r life, or other trouble of your estate.

8. If she go into Scotland, she will promise to al- nothing there in the religion which is now used re, she being suffered to have free exercise of hers, her and her houshold, as it was at her return out France; and further, to pull out every root of new sion between the subjects that none of the subjects Scotland shall be sifted for his conscience, nor con- ined to go to the service of the contrary religion.

9. She will grant a general abolition of all offen- done against her in Scotland, and things shall re- n there as they are at this present, for that respect, ng that which hath been done against her honour, ch she meaneth to have revoked and annulled.

o. She will travel to settle a sure and general re- ciliation between the nobility of the country, and ause to be appointed about the king her son, and is council, such as shall be fit for the entertain- t of the peace and quiet of the country, and the ty of the realm.

1. She will do her best to content your majesty, he favour of the Scots lords banished, and refuged er, upon their due submission to their princes, your majesty's promise to assist the said queen king of Scotland against them, if they happen to into their former faults.

2. She will proceed to the marriage of the king son, with the advice and good counsel of your esty.

3. As she will pass nothing without the king her so doth she desire that he intervene conjointly h her in this treaty, for the greater and perfecter rance thereof; for otherwise any thing can hardly stablished to be sound and continue.

24. The ſaid Scotch queen truſteth, that the French king her good brother, according to the good affection which he hath always ſhewed her, and hath been afreſh teſtified unto me by Monſr. de Maniſſiere for this ſaid treaty, will very willingly intervene, and will aſſiſt her for the ſurety of her promiſes.

25. And ſo will the princes of the houſe of Lorrain, following the will of the ſaid king, will bind themſelves thereunto.

26. For other kings and princes of Chriſtendom, ſhe will aſſay to obtain the like of them, if for greater ſolemnity and approbation of the treaty it be found to be neceſſary.

27. She doth deſire a ſpeedy anſwer, and final concluſion of the premiſſes, to the end to meet in time with all inconveniencies.

28. And in the mean time, the more to ſtrengthen the ſaid treaty, as made by her of a pure and frank will, ſhe deſireth that demonſtration be made of ſome releaſement of her captivity.

Objections againſt the Scottiſh queen, under ſecretary Walſinghame's hand, November 1584.

THE queen of Scots is ambitious, and ſtandeth ill affected to her majeſty, and therefore it cannot be but that her liberty ſhould bring peril unto her majeſty.

That her enlargement will give comfort to papiſts, and other ill affected ſubjects, and greatly advance the opinion had of her title as ſucceſſor.

That as long as ſhe ſhall be continued in her majeſty's poſſeſſion, ſhe may ſerve as it were a gage of her majeſty's ſurety, for that her friends, for fear of the danger ſhe may be thrown into, in caſe any thing ſhould be done in her favour, dare not attempt any thing in the offence of her majeſty.

November 1584. { *What courſe were fit to be taken with the queen of Scots, either to be enlarged or not.*

THE courſe to be taken with the ſaid queen may be conſidered of in three degrees; either,

1. To continue her under cuſtody in that ſtate ſhe now is,

2. To

2. To restrain her of the present liberty she now th.

3. Or to set her at liberty upon caution.

1. Touching the first, to continue her under cus- dy under that state she now is; it is to be consider- , that the princes that favour that queen, upon the mplaint she maketh of hard usage, are greatly mo- d with commiseration towards her, and promise to their endeavour for her liberty, for which purpose, r ministers sollicit them daily.

And to move them the more to pity her case, she quainteth them with her offers made to her majes- which appeared to be no less profitable than rea- nable for her majesty, so as the refusal and rejecting veth her friends and favourers cause to think her rdly dealt withal, and therefore may, with the bet- ground and reason, attempt somewhat for the set- g of her at liberty.

It is also likely that the said queen, upon this refu- , finding her case desperate, will continue her prac- e under hand, both at home and abroad, not only her delivery, but to attain to the present posses- n of this crown upon her pretended title, as she th hitherto done, as appeareth, and is most mani- t by letters and plots intercepted, and chiefly by at late alteration of Scotland, which hath proceeded ogether by her direction, whereby a gap is laid o- n for the malice of all her majesty's enemies, so as appeareth that this manner of keeping her, with ch number of persons as she now hath, and with erty to write and receive letters, (being duly con- ered) is offensive to the princes, the said queen's nds; rather chargeable, than profitable to her ma- y; and subject to all such practices as may peril r majesty's person or state, without any provision her majesty's safety, and therefore no way to be ed of.

2. Touching the second, to restrain her in a more ighter degree of the liberty she hath hitherto en- ed.

t may, at first sight, be thought a remedy very apt top the course of the dangerous practices fostered

heretofore by her: For, true it is, that this remedy might prove very profitable, if the realm of Scotland ſtood in that ſort devoted to her majeſty, as few years paſt it did; and if the king of that realm were not likely, as well for the releaſe of his mother, as for the advancement of both their pretended title, to attempt ſomewhat againſt this realm and her majeſty, wherein he ſhould neither lack foreign aſſiſtance, nor a party here within this realm: But the king and that realm ſtanding affected as they do, this reſtraint, inſtead of remedying, is likely to breed theſe inconveniencies following:

Firſt, It will increaſe the offence both in him, and in the reſt of the princes her friends that miſliked of her reſtraint.

Secondly, It will give them juſt cauſe to take ſome way of redreſs.

Laſtly, it is to be doubted, that it may provoke ſome deſperate ill diſpoſed perſon, all hope of her liberty removed, to attempt ſomewhat againſt her majeſty's own perſon, (a matter above all others to be weighed) which inconveniency being duly conſidered, it will appear manifeſtly, that the reſtraint, in a ſtraighter degree, is likely to prove a remedy ſubject to very hard events.

The latter degree, whether 'twere fit to ſet the ſaid queen at liberty, miniſtreth ſome cauſe of doubt, touching the manner of the liberty, in what ſort the ſame is to be performed, whether to be continued here within the realm, or to be reſtored into her own country.

But firſt, this propoſition, before the particularities be weighed, is to be conſidered in generality.

For it is very hard for a well affected ſubject, that tendreth her majeſty's ſurety, and weigheth either the nature of the Scottiſh queen, being inclined to ambition and revenge, or her former actions, what practices ſhe hath ſet on foot moſt dangerous for her majeſty and this realm, to allow of her liberty, being not made acquainted with ſuch caſes, as time hath wrought, to make it leſs perilous than it hath been, nor with ſuch cautions as may, in ſome ſort, be devised

vised to prevent both her ambition and malice; and therefore to make this apparent.

It is to be considered, that the danger that was in the mother, is now grown to be in the son. He pretendeth the same title she doth: Such as do affect her, both at home and abroad, do affect him; (and he is the more dangerous for that he is unmarried, which may greatly advance his fortune; and that he is a man, whereby he may enter into action in his own person) where she is restrained, he is at liberty; his own realm is now altogether at his devotion, and the party affected to this crown abased; so as the matter duly considered, neither her liberty nor restraint doth greatly alter the case for perils towards her majesty, unless by such promises as may be made by way of treaty with her, the danger likely to grow from the king her son be provided for.

But in this behalf it may be objected, that so long as the mother remains in her majesty's hands, the king will attempt nothing for fear of his mother's peril.

To this objection it may be answered, first, That they hope that her majesty, being a prince of justice, and inclined to mercy, will not punish the mother for the son's offence, unless she shall be found, by good proof, culpable. Secondarily, That men will not be over-hasty, considering in what predicament the king standeth touching his expectation of this crown, to advise any thing that in time future may be dangerous to the giver of such council as may reach to his mother's peril.

And lastly, the taking away of his mother, he being strong in the field through both foreign assistance, and a party here within the realm, will appear so weak a remedy, (which may rather exasperate both him, and her party, to proceed with more courage and heat to revenge, if any such hard measure should be offered unto her) as they will suppose for the reason above specified, that no such extremity will be used.

It may also be objected, that the setting of her at liberty will greatly encourage the papists both at home

home and abroad; but herein, if the provision be duly considered, that may be made by parliament both here and there, they shall rather find cause of discomfort than otherwise.

These two doubts being resolved, and the peril that was in the mother appearing most manifestly to be seen in the son accompanied with more danger, with due consideration had also of such remedies as may be provided for the preventing of the dangers, that her liberty may minister just cause to doubt of, there will be good cause of hope found, that the same will rather breed benefit than perils.

Now it resteth, in what sort the said liberty shall be performed; if it shall be thought meet she shall be continued within the realm with some limitation, especially in that place where she now resideth, the country round about being so infected in religion as it is, it is greatly to be doubted that will very much increase the corruption, and falling away in that behalf. Besides, she should have commodity with much more ease, and speed, to entertain practices within this realm, than by being in her own country.

If abroad freely without limitation either in Scotland or France, then shall her majesty lose the gages of her safety, then shall she be at hand to give advice in furtherance of such practices, as have been laid for to stir trouble in this realm, wherein she hath been a principal party.

For the first, it is answered before, that the respect of any perils that may befal unto her, will in no sort restrain her son. For the other, if it be considered what harm her advice will work unto herself, in respect of the violation of the treaty, and the provision that may be made in parliament here, it is to be thought, that she will then be well advised, before she attempt any such matter, which now she may do without peril. Besides such princes, as have interposed their faith and promise for her, cannot with honour assist her, wherein the French King will not be found very forward, who, in most friendly sort, hath lately rejected all such requests, propounded either by her, or her son's ministers, that might any way offend

ſend her majeſty. And ſo to conclude, ſeeing the cauſe of her grief ſhall be taken away; the French king gratified, who is a mediator for her, and will miſlike, that, by any Spaniſh practice, ſhe ſhould be drawn to violate her faith; that the reſt of the princes ſhall have no juſt cauſe of offence, but rather to think honourably of her majeſty, conſidering the Scottiſh queen's carriage towards her, which hath deſerved no way any ſuch favour; the noblemen of Scotland ſhall be reſtored, who will be a good ſtay of ſuch counſells as may tend to the troubling of this realm, eſpecially having ſo good a ground of warrant as the parliament to ſtand unto; the charges and perils which her practices might have bred to this realm ſhall be avoided; and laſtly, the hope of the papiſts ſhall be taken away, by ſuch good proviſions, as in both the realms may be made, whereby the perils that might fall into her majeſty's own perſon, (a matter of all others to be weighed) ſhall be avoided, when by the change that may grow by any ſuch wicked and ungodly practice, they ſhall ſee their cauſe no way relieved in point of religion.

Reaſons to induce her majeſty to proceed in the treaty under Secretary Walſingham's hand.

THAT ſuch plots as have of late years been deviſed (tending to the raiſing of trouble within this realm) have grown from the Scots queen's miniſters and favourers, not without her allowance and ſeeking: Or,

That the means uſed by the ſaid miniſters, to induce princes to give ear to the ſaid plots, is principally grounded upon ſome commiſeration had of her reſtraint.

That the ſtay, why the ſaid plots have not been put in execution, hath proceeded, for that the ſaid princes have, for the moſt part, been entertained with home and domeſtic troubles.

That it is greatly to be doubted, that now their realms begin to be quiet, that ſomewhat will be attempted in her favours by the ſaid princes.

That

That it is alſo to be doubted, that ſomewhat may be attempted by ſome of her fautors in an extraordinary ſort, to the perill of her majeſty.

That for the preſervation thereof, it ſhall be convenient for her majeſty to proceed to the finiſhing of the treaty, not long ſithence begun between her and the ſaid queen.

No. XVII. (Vol II. p. 29. line 30.)

A Letter from S. Amias Pawlet.

SIR,

I DID forbear, according to your direction ſignified in your letters of the 4th of this preſent, to proceed to the execution of the contents of Mr Waades letters unto you, for the diſperſing of this lady's unneceſſary ſervants, and for the ſeaſing of her money, wherein I was bold to write unto you my ſimple opinion, although in vain as it now falleth out) by my letters of the 7th of this inſtant, which I doubt not are with you before this time; but upon the receipt of your letters of the 5th, which came not unto my hands until the 8th in the evening, by reaſon as did appear by indorſement, that they had been miſtaken, and were ſent back to Windſor, after that they were entered into the way towards me, I conſidered, that being accompanied only with my own ſervants, it might be thought that they would be intreated to ſay as I would command them, and therefore I thought good, for my better diſcharge in theſe money matters, to crave the aſſiſtance of Mr Richard Bagott, who repairing unto me the next morning, we had acceſs to this queen, whom we found in her bed, troubled after the old manner with a defluxion, which was fallen down into the ſide of her neck, and had bereft her of the uſe of one of her hands, unto whom I declared, that upon occaſion of her former practiſes, doubting leſt we ſhould perſiſt therein by corrupting underhand ſome bad members of this ſtate, I was expreſſly commanded to take her money into my hands, and to reſt anſwerable for it, when it ſhall be required; adviſing her to deliver the ſaid money unto

unto me with quietness. After many denials, many exclamations, and many bitter words against you, (I say nothing of her railing against myself) with flat affirmation that her majesty might have her body, but her heart she should never have, refusing to deliver the key of the cabinet, I called my servants, and sent for barrs to break open the door, whereupon she yielded; and causing the door to be opened, I found there in the coffers mentioned in Mr Waade's remembrance, five rolls of canvass, containing five thousand French crowns, and two leather bags, whereof the one had, in gold, one hundred and four pounds two shillings, and the other had three pounds in silver, which bag of silver was left with her, affirming that she had no more money in this house, and that she was indebted to her servants for their wages. Mr Waades note maketh mention of 3 rolls left in Curle's chamber, wherein, no doubt, he was misreckoned, which is evident as well by the testimonies and oaths of diverse persons, as also by probable conjectures; so as in truth we found only two rolls, every of which containeth one thousand crowns, which was this queen's guifte to Curle's wife at her marriage. There is found in Naw's chamber, in a cabinet, a chain worth by estimation one hundred pounds, and in money, in one bag nine hundred pounds, in a second bag two hundred fourscore and six pounds eighteen shillings. All the foresaid parcells of money are bestowed in bags, and sealed by Mr Richard Bagot, saving five hundred pounds of Naw's money, which I reserve in my hands, for the use of this houshold, and may be repayed at London, where her majesty shall appoint out of the money, received lately by one of my servants, out of the Exchequer. I feared lest the people might have dispersed this money in all this time, or have hidden the same in some secret corners, for doubt whereof, I had caused all this queen's family, from the highest to the lowest, to be guarded in the several places where I found them, so as yff I had not found the money, with quietness, I had been forced to have searched first all their lodgings, and then their own persons. I thank God with all my heart,

as

as for a ſingular bleſſing, that that falleth out ſo we fearing leaſt a contrary ſucceſs might have mov ſome hard conceits in her majeſty.

Touching the diſperſing of this queen's ſervants, truſt I have done ſo much, as may ſuffice to ſatis her majeſty for the time, wherein I could not tak any abſolute courſe, until I heard again from yo partly becauſe her majeſty, by Mr Waade's lette doth refer to your conſideration to return ſuch ſhall be diſcharged to their ſeveral dwellings a countrys, wherein, as it ſeemeth, you have forgo ten to deliver your opinion; partly, for that as ye I have received no anſwer from you, of your reſol tion, upon the view of the Scottiſh family ſent unt you, what perſons you will appoint to be diſmiſſ only this I have done, I have beſtowed all ſuch, a are mentioned in this bill incloſed, in three or fo ſeveral rooms, as the ſame may ſuffice to contain them and that their meat and drink ſhall be brought unt them by my ſervants. It may pleaſe you, to adver tiſe me by your next letters, in what ſort, and fo what courſe, I ſhall make their paſſports, as alſo, they ſhall ſay that they are unpaid of their wage what I ſhall do therein. Yt is ſaid that they have been accuſtomed to be paid of their wage at Chriſtmas, for the whole year. Her majeſty's charge will be ſomewhat diminiſhed by the departure of this people, and my charge, by this occaſion, will be the more eaſy. But the perſons, all ſave Baſtain, are ſuch ſil ly and ſimple ſouls, as there was no great cauſe to fear their practices, and upon this ground, I was of opinion, in my former letters, that all this diſmiſſed train ſhould have followed their miſtreſs, until the next remove, and there to have been diſcharged upon the ſudden, for doubt that the ſaid remove might be delayed, yf ſhe did fear or expect any hard meaſure.

Others ſhall excuſe their foolliſh pity as they may; but for my part, I renunce my part of the joys of heaven, yf in any thing that I have ſaid, written, or done, I have had other reſpect than the furtherance of her majeſty's ſervice; and ſo I ſhall moſt earneſtly pray you to affirm for me, as likewiſe for the not

ſeaſing

ſeaſing of the money by Mr Manners, the other commiſſioners and myſelf. I truſt Mr Waade hath anſwered, in all humble duties, for the whole company, that no one of us did ſo much as think that our commiſſion reaching only to the papers, we might be bold to touch the money, ſo as there was no ſpeech of that all to my knowledge, and as you know I was no commiſſioner in this ſearch, but had my hands full at Tyxhall, diſcreet ſervants are not haſtily to deal in great matters, without warrant, and eſpecially where the cauſe is ſuch as the delay of it carrieth no danger.

Your advertiſement of that happy remove hath been greatly comfortable unto me. I will not ſay, in reſpect of myſelf, becauſe my private intereſt hath no meaſure of compariſon with her majeſty's ſafety, and with the quiet of this realm. God grant a happy and ſpeedy yſſue to theſe good and godly counſels; and ſo I commit you to his merciful protection. From Chartley the 10th of September 1586.

No. XVIII. (Vol. II. p. 47. line 20.

Copy of a Letter from the earls of Shrewſbury and Kent, &c. touching their proceedings with regard to the death of the Scottiſh queen, to her majeſty's council.

It may pleaſe your hon^ble good lordſhips to be advertiſed, that, on Saturday the 4th of this preſent, I Robert Beale came to the houſe of me the earl of Kent in the county of ——— to whom your lordſhip's letter and meſſage was delivered, and her majeſty's commiſſion ſhewn; whereupon I the earl forthwith ſent precepts for the ſtaying of ſuch hues and cries as had troubled the country, requiring the officers to make ſtay of all ſuch perſons, as ſhould bring any ſuch warrants without names, as before had been done, and to bring them to the next juſtice of peace to the intent that upon their examination, the occaſion and cauſes of ſuch ſeditious bruites might be bolted out and known. It was alſo reſolved that I the ſaid earl of Kent ſhould on the Monday following, come to Lylford to Mr Elmes, to be the nearer and readier to confer with my lord of Shrewſbury. Son-

day at night, I Robert Beale came to Fotheringay, where after the communicating the commiſſion, &c. unto us ſir Amice Pawlet and ſir Drue Drury, by reaſon that ſir A. Pawlet was but late recovered and not able to repair to the earl of Shrewſbury, being then at Orton ſix miles of; it was thought good that we ſir Drue Drury and Robert Beale ſhould go unto him, which we did on morning; and together with the delivery of her majeſty's commiſſion, and your lordſhip's letter, imparted unto him what both the earl of Kent and we thought meet to be done in the cauſe, praying his lordſhip hither the day following to confer with me the ſaid earl, concerning the ſame, which his lordſhip promiſed. And for the better colouring of the matter, I the ſaid earl of Shrewſbury ſent to Mr Beale, a juſtice of peace of the county of Huntingdon next adjoining, to whom I communicated that warrant, which Robert Beale had under your lordſhip's hands, for the ſtaying of the hues and cries, requiring him to give notice thereof to the town of Peterborough, and eſpecially unto the juſtices of peace of Huntingdonſhire, and to cauſe the purſuers and bringers of ſuch warrants to be ſtayed, and brought to the next juſtice of peace; and to bring us word to Fotheringay caſtle on Wedneſday morning what he had done, and what he ſhould in the mean time underſtand of the authors of ſuch bruites. Which like order, I alſo ſir Amias Pawlet had taken on Monday morning in this town, and other places adjoining. The ſame night, the ſheriff of the county of Northampton upon the receit of your lordſhip's letter came to Arundel, and letters were ſent to me the earl of Kent of the earl of Shrewſbury's intention and meeting here on Tueſday by noon; and other letters were alſo ſent with their lordſhips aſſents to ſir Edward Montague, ſir Richard Knightly, Mr Tho. Brudenell, &c. to be here on Wedneſday by eight of the clock in the morning, at which time it was thought meet that the execution ſhould be. So upon Tueſday, we the earls came hither, where the ſheriff met us; and upon conference between us it was reſolved, that the care for the ſending for the ſurgeons, and other neceſſary provi-

ſion

ſion ſhould be committed unto him againſt the time. And we forthwith repaired unto her, and firſt in the preſence of herſelf and her folks, to the intent that they might ſee and report hereafter that ſhe was not otherwiſe proceeded with than according to law, and the form of the ſtatute made in the 27th year of her majeſty's reign, it was thought convenient that her majeſty's commiſſion ſhould be read unto her, and afterwards ſhe was by ſundry ſpeeches willed to prepare herſelf againſt the next morning. She was alſo put in remembrance of her fault, the honourable manner of proceeding with her, and the neceſſity that was impoſed upon her majeſty to proceed to execution, for that otherwiſe it was found that they could not both ſtand together; and however, ſithence the lord Buckhurſt's his being here new conſpiracys were attempted, and ſo would be ſtill; wherefore ſince ſhe had now a good while ſince warning, by the ſaid lord and Robert Beale, to think upon and prepare herſelf to die, we doubted not but that ſhe was, before this, ſettled, and therefore would accept this meſſage in good part. And to the effect that no chriſtian duty might be ſaid to be omitted, that might be for her comfort, and tend to the ſalvation both of her body and ſoul in the world to come, we offered unto her that if it would pleaſe her to confer with the biſhop and dean of Peterborough, ſhe might: which dean, we had, for that purpoſe, appointed to be lodged within one mile of that place. Hereto ſhe replied, croſſing herſelf in the name of the Father, the Son, and the Holy Ghoſt, ſaying that ſhe was ready to die in the catholic Roman faith, which her anceſtors had profeſſed, from which ſhe would not be removed. And albeit we uſed many perſuaſions to the contrary, yet we prevailed nothing; and therefore, when ſhe demanded the admittance of her prieſt, we utterly denied that unto her. Hereupon, ſhe demanded to underſtand what anſwer we had touching her former petition to her majeſty, concerning her papers of accounts, and the beſtowing of her body. To the firſt we had none other anſwer to make, but that we thought if they were not ſent before, the ſame might

be in Mr Wade's cuſtody, who was now in France and ſeeing her papers could not any wiſe pleaſure her majeſty, we doubted not but that the ſame ſhould be delivered unto ſuch as ſhe ſhould appoint. For, for our own parts, we undoubtedly thought that her majeſty would not make any profit of her things, and therefore (in our opinions) ſhe might ſet down what ſhe would have done, and the ſame ſhould be impaired unto her majeſty, of whom both ſhe and other might expect all courteſy. Touching her body, we knew not her majeſty's pleaſure, and therefore could neither ſay that her petition ſhould be deny'd, or granted. For the practice of Babington, ſhe utterly denied it, and would have inferred it, that her death was for her religion; whereunto it was eftſoons of us replied, that for many years ſhe was not touched for religion, nor ſhould have been now, but that this proceeding againſt her was for treaſon, in that ſhe was culpable of that horrible conſpiracy for deſtroying her majeſty's perſon; which ſhe again denied, adding further, that albeit ſhe for herſelf forgave them that were the procurers of her death, yet ſhe doubted not but that God would take vengeance thereof. And being charged with the depoſitions of Naue and Curl to prove it againſt her, ſhe replied, that ſhe accuſed none, but that hereafter when ſhe ſhall be dead, and they remain alive, it ſhall be ſeen how indifferently ſhe had been dealt with and what meaſure had been uſed unto her; and aſked whether it had been heard before this, that ſervants had been practiſed to accuſe their miſtreſs, and hereupon alſo required what was become of them, and where they remained.

Upon our departure from her, for that it ſeemed by the commiſſion, that the charge of her was in the diſpoſition of us the earls, we required S. Amias Paulet and S. Drue Drurie to receive, for that night, the charge, which they had before, and to cauſe the whole number of ſoldiers to watch that night, and that her folks ſhould be put up, and take order that only four of them ſhould be at the execution, remaining aloof of, and guarded with certain perſons, ſo as they ſhould not come near unto her, which were Melvil her ſteward, the phyſician, ſurgeon, and apothecary.

Wedneſday

Wednesday morning, after that we the earls were
aired unto the castle, and the sheriff had prepared
things in the hall for the execution, he was com-
ded to go into her chamber, and to bring her
n to the place where were present, we which have
ed this letter, Mr Henry Talbot, esq; sir Edward
tague, knt. his son and heir apparent, and Wil-
Montague his brother, sir Richard Knichtly, knt.
Thomas Brudenell, Mr Beuill, Mr Robert and
Wingefield, Mr Forest, and Raynor, Benjamin
ot, Mr Dean of Peterborough, and others.
t the stairfold, she paused to speak to Melvil in
hearing, which was to this effect, "Melvil, as
haft been an honest servant to me, so I pray
continue to my son, and commend me unto
I have not impugn'd his religion, nor the reli-
of others, but wish him well. And as I forgive
hat have offended me in Scotland, so I would that
hould also; and beseech God that he would send
his holy spirit, and illuminate him." Melvil's
er was, that he would so do, and at that instant,
would beseech God to assist him with his spirit.
n she demanded to speak with her priest, which
denied unto her, the rather for that she came
a superstitious pair of beads and a crucifix. She
desired to have her women to help her, and u-
her earnest request, and saying that when other
lewoman were executed, she had read in chroni-
that they had women allowed unto them, it was
hitted that she should have two named by her-
which were Mrs Curle and Kennedy. After
came to the scaffold, first in presence of them
her majestie's commission was openly read; and
wards Mr Dean of Peterborough, according to
rection which he had received, the night be-
from us the earls, wou'd have made a godly
onition to her, to repent and dye well in the
of God and charity to the world. But at the
entry, she utterly refused it, saying that she
a catholique, and that it were a folly to move
being so resolutely minded, that our prayers
d little avail her. Whereupon, to the intent it

might appear that we, and the whole assembly, had a christian desire to have her die well, a godly prayer, conceiv'd by Mr Dean, was read and pronounced by us all. "That it would please Almighty God to send her his holy spirit and grace, and also, if it were his will, to pardon all her offences, and of his mercy to receive her into his heavenly and everlasting kingdom, and finally to bless her majesty and confound all her enemies;" whereof Mr Dean, minding to repair up shortly, can shew your lordship a copy.

This done, she pronounced a prayer upon her knees to this effect. "To beseech God to send her his holy spirit, and that she trusted to receive her salvation in his blood, and of his grace to be received into his kingdom, besought God to forgive her enemies, as she forgave them; and to turn his wrath from this land, to bless the queen's majestie, that she might serve him. Likewise to be merciful to her son, to have compassion of his church, and altho' she was not worthy to be heard, yet she had a confidence in his mercy, and prayed all the saints, to pray unto her Saviour to receive her." After this, (turning towards her servants) she desired them to pray for her, that her Saviour would receive her. Then, upon petition made by the executioners, she pardon'd them; and said, she was glad that the end of all her sorrows was so near. Then she missik'd the whinning and weeping of her women, saying, that they rather ought to thank God for her resolution, and kissing them, willed them to depart from the scaffold, and farewell. And so resolutely kneel'd down, and having a kercheff banded about her eyes, laid down her neck, whereupon the executioner proceeded. Her servants were incontinently removed, and order taken that none should approach unto her corps, but that it should be embalmed, by the surgeon appointed. And further her crosse, apparell, and other things are retained here, and not yielded unto the executioner for inconveniences that might follow, but he is remitted to be rewarded by such as sent him hither.

This hath been the manner of our dealings in this service, whereof we have thought good to advertise your

your lordſhips, as particularly as we could, for the time, and further have thought good to ſignify unto your lordſhips beſides, that for the avoiding of all ſiniſter and ſlanderous reports, that may be raiſed to the contrary, we have cauſed a note thereof to be conceiv'd to the ſame effect in writing, which we the ſaid lords have ſubſcribed, with the hands of ſuch other there the knights and gentlemen above named that were preſent at the action. And ſo beſeeching Almighty God long to bleſs her majeſty with a moſt proſperous reign, and to confound all his and her enemies, we take our leaves. From Fotheringay Caſtle, the 8th of February 1586, in haſt.

Your lordſhips at commandment.

N. B. This, as well as ſeveral other papers in this Appendix, is taken from a collection made by Mr Crawfurd of Drumſoy, hiſtoriographer to Q. Anne, now in the library of the faculty of Advocates. Mr Crawfurd's tranſcriber has omitted to mention the book in the Cott. Lib. where it is to be found.

No. XIX. (Vol II. p. 51. line 15.)

The objections againſt Mr Daviſon, in the cauſe of the late Scottiſh queen, muſt concern things done either, 1. *Before her trial at Fotheringay.* 2. *During that ſeſſion.* 3. *After the ſame.*

1. BEFORE her trial, he neither is, nor can be charged to have had any hand at all in the cauſe of the ſaid queen, or done any thing whatſoever, concerning the ſame directly, or indirectly.

2. During that ſeſſion, he remained at court, where the only intereſt he had therein, was as her majeſty's ſecretary, to receive the letters from the commiſſioners, impart them to her highneſs, and return them her anſwers.

3. After the return thence, of the ſaid commiſſioners, it is well known to all her council,

1. That he never was at any deliberation or meeting whatſoever, in parliament, or council, concerning the cauſe of the ſaid queen, till the ſending down

of

of her majesty's warrant unto the commissioners, by the lords and others of her council.

2. That he was no party in signing the sentence, passed against her.

3. That he never penned either the proclamation publishing the same, the warrant after her death, nor any other letter, or thing whatsoever, concerning the same. And

That the only thing, which can be specially and truly imputed to him, is the carrying up the said warrent unto her majesty to be signed. She sending a great counsellor unto him, with her pleasure to that end, and carrying it to the great seal of England, by her own special direction and commandment.

For the better clearing of which truth, it is evident,

1. That the letter, being penned by the lord treasurer, was delivered by him unto Mr Davison, with her majesty's own privity, to be ready for to sign, when she should be pleased to call for it.

2. That being in his hands, he retained it at the least five or six weeks unpresented, nor once offering to carry it up, till she sent a great counsellor unto him for the same, and was sharply reproved therefore by a great peer, in her majesty's own presence.

3. That having signed it, she gave him an express commandment to carry it to the seal, and being seal'd to send it immediately away unto the commissioners, according to the direction. Herself appointing the hall of Fotheringay for the place of execution, misliking the court-yard, in divers respects, and in conclusion absolutely forbad him to trouble her any further, or let her hear any more thereof, till it was done. She for her part, having (as she said) performed all that, in law or reason, could be required of her.

4. Which directions notwithstanding, he kept the warrant seal'd all that night, and the greatest part of next day in his hands, brought it back with him to the court, acquainted her majesty withal, and finding her majesty resolved to proceed therein, according to her former directions, and yet desirous to carry the matter so, as she me might throw the burden from herself, he absolutely resolved to quit his hands thereof.

5. And

5. And hereupon, went over unto the lord treasurer's chamber, together with Mr vice-chamberlain Hatton, and in his presence restored the same into the hands of the said lord treasurer, of whom he had before received it, who from thenceforth kept it, till himself and the rest of the council sent it away.

Which, in substance and truth, is all the part and interest the said Davidson had in this cause, whatsoever is, or may be pretended to the contrary.

Touching the sending down thereof unto the commissioners, that it was the general act of her majesty's council, (as before mentioned,) and not any private act of his, may appear by

1. Their own confession. 2. Their letters sent down therewith to the commissioners. 3. The testimonies of the lords and others to whom they were directed. As also 4. of Mr Beale, by whom they were sent. 5. The tenor of her majesty's first commission for their calling to the star-chamber for the same, and private appearance and submission afterward instead thereof, before the lord chancelor Broomley. 6. The confession of Mr Attorney-general, in open court confirmed. 7. By the sentence itself upon record. 8. Besides a common act of council, containing an answer to be verbally delivered to the Scottish ambassador then remaining here, avowing and justifying the same.

Now where some suppose him to have given some extraordinary futherance thereunto, the contrary may evidently appear by

1. His former absolute refusal to sign the band of association, being earnestly pressed thereunto by her majesty's self.

2. His excusing of himself from being used as a commissioner, in the examination of Babington and his complices, and avoiding the same by a journey to the Bath.

3. His being a mean to stay the commissioners from pronouncing of the sentence at Fotheringay, and deferring it till they should return to her majesty's presence.

4. His

4. His keeping the warrant in his hands six weeks unpresented, without once offering to carry it up till her majesty sent expressly for the same to sign.

5. His deferring to send it away after it was seal'd unto the commissioners, as he was specially commanded, staying it all that night, and the greatest part of the next day in his hands.

6. And finally, his restoring thereof into the hands of the lord treasurer, of whom he had before received the same.

Which are clear and evident proofs, that the said Davison did nothing in this cause whatsoever, contrary to the duty of the place he then held in her majesty's service.

Cal. C. 9.

This seems to be an original. On the back is this title,

The innoceney of Mr Davison in the cause of the late Scottish queen.

No. XX. (Vol. II. p. 126. line 40.)

Letter from ⊖, Sir Robert Cecil, to his Majesty King James.

Most worthy prince, the depending dangers upon your affectionates have been such, as hath inforced silence in him, who is faithfully devoted to your person, and in due time of trial, will undergo all hazards of fortune, for the maintenance of the just regal rights, that, by the laws divine, of nature, and of nations, is invested in your royal person. Fall not then most noble and renowned prince, from him, whose providence hath in many dangers preserved you, no doubt to be an instrument of his glory, and the good of his people. Some secrets, I find have been revealed to your prejudice, which must proceed from some ambitious violent spirited person near your majesty in council and favour; no man in particular will I accuse, but I am sure it hath no foundation from any, with whom, for your service, I have held correspondence; otherwise, I had, long since, been disabled from performance of those duties, that the thoughts of

my heart endeavoureth: being only known to this orthy nobleman bearer hereof, one noted in all arts of Christendom for his fidelity to your person nd state, and to Mr David Fowlis your most loyal rvant, my first and faithful correspondent; and un- James Hudsone, whom I have found in all things at concern you, most secret and assured. It may, erefore, please your majesty, at the humble motion ⊙, which jargon I desire to be the indorsement of our commands unto me, that by some token of your vour, he may understand in what terms you regard s fidelity, secrecy, and service. My passionate affec- on to your person, (not as you are a king, but as u are a good king, and have just title, after my vereign, to be a great king) doth transport me to esumption. Condemn not, most noble prince, the otives of care and love, altho' mixed with defects judgment.

1. I, therefore, first beseech your majesty, that for e good of those, whom God, by divine Providence th destined to your charge, that you would be pleas- to have an extraordinary care of all practicers, or actices, against your person; for it is not to be ubted, but that in both kingdoms, either out of mbition, faction, or fear, there are many that desire have their sovereign in minority, whereby the sove- ignty and state might be swayed by partiality of sub- ternate persons, rather than by true rule of power nd justice. Preserve your person, and fear not the actices of man upon the point of your right, which ill be preserved and maintained against all assaults competition whatever. Thus I leave the protec- on of your person, and royal posterity, to the Al- ighty God of Heaven, who bless and preserve you nd all yours, in all regal happiness to his glory.

2. Next to the preservation of your person, is the onversation and secret keeping of your councells, hich, as I have said, are often betrayed and disco- ered, either out of pretended zeal in religion, tur- ulent faction, or base conception, the which your ajesty is to regard with all circumspection, as a atter most dangerous to your person and state, and the

the only means to ruin and destroy all those, tha stand faithfully devoted to your majesty's servic Some particulars, and persons of this nature, I mak no doubt have been discovered by the endeavours c this nobleman, the bearer hereof, of whom your ma jesty may be further informed.

3. The 3d point considerable is. that your majesty by all means possible, secure yourself of the good af fection of the French king and States, by the nego ation of some faithful secret confident; the Frenc naturally distasting the union of the British Island under one monarch. In Germany, I doubt not bu you have many allies and friends, but by reason o their remote state, they do not so much import thi affair, which must be guided by a quick and sudde motion.

4. When God, by whose Providence, the perio of all persons and times is determined, shall call t his kingdom of glory her majesty, (altho' I do assu redly hope that there will not be any question in com petition, yet for that I hold it not fitting to give an minute entrance into a cause of so high a nature I do humbly beseech your majesty to design a secret faithful, and experienced confident servant of yours being of an approved fidelity and judgment, continu ally to be here resident, whose negotiation, it were convenient your majesty should fortifie, with such se cret trust and powers, as there may not need 14 days respite, to post for authority, in a cause, that can not endure 10 hours respite, without varieties of dan ger. In the which it is to be considered, that all such as pretend least good to your establishment, will not in publick oppung your title, but out of their cunning ambition, will seek to gain time, by alledg ing their pretence of common good to the state, in propounding of good conditions for disburthening the common weal, of divers hard laws, heavy im positions, corruptions, oppressions, &c. which is a main point to lead the popular, who are much dis gusted with many particulars of this nature. It were therefore convenient, that these motives, out of

your

your majesty's providence, should be prevented, by your free offer in these points following, viz.

1. That your majesty would be pleased to abolish purvaiors and purvaiance, being a matter infinitely offensive to the common people, and the whole kingdom, and not profitable to the prince.

2. That your majesty would be pleased to dissolve the court of wards, being the ruin of all the noble and ancient families of this realm, by base matches, and evil education of their children, by which no revenue of the crown will be defrayed.

3. The abrogating the multiplicity of penal laws, generally repined against by the subject, in regard of their uncertainty, being many times altered from their true meaning, by variety of interpretation.

4. That your majesty will be pleased admit free outport of the native commodities of this kingdom, now often restrained by subalternate persons for private profit, being most prejudicial to the commerce of all merchants, and a plain destruction to the true industry and manufacture of all kingdoms, and against the profit of the crown.

These, being by your majesty's confidents in the point of time propounded, will assuredly confirm unto your majestie the hearts and affections of the whole kingdom, and absolutely prevent all insinuations and devices of designed patriots, that, out of pretext of common good, would seek to patronize themselves in popular opinion and power, and thereby to derogate from your majesty's bounty and free favour, by princely merit of your moderation, judgment, and justice.

Your majesty's favour, thus granted to the subject, will no way impeach the profits of the crown, but advance them. The disproportionable gain of some chequer officers, with the base and mercenary profits of the idle unnecessary clerks and attendants, will only suffer some detriment; but infinite will be the good unto the kingdom, which will confirm unto your majesty the universal love and affection of the people, and establish your renown in the highest esteem to all posterity.

The Lord preſerve your majeſtie, and make you triumphant over all your enemies.

My care over his perſon, whoſe letters paſs in this pacquet, and will die before he leave to be yours ſhall be no leſs than of mine own life, and in like eſteem will I hold all your faithfull confidents, notwithſtanding I will hold myſelf reſerved from being known unto any of them, in my particular devoted affections unto your majeſty, only this extraordinary worthy man whoſe aſſociate I am in his misfortune, doth know my heart, and we both will pray for you, and if we live you ſhall find us together.

I beſeech your majeſty burn this letter, and the others; for altho' it be in an unuſual hand yet it may be diſcovered.

Your majeſty's moſt devoted

and humble ſervant,

A

CRITICAL DISSERTATION

CONCERNING

The Murder of King Henry, and the Genuineneſs of the Queen's Letters to Bothwell.

IT is not my intention to engage in all the controverſies, to which the murder of King Henry, or the letters from Mary to Bothwell, have given riſe; far leſs to appear as an adverſary to any particular author, who hath treated of them. To repeat, and to expoſe all the ill founded aſſertions with regard to theſe points, which have flowed from inattention, from prejudice, from partiality, from malevolence, and from diſhoneſty, would be no leſs irkſome to myſelf, than unacceptable to moſt of my readers. All I propoſe, is to aſſiſt others in forming ſome judgment concerning the facts in diſpute, by ſtating the proofs produced on each ſide, with as much brevity as the caſe will admit, and with the ſame attention and impartiality, which I have endeavoured to exerciſe in examining other controverted points in the Scottiſh hiſtory.

In order to account for the King's murder, two different ſyſtems have been formed. The one ſuppoſes Bothwell both to have contrived and executed this crime. The other imputes it to the Earls of Murray, Morton, and their party.

The deciſion of many controverted facts in hiſtory, is a matter rather of curioſity than of uſe. They ſtand detached; and whatever we determine with regard to them, the fabric of the ſtory remains untouched. But the fact under diſpute in this place is a fundamental and eſſential one, and according to the opinion which an Hiſtorian adopts with regard to it, he muſt vary and diſpoſe the whole of his ſubſequent narration. An hiſtorical ſyſtem may be tried in two

different ways, whether it be consistent with probability, and whether it be supported by proper evidence.

Those who charge the King's murder upon Bothwell argue in the following manner; and though their reasonings have been mentioned already in different places of the narrative, it is necessary to repeat them here. Mary's love for Darnly, say they, was a sudden and youthful passion. The beauty of his person was his chief merit. His capricious temper soon raised in the Queen a disgust, which broke out on different occasions. His engaging in the conspiracy against Rizio, converted this disgust into an indignation, which she was at no pains to conceal. This breach was perhaps, in its own nature, irreparable; the King certainly wanted that art and condescension which alone could have repaired it. It widened every day, and a deep and settled hatred effaced all remains of affection. Bothwell observed this, and was prompted by ambition, and perhaps by love, to found on it a scheme, which proved fatal both to the Queen, and to himself. He had served Mary at different times with fidelity and success. He insinuated himself into her favour, by address and by flattery. By degrees he gained her heart. In order to gratify his love, at least his ambition, it was necessary to get rid of the King. Mary had rejected the proposal made to her for obtaining a divorce. The King was equally hated by the partizans of the house of Hamilton, a considerable party in the kingdom; by Murray, one of the most powerful and popular persons in his country; by Morton and his associates, whom he had deceived; and whom Bothwell had bound to his interest by a recent favour. Among the people Darnly was fallen under extreme contempt. He expected, for all these reasons, that the murder of the King would pass without any inquiry. And to Mary's love, and to his own address and good fortune, he trusted for the accomplishment of the rest of his wishes. What Bothwell expected really came to pass. Mary, if not privy herself to the design, connived at an action which rid her of a man whom she had such good reason to detest. A few months after, she married the person

who

who was both suspected and accused of committing the murder.

Those who charge the guilt upon Murray and his party reason in this manner. Murray, say they, was a man of boundless ambition. Notwithstanding the illegitimacy of his birth, he had early formed a design of usurping the Crown. On the Queen's return into Scotland, he insinuated himself into her favour, and ingrossed the whole power into his own hands. He set himself against every proposal of marriage which was made to her, lest his own chance of succeeding to the Crown should be destroyed. He hated Darnley, and was no less hated by him. In order to be revenged on him, he entered into a sudden friendship with Bothwell, his ancient and mortal enemy. He encouraged him to perpetrate the crime, by giving him hopes of marrying the Queen. All this was done with a design to throw upon the Queen herself the imputation of being accessory to the murder, and under that pretext, to destroy Bothwell, to depose and imprison her, and to seize the sceptre which he had wrested out of her hands.

The former of these systems has an air of probability, is consistent with itself, and solves appearances. In the latter, some assertions are false, some links are wanting in the chain, and effects appear of which no sufficient cause is produced. Murray, on the Queen's return into Scotland, served her with great fidelity, and by his prudent administration rendered her so popular, and so powerful, as enabled her with ease to quash a formidable insurrection raised by himself in the year 1565. What motive could induce Murray to murder a Prince without capacity, without followers, without influence over the nobles, whom the Queen, by her neglect, had reduced to the lowest state of contempt, and who, after a long disgrace, had regained (according to the most favourable supposition) the precarious possession of her favour only a few days before his death? It is difficult to conceive what Murray had to fear from the King's life. It is no easy matter to guess what he could gain by his death. If we suppose that the Queen had no previous attachment to Bothwell,

nothing can appear more chimerical than a ſcheme to perſuade her to marry a man, whoſe wife was ſtill alive, and who was not only ſuſpected, but accuſed, of murdering her former huſband. But that ſuch a ſcheme ſhould really ſucceed is ſtill more extraordinary.—If Murray had inſtigated Bothwell to commit the crime, or had himſelf been acceſſory to the commiſſion of it, what hopes were there that Bothwell would ſilently bear from a fellow criminal all the perſecutions which he ſuffered, without ever retorting upon him the accuſation, or revealing the whole ſcene of iniquity? An ancient and deadly feud had ſubſiſted between Murray and Bothwell; the Queen with difficulty had brought them to ſome terms of agreement. But is it probable that Murray would chuſe an enemy, to whom he had been ſo lately reconciled, for his confident in the commiſſion of ſuch an atrocious crime? Or, on the other hand, would it ever enter into the imagination of a wiſe man, firſt to raiſe his rival to ſupreme power, in hopes that afterwards he ſhould find ſome opportunity of depriving him of that power? The moſt adventrous politician never hazarded ſuch a dangerous experiment. The moſt credulous folly never truſted ſuch an uncertain chance.

But however ſtrong theſe general reaſonings may be, we muſt decide according to the particular evidence produced. This we now proceed to examine.

That Bothwell was guilty of the Kings murder appears, 1. From the concurring teſtimony of all the cotemporary hiſtorians. 2. From the confeſſion of thoſe perſons who ſuffered for aſſiſting at the commiſſion of the crime, and who enter into a minute detail of all its circumſtances. Anderſ. v. 2. 165. 3. From the acknowledgement of Mary's own commiſſioners, who allow Bothwell to have been one of thoſe who were guilty of this crime. Good. v. 2. 213. 4. From the expreſs teſtimony of Leſly Biſhop of Roſs to the ſame effect with the former. Def. of Q. Mary's Hon. And. 2. 76. Id. v. 3. p. 31. 5. Morton, at his death, declared that Bothwell had ſolicited him, at different times, to concur in the conſpiracy formed

against

against the life of the King; and that he was informed by Archibald Douglas, one of the conspirators, that Bothwell was present at the murder. Crawf. Mem. App. 4. The letter from Douglas to the Queen, published in the Appendix to Book VII. vol. II. No. 12. confirms Morton's testimony. 6. Lord Herries promises, in his own name, and in the name of the nobles who adhered to the Queen, that they would concur in punishing Bothwell as the murderer of the King. Append. vol. I. No. 23.

The most direct charge ever brought against Murray is in these words of bishop Lesly, "Is it unknown," addressing himself to the Earl of Murray, "what the Lord Herries said to your face openly, even at your table, a few days after the murder was committed? Did he not charge you with the foreknowledge of the same murder? Did not he, *nulla circuitione usus*, flatly and plainly burden you, that riding in Fife, and coming with one of your assured and most trusty servants the same day whereon you departed from Edinburgh, said unto him, among other talk, This night e're morning Lord Darnly shall lose his life?" Def. of Q. Mary, Anders. v. 2. 75. But the assertion of a man so hated with faction as Lesly, unless it were supported by proper evidence, is of little weight. The servant, to whom Murray is said to have spoken these words, is not named; nor the manner in which this secret conversation was brought to light mentioned. Lord Herreis was one of the most zealous advocates for Mary, and it is remarkable that in all his negociations at the court of England, he never once repeated this accusation of Murray. In answering the challenge given him by Lord Lindsay, Herreis had a fair opportunity of mentioning Murray's knowledge of the murder; but though he openly accuses of that crime some of those who adhered to him, he industriously avoids any insinuation against Murray himself. Keith, Pref. XII. Mary herself, in a conversation with Sir Francis Knolles, accused Morton and Maitland of being privy to the murder, but does not mention Murray. And. 4. 55. When the Bishop of Ross and Lord Herries themselves appeared before the

English

English council, January 11, 1569, they declared themselves ready, in obedience to the queen's command, to accuse Murray and his associates of being accessory to the murder, but, "they being also required, whether they or any of them, as of themselves, would accuse the said Earl in special, or any of his adherents, or thought them guilty thereof;" they answered, "that they took God to witness that none of them did ever know any thing of the conspiracy of that murder, or were in council and foreknowledge thereof; neither who were devisers, inventors, and executors of the same, till it was publickly discovered long thereafter by some of the assassins who suffered death on that account." Good. v. 2. 368. These words are taken out of a register kept by Ross and Herries themselves, and seem to be a direct confutation of the bishop's assertion. The bishop himself repeats the same thing in still stronger terms. And. 3. 31.

The Earls of Huntly and Argyll, in their *Protestation touching the muder of the King of Scots*, after mentioning the conference at Craigmillar concerning a divorce, of which we have given an acconnt vol. I. p. 233. add "So after these premisses, the murder of the King following, we judge in our consciences, and hold for certain and truth, that the Earl of Murray and secretrary Lethington were authors, inventors, consellors and causers of the same murder, in what manner, or by whatsomever persons of the same was executed." Anders. v. 4 188. But, 1. This is nothing more than the private opinion or personal affirmation of these two noblemen. 2. The conclusion which they make has no connection with the premisses on which they found it. Because Murray proposed to obtain for the Queen a divorce from her husband with her own consent, it does not follow that therefore he committed the murder without her knowledge. 3. Huntly and Argyll were at that time the leaders of that party opposite to Murray, and animated with all the rage of faction. 4. Both of them were Murray's personal enemies. Huntly, on account of the treatment which his family and clan had

had received from that nobleman. Argyll was desirous of being divorced from his wife, with whom he lived on no good terms. Knox, 328. and by whom he had no children. Crawf. Peer. 19. She was Murray's sister, and by his interest he had obstructed that design. Keith 551. These circumstances would go far towards invalidating a positive testimony; they more than counterbalance an indeterminate suspicion. . It is altogether uncertain whether Huntly and Argyll ever subscribed this protestation. A copy of such protestation as the Queen thought would be of advantage to her cause, was transmitted to them by her. Anders. v. 4. 186. The protestation itself published by Anderson is taken from an unsubscribed copy with blanks for the date and place of subscribing. On the back of this copy is pasted a paper, which Cecil has marked "Answer of the Earl of Murray to a writing of the Earls of Huntly and Argyll." Anders. 194, 195. But it scarce can be esteemed a reply to the above-mentioned protestation. Murray's answer bears date at London, January 19, 1568. The Queen's letter, in which she inclosed the copy of the protestation, bears date at Bowton, January 3, 1568. Now it is scarce to be supposed that the copy could be sent into Scotland, be subscribed by the two Earls, and be seen and answered by Murray within so short a time. Murray's reply seems intended only to prevent the impression which the vague and uncertain accusations of his enemies might make in his absence. Cecil had got the original of the Queen's letter into his custody. Anders. v. 4. 186. This naturally leads us to conjecture that the letter itself, together with the inclosed protestation, were intercepted before they came to the hands of Huntly and Argyll. Nor is this mere conjecture alone. The letter to Huntly, in which the protestation was inclosed, is to be found. Cott. Lib. Cal. C. 1. fol. 280. and is an original subscribed by Mary, though not written with her own hand, because she seldom chose to write in the English language. The protestation is in the same volume, fol 282, and is manifestly written by the same person who wrote the Queen's letter. This is a clear

proof

proof that both were intercepted. So that much has been founded on a paper not subscribed by the two Earls, and probably never seen by them. Besides this method which the Queen took of sending a copy, to the two Earls, of what was proper for them to declare with regard to a conference held in their own presence, appears somewhat suspicious. It would have been more natural, and not so liable to any misinterpretation, to have desired them to write the most exact account, which they could recollect of what had passed in the conversation at Craigmillar.

The Queen's commissioners at the *Conferrences* in England accused Murray and his associates of having murdered the King. Good. 2. 281. But these accusations are nothing more than loose and general affirmations, without descending to such particular circumstances, as either ascertain their truth, or discover their falsehood. The same accusation is repeated by the nobles assembled at Dumbarton, Sept. 1568. Good. 2. 359. And the same observation may be made concerning it.

All the Queen's advocates have endeavoured to account for Murray's murdering of the King, by supposing that it was done on purpose, that he might have a pretence of disturbing the queen's administration, and thereby rendering ineffectual her general Revocation of Crown lands, which would have deprived him and his associates of the best part of their estates. Lesly Def. of Mary's Hon. p. 73. But whoever considers the limited powers of a Scotrish Monarch, will see that such a revocation could not be very formidable to the nobles. Every King of Scotland began his reign with such a revocation; and as often as it was renewed, the power of the nobles rendered it ineffectual. The best vindication of Murray and his party from this accusation is that which they presented to the Queen of England, and which hath never hitherto been published.

Answers

Bouge sc

JACOBUS II REX SCOTORUM

nſwers to the objections and alledgance of the Queen, alledging the Earl of Murray Lord Regent, the Earl of Morton, Marr, Glencairn, Hume, Ruthven, &c. to have been moved to armour, for that they abhorred and might not abide her revocation of the alienation made of her property.

r is anſwered, that is alledged but all appearance, nd it appears God has bereft, the alledgance of all vit and good remembrance, for thir reaſons following.

Imprimis, as to my Lord Regent, he never had ocaſion to grudge thereat, in reſpect the queen made im privy to the ſame, and took reſolution with him or the execution thereof, letting his Lordſhip know he would aſſuredly in the ſamine except all things he had given to him, and ratefy them in the next arliament, as ſhe did indeed; and for that cauſe iſhed my Lord to leave behind him Maſter John Vood, to attend upon the ſame, to whom ſhe declared, that als well in that as in all others her grants should be provided, yea of free will did promiſe nd offer before ever he demanded, as it came to paſs vithout any let or impediment, for all was ratified by her command, and hand write, at the Parliament, out any difficulty.

Item as to my Lord of Morton, he could not grudge hereat quha never had of her property worth twenty dollars that ever I knew of.

Item the ſame, may I ſay of my Lord Glencairn.

Item the ſame, I may ſay of my Lord Hume.

Item the ſame, I may ſay of my Lord Ruthven.

Item the ſame, I may ſay of my Lord Lindſay.

Only my Lord of Marr, had ane little thing of the property quilk alſua was gladly and liberally confirmed to him in the ſaid parliament preceeding a year; was never ane had any cauſe of miſcontent of that revocation, far leſs to have put their lives and heritage to ſo open and manifeſt ane danger as they did for ſic ane frivole cauſe.

Gyf ever any did make evill countenance, and ſhow any miſcontentment of the ſaid revocation, it was my Lord of Argyll in ſpeciall, quha ſpak largely in the time

time of Parliament theiranents to the Queen herself and did complain of the manifest corruption of an act of Parliament past upon her majesty's return, and sa did lett any revocation at that time; but the armor for revenge of the King's died was not till two months after, att quhat time there was no occasion given thereof, nor never a man had mind thereof.

Having thus examined the evidence which has been produced against the Earls of Murray and Bothwell we shall next proceed to enquire whether the Queen herself was accessory to the murder of her husband.

No sooner was the violent death of Darnly known than strong suspicions arose, among some of her subjects, that Mary had given her consent to the commission of that crime. And. 2. 156. We are informed, by her own ambassador in France, the Archbishop of Glasgow, that the sentiments of foreigners, on this head were no less unfavourable to her. Keith, Pref. ix. Many of her nobles loudy accused her of that crime, and a great part of the nation by supporting them, seem to have allowed the accusation to be well founded.

Some crimes, however, are of such a nature that they scarce admit of a positive or direct proof. Deeds of darkness can seldom be brought perfectly to light. Where persons are accused not of being *Principals*, but only of being *Accessaries* to a crime; not of having committed it themselves, but only of giving consent to the commission of it by others; the proof becomes still more difficult: and unless when some accomplice betrays the secret, proof by circumstances, or presumptive evidence, is all that can be attained. Even in judicial trials such evidence is sometimes held to be sufficient for condemning criminals. The degree of conviction which such evidence carries along with it, is often not inferior to that which arises from positive testimony; and a concurring series of circumstances satisfies the understanding no less than the express declaration of witnesses.

Evidence of both these kinds has been produced against Mary. We shall first consider that which is founded upon circumstances alone.

Some

Some of these suspicious circumstances preceded the King's death: others were subsequent to it. With regard to the former, we may observe that the Queen's violent love of Darnly was soon converted into an aversion to him no less violent; and that his own ill conduct, and excesses of every kind were such, that if they did not justify, at least they account for this sudden change of her disposition towards him. The rise and progress of this domestic rupture, I have traced with great care in the history, and to the proofs of it which may be found in papers published by other authors, I have added those contained in App. No XVI. and XVII. The Earls of Murray, Morton, Bothwell, Argyll and Huntly considered the scheme of procuring for the Queen a divorce from her husband, as one of the most flattering proposals they could make to her, and employed it as the most powerful inducement to prevail on her to consent to a measure, which they had much at heart, but from which they knew her to be extremely averse. And. 4. p. 2. 188. Du Croc the French ambassador, who was an eye witness of what he describes, not only represents her disgust at Darnly to be extreme, but declares that there could be no hopes of a reconcilement between them. "The Queen is in the hands of physicians, and I do assure you is not at all well; and do believe the principal part of her disease to consist in deep grief and sorrow; nor does it seem possible to make her forget the same. Still she repeats these words, *I could wish to be dead.* You know very well that the injury she has received is exceeding great, and her Majesty will never forget it:——To speak my mind freely to you, I do not expect, upon several accounts, any good understanding between them [i. e. the King and Queen] unless God effectually put to his hand.——His bad deportment is incurable, nor can there ever be any good expected from him for several reasons, which I might tell you was I present with you. I cannot pretend to foretel how all may turn, but I will say, that matters cannot subsist long as they are, without being accompanied with sundry bad consequences." Keith, Pref. vii. Had Henry died a natural death, at this juncture, it

muſt have been conſidered as a very fortunate event to the Queen, and as a ſeaſonable deliverance from a huſband who had become altogether odious to her. Now as Henry was murdered a few weeks afterwards, and as nothing had happened to render the Queen's averſion to him leſs violent, the opinion of thoſe who conſider Mary as the author of an event, which was manifeſtly ſo agreeable to her, will appear perhaps to ſome of our readers to be neither unnatural nor over refined. If we add to this, what has been obſerved in the hiſtory, that in proportion to the increaſe of Mary's hatred of her huſband, Bothwell made progreſs in her favour; and that he became the object not only of her confidence but of her attachment, that opinion acquires new ſtrength. It is eaſy to obſerve many advantages which might redound to Mary as well as to Bothwell from the King's death; but excepting them, no perſon, and no party in the kingdom could derive the leaſt benefit from that event. Bothwell, accordingly, murdered the King, and it was, in that age, thought no violent imputation on Mary's character, to ſuppoſe that ſhe had conſented to the deed.

The ſteps which the Queen took after her huſband's death add ſtrength to that ſuppoſition. 1. Melvil, who was in Edinburgh, at the time of the King's death, aſſerts that "every body ſuſpected the Earl of Bothwell; and thoſe who durſt ſpeak freely to others ſaid plainly that it was He." p. 155. 2. Mary having iſſued a proclamation, on the 12th of February, offering a reward to any perſon, who ſhould diſcover thoſe who had murdered her huſband; And. 1. 36, a paper in anſwer to this was affixed to the gates of the Tolbooth, February 16, in which Bothwell was named as the chief perſon guilty of that crime, and the Queen herſelf was accuſed of having given her conſent to it. And. 2. 156. 3. Soon after, February 20, the Earl of Lennox, the King's father, wrote to Mary, conjuring her, by every motive, to proſecute the murderers with the utmoſt rigour. He plainly declared his own ſuſpicions of Bothwell, and pointed out a method of proceeding againſt him, and for diſcovering the other

author

authors of the crime, no less obvious than equitable. He advised her to seize, and to commit to sure custody Bothwell himself, and those who were already named as his accomplices; to call an Assembly of the nobles; to issue a proclamation, inviting Bothwell's accusers to appear; and if, on that encouragement, no person appeared to accuse them, to hold them as innocent, and to dismiss them without further trial. And. 1. 40. 4. Archbishop Beatoun, her ambassador in France, in a letter to Mary, March 9th, employs arguments of the utmost weight to persuade her to prosecute the murderers with the greatest severity. "I can conclude naething, (says he) by quhat zour Majesty writes to me zourself, that sen it has plesit God to conserve zow to take a rigorous vengeance thereof, that rather than it be not actually taine, it appears to me better in this warld that ze had lost life and all. I ask your Majestie pardon that I writ sa far, for I can heir naething to zour prejudise, but I *man* (*must*) constraindly writ the samin, that all may come to zour knawledge; for the better remede may be put thereto. Heir it is needful that ze forth shaw now rather than ever of before, the greite vertue, magnanimitie, and constance that God has grantit zow, be quhais grace, I hope ze sall overcome this most heavie envie and displesir of the committing thereof, and conserve that reputatioun in all godlinesse, ze have conquist of lang, quhich can appear na wayis mair clearlie, than that zow do *sick* (*such*) justice that the *haill* (*whole*) warld may declare zour innocence, and give testimony for ever of thair treason that has committed (*but* (*without*) fear of God or man) so cruel and ungodlie a murther, quhairof there is sa *meikle* (*much*) ill spoken, that I am constrainit to ask zow mercy, that neither can I or will I make the rehearsal thereof, which is *owr* (*too*) odious. But alas! Madame, all over Europe this day there is na purpose in head sa frequent as of zour Majestie, and of the present state of zour realm, quhilk is in the most part interpretit sinisterly." Keith, Pref. ix. 5. Elizabeth, as appears from Append. Vol. I. No. XIX. urged the same thing in strong terms. 6. The circumstances of

the case itself, no less than these solicitations and remonstrances, called for the utmost vigour in proceedings. Her husband had been murdered in a cruel manner, almost in her own presence. Her subjects were filled with the utmost horror at that crime. Bothwell, one of her principal favourites, had been publickly accused as author of it. Reflections, extremely dishonourable to herself, had been thrown out. If indignation, and the love of justice, did not prompt her to pursue the murderers with ardour, decency, at least, and concern for vindicating her own character, should have induced her to avoid any appearance of remissness or want of zeal.

But instead of this, Mary continued to discover, in all her actions, the utmost partiality towards Bothwell. 1. On the 15th of February, five days after the murder, she bestowed on him the reversion of the superiority of the town of Leith, which in the year 1565 she had mortgaged to the citizens of Edinburgh. This grant was of much importance, as it gave him not only the command of the principal port in the kingdom, but a great ascendant over the citizens of Edinburgh, who were extremely desirous of keeping possession of it*. 2. Bothwell being

* *Copy from the original in the Charter-house of the city of Edinburgh of an Assignation to the reversion of the superiority of Leith by Queen Mary to the Earl of Bothwell.*

Maria Dei gratia Regina Scotorum omnibus probis hominibus suis ad quos præsentes literæ pervenerunt salutem. Sciatis, quod nos ad memoriam reducentes multiplex bonum verum et fidele servitium, non tantum quondam nostræ charissimæ matri Mariæ Reginæ regni nostri pro tempore in nostra minoritate factum et impensum, verum etiam nobismet ipsis, tam intra partes Galliæ quam intra hoc nostrum regnum, ad extentionem nostri honoris et auctoritatis in punitione furum, malefactorum, et transgressorum infra idem, per nostrum consilium consanguineum et consiliarium Jacobum comitem Bothuile, dominum Halis, Creighton et Liddisdale, magnum admirallum regni nostri, commissionem et onerationem ad hunc effectum habentem, per quas ipse suum corpus et vitam in magno periculo posuit; ac etiam in performatione et extentione nostri dicti servitii, suam hereditatum,

being extremely desirous to obtain the command of the castle of Edinburgh, the Queen, in order to prevail on the Earl of Mar to surrender the government of it, offered to commit the young prince to his custody. Mar consented; and she instantly appointed Bothwell governor of the castle. And. 1. Pref. 64. Keith, 379. 3. The inquiry into the murder, previous to Bothwell's trial, seems to have been conducted with the utmost remissness. Buchanan exclaims loudly against this. And. 2. 24. Nor was it without reason that he did so, as is evident from a circumstance in the affidavit of Thomas Nelson, one of the King's servants, who was in the house when his master was murdered, and was dug up alive out of the rubbish.

hereditatum, supra summam viginti millum mercarum hujus nostri regni, alienavit ac læsit. Et nos cogitantes quod, ex nostra principali honore et devoria, dictum nostrum consisum consanguineum & consiliarium cum quodam acidente et gratitudine recompensare et gratificare incumbit quæ nos commode sibi concedere poterimus, unde ipse magis habilis omnibus affuturis temporibus esse poterit, et ad hujusmodi performandum in omnibus causis seu eventibus: In recompensationem quorum præmissorum, ac pro diversis aliis nostris rationabilibus causis et considerationibus nos moventibus, Fecimus, &c. dictum Jacobum comitem Bothuile, &c. ac suos hæredes masculos quoscunque nostros legittimos, &c. assignatos in et ad literas reversionis factas, &c. per Symonem Preston de eodem militem, præpositum, balivos, consules, et communitatem hujus nostri burgi de Edinburgh, pro seipsis ac suis successoribus, &c. nobis, nostrisque heredibus, successoribus, et assignatis pro redemptione, &c. superioritatis totius villæ de Leith, &c. impignoratæ per nos dictis præposito, &c. subreversionæ alienatæ continentis summam decem millium mercarum monetæ præscripti numerandam et calculandam in parochiali ecclesia de Edinburgh, super premonitione quadriginta dierum, ut moris est, veluti in dictis reversionis literis, &c. de data 8vo Octob. 1565, &c. (The rest is form, and contains a Clause of absolute warrandice.) IN CUJUS REI TESTIMONIUM præsentibus magnum sigillum nostrum apponi fecimus. Apud Edinburgh, decimo quinto die mensis Februarii, anno Domini millesimo quingentesimo sexagesimo sexto, et regni nostri vicesimo quinto.

The great seal entire.

Being examined on the Monday after the King's death. "This deponar schew that Bonkle had the key of the sellare, and the Queenis servandis the keyis of her shalmir. Quhilk the Laird of Tillibardin hearing, said, Hald thair. here is ane ground. Efter quhilk words spokin, thai left of, and procedit na farther in the inquisition." And. 4. P. 2. 167. Had there been any intention to search into the bottom of the matter, a circumstance of so much importance merited the most careful inquiry. 4. Notwithstanding Lennox's repeated follicitations, notwithstanding the reasonablenefs of his demands, and the necessity of complying with them, in order to encourage any accuser to appear against Bothwell, she not only refused to commit him to custody, or even to remove him from her presence and councils; And. 1. 42, 48. but by the grants which we have mentioned, and by other circumstances, discovered an increase of attachment to him. 5. She could not avoid bringing Bothwell to a public trial; but she permitted him to sit as a member in that meeting of the Privy Coucil, which directed his own trial; and the trial itself was carried on with such unnecessary precipitancy, and with so many other suspicious circumstances, as render his acquittal rather an argument of his guilt than a proof of his innocence. These circumstances have all been mentioned at length, Vol. I. p. 316, &c. and therefore are not repeated in this place. 6. Two days after the trial, Mary gave a public proof of her regard for Bothwell, by appointing him to carry the sceptre before her at the meeting of Parliament. Keith, 378. 7. In that parliament, she granted him a ratification of all the vast-possessions and honours, which she had conferred upon him, in which was contained an ample ennumeration of all the services he had peformed. And. 1. 117. 8. Though Melvil, who foresaw that her attachment to Bothwell would at length induce her to marry him, warned her of the infamy and danger which would attend that action, she not only disregarded this salutary admonition, but discovered what had passed between them to Bothwell, which exposed Melvil to his indignation. Melv. 156. 9. Both-

well

well seized Mary as she returned from Stirling, April 24. If he had done this, without her knowledge and consent, such an insult could not have failed to have filled her with the most violent indignation. But according to the account of an old M. S. "The friendly love was so highly contracted between this great princess, and her enormous subject, that there was no end thereof (for it was constantly esteemed by all men that either of them loved other carnally) so that she suffered patiently to be led where the lover list, and all the way neither made obstacle, impediment, clamour or resistance, as in such accidents use to be, or that she might have done by her princely authority, being accompanied with the noble Earl of Huntly, and secretary Maitland of Lethington." Keith, 383. Melvil, who was present, confirms this account, and tells us that the officer, by whom he was seized, informed him that nothing was done without the Queen's consent. Melv. 158. 10. On the 12th of May, a few days before her marriage, Mary declared that she was then at full liberty, and that though Bothwell had offended her by seizing her person, she was so much satisfied with his dutiful behaviour since that time, and so indebted to him for past services, that she not only forgave that offence, but resolved to promote him to higher honours. And. 1. 187. 11. Even after the confederate nobles had driven Bothwell from the Queen's presence, and though she saw that he was considered as the murderer of her former husband by so great part of her subjects, her affection did not in the least abate, and she continued to express the most unalterable attachment. "I can perceive (says Sir N. Throgmorton) that the rigour with which the Queen is kept, proceedeth by order from these men, because that the Queen will not, by any means, be induced to lend her authority to prosecute the murther; nor will not consent by any persuasion to abandon the Lord Bothwell for her husband, but avoweth constantly that she will live and die with him; and saith that if it were put to her choice to relinquish her crown and kingdom, or the Lord Bothwell, she would leave her kingdom

kingdom and dignity to go a ſimple damſel with him, and that ſhe will never conſent that he ſhall fare worſe, or have more harm than herſelf. App. p. 70. See alſo p. 73. From this long enumeration of circumſtances, we may without violence, draw the following conclusion. Had Mary really been acceſſary to the murther of her huſband; had Bothwell perpetrated the crime with her conſent, or at her command; and had ſhe intended to ſtifle the evidence againſt him, and to prevent the diſcovery of his guilt, ſhe could ſcarce have taken any other ſteps than thoſe ſhe took, nor could her conduct have been more repugnant to all the maxims of prudence and of decency.

The poſitive evidence produced againſt Mary may be claſſed under two heads.

1. The depoſitions of ſome perſons who were employed in committing the murder, particularly of Nicholas Hubert, who in the writings of that age is called *French Paris*. This perſon, who was Bothwell's ſervant, and much truſted by him, was twice examined, and the original of one of his depoſitions, and a copy of the other, are ſtill extant. It is pretended, that both theſe are notorious forgeries. But they are remarkable for a ſimplicity and *naivete* which it is almoſt impoſſible to imitate; they abound with a number of minute facts and particularities, which the moſt dexterous forger could not have eaſily aſſembled, and connected together with any appearance of probability; and they are filled with circumſtances, which can ſcarce be ſuppoſed to have entered the imagination of any man, but one of Paris's profeſſion and character. But at the ſame time, it muſt be acknowledged that his depoſitions contain ſome improbable circumſtances. He ſeems to have been a fooliſh talkative fellow; the fear of death; the violence of torture; and the deſire of pleaſing thoſe in whoſe power he was, tempted him, perhaps, to feign ſome circumſtances, and to exaggerate others. To ſay that ſome circumſtances in an affidavit are improbable or falſe, is very different from ſaying that the whole is forged. I ſuſpect the former to be the caſe here, but I ſee no appearance of the latter. Be that

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as it will, ſome of the moſt material facts in Paris's affidavits reſt upon his ſingle teſtimony; and for that reaſon, I have not in the Hiſtory, nor ſhall I in this place, lay any ſtreſs upon them.

2. The letters ſaid to be written by Mary to Bothwell. Theſe have been frequently publiſhed. The accident, by which the Queen's enemies got them into their poſſeſſion, is related Vol. I. 423. When the authenticity of any ancient paper is dubious or conteſted, it may be aſcertained either by external or internal evidence. Both theſe have been produced in the preſent caſe.

1. External proofs of the genuineneſs of Mary's letters. 1. Murray and the nobles who adhered to him affirm, upon their word and honour, that the letters were written with the Queen's own hand, with which they were well acquainted. Good. 2. 64, 92. 2. The letters were publickly produced in the parliament of Scotland, December 1567, Good 2. 360; and were ſo far conſidered as genuine, that they are mentioned, in the act againſt Mary, as one chief argument of her guilt. Good. 2. 66 3. They were ſhewn privately to the Duke of Norfolk, the Earl of Suſſex, and Sir Ralph Sadler, Elizabeth's commiſſioners at York. In the account which they give of this matter to their Miſtreſs, they ſeem to conſider the letters as genuine, and expreſs no ſuſpicion of any forgery; they particularly obſerve, "that the matter contained in them is ſuch, that it could hardly be invented and deviſed by any other than herſelf; for that they diſcourſe of ſome things, which were unknown to any other than to herſelf and Bothwell; and as it is hard to counterfeit ſo many, ſo the matter of them, and the manner how theſe men came by them is ſuch, as it ſeemeth that God, in whoſe ſight murder and bloodſhed of the innocent is abominable, would not permit the ſame to be hid or concealed." Good. 2. 142. They ſeem to have made ſuch an impreſſion on the Duke of Norfolk, that in a ſubſequent letter to Pembroke, Leiceſter and Cecil he has theſe words, "If the matter ſhall be thought as deteſtable and manifeſt to you, as for ought we can perceive it ſeemeth

seemeth here to us." Good. 2. 154. 4. After the conferences at York and Westminster were finished Elizabeth resolved to call together the Earls who were then at court, and to lay before them the whole proceedings against the Scottish Queen, particularly that, "the letters and writings exhibited by the Regent, as the Queen of Scots letters and writings, should also be shewed, and conference [i. e. comparison] thereof made in their sight, with the letters of the said Queen's being extant, and heretofore written with her own hand, and sent to the Queen's majesty; whereby may be searched and examined what difference is betwixt them." Good. 2. 252. They assembled, accordingly, at Hampton Court, December 14 and 15, 1568; and "The originals of the letters supposed to be written with the Queen of Scots own hand, were then also presently produced and perused; and being read, were duly conferred and compared, for the manner of writing, and fashion of orthography, with sundry other letters long since heretofore written, and sent by the said Queen of Scots to the Queen's Majesty.—In coalition whereof no difference was found." Good. 2. 256. 5. Mary having written an apolegetical letter for her conduct to the Countess of Lennox, July 10, 1570*, she

* Mary's letter has never been published, and ought to have a place here, where evidence on all sides is fairly produced. "Madam, if the wrang and false reportis of rebellis, inemeis weill knawin from traitouris to zow, and alace to muche trusted of me by zour advice, had not so far sturred you agains my innocency, (and I must say agains all kyndness, that zow have not onelie as it were condempnit me wrangfullie, bot so hated me, as some wordis and opene deideis hes testifeit to all the warlde, a manyfest mislyking in zow aganis zowr awn blude) I would not have omitit thus lang my dewtie in wryting to zow excusing me of those untrew reports made of me. Bot hoping with Godis graces and tyme to have my innocency knawn to zow, as I trust it is already to the maist pairt of all indifferent persons, I thocht it best not to trouble zow for a tyme till that such a matter is moved that tuichis us bayth, quhilk is the transporting zoure littil sone, and my onelie child in this cuntrey. To the quhilk albeit I be never sa willing, I wald be glaid

he transmitted it to her husband then in Scotland; and he returned the Countess the following answer: "Seeing you have remittit to me, to answer the Queen the King's Mother's letters sent to you, what can I say but that I do not marvell to see hir writ the best she can for hirself, but to seame to purge hir of that, quhairof many besyde me are certainly persuadit of the contrary, and I not only assurit by my awin knawledge, but by her handwritt, the confessionis of men gone to death, and uther infallibil experience. It wull be lang tyme that is hable to put a mattir so notorious in oblivioun, to mak black quhyte, or innocency to appear quhair the contrary is sa weill knawin. The maist indifferent, I trust, doubtis not of the equitie of zoure and my cause, and of the just occasion of our misslykyng. Hir richt dewtie to zow and me, being the parties interest, were hir trew confessioun and unfeygned repentance of that lamentable fact, odious for hir to be reportit, and sorrowfull for us to think of. God is just, and will not in the end be abused; but as he has manifested the trewth, so will he puneise the iniquity." *Lennox's Orig. Regist. of Letters.* In their publick papers the Queen's enemies may be suspected of advancing what would be most subservient to their cause; not what was agreeable to truth, or what flowed from their own inward conviction. But in

laid to have zoure advyse therein, as in all uther thingis uiching him. I have born him, and God knawis with quhat danger to him and me boith; and of zow he is discendit. So I meane not to forzet my dewtie to zow, in schewin herein any unkyndness to zow, how unkyndlie that ever ze have delt with me, bot will love zow as my awnt and respect zow as my moder in law. And gif ye ples to knaw farther of my mynde in that and all uther thinges betwixt us, my ambassador the Bishop of Ross sall be ready to confer with zow. And so after my hartlie commendationis, remitting me to my saide ambassador, and zour better consideratioun, I commit zow to the protectioun of Almyghty God, quhom I pray to preserve zow and my broher Chareles, and caus zow to knaw my paint better nor ze do. From Chatisworth this x of July 1570.

To my Ladie Lennox my moder in law.

Youre natural gude Nice and lovyng dochter.

in a private letter to his own wife, Lennox had no occasion to dissemble; and it is plain, that he not only thought the Queen guilty, but believed the authenticity of her letters to Bothwell.

2. With regard to the internal proofs of the genuineness of the Queen's letters to Bothwell, we may observe, 1. That whenever a paper is forged with a particular intention, the eagerness of the forger to establish the point in view, his sollicitude to cut off all doubts and cavils, and to avoid any appearance of uncertainty, always prompt him to use expressions the most explicit and full to his purpose. The passages foisted into ancient authors by Heretics in different ages; the legendary miracles of the Romish saints; the suppositious deeds in their own favour produced by monasteries; the false charters of homage mentioned Vol. I. p. 10. are so many proofs of this assertion. No maxim seems to be more certain than this, that a forger is often apt to prove too much but seldom falls into the error of proving too little. The point which the Queen's enemies had to establish was "that as the Earl of Bothwell was chief executor of the horrible and unworthy murther perpetrated &c. so was she of the foreknowledge, council, device persuader, and commander of the said murder to be done." Good. 2. 207. But of these there are only imperfect hints, obscure intimations, and dark expressions in the letters, which however convincing evidence they might furnish if found in real letters, bear no resemblance to that glare and superfluity of evidence which forgeries commonly contain. All the advocates for Mary's innocence in her own age, contend that there is nothing in the letters which can serve as a proof of her guilt, Lesley, Blackwood, Turner, &c. abound with passages to this purpose; nor are the sentiments of those in the present age different. "Yet still it might have been expected (says her latest defender) that some one or other of the points or articles of the accusation should be made out clearly by the proof. But nothing of that is to be seen in the present case. There is nothing in the letters, that could plainly shew the writer to have

have been in the foreknowledge, council, or device of any murder, far less to have persuaded or commanded it; and as little is there about maintaining or justifying any murderers." Good. 1. 76. How ill advised were Mary's adversaries to contract so much guilt, and to practise so many artifices in order to forge letters, which are so ill contrived for establishing the conclusion they had in view? Had they been so base as to have recourse to forgery, is it not natural to think that they would have produced something more explicit and decisive? 2. As it is almost impossible to invent a long narration consisting of many circumstances, and to connect it in such a manner with real facts, that no mark of fraud shall appear; for this reason skilful forgers avoid any long detail of circumstances, especially, of foreign and superfluous ones, well knowing that the more these are multiplied, the more are the chances of detection increased. Now Mary's letters, especially the first, are filled with a multiplicity of circumstances, extremely natural in a real correspondence, but altogether foreign to the purpose of the Queen's enemies, and which it would have been perfect folly to have inserted if they had been altogether imaginary, and without foundation. 3. The truth and reality of several circumstances in the letters, and these, too, of no very publick nature, are confirmed by undoubted collateral evidence. Lett. 1. Good. 2. p. 1. The Queen is said to have met one of Lennox's gentlemen, and to have some conversation with him. Thomas Crawford, who was the person, appeared before Elizabeth's commissioners, and confirmed, upon oath, the truth of this circumstance. He likewise declared, that during the Queen's stay at Glasgow, the King repeated to him, every night, whatever had passed, through the day, between her Majesty and him, and that the account given of these conversations in the first letter, is nearly the same with what the King communicated to him. Good. 2. 245. According to the same letter there was much discourse between the King and Queen concerning Mynto, Hiegait, and Walcar. Good. 2. 8, to. 11. What this might be, was altogether unknown

till a letter of Mary's preſerved in the Scots Colleg at Paris, and publiſhed, Keith, Preſ. vii. diſcovere it to be an affair of ſo much importance as merited a the attention ſhe paid to it at that time. It appea by a letter from the French ambaſſador, that Mar was ſubject to a violent pain in her ſide. Keith, ibid This circumſtance is mentioned, Lett. 1. p. 30. in manner ſo natural as can ſcarce belong to any but genuine production. 4. If we ſhall ſtill think it pro bable to ſuppoſe that ſo many real circumſtances wer artfully introduced into the letters by the forgers, i order to give an air of authenticity to their produc tion; it will ſcarce be poſſible to hold the ſame opi nion concerning the following particular. Before th Queen began her firſt letter to Bothwell, ſhe, as is u ſual, among thoſe who write long letters concernin a variety of ſubjects, made *notes* or *memorandums* o the particulars ſhe wiſhed to remember; but as ſh ſate up writing during a great part of the night, an after her attendants were aſleep, her paper ſailed he and ſhe continued her letter upon the ſame ſheet, o which ſhe had formerly made her memorandum This ſhe herſelf takes notice of, and makes an apolog for it: "It is late; I deſire never to ceaſe from wri ting unto you, yet now after the kiſſing of you hands, I will end my letter. Excuſe my evil writing and read it twice over. Excuſe that thing that i ſcriblit, for I had na paper zeſterday, quhen I wra that of the memorial." Good. 2. 28. Theſe memo randums ſtill appear in the middle of the letter; an what we have ſaid ſeems naturally to account for th manner how they might find their way into a real let ter. It is ſcarce to be ſuppoſed however that any fo ger would think of placing memorandums in the mid dle of a letter, where, at firſt ſight, they make ſo ab ſurd and ſo unnatural an appearance. But if any ſha ſtill carry their refinement ſo far, as to ſuppoſe tha the forgers were ſo artful as to throw in this circum ſtance, in order to preſerve the appearance of genu ineneſs, they muſt at leaſt allow that the queen's ene mies, who employed theſe forgers, could not be ig norant of the deſign and meaning of theſe ſhort note

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nd memorandums; but we find them mistaking them o far as to imagine that they were the *credit of the earer*, i. e. points concerning which the Queen had iven him verbal instructions. Good. 2. 152. This hey cannot possibly be; for the Queen herself writes with so much exactness concerning the different points n the memorandums, that there was no need of giving ny *credit* or instructions to the bearer concerning hem. The memorandums are indeed the *contents* of he letter. 5. Mary, mentioning her conversations with the King about the affair of Mynto, Hiegait, &c. ays, "The morne [i. e. to-morrow] I will speik to im upon that point;" and then adds, "As to the eft of Willie Heigait's, he confeffit it; but it was he morne, [i. e. the morning] after my cumming or e did it." Good. 2. 9. This addition which could ot have been made till after the conversation happened, seems either to have been inserted by the Queen into the body of the letter, or, perhaps, she aving written it on the margin, it was taken thence nto the text. If we suppose the letter to be a real ne, and written at different times, as it plainly bears, his circumstance appears to be very natural; but no eason could have induced a forger to have ventured pon such an anachronism, for which there was no ecessity. An addition, perfectly similar to this, made o a genuine paper, may be found, Good. 2. 282.

But, on the other hand, Mary herself, and the adocates for her innocence have contended that these tters were forged by her enemies, on purpose to last her reputation, and to justify their own rebellion. t is not necessary to take notice of the arguments, which were produced in her own age, in support of his opinion; the observations which we have already nade, contain a full reply to them. An author, who as inquired into the affairs of that period with great ndustry, and who has acquired much knowledge of hem, has lately published (as he affirms) a demonration of the forgery of Mary's letters. This demonstration he founds upon evidence both internal nd external. With regard to the former he observes hat the French copy of the Queen's letters is plainly

a tranſlation of Buchanan's Latin copy; which Lati copy is only a tranſlation of the Scottiſh copy; an by conſequence the aſſertion of the Queen's enemies that ſhe wrote them originally in French, is altoge ther groundleſs and the whole letters are groſs forge ries. He accounts for this ſtrange ſucceſſion of tran lations, by ſuppoſing that when the forgery was pro jected, no perſon could be found capable of writing originally in the French language, letters which woul paſs for the Queen's; for that reaſon they were firſ compoſed in Scottiſh; but unluckily, the French in terpreter, it would ſeem, did not underſtand tha language; and therefore Buchanan tranſlated them into Latin, and from his Latin they were rendere into French. Good. 1. 79, 80.

It is ſcarce neceſſary to obſerve that no proof what ever is produced of any of theſe ſuppoſitions. The manners of the Scots, in that age, when almoſt every man of rank ſpent a part of his youth in France, an the intercourſe between the two nations was great render it altogether improbable that ſo many complicated operations ſhould be neceſſary, in order to procure a few letters to be written in the French language.

But without inſiſting farther on this, we may obſerve that all this author's premiſes may be granted, and yet his concluſion will not follow, unleſs he likewiſe prove that the French letters, as we now have them, are a true copy of thoſe which were produced by Murray and his party in the Scottiſh parliament, and at York and Weſtminſter. But this he has not attempted; and if we attend to the hiſtory of the letters, ſuch an attempt, it is obvious, muſt have been unſucceſsful. The letters were firſt publiſhed at the end of Buchanan's *Detection*. The firſt edition of this treatiſe was in Latin, in which language three of the Queen's letters were ſubjoined to it; this Latin edition was printed A. D. 1571. Soon after a Scottiſh tranſlation of it was publiſhed, and at the end of it were printed likewiſe in Scottiſh, the three letters which had formerly appeared in Latin, and five other letters in Scottiſh, which were not in the Latin edition.

tion. Next appeared a French tranſlation of the Detection, and of ſeven of the letters; this bears to have been printed at Edinburgh by Thomas Waltem 1572. The name of the place, as well as of the printer, is allowed by all parties to be a manifeſt impoſture. Our author, from obſerving the day of the month, on which the printing is ſaid to have been finiſhed, has aſſerted that this edition was printed at London; but no ſtreſs can be laid upon a date found in a book, where every other circumſtance with regard to the printing is allowed to be falſe. Blackwood, who (next to Leſly) was the beſt informed of all Mary's advocates in that age, affirms that the French edition of the Detection was publiſhed in France: "Il [Buchanan] a depuis adjouſte a ceſte declamation un petit libelle du pretendu mariage du Duc de Norfolk, et de la facon de ſon proces, et la tout envoye aux freres a la Rochelle, leſquels voyants qu'il pouvoit ſervir a la cauſe, l'ont traduit en Francois, et iceluy fut imprimee a Edinbourg, c'eſt a dire a la Rochelle, par Thomas Waltem, nom apoſte et fait a plaiſir. Martyre de Marie. Jebb. 2 256. The author of the *Innocence de Marie* goes farther, and names the French tranſlator of the Detection. Et iceluy premirement compoſe (comme il ſemble) par George Buchanan Eſcoſſoys, et depuis traduit en langue Francoiſe par un Hugonot, Poitevin (advocat de vocation) Camuz, ſoy diſant gentilhomme, et un de plus remarquez ſediteux de France. Jebb. 1. 425, 443. The concurring teſtimony of two cotemporary authors, whoſe reſidence in France afforded them ſufficient means of information, muſt outweigh a ſlight conjecture. This French tranſlator does not pretend to publiſh the original French letters as written by the Queen herſelf; he expreſsly declares that he tranſlated them from the Latin. Good. 1. 103. Had our author attended to all theſe circumſtances, he might have ſaved himſelf the labour of ſo many criticiſms to prove that the preſent French copy of the letters is a tranſlation from the Latin. The French editor himſelf acknowledges it, and ſo far as I know no perſon ever denied it.

We may obſerve that the French tranſlator was ſo ignorant, as to affirm that Mary had written theſe letters, partly in French and partly in Scottiſh. Good 1. 103. Had this tranſlation been publiſhed at London by Cecil, or had it been made by his direction ſo groſs an error would not have been admitted into it. This error, however, was owing to an odd circumſtance. In the Scottiſh tranſlation of the Detection, there was perfixed to each letter two or three ſentences of the original French, which breaking off with an &c. the Scottiſh tranſlation of the whole followed. This method of printing tranſlations was not uncommon in that age. The French editor obſerving this, fooliſhly concluded that the letters had been written partly in French, partly in Scottiſh.

If we carefully conſider theſe few French ſentences of each letter which ſtill remain, and apply to them that ſpecies of criticiſm, by which our author has examined the whole, a clear proof will ariſe, that there was a French copy not tranſlated from the Latin, but which was itſelf the original from which both the Latin and Scottiſh have been tranſlated. This minute criticiſm muſt neceſſarily be diſagreeable to many readers, but luckily a few ſentences only are to be examined, which will render it extremely ſhort.

In the firſt letter, the French ſentence prefixed to it ends with theſe words, *y faiſoit bon.* It is plain that this expreſſion *veu ce que peut un corps ſan cœur* is by no means a tranſlation of *cum plane perinde eſſem atque corpus ſinē corde.* The whole ſentence has a ſpirit and elegance in the French, which neither the Latin nor Scottiſh have retained. *Juſques a la dinee* is not a tranſlation of *toto prandii tempore;* the Scottiſh tranſlation *quhile denner-time* expreſſes the ſenſe of the French more properly; for anciently *quhile* ſignified *untill* as well as *during.* *Je n'ay pas tenu grand propos* is not juſtly rendered *neque contulerim ſermonem cum quoquam;* the phraſe uſed in the French copy, is one peculiar to that language, and gives a more probable account of her behaviour, than the other. *Jugeant bien qu'il n'y faiſoit bon,* is not a tranſlation of *ut qui judicarent id non eſſe ex uſu.* The

French

French ſentence prefixed to Lett. 2. ends with *apprendre.* It is evident that both the Latin and Scottiſh tranſlations have omitted altogether theſe words, *et toutefois je ne puis apprendre.* The French ſentence prefixed to Lett. 3. ends with *preſenter. J'aye veille plus tard la haut* is plainly no tranſlation of *diutius illic morata ſum;* the ſenſe of the French is better expreſſed by the Scottiſh *I have walkit laiter there-up.* Again, *Pour excuſer voſtre affaire* is very different from *ad excuſandum noſtra negotia.* The five remaining letters never appeared in Latin; nor is there any proof of their being ever tranſlated into that language. Four of them, however, are publiſhed in French. This entirely overturns our author's hypotheſis concerning the neceſſity of a tranſlation into Latin.

In the Scots edition of the Detection the whole *ſonnet* is printed in French as well as in Scottiſh. It is not poſſible to believe that this Scottiſh copy could be the original from which the French was tranſlated. The French conſiſts of verſes which have both meaſure and rhyme, and which, in many places, are far from being inelegant. The Scottiſh conſiſts of an equal number of lines, but without meaſure or rhyme. Now no man could ever think of a thing ſo abſurd and impracticable, as to require one to tranſlate a certain given number of lines in proſe, into an equal number of verſes, where both meaſure and rhyme were to be obſerved. The Scottiſh, on the contrary, appears manifeſtly to be a tranſlation of the French; the phraſes, the idioms, and many of the words are French, and not Scottiſh. Beſides, the Scottiſh tranſlator has in ſeveral inſtances miſtaken the ſenſe of the French, and in many more expreſſes the ſenſe imperfectly. Had the ſonnet been forged, this could not have happened. The directors of the fraud would have underſtood their own work. I ſhall ſatisfy myſelf with one example, in which there is a proof of both my aſſertions. Stanza viii. ver. 9.

Pour luy j'attendz toute bonne fortune,
Pour luy je voux garder ſante et vie,
Pour luy toute vertu de ſuivre j' ay envie.

For

For him I attend all gude fortune,
For him I will conſerve helthe and lyfe,
For him I deſire to enſue courage.

Attend in the firſt line is not a Scottiſh but a French phraſe; the two laſt lines do not expreſs the ſenſe of the French, and are abſolute nonſenſe.

The eighth letter was never tranſlated into French. It contains much refined myſticiſm about *devices*, a folly of that age, of which Mary was very fond, as appears from ſeveral other circumſtances, particularly from a letter concerning *impreſas* by Drummond of Hawthornden. If Mary's adverſaries forged her letters, they were certainly employed very idly when they produced this.

From theſe obſervations it ſeems to be evident that there was a French copy of Mary's letters, of which the Latin and Scottiſh were only tranſlations. Nothing now remains of this copy but thoſe few ſentences which are prefixed to the Scottiſh tranſlation. The French editor laid hold of theſe ſentences, and tacked his own tranſlation to them, which, ſo far as it is his work, is a ſervile and a very wretched tranſlation of Buchanan's Latin; whereas in thoſe introductory ſentences, we have diſcovered ſtrong marks of their being originals, and certain proofs that they are not tranſlated from the Latin.

It is apparent, too, from compairing the Latin and Scottiſh tranſlations with theſe ſentences, that the Scottiſh tranſlator has more perfectly attained the ſenſe and ſpirit of the French than the Latin. And as it appears that the letters were very early tranſlated into Scottiſh, Good. 2. 76; it is probable that Buchanan made his tranſlation not from the French but from this Scottiſh copy. Were it neceſſary, ſeveral critical proofs of this might be produced. One that has been already mentioned ſeems deciſive. *Diutius illic morta ſum* bears not the leaſt reſemblance to *j'ay weille plus tard la haut;* but if, inſtead of *I walkit* [i. e. watched] *laiter there up*, we ſuppoſe that Buchanan read *I waitit*, &c. this miſtake, into which he might ſo eaſily have fallen, accounts for the error in his tranſlation.

Theſe

Thefe criticifms, however minute, appear to be well founded. But whatever opinion may be formed concerning them, the other arguments with regard to the internal evidence remain in full force.

The external proof of the forgery of the Queen's letters, which our author has produced, is extremely fpecious, but not more folid than that which we have already examined. According to Murray's diary, Mary fet out from Edinburgh to Glafgow January 21, 1567; fhe arrived there on the 23d; left that place on the 27th; fhe, together with the King, reached Linlithgow on the 28th, ftayed in that town only one night, and returned to Edinburgh before the end of the month. But according to our author, the Queen did not leave Edinburgh till Friday January 24th; as fhe ftayed a night at Callendar, fhe could not reach Glafgow fooner than the evening of Saturday the 25th, and fhe returned to Linlithgow on Tuefday the 28th. By confequence, the firft letter which fuppofes the Queen to have been at leaft four days in Glafgow, as well as the fecond letter, which bears date at Glafgow *Saturday morning*, whereas fhe did not arrive there till the evening, muft be forgeries. That the Queen did not fet out from Edinburgh fooner than the 24th of January, it is evident, (as he contends) from the public records, which contain *a Precept of confirmation of a life-rent* by James Boyd to Margaret Chalmers granted by the Queen on the 24th of January at Edinburgh; and likewife a letter of the Queen's, dated at Edinburgh on the fame day, appointing James Inglis taylor to the Prince her fon. That the King and Queen had returned to Linlithgow on the 28th, appears from a deed in which they appoint Andrew Ferrier keeper of their palace, dated at Linlithgow January 28. Good. 1. 118.

This has been repreefented to be not only a convincing, but a legal proof of the forgery of the letters faid to be written by Mary; but how far it falls fhort of this, will appear from the following confiderations.

1. It is evident from a declaration or confeffion made by the Bifhop of Rofs, that before the conferences,

rences at York, which were opened in the beginning of October 1568, Mary had, by an artifice of Maitland's got into their hands a copy of those letters which her subjects accused her of having written to Bothwell. Brown's trial of the Duke of Norfolk 31, 36. It is highly probable that the Bishop of Ross had seen the letters before he wrote the defence of Queen Mary's honour, in the year 1570. They were published to all the world together with Buchanan's Detection, A. D. 1571. Now if they had contained any error so gross, and so obvious, at that time, to discovery, as the supposing the Queen to have passed several days at Glasgow, while she was really at Edinburgh; had they contained a letter dated at Glasgow Saturday morning, though she did not arrive there till the evening; is it possible that she herself who knew her own motions, or the able and zealous advocates who appeared for her in that age should not have published and exposed this contradiction and, by so doing, have blasted, at once, the credit of such an imposture? In disquisitions which are naturally abstruse and intricate, the ingenuity of the latest author may discover many things, which have escaped the attention, or baffled the sagacity of those who have formerly considered the same subject. But when a matter of fact lay so obvious to view, this circumstance of its being unobserved by the Queen herself, or by any of her adherents, is almost a demonstration that there is some mistake or fallacy in our authors arguments. And so far are any either of our historians, or of Mary's defenders, from calling in question the common account concerning the time of the Queen's setting out to Glasgow and her returning from it, that there is not the least appearance of any difference among them with regard to this point. But farther,

2. Those papers in the public records, on which our author rests the proof of his assertions, concerning the Queen's motions, are not the originals subscribed by the Queen, but copies only, or translations of copies of those originals. It is not necessary, nor would it be very easy to render this intelligible to persons

ons unacquainted with the forms of law in Scotland; but every Scotsman conversant in business will understand me, when I say that the precept of conformation of the life-rent to Boyd is only a Latin copy or note of a precept, which was sealed with the Privy Seal, on a warrant from the signet office, proceeding on a signature which bore date at Edinburgh the 24th of January; and that the deed in favour of James Inglis is the copy of a letter, sealed with the Privy Seal, proceeding on a signature which bore date at Edinburgh January 24. From all this we may argue with some degree of reason, that a proof founded on papers, which are so many removes distant from the originals, cannot be but very lame and uncertain.

3. At that time all publick papers were issued in the name both of the King and Queen; by law, the King's subscription was no less requisite to any paper than the Queen's; and therefore unless the original signatures be produced in order to ascertain the particular day when each of them signed, or to prove that it was signed only by one of them, the legal proof arising from these papers would be, that both the King and Queen signed them at Edinburgh, on the 24th of January.

4. The dates of the warrants or precepts issued by the sovereign, in that age, seem to have been in a great measure arbitrary, and affixed at the pleasure of the writer; and of consequence, these dates were seldom accurate, are often false, and can never be relied upon. This abuse became so frequent, and was found to be so pernicious, that an act of parliament, A. D. 1592, declared the affixing a false date to a signature to be High Treason.

5. There still remain, in the public records, a great number of papers, which prove the necessity of this law, as well as the weakness and fallacy of our author's arguments. And though it be no easy matter, at the distance of two centuries, to prove any particular date to be false, yet surprising instances of this kind shall be produced. Nothing is more certain from history than that the King was at Glasgow 24th January 1567; and yet the record of signatures from

1565

1565 to 1582, Fol. 16th, contains the copy of a signature to Archibald Edmonston said to have been subscribed by *our Sovereigns*, i. e. the King and Queen at Edinburgh, January 24th 1567; so that if we were to trust implicitly the dates in the records of that age, or to hold our author's argument to be good, it would prove that not only the Queen but the King too, was at Edinburgh on the 24th of January.

It appears from an original letter of the Bishop of Ross that on the 25th of October 1566, Mary lay at the point of death; Keith, App. 134; and yet a deed is to be found in the public records, which bears that it was signed by the Queen that day. Privy Seal Lib. 35. fol. 89. *Ouchterlony*,

According to papers in the same book, fol. 113 the Queen must have been at Edinburgh December 21, 1566. According to other papers, fol. 99, 100 she must have been at Stirling December 21; and if we depend upon other papers, fol. 112, she must have returned to Edinburgh on December 22d. These various motions are altogether repugnant to history. The Queen during all that time remained at Stirling on account of the Prince's baptism; and we particularly know that she was there December 22d, by a letter of Du Croc the French ambassador, who mentions an interview he had with her at Stirling on that day. Keith, Pref. VII.

Bothwell seized the Queen as she returned from Stirling, April 24th 1567, and (according to her own account) carried her to Dunbar with all diligence. And. 1. 95. But our author relying on the dates of some papers which he found in the records, supposes that Bothwell allowed her to stop at Edinburgh, and to transact business there. Nothing can be more improbable than this supposition. We may therefore rank the date of the deed to *Wright* Privy Seal Lib. 36. fol. 43. and which is mentioned by our author, Vol. 1. 124 among the instances of the false dates of papers which were issued in the ordinary course of business in that age. Our author has mistaken

taken the date of the other paper to Forbes, ibid. it is signed April 14th, not April 24th.

If there be any point agreed upon in Mary's history, it is, that she remained at Dunbar from the time that Bothwell carried her thither, till she returned to Edinburgh along with him in the beginning of May. Our author himself allows that she resided twelve days there, Vol. 1. 367. Now though there are deeds in the records which bear that they were signed by the Queen at Dunbar during that time, yet there are others which bear that they were signed at Edinburgh; e. g. there is one at Edinburgh, April 27th, Privy Seal, Lib. 36. fol. 97. There are others said to be signed at Dunbar on that day. Lib. 31. Chart. No. 524, 526. Ib. lib. 32. No. 154, 157. There are some signed at Dunbar April 28th. Others at Edinburgh April 30th, Lib. 32. Chart. No. 492. Others at Dunbar May 1st. Id. ibid. No. 158. These different charters suppose the Queen to have made so many unknown, improbable, and inconsistent journeys, that they afford the clearest demonstration that the dates in these records ought not to be depended on.

This becomes more evident from the date of the charter said to be signed April 27th, which happened that year to be a Sunday, which was not, at that time, a day of business in Scotland, as appears from the books of *sederunt*, then kept by the Lords of Session.

From this short review of our author's proof of the forgery of the letters to Bothwell, it is evident that his arguments are far from amounting to demonstration.

Another argument against the genuineness of these letters is founded on the stile and composition, which are said to be altogether unworthy of the Queen, and unlike her real productions. It is plain, both from the great accuracy of composition in most of Mary's letters, and even from her solicitude to write them in a fair hand, that she valued herself on those accomplishments, and was desirous of being esteemed an elegant writer. But when she wrote at any time in a hurry, then many

marks of inaccuracy appear. A remarkable instanc of this may be found in a paper published, Good. 301. Mary's letters to Bothwell were written in th utmost hurry; and yet under all the disadvantages o a translation, they are not destitute either of spirit o of energy. The manner in which she expresses he love to Bothwell hath been pronounced indecent an even shocking. But Mary's temper led her to warm expressions of her regard; those refinements of del cacy, which now appear in all the commerce betwee the sexes, were, in that age, but little known, eve among persons of the highest rank Among Lord Royston's papers there is a series of letters, from Mar to the Duke of Norfolk, copied from the Harleian Library, P. 37. B. 9 fol. 88, in which Mary declare her love to that nobleman in language, which woul now be reckoned extremely indelicate.

The sonnets and some of Mary's letters to Bothwe were written before the murder of her husband; som of them after that event, and before her marriage t Bothwell. Those which are prior to the death of he husband abound with the fondest expressions of he love to Bothwell, and plainly discover that their fa miliarity had been extremely criminal. We find i them, too, some dark expressions, which her enemie employed to prove that she was no stranger to th schemes which were forming against her husband' life. Of this kind are the following passages, "Alace I never dissavit ony body; bot I remit me altogidde to zour will. Send me advertisement quhat I sall do and quhatsaever thing come thereof, I sall obey zow Advise too with zourself, gif ze can find out ony mai secret invention by medecine, for he suld tak medecin and the bath at Cragmillar." Good. 2. 22. See no hir quhais tenzeit teiris suld not be sa mekle prais and estemit, as the true and faithfull travellis quhil I sustene for to merite hir place. For obtaining o the quhilk, agains my natural, I betrayis thame tha may impeche me. God forgive me," &c. ibid. 2 "I have walkit laiter thair up, then I wald have done gif it had not been to draw something out of him

quhil

quhilk this berer will schaw zow, quhilk is the fairest commodity that can be offerit to excuse zour affairis." Ibid. 32. From the letters posterior to the death of her husband, it is evident that the scheme of Bothwell's seizing Mary by force, and carrying her along with him, was contrived in concert with herself, and with her approbation *.

* That letters of so much importance as those of Mary's to Bothwell should have been entirely lost, appears to many altogether unaccountable. After being produced in England before Elizabeth's commissioners they were delivered back by them to the Earl of Murray. Good. 2. 235. He seems to have kept them in his possession during his life. After his death, they fell into the hands of Lennox his successor, who restored them to the Earl of Morton. Good. 2. 91. Though it be not necessarily connected with any of the questions which gave occasion to this Dissertation, it may perhaps satisfy the curiosity of some of my readers to inform them that after a very dilligent search, which has lately been made, no copy of Mary's letters to Bothwell can be found in any of the publick libraries in Great Britain. The only certain intelligence concerning them, since the time of their being delivered to Morton, was communicated by the accurate Dr Birch.

Extract of the letters of Robert Bowes, Esq; ambassador from Queen Elizabeth to the king of Scotland, written to Sir Francis Walsingham, Secretary of state, from the original register book of Mr Bowes's letters, from 15th of August 1582, to 28th Septemper 1583, in the possession of Christopher Hunter, M. D. of Durham.

1582, 8th November, from Edinburgh.

Albeit I have been borne in hand, That the coffer wherein were the originals of letters between the Scottish Queen and the Earl of Bothwell, had been delivered to sundry hands and thereby was at present wanting, and unknown where it rested, yet I have learned certainly by the Prior of Pluscardyne's means, that both the coffer and also the writings are come, and now remain with the Earl of Gowrie, who I perceive, will be hardly intreated to make delivery to her Majesty according to her Majesty's desire.

This time past I have expended in searching where the coffer and writings were, wherein without the help of the prior

Having thus ſtated the proof on both ſides; havir examined at ſo great length the different ſyſtems wit regard to the facts in controverſy; it may be expecte that I ſhould now pronounce ſentence. In my opin on, there are only two concluſions, which can b drawn from the facts which have been enumerated.

On prior I ſhould have found great difficulty; now I will eſſa Gowrie, and of my ſucceſs you ſhall be ſhortly advertiſed.

12th of November 1582, from Edinburg

Becauſe I had both learned, that the caſket and lette mentioned in my laſt, before theſe were come to the po ſeſſion of the Earl of Gowrie, and alſo found that no mea might prevail to win the ſame out of his hands without h own conſent and privity; in which behalf I had employe fit inſtruments that nevertheleſs profited nothing, therefo I attempted to eſſay himſelf, letting him know that th ſaid caſket and letters ſhould have been brought to he Majeſty by the offer and good means of good friends, pro miſing to have delivered them to her Majeſty, before the came into his hands and cuſtody, and knowing that he di bear the like affection, and was ready to pleaſure her Ma jeſty in all things, and chiefly in this that had been thu far tendered to her Majeſty, and which thereby ſhould b well accepted, and with princely thanks and gratuity b requited to his comfort and contentment; I moved him tha they might be a preſent to be ſent to her Majeſty from him and that I might cauſe the ſame be conveyed to her Majet ty, adding hereunto ſuch words and arguments as migh both ſtir up a hope of liberality, and alſo beſt effect th purpoſe; at the firſt he was loth to agree that they wer in his poſſeſſion, but I let him plainly know that I was cer tainly informed, that they were delivered to him by San ders Jardin, whereupon he preſſed to know who did ſo in form me, enquiring whether the ſons of the Earl of Mor ton had done it or no; I did not otherways in plain term deny or anſwer thereunto, but that he might think tha he had told me, as the prior is ready, to avouch and wel pleaſed that I ſhall give him to be the author thereof; afte he had ſaid [though] all theſe letters were in his keepin (which he would neither grant nor deny) yet he might no deliver them to any perſon without the conſents and priv ties, as well of the King, that had intereſt therein, as alſ of the reſt of the noblemen enterpriſers of the action againſ the King's mother, and that would have them kept as a evidence

One, that Bothwell, prompted by his ambition or ove, encouraged by the Queen's known aversion to ner husband, and presuming on her attachment to himself, struck the blow without having concerted with her the manner or circumstances of perpetrating hat crime. That Mary, instead of testifying much

vidence to warrant and make good that action. And al-eit I replied, that their action in that part touching the signation of the crown to the King by his mother, had re-ceived such establishment, confirmation, and strength, by cts of Parliament and other publick authority and instru-ents, as neither should that cause be suffered to come in ebate or question, nor such scrolls and papers ought to be ewed for the strengthening thereof, so as these might well e left and be rendered to the hands of her Majesty, to hom they were destined before they fell in his keeping; et he would not be removed or satisfied, concluding, after uch reasonings, that the Earl of Morton, nor any other at had the charge and keeping thereof, durst at any time ake delivery, and because it was the first time that I had oved him therein, and that he would gladly both answer er Majesty's good expectation in him, and also perform is duty due to his sovereign and associates in the action a-resaid, therefore he would seek out the said casket and let-rs, at his return to his house, which he thought should be ithin a short time; and upon finding of the same and bet-r advice, and consideration had of the cause, he would ve further answer. This resolution I have received as to e thing; and for the presently could not better, leaving m to give her Majesty such testimony of his good will wards her, by his frank dealing herein, as she may have use to confirm her highnesses good opinion conceived al-ady of him, and be thereby drawn to greater goodness to-ards him. I shall still labour him both by myself and also by l other means, but I greatly distrust the desired success erein.

24th of November 1582, from Edinburgh.

For the recovery of the letters in the coffer, come to the ands of the Earl of Gowrie, I have lately moved him ear-estly therein, letting him know the purpose of the Scottish ueen, both giving out that the letters are counterfeited by er rebels, and also seeking thereon to have them delivered her or defaced, and that the means which she will make this behalf shall be so great and effectual, as these writ-

ings

indignation at the deed, or discovering any resent ment against Bothwell, who was accused of havin committed it, continued to load him with marks c her regard, conducted his trial in such a manner a rendered it impossible to discover his guilt, and soo after, in opposition to all the maxims of decency c of prudence, voluntarily agreed to a marriage wit him

ings cannot be safely kept in that realm without dangerou offence of him that hath the custody thereof, neither sha he that is once known to have them be suffered to hol them in his hands. Herewith I have at large opened th perils likely to fall to that action, and the parties therein and particularly to himself that is now openly known t have the possession of these writings, and I have lettin hi see what surety it shall bring to the said cause and all th parties therein, and to himself, that these writings may b with secrecy and good order committed to the keeping c her Majesty, that will have them ready whensoever any us shall be for them, and by her Highness countenance defen them and the parties from such wrongfull objections as sha be laid against them, offering at length to him, that if h be not fully satisfied herein, or doubt that the rest of th associates shall not like of the delivery of them to her maje ty in this good manner, and for the interest rehearsed, tha I shall readily, upon meeting and conference with them procure their assent in this part; (a matter more easy t offer than to perform) and, lastly, moving him that (fo the secrecy and benefit of the cause, and that her Majesty good opinion towards himself may be firmly settled an confirmed by his acceptable forwardness herein) he would without needless scruple, frankly commit these writings t her Majesty's good custody for the good uses received. Af ter long debate he resolved, and said, that he would unfein edly shew and do her Majesty all the pleasure that he migh without offence to the King his Sovereign, and prejudice t the associates in the action, and therefore he would first mak search and view the said letters, and herein take advice wha he migh do, and how far he might satisfy and content he Majesty; promising thereon to give more resolute answer and he concluded flatly, that after he had found and see the writings, that he might not make delivery of them without the privity of the King. Albeit I stood long wit him against his resolution in this point, to acquaint th King

him, which every conſideration ſhould have induced her to deteſt. By this verdict, Mary is not pronounced guilty of having contrived the murder of her huſband, or even of having previouſly given her conſent to his death; but ſhe is not acquitted of having diſcovered her approbation of the deed, by her behaviour towards him who was the author of it.

The

King with this matter before the letters were in the hands of her Majeſty, letting him ſee that his doings there ſhould admit great danger to the cauſe; yet I could not remove him from it. It may be that he meaneth to put over the matter from himſelf to the King, upon ſight whereof I ſhall travel effectually to obtain the King's conſent, that the letters may be committed to her Majeſty's keeping, thinking it more eaſy to prevail herein with the King, in the preſent love and affection that he beareth to her Highneſs, than to win any thing at the hands of the aſſociates in the action, whereof ſome principal of them now come and remain at the devotion of the King's mother; in this I ſhall ſtill call on Gowrie to ſearch out the coffer, according to his promiſe; and as I ſhall find him minded to do therein, ſo ſhall I do my beſt and whole endeavour to effect the ſucceſs to her Majeſty's beſt contentment.

2d December 1582, from Edinburgh.

Becauſe I ſaw good opportunity offered to renew the matter, to the Earl of Gowrie for recovery of the letters in the coffer in his hands, therefore I put him in mind thereof; whereupon he told me, that the Duke of Lennox had ſought earneſtly to have had thoſe letters, and that the King did know where they were, ſo as they could not be delivered to her Majeſty without the King's privity and conſent, and he pretended to be ſtill willing to pleaſure her Majeſty in the ſame, ſo far as he may with his duty to the King and to the reſt of the aſſociates in that action; but I greatly diſtruſt to effect this to her Majeſty's pleaſure, wherein, nevertheleſs, I ſhall do my uttermoſt endeavours.

Whether James VI. who put the Earl of Gowrie to death A. D. 1684. and ſeized all his effects, took care to deſtroy his mother's letters, for whoſe honour he was at that time extremely zealous; whether they have periſhed by ſome unknown accident; or whether they may not ſtill remain unobſerved among the archievs of ſome of our great families, it is impoſſible to determine.

The other conclusion is that which Murray and his adherents laboured to establish, "That as James, sometymme Erle of Bothwile, was the chiefe executor of the horribill and unworthy, murder, perpetrat in the person of umquhile King Henry of gude memory, fader to our Soveraine Lord, and the Queenis lauchful husband; sa was she of the foreknowledge, counsall, devise, persuadar and commander of the said murder to be done." Good. 2. 207.

Which of these conclusions is most agreeable to the evidence, that has been produced, I leave my readers to determine.

A

CONCISE STATE

OF THE

Controversy respecting QUEEN MARY.

FEW subjects of political controversy have more engaged the attention of this nation, or been attended with more formidable and more fatal effects of party-rage, than the present question.—The barbarity, the bigotry, and enthusiasm of the times, in which she lived, all conspired to harden the hearts of her cotemporaries against this unhappy princess, and to cause them shut their eyes against the clearest evidence in her favour; while the ambition of those who usurped, or wished to usurp, her authority, prompted them to invent numberless falsehoods to her pre-judice, which were greedly swallowed as undeniable truths by the unthinking multitude; and as such have been transmitted to latter times. On the other hand, the general spirit of inquiry, and liberality of sentiment, which so greatly distinguish the present age, have influenced many learned men to undertake the defence of this illustrious princess, whose misfortunes cannot but inspire every one with compassion, and make even her enemies sincerely lament her fate.

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In ſtating the evidence on both ſides, however, it muſt be remembered, that, in all controverſies whatever, ſome allowance muſt be made for the *prejudices* of the authors who write upon the ſubject. It is undeniable, that the motives already mentioned muſt have operated very powerfully on the minds of thoſe who accuſed her originally; while many authors of later date, bred up in the belief of thoſe calumnies, have been unwilling to allow themſelves to think candidly on the ſubject. But it is equally undeniable that a conſideration of the beauty, the ſufferings, and magnanimity of Mary in her adverſity, are apt to create an oppoſite prejudice in the minds of her advocates; and to lead them inadvertently into an unwillingneſs to admit thoſe faults which juſtice muſt certainly aſcribe to her. Thus it becomes difficult, after all that has been written upon the ſubject, to know which of the two parties to believe; nor does it appear to us poſſible to attain to a knowledge of the truth, without a very rigid inveſtigation of the writings, as well as a conſideration of the particular ſituations of thoſe who have hitherto engaged in the controverſy.

The diſpute originated with the celebrated hiſtorian Buchanan. His great literary talents, and ſome appearance of ſanctity derived from his tranſlating the Pſalms into Latin, gave a prejudice in favour of what he advances. It is difficult to ſuppoſe that a man who muſt have been at much pains in ſearching for truth, as his hiſtory ſhews him to have been, would willfully have ſtuffed his writings with malicious falſehoods; and it is unnatural to imagine that one, who had ſpent ſo much time in peruſing the Scriptures, would, without a very juſt ground have ſet himſelf to ruin his ſovereign. To this prejudice in favour of his literary talents and uprightneſs, we muſt aſcribe the partiality ſhewn to his aſſertions by the celebrated French writers De Thou, Bayle, and Voltaire. Mary appeared once in much ſplendor as queen of France; ſo that it was otherwiſe natural for the French, who have been remarkable for extolling the great qualities of their ſovereigns, to be la-

viſh

vish of their praises towards such an amiable and accomplished princess. To the assertions of Buchanan therefore, an eminent writer in this controversy * ascribes the unfavourable accounts of Queen Mary, given by these authors, which have lately been refuted with success by Mademoiselle de Keralio.

To remove this prejudice in favour of our eminent historian, we have only to consider his situation at that time. He was preceptor to the Prince, Mary's son, who was not under her tuition. Of consequence he was independent of the Queen with respect to his personal interest, nay it would have been much against his interest at that time, to have appeared her advocate. We cannot suppose him to have been a great favourite with the Queen, after she perceived his ingratitude towards her, and, we may not unreasonably suppose that some share of personal *ill will* or *resentment* lurked in his breast; so that, considering all these circumstances, we can hardly suppose that any person in a similar situation would now-a-days be sustained as a legal witness in any Court. In this *a priori* way of arguing therefore, we have in Buchanan's favour, his learning, assiduity in collecting truths, his fidelity as an historian; and his humanity, and duty as a Christian. On the other hand, we have interest, party-zeal, and resentment against the person concerning whom he writes; and which of these two sets of motives are most likely to prevail, when placed in competition in the human breast, we must leave to the judgment of the reader.

The antagonist of Buchanan, even in his own age, was Lesly bishop of Ross. Being the Queen's ambassador at

* "Mr. De Thou, Bayle, Voltaire, and other French writers, says he, seduced by Buchanan, had adopted his falsehoods. To remove what they had inculcated, was reserved for Mademoiselle de Keralio; for the pen of a French lady, to restore the character of a Queen of France, who was once in high esteem there, and who once shone among the most illustrious characters in that kingdom.

"This, Mademoiselle de Keralio has effectually done. She has completed the triumph of Queen Mary, by a work which does honour to her sex, and to her country." *Tytler's Enquiry*, Vol. I. p. 31. *et seq.* edit. 1790.

t the Court of England, there is the higheſt reaſon o believe that he was poſſeſſed of every evidence and uthentic document that could be procured either or or againſt the unfortunate princeſs, who was the he ſubject of diſpute. No doubt his intereſt was in ome degree connected with the honour and reputa- ion of his miſtreſs; but, had he abandoned her, it an ſcarce be ſuppoſed that he would have been a lo- er. We muſt conſider that Mary was the ſuffering party. Her antagoniſt Elizabeth hated her as a pre- ender to her Crown. She dreaded her as one capa- ble of influencing the Catholic Powers to make a dan- erous invaſion of her kingdom; while ſhe viewed her with all that envy and jealouſy which fills the mind of a woman that cannot bear an *equal*, when ſhe beholds herſelf outſhined in beauty and perſonal accompliſh- ments. Add to all this the party-rage, on account of religion falſely ſo called, which we ſee, even in our own times, can ſcarcely be kept within bounds; and which in thoſe days, comparatively barbarous with reſpect to ours, we are ſure muſt have been much worſe. Conſidering, therefore, Elizabeth as a pow- erful princeſs, and capable of liberally rewarding thoſe who favoured her cauſe, while the partiſans of Mary ſuffered contempt, oppreſſion, and indignity, we muſt as naturally be inclined to give our aſſent to the evi- dence in favour of the latter, as to doubt of that which is againſt her. Should the evidence produced by Leſly, therefore, be found void of truth, we muſt account him an *honeſt* man though miſtaken; but the name can by no means be applied to Buchanan if his aſſertions ſhall be found ill-grounded.

Thus far we naturally find a *prejudice* in favour of Mary, ariſing, if we may be allowed the expreſſion, from *impartiality* itſelf, or the mere conſideration of thoſe circumſtances in which the parties ſtood in her time; and how the motives which operated upon them may be ſuppoſed to have had influence on their conduct. But when we conſider the evidence it- ſelf, we muſt certainly be diſpoſed to reject it entir- ly, if it does not contain the moſt full and direct proof of her guilt. When a perſon is in the hands of thoſe

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who are his enemies as well as judges, and who ha unlimited power to produce every evidence that ca be produced, the want of a single article must be a manner decisive against them; and even should the evidence be the most explicit that can be required we could not be altogether void of suspicion. On th other hand, whatever is urged in favour of the sup posed culprit must appear with aggravated force; fo this plain reason, that we know it is natural for suc judges to suppress true, and to coin false evidence.

With respect to the modern authors who have writ ten upon this subject, we can by no means attribut to them any of the motives which must evidentl have influenced those who were immediate actors i the scenes under consideration. A desire of literar fame might make some contradict and others agre with a celebrated author, such as Buchanan; whil some no doubt were mostly influenced by a desire c investigating the truth, and either vindicating th memory of an illustrious princess from the aspersion thrown upon her in her lifetime, or fixing them fo ever as indubitable facts. At any rate, their rivalshi has undoubtedly served to bring to light, and elucidat facts which would otherwise have remained involve in obscurity, if not buried entirely in oblivion.

The whole of this controversy, important as it ha been, hinges on a single question, viz. Whether are certain letters and love sonnets addressed to the Ear Bothwell, and said to be found among his papers afte his flight, to be looked upon as genuine or not? I they are genuine, Mary's moral conduct cannot be vindicated; but it is impossible to justify that of her adversaries whether they are or not; for it never was pretended that there was any legal proof of these letters before she was taken prisoner, and forced to resign her kingdom.

It has already been remarked, that even in the time of Queen Mary herself, this unfortunate princess was not without an able defender in Lesly bishop of Ross. He published a *Defence of Mary's Honour*, in which the authenticity of the papers in question was very ably contested; but this was suppressed by Queen

Elizabeth

Elizabeth. Many others appeared on the continent, but none were suffered to come into England; and, even in France, when we consider the little inclination shewn by that power to save the *life* of Mary, we cannot wonder that any vindication of her *fame* should be neglected; and hence every thing published in that way was soon allowed to fall into contempt and oblivion. In the mean time, Buchanan's performance intitled *A Detection of the Actions of Mary, &c.* was patronized by Elizabeth in the highest degree; receiving every recommendation which authority and influence would give; being formally presented to the Queen of England herself, and circulated through the kingdom by her ministers. In Scotland it was received with the utmost avidity; as well through respect to the abilities of Buchanan, as the aversion entertained against the unhappy princess herself on account of religious matters. Thus the generality of people in this country were brought up in the belief of Mary's guilt, and every attempt to justify, or even to clear up the dispute concerning her, was soon overwhelmed and lost. Many of these, however, had undoubtedly made their appearance; for Anderson, in his preface to his Collection of Papers upon this controversy, informs us, that he had seen more than forty books written expressly on the subject, and sixty in which it was treated of in a slighter manner.

In such a multitude of writings it is no wonder that it should be difficult to come at the truth; and Mr Anderson's work in four volumes quarto, seems to have been the first step towards an elucidation of these obscure points. But it was not till the year 1754, that any professed advocate of note appeared in defence of Mary. The first was Mr Goodall, keeper of the advocates library in Edinburgh, a gentlemen very much acquainted with records, and endowed with a patience, to search into these unentertaining repositories, not often to be met with. He traced the letters in question from their first appearance in the hands of the Earl of Morton, and remarked every thing that passed concerning them before Queen Elizabeth, her Council, and the Commissioners. In his Collec-

tion many papers in favour of Mary are to be met with, which Anderſon had omitted.

The merit of Mr Goodall's performance was for ſome time loſt in the obſtinacy of prejudice, or the ignorance of inattention. Even the celebrated hiſtorians Hume and Robertſon took the oppoſite ſide, and, by the reſpect deſervedly paid to their abilities, ſeemed, for ſome time, entirely to counteract the little influence which the writings of Goodall had with the public. They were ſuceſsfully oppoſed by Mr Tytler, who improved the arguments of Mr Goodall, furniſhed new ones of his own, and by writing in a more lively and perſpicuous manner, rouſed the public attention very remarkably. Dr Robertſon ſeemed to confeſs a defeat, by making no reply; and Hume did the ſame, by *replying* to Mr Tytler's performance; though he had laid down on all other occaſions, as an invariable rule, never to anſwer an adverſary. His reply, however, did not appear till a long time after the publication of Mr Tytler's book; and then conſiſted of a ſingle ill-natured note, in which the cauſe of Mary was touched only in one ſingle point. Mr Tytler defended himſelf in a Poſtſcript to a new edition of his work, which has never been anſwered by any body. He was followed by Dr Gilbert Stuart, whoſe elegant and ſprightly manner has been much admired; and Mr Whitaker confeſſes, that it was the ſecond edition of this work which put him upon ſtudying the ſubject with ſuch attention as to be enabled to write a profeſſed Vindication of Mary. In this he thinks he has elucidated ſome things concerning the letters more fully than had been done by any of her advocates. Thus it appears that the evidence one way or other muſt be complete, and a fair ſtate of what has been already laid before the public by different hands, muſt contain all that can be ſaid upon the ſubject.

The Accuſations againſt Mary firſt appeared in the form of a treatiſe by Buchanan, under the title of a "A Detection of the Actions of Mary Queen of Scots, concerning the Murder of her Huſband, and her Conſpiracy

ſpiracy, Adultery, and pretended Marriage with Earl Bothwell, &c." The time when it was written is ſomewhat uncertain; nor is it well known whether it was originally written in Scots, and tranſlated into Latin by the author, or firſt written in Latin, and then tranſlated into Scots. Certain it is, however, that it appeared in Scots, Engliſh, Latin, and French. The argument it contains may be reduced to the following heads.

1. Queen Mary having, without due conſideration, married Lord Darnly, ſoon began to ſhew marks of diſregard for him, without any apparent cauſe. An inſtance of this is given of his being denied a ſhare in the adminiſtration of public affairs, and going one winter to Peebles with ſuch a ſlender retinue as was below the dignity even of a private nobleman. Inſtances of this want of affection, he ſays, were notoriouſly known.

2. After the Queen's delivery in 1566, ſhe began to put in execution thoſe plots which had been before concerted to get rid of her huſband, and to marry Bothwell. Her firſt ſtep was to ſow diſſention betwixt Darnly and the nobility; taking care on every occaſion to feed the flame of diſcord when ſhe perceived it beginning to languiſh; and accounting it her advantage that they ſhould come to blows, whichever party got the better. An inſtance is given of her having a converſation with her huſband till late at night, during which ſhe perſuaded him that there was a general conſpiracy of the nobility againſt his life. Immediately after the King left her, the Queen ſent for the Earl of Murray, and told him that the King was ſo highly diſpleaſed on account of the Earl being in great favour with her, that his life was in danger.

3. The next article is of ſuch a nature, that we choose to give it in the words of Buchanan himſelf.—"When this attempt failed her, ſhe aſſailed the young and unexperienced gentleman (her huſband) with a new and ſubtile practice. She earneſtly *laboured* him, that, while ſhe was great with child, he ſhould chuſe ſome young gentlewoman, whereof there was great ſtore, whoſe company he might uſe in the mean time.

She promised him assent and furtherance, with pardon and leave to commit the offence. She named to him the Earl of Murray's wife; not for that she esteemed that most noble lady most apt for such a villany, but because she thought by that way to be revenged of three enemies at once, the King, the Earl, and his wife; and therewithal to win a colour and cause of divorce, to make empty bed-room for Bothwell *."

4. When the King paid her a visit after delivery, the Queen and her attendants manifested their hatred to him by every possible method; while Bothwell was caressed, and the only way to preferment was by his means. This is followed by several others relative to the Queen's immodest behaviour, which we omit, as being incapable of proof.

5. The King having gone from place to place, disconsolate on account of his wife's unkindness, at last, hearing of her sickness at Jedburgh, paid her a visit there, but met with the same indifferent reception, while the Queen, after her recovery, lived in such an open manner with Bothwell, "as they seemed, says Buchanan, to fear nothing more, than lest their unkindness should be unknown." Yet, a little after, he tells that the people's *suspicion* of Mary's unchastity with Bothwell was exceedingly *increased* by the King's residence at Stirling. Had her conduct been so flagrant as he alleges, *suspicion* could not have had a place.

6. The Queen after her recovery received some letters from her husband, which affected her so much, that she instantly declared, if she could not by some method be rid of him, she would never have a moment's ease; and rather than live in continual sorrow, she would put an end to her life. Afterwards she proposed a divorce; but laid aside all thoughts of it on being put in mind that such a step would affect the legitimacy of her son; though in the next sentence our

* It is obvious to remark, that this abominable accusation contradicts the assertion made in the former, *viz.* that Mary began to sow dissension between the King and nobles only *after* her delivery; for this was plainly *before* it.

our author insinuates that she had a mind to take away the life of that very child whose illegitimacy was such an object of dread *.

7. At the baptism of the young prince, the King was not allowed to enter the presence of the ambassadors; the nobility were commanded not to attend him, nor were the foreign ambassadors allowed to hold any communication with him. In consequence of this unkind usage, he left Stirling castle, and went to Glasgow to his father; but "the Queen still pursued him with her wonted hatred;" as an instance of which, she took away all his silver plate, and gave him pewter in the place of it. He had not gone a mile from Stirling, before he felt an itching in all parts of his body, an evident effect of poison, according to our author. On his arrival at Glasgow, certain black pimples broke out with such itching and pains through his limbs that his life was despaired of; and during all this time the Queen would not allow any physician to attend him.

8. Mary finding at last that her husband was not likely to die of the disease, paid him a visit, not with a friendly intent, but on purpose to murder him. Bothwell, according to agreement, provided an house for the king in the neighbourhood of Edinburgh, in a desolate place; an excuse for which was, that the air was more wholesome than in the palace at Holyroodhouse; though our author denies any superiority in this respect. In a short time the death of the King happened by gunpowder, as is generally supposed, the house being blown up, as is related in the histories of Scotland.

9. After the cruel act was perpetrated, the Queen, instead of giving herself up to lamentations, seemed to vie with the greatest heroines of antiquity; sending out most of her attendants to inquire into the matter, and not only composed herself to rest, but slept till next day at noon. Not satisfied with

 this

* "This answer, when she had a while tossed in her mind, and knew that he said truth, and that she durst not as yet disclose her purpose to *make away* her son, she gave over the device of divorce, &c." *Buchanan's Detection*, p. 14.

this unnatural behaviour, ſhe feaſted her eyes for a long time with the ſight of her huſband's body, and at laſt cauſed him to be buried privately, and in a very mean manner, hard by David Rizzio. In twelve days ſhe left Edinburgh, and went to Lord Seton's houſe. where Bothwell lodged at that time; and though perſuaded by M. le Croc, the French ambaſſador, to return to the capital, ſhe very ſoon left it again to return to the ſame place, where council was held how to get Bothwell acquitted of the charge of murdering the King. The ſcandalous manner in which the trial was conducted, is likewiſe ſet forth in ſtrong terms. Mary's being carried off by Bothwell, her ſubſequent marriage and misfortunes, are all eſtabliſhed hiſtorical facts, which need no confirmation, and therefore we ſhall not trouble the reader with what Buchanan has ſaid upon them. It is obvious to remark, that all the articles above mentioned, contained only *aſſertions* unſupported by the ſmalleſt ſhadow of proof; and, in ſome places, inconſiſtent with themſelves. An ORATION is added, containing fifty-five pages in quarto, in which the learned author tells us it is "by neceſſary arguments plainly proved, that ſhe (Queen Mary) was guilty and privy to the ſaid murder." Of this Oration we ſhall only ſay, that it is far beyond our powers of abridgement; for which reaſon we ſhall only preſent our readers with *one* of the *neceſſary arguments*, in the words of the author himſelf. The point to be proved is, that Mary adminiſtered poiſon to her huſband.

"When he was preparing to depart from *Glaſgow**, ſhe cauſed poiſon to be given him. You will aſk by whom? In what manner? What kind of poiſon? Where had ſhe it? Aſk you theſe queſtions? As though wicked princes ever wanted miniſters of their wicked treacheries. But ſtill you preſs me, perhaps, and ſtill you aſk me, Who are their miniſters? Firſt, that he was poiſoned, it was certainly known: for, though the ſhameleſſneſs of men would not ſtick to deny a thing ſo manifeſt, yet, the kind of diſeaſe, ſtrange,

* From *Stirling* it ought to have been, to make the Oration conſiſtent with the Narrative.

trange, unknown to the people, unacquainted to the phyſicians, eſpecially ſuch as had not been in *Italy and Spain; black pimples breaking out* over all his body; grievous itch in all his limbs, and intolerable ſtench diſclofed it. If this cauſe were to be pleaded before grave Cato the Cenſor, as this were eaſy to prove before him that is perſuaded that there is no *adultereis*, (adulteresſ we ſuppoſe) but the ſame is alſo a poiſoner. Need we ſeek for a more ſubſtantial witneſs than Cato, every one of whoſe ſentences antiquity eſteemed as ſo many oracles? Shall we not in one manifeſt thing believe *him*, whoſe credit has, in things doubtful, ſo often prevailed? Lo, here a man of ſingular uprightneſs, and of moſt notable faithfulneſs and credit, bears witneſs againſt a woman burning in hatred of her huſband, and in love of an adulterer; and in both their diſeaſes of corrupt affections unbridled, *untemperabilly* by her eſtate, raging by her power, and indulgently following the wantonneſs of her wealth. But let us omit old and diſuſed things, and let us ſever the credit of the inconſtant multitude from the caſe of princes. Let us in ſo great a matter admit no witneſs in whom either his eſtate may be ſuſpected, or his manners may be blamed. What witneſſes then ſhall we uſe? For, by this condition, we may bring forth none under the royal degree of a king or queen. But ſuch vile acts are not wont to be committed by noble and good men, but by lewd and wicked miniſters. Howbeit, that herein alſo the moſt preciſe may be ſatisfied, go to; let us bring forth a royal witneſs. Read her own letter; her letter, I ſay, written with her own hand. What mean theſe words? *He is not much deformed, and yet he has received much.* Whereof hath he received much? The thing itſelf, the diſeaſe, the pimples, the ſavour, do tell you. Even that he received, that brought deformity; forſooth very poiſon. This is ſufficient for me that is there ſaid, that, though he received much, he is not much deformed; or that though he be not much deformed, yet he received much. What means this word *yet?* What elſe but this, that whatever it was that he received, the ſame

was

was the cause of his deformity; which, though it were much, yet it was not *much* enough to work such deformity as was desired. But, be it were not poison. What then was it else? &c."

On this piece of reasoning we need make very little comment; as we believe every man of common sense will acknowledge that, had the author taken pains to burlesque his own cause, and make the enemies of Mary appear ridiculous, he could not have done it more effectually than by such a rhapsody as we have transcribed. On this occasion he appeals to the letters written by the Queen herself; which appeal, in the most explicit manner, shows, that, had not these letters existed, there could have been no proof at all. On the authenticity of these letters therefore, as we have said, the whole controversy turns. If therefore the most full and undoubted proof be not produced, the controversy must be at once decided in favour of Mary; *probability* declaring originally on the side of her innocence for the reasons given in the beginning of this Treatise. The following is Buchanan's account, and indeed the only one we have of them.

"That in the Castle of Edinburgh there was left by the Earl Bothwell before his flying away, and was sent for by one George Dalgliesh his servant, who was taken by the Earl of Morton, a small gilt coffer, not fully a foot long, being garnished in sundry places with the Roman letter F, under a king's crown; wherein were certain letters and writings well known, and by oaths to be affirmed to have been written with the Queen of Scots own hand, to the Earl of Bothwell. Besides these writings there was also extant a writing written in the Roman hand in French, to be avowed to be written by the Queen of Scots herself; being a promise of marriage to the said Bothwell; which writing being without date, and though some words therein seem to be contrary, yet it is upon credible grounds supposed to have been made and written by her before the death of her husband. The tenor whereof thus begins:

"Nous

"*Nous* Marie *par la grace de Dieu*, &c.
"We *Mary* by the grace of God, *&c.*

There is alſo another writing in Scots, avowed to be wholly written by the Earl of Huntly, dated the th of April, 1567, containing a form of contract for marriage betwixt the ſaid Queen and the Earl Bothwell, ſubſcribed *Mary*, which is avowed to be the proper hand of the ſaid Queen; and underneath it *James* Earl *Bothwell*, which alſo is to be avowed to be the proper hand of the ſaid Earl Bothwell; at which time he was commonly defamed of the King's laughter, and not cleanſed or acquitted thereof before the 12th of April following. It appears alſo from the words of the ſaid contract, that it was made before ſentence of divorce betwixt Bothwell and his former wife; and alſo, in very truth, before any ſuit of divorce begun between him and his former wife, though ſome words in the contract ſeem to say otherwiſe."

In the ſame caſket were found "certain French sonnets written by the Queen of Scots to Bothwell before her marriage with him; and, as it is ſaid, while her huſband lived; but certainly before the divorce from his wife, as the words themſelves ſhew; before whom ſhe prefers herſelf in deſerving to be beloved of Bothwell *."

Having

* As ſome of our readers may perhaps have a curioſity to know how ſuch an accompliſhed princeſs expreſſed her love, we ſhall preſent them with the following ſpecimen, tranſlated by the celebrated Buchanan.

"O Gods have of me compaſſion!
"And ſhow what certain proof
"I may give, which ſhall not ſeem to him vain,
"Of my love and fervent affection.
"Alas! is he not already in poſſeſſion,
"Of my body, of heart that refuſes no pain
"Nor diſhonour in the life uncertain
"Offence of friends, nor worſe afflictions.
"For him I eſteem all my friend leſs than nothing,
"And I will have good hope of my enemies.
"I have put in hazard for him both fame and conſcience,
"I will for his ſake renounce the world,

"I will

Having thus given a brief account of what the first, and whom we might readily suppose to be the most formidable, adversary of Mary had to say against her, we must next take some notice of Lesly's Vindication, of which Anderson has preserved a copy written in the year 1570, said to be done by *Morgan Philips*, Bachelor of Divinity, and printed at Liege by *Walter Morbers*, in 1571.

This gentleman does not write a formal answer to Buchanan; the *Detection* not having been printed till the year 1592; nevertheless it probably contains as full an answer as could have been given by any studied refutation. He reduces the whole of the charges against the Queen to three points. 1. That her mind was alienated from her husband. 2. The letters already mentioned. 3. Her pretended marriage. Having thus stated the accusations, he next complains, that her accusers had produced nothing by any lawful means; and declares, that, had this been the case, neither he nor any who interested themselves in her behalf would have done so, but would "have yielded and given place to an open known truth." He complains likewise that her adversaries went upon presumptions, not of the surest or most probable sort. In criminal cases also he puts the reader in mind, that it is better to be "prone to favour than to hatred; to be readier to absolve and release, than to detain and condemn; and that it is far better, and a more sure, and more indifferent and upright way, to save the guilty, than to condemn and cast away the innocent. I trust, adds he, and am in

"I will die to set him forward.
"What remains to give proof of my constancy?"

The following lines, in which the author of this poem speaks of Lady Bothewell, are very unlike a *Queen*.

"She for her honour owes you obedience;
"I in obeying you may receive dishonour,
"Not being (to my displeasure) your wife as she;
"And yet in this point she shall have no pre-heminence,
"She uses constancy for her own profit,
"For it is no little honour to be mistress of your goods!"
&c.

n an assured hope, that all the indifferent readers ereof will, without all partiality, weigh and consider he allegations of the one and the other side, and udge of the matter as it falleth out accordingly. Which is the very thing we most desire."

The bishop next sets forth the improbability that here was of Mary's guilt, and the probability of the pposite. The stronger presumptions, he says, ought o destroy the weaker. The fair sex abhor cruelty nd bloodshed; and Queen Mary was a very accomlished princess, who, till she came to Scotland, was ighly esteemed for her many excellent qualities. Ain, it is not to be supposed, that any man or woman should fall into such extremities of vice at once. he human race attain to vice, as well as virtue, by egrees; and he challenges them, in all the former art of her life, to bring a single instance whereon o ground their presumptions. He upbraids them with he treasons her subjects had committed, and which e had so often pardoned. Was it likely, then, that e would entertain a thought of committing a crime f such a black dye as the murder of her husband. But, lds our author, though "he was her head in wedck, yet was he otherwise but a member of her commonwealth, subject to her as to his supreme governess nd to the laws, by the due and ordinary process hereof he might have been convicted and executed, well for the murder of David her secretary, in hose body his dagger was found stabbed, as for the nprisoning of the Queen, and for attempting to reove her from the civil government, to intrude himlf into it. Who can now reasonably think, that, here she, by law and justice, might have fully satised her alleged desire, omitted every lawful opportuty, in order to accomplish his destruction in an unwful one. This vehement presumption of her innonce is much holpen for that she would not consent a divorce between her and the Lord Darnly, ough she were moved thereto by a great number of r nobility."

The bishop next urges it as a great presumption of ary's innocence, that she voluntarily came into England,

England, where ſhe knew both the father and mother of Lord Darnly were. Neither could the death of her huſband be of any ſervice to her, eſpecially by ſuch means; as it muſt tend greatly to embaraſs the affairs of her government. Leaving, however, theſe preſumptive proofs of the Queen's innocence, our author now enters on a conſideration of the charges brought directly againſt her.

1. It is ſaid that her affection was alienated from her huſband. This is not denied; but if a huſband gives his wife ſuch provocation as muſt neceſſarily alienate her affection, he cannot reaſonably complain; neither can they who are the fomenters of diſcord betwixt huſband and wife reaſonably blame either party or any body but themſelves for the conſequences. In the preſent caſe it is to be doubted whether greater provocations could be given by a man to a woman than were given by Lord Darnly to Queen Mary. Every one, in the leaſt acquainted with the ſex, muſt know that the following are the four greateſt provocations that can poſſibly be offered to a woman. 1. To abandon her for the ſake of others. 2. To charge her openly with infidelity to her huſband. 3. To threaten to leave her; and, 4. To thwart and contradict her in thoſe things which ſhe has a right to manage. There are but few huſbands that unite thoſe provocations in their own perſons; but it is impoſſible to deny that Darnly was guilty of every one of them; and that in a degree which no private perſon can be guilty of. With regard to the firſt, John Knox himſelf bears witneſs, though in *Darnly* he does not ſpeak of the crime with ſuch abhorrence as on other occaſions. He only tells us that he was expert in the "games of Venus." With regard to the ſecond, ſhe was charged, in a moſt infamous manner with carrying on a criminal intercourſe with her ſecretary David Rizzio. The third was no leſs notorious, inſomuch, that even the Parliament interfered to prevent him from leaving the kingdom; and as to the fourth, we may ſay that ſhe was thwarted in the management of almoſt every thing ſhe had a right to from the moment ſhe came into the kingdom. It muſt be remembered

bered that *Mary*, and not her husband, ought to have had the administration of public affairs; yet this was what he perpetually attempted to deprive her of. In the most cruel and detestable manner he, with other barbarians, murdered David Rizzio in her presence, and afterwards imprisoned herself. This action was attended with such circumstances of cruelty as are scarce to be paralleled. The Queen was at that time with child, when women naturally expect more tenderness and compassion than at others; yet was this unhappy princess used in such a barbarous manner as one should think might have excused the most violent resentment on her part. But the fact was, that Mary never had the authority of a sovereign. The savage nobility usurped her power, and in order to attain it, or to support themselves in it, shewed themselves absolutely indifferent as to every enormity. When Mary found her husband taking part with these nobles therefore, we cannot wonder that this, joiued to other offences, should alienate her affection. Well might Bishop Lesly exclaim, "Fie, and double Fie upon the impudence of those mischievous traitors, how to lay to the Queen's charge, and reproachfully to object to her the changing of her mind towards her husband, which rose and began upon causes for the which they had long before been trussed up, if they had not fortuned upon and met with so gracious a Mistress, as I know, and they, though undeserving, do well feel, that the world hath very few her like."

On this subject the bishop farther observes, that, before his death, the King and Queen were thoroughly reconciled, as appeared by her visiting him at Glasgow, and the tenderness with which she behaved towards him at Edinburgh. Notwithstanding the many and grievous provocations therefore which she had received, it appears that her affection for her husband was not eradicated, but capable of being awakened again, and actually was so; so that the first part of the charge of necessity falls to the ground.

2. With regard to the letters to Bothwell, and the murder of the King. The enemies of Mary, who should not deny that an *apparent* reconciliation had

taken place, next pretend that it was only ſigned upon her part, and that it appears by her own letters, that ſhe had no other intention than that of enticing him to Edinburgh for his own deſtruction. On this the biſhop juſtly obſerves, that it was altogether impoſſible to reaſon with ſuch people; for being themſelves grieved that a reconciliation ſhould have taken place at any rate, their next reſource was to ſay that it was feigned on the part of the Queen. With regard to the letters themſelves, he ſays, that the very time at which they were taken betrays the falſehood of the whole. Dalglieſh is ſaid to have received them from Sir James Balfour to convey them to his maſter, the Earl of Bothwell. But Sir James himſelf was Bothwell's enemy, and had formerly driven him out of Edinburgh caſtle; ſo that it is incredible either that Sir James would be any confident of Bothwell's, or that he would ſhew him the leaſt mark of attention.

"Nevertheleſs, ſays the biſhop, when you have taken your beſt advantage you can of theſe letters, they contain no expreſs commandment of any unlawful act or deed to be committed and perpetrated; not ratifying, or ſpecifying the accompliſhment of any ſuch fact already paſt, but by unſure and uncertain gueſſes, aims, and conjectural ſuppoſings, are not able in any wiſe to make a lawful preſumption, much leſs any good and ſubſtantial proof."

On the ſubject of the letters our author further preſſes his adverſaries in the following manner. In all criminal accuſations, it is abſolutely neceſſary that the matter in queſtion ſhould be fairly proved by good and lawful witneſſes, or by ſome other evident proofs or preſumptions. The letters in queſtion are neither ſubſcribed by the writer, nor directed to any perſon; neither have they a date of day or month; nor is any bearer mentioned by whom they were ſent. The perſon who was ſaid to carry them, and who was executed for being concerned in the murder, proteſted before God, that he never carried any ſuch letters, and that the Queen knew nothing of the matter. Again, were theſe letters ever compared with the Queen's hand writing? This would have been

done

done even in a money matter. Perhaps it may be said that a proper comparison was made; but, by whom was it done? by those very persons who were the Queen's mortal enemies; who could counterfeit her hand; nay, who had often done it, by sending letters to England and elsewhere in her name, which she knew nothing about.

Our author next retorts the charge upon his adversaries in the following manner. "Either you must bring forth good and apparent witnesses to prove it her hand, or some such as were privy to the meaning of the said letters, which ye neither yet have done, nor are likely ever to do; or you must grant that you were privy to them yourselves with the Queen, or at least with the said Earl, whom ye surmise to have received these letters; or that all this is by you maliciously driven or concluded." From this dilemma it seems difficult to see how the adversaries of Queen Mary can escape; as the letters themselves mention nothing plainly; and those who shewed such knowledge in the interpretation of ambiguous sentences, undoubtedly indicate, in the very same proportion, their knowledge of the fabrication of them.

The bishop now proceeds to a consideration of one of the charges brought against the Queen by Buchanan, viz. That she shewed no sorrow for the King's death, nor kept herself in mourning for any decent time; the acquittal of Bothwell also, and her marriage with him so soon after her former husband's death being also taken into the account. To the first part of the charge he replies, that Darnly's body was embalmed, and laid in the same sepulchre with King James; the funeral being attended by the Lord Justice Clerk, Traquair, and several others of the nobility; though by reason that most of the Council were Protestants, the fewer ceremonies were made use of. The story of Mary's indifferent behaviour he utterly denies. He argues also that such kind of queens as Mary were not subject to the rules prescribed to others; Mary being a sovereign, but her husband only a private man, and a subject. Besides, in certain cases, women are by the civil law excused for omit-

ting the cuſtomary forms of mourning. He avers alſo, that the Council themſelves did vehemently perſuade the Queen to ſhorten the time of her mourning, and to go to ſome more open and wholeſome air. Notwithſtanding all which, the very perſons who adviſed her to the ſteps ſhe took were the firſt to complain of her for them, and to repreſent her in the worſt imaginable light on that very account. The ſecond, and indeed the moſt important part of the charge, was that of the acquittal of Bothwell. To this he replies, that Bothwell was acquitted by his peers according to due forms of law; and none were more active in procuring his acquittal than the Lords Morton, Semple, Lindſay and others, who became afterwards the Queen's moſt inveterate enemies. It appears, therefore, that in every inſtance the perſons who had the greateſt ſhare in promoting theſe tranſactions, raiſed the very firſt and loudeſt clamours againſt them. The marriage with Bothwell (undoubtedly the worſt ſtep that was ever certainly known to be taken by Mary) was promoted by the nobility; nay, they were the firſt perſons who perſuaded her to marry again; by alleging the dangerous ſituation in which ſhe ſtood, ſo that there was a neceſſity for her to have a huſband and aſſiſtant, who might be capable of defending her againſt every adverſary. If ſhe would be contented to do ſo, they promiſed obedience to the Queen, and ſervice to the perſon whom ſhe choſe for a huſband. Many of them even bound themſelves by an obligation under their hands to aſſiſt, maintain, and defend, him againſt all men that ſhould impute the King's murder to him. Thus it is plain, that the charges of Mary's adverſaries retort upon themſelves, and had they not in a lucky moment found the box of letters, they could not have had the leaſt ſhadow of proof; and the finding of it at ſuch a critical moment is certainly a very ſtrong preſumption that the whole was fabricated.

This is the ſum of what the biſhop has advanced with regard to the crimes directly charged upon Queen Mary; which we ſee depend entirely upon the authenticity of the letters. It is plain, therefore, as theſe letters had not in his time received any ſatisfactory proof,

proof, that they were genuine, there could then be no real proof of her guilt. Her greateſt adverſary in in that age, Buchanan, has of conſequence failed in his attempt; ſo that now we muſt have recourſe to the more modern champions, of whom Mr Hume and Dr Robertſon are the principal.

The arguments in favour of the authenticity of the letters, urged by Mr Hume, are, 1. It is difficult to ſuppoſe them forgeries; becauſe, though it be eaſy to counterfeit a ſubſcription, it is far more difficult to carry on the deception through a number of pages. They were compared with Mary's hand-writing by the Engliſh Privy Council, and a great many of the nobility, among whom were ſeveral partizans of the Queen. They might have been examined by the Biſhop of Roſs, Herreis, and others of Mary's commiſſioners; and as the Regent muſt have expected them to undergo ſuch a teſt, we may be aſſured that he well knew they were able to bear it. 2. Biſhop Leſly declined a compariſon of the hands, which he calls no legal proof. Goodall, Vol. II p. 389. 2. The letters are very long, which increaſes the difficulty, and makes the forgery more liable to a deception. 3. They are not ſo groſs and palpable as forgeries commonly are, as they ſtill left a pretence for Mary's friends to aſſert, that their meaning was ſtrained to make them criminal. 4. There is a long contract of marriage ſaid to be written by Huntly, and ſigned by the Queen, before Bothwell's acquittal; and it is not to be ſuppoſed that Morton, ſuppoſed to be the forger, would have thus, without any cauſe, doubled the difficulties in carrying on his own ſcheme. 5. The letters were indiſcreet; but ſuch was apparently Mary's conduct at that time. They are inelegant; but they have a careleſs natural air, like letters haſtily written between two familiar friends. 6. They contain ſuch a variety of particular circumſtances as no body could have thought of inventing; ſpecially as they muſt have afforded more readily the means of detection. 7. We have not the originals of the letters which were in French; we have only a Latin and Scots tranſlation from the original, and a French tranſla-

tion expresly done from the Latin. Now, it is remarkable, that the Scots translation is full of Gallicisms; which is a clear proof that the original was French. 8. There is a conversation which she mentions between the King and herself one evening; but Murray produced, before the English Commissioners, the testimony of one Crawford, a gentleman of the Earl of Lennox, who swore that the King, on the Queen's departure from him, gave him an account of the same conversation. 9. There appears no reason why Murray and his associates would run the risk of such a dangerous forgery, which must have rendered them infamous if detected; since their cause, from Mary's known conduct at the time, was sufficiently good without them. 10 Murray exposed these letters to persons qualified to judge of them; the Scottish Council, the Scottish Parliament, Queen Elizabeth and her Council; who were possessed of a great number of Mary's genuine letters. 11. He gave Mary herself an opportunity of refuting and exposing him, if she had chosen to lay hold of it. 12. The letters tally so well with all the other parts of Mary's conduct during that transaction, that these proofs throw the strongest light on each other. 13. The Duke of Norfolk, who had examined these papers, and who favoured so much the Queen of Scots that he intended to marry her, and at last lost his life in her cause, yet believed them to be authentic, and was fully convinced of her guilt. This appears not only from his letters above mentioned, to Queen Elizabeth and her Ministers, but by his secret acknowledgments to Bannister, his most trusty confident. In the conferences between the Duke, Secretary Lidington and the Bishop of Ross, all of them zealous partizans of Mary, the same thing is always taken for granted. Indeed the Duke's full persuasion of Mary's guilt, without the least doubt or hesitation, could not have had a place, if he had found Lidington or the bishop of Ross of a different opinion, or if they had ever told him that these letters were forged. It is to be observed, that Lidington, being one of the accomplices, knew the whole bottom of the conspiracy against King Henry; and was besides

a man of ſuch penetration that nothing could eſcape him in theſe matters. 14. Mary refuſed to anſwer to the charge concerning the genuineneſs of theſe letters. The only excuſe for the ſilence is, that ſhe ſuſpected Queen Elizabeth to be a partial judge: It was not indeed for the intereſt of that Princeſs to acquit and juſtify her rival and competitor; and we accordingly find that Lidington, from the ſecret information of the Duke of Norfolk, informed Mary, by the biſhop of Roſs, that the Queen of England never meant to come to any deciſion; but only to get into her hands the proofs of Mary's guilt, in order to blaſt her character. But this was a better reaſon for declining the conference altogether, than for breaking it off upon frivolous pretences, the very moment the chief accuſation was unexpectedly opened againſt her. Though ſhe could not expect Elizabeth's final deciſion in her favour, it was of importance to give a ſatisfactory anſwer, if ſhe had one, to the accuſation of the Scottiſh Commiſſioners. That anſwer could have been diſperſed for the ſatisfaction of the public, of foreign nations, and of poſterity. And ſurely, after the accuſation and proofs were in Queen Elizabeth's hands, it could do no harm to give in the anſwers. Mary's information, that Queen Elizabeth never intended to come to a deciſion, could be no obſtacle to her juſtification. 15. The very diſappearance of theſe letters is a preſumption of their authenticity. That event can be accounted for no way but from the care of King James's friends, who were deſirous to deſtroy every proof of his mother's enemies. The diſappearance of Morton's narrative, and of Crawford's evidence, from the Cotton Library, muſt have proceeded from a like cauſe.

An objection is made to the authenticity of the letters, from the vote of the Scottiſh Privy Council, which affirms the letters to be written and ſubſcribed by Queen Mary's own hand; whereas the copies given into the parliament a few days after, were only written, not ſubſcribed. But it is not conſidered that this circumſtance is of no manner of force. There certainly were letters, true or falſe, laid before the Council

Council, and whether the letters were true or falſe, the miſtake proceeds equally from the innaccuracy or blunder of the tranſcriber. The miſtake may be accounted for, the letters were only written by her: the ſecond contract with Bothwell was only ſubſcribed. A proper diſtinction was not made; and they were all ſaid to be written and ſubſcribed. Mr Goodall has endeavoured to prove that the letters claſh with chronology; and that the Queen was not in the places mentioned in the letters on the days there aſſigned; to confirm this he produces charters, and other deeds ſigned by the Queen, where the date and place do not agree with the letters. But it is well known, that the date of charters, and ſuch like grants, is no proof of the real day on which they were ſigned by the ſovereign. Papers of that kind commonly paſs through different offices: the date is affixed by the firſt office, and may very long precede the day of the ſignature.

"The account given by Morton of the manner in which theſe papers came into his hands, is very natural. When he gave it to the Engliſh Commiſſioners, he had reaſon to think it would be canvaſſed with all the ſeverity of able adverſaries intereſted in the higheſt degree to refute it. It is probable that he could have confirmed it by many circumſtances and teſtimonies, ſince they declined the conteſt.

"The ſonnets are inelegant; inſomuch that both Brantome and Roſard, who knew Queen Mary's ſtyle, were aſſured when they ſaw them, that they could not be of her compoſition. But no perſon is equal in his productions, eſpecially one whoſe ſtyle is ſo little formed as Mary's muſt be ſuppoſed. Not to mention, that ſuch dangerous and criminal enterpriſes leave little tranquillity of mind for elegant poetical compoſitions. In a word, Queen Mary might have eaſily conducted the whole conſpiracy againſt her huſband, without opening her mind to any perſon except Bothwell, and without writing a ſcrap of paper about it: but it was very difficult to have managed it ſo that her conduct ſhould not betray her to men of diſcernment. In the pre-

ſent

ſent caſe, her behaviour was ſo groſs as to betray her to every body; and fortune threw into her enemies hands, papers by which they could convict her. The ſame infatuation and imprudence, which happily is the attendant of great crimes, will account for both."

Theſe arguments of Mr Hume, as well as thoſe urged by Dr Robertſon in his Diſſertation, have been replied to at conſiderable length by Mr Tytler in his Hiſtorical and Critical Review, &c. He obſerves, what indeed muſt be remarkably ſtriking to every one who conſiders the matter, that it is amazing how Mary ſhould commit to writing ſuch palpable evidence againſt herſelf; and it muſt ſurpriſe no leſs how Bothwell, to whom the letters are addreſſed, ſhould keep them in his hands. But theſe preſumptions, though they naturally excite ſtrong ſuſpicions againſt the authenticity of the papers in queſtion, do not amount to any poſitive proof. As it is abundantly evident, however, that no woman of common prudence or modeſty would have written ſuch letters, and it is certain, that they paſſed through the hands of the Earl of Morton, who was Mary's inveterate enemy, it is neceſſary to examine minutely into the circumſtances of this alleged diſcovery.

In this examination it is very remarkable, that though Morton was preſent at the trial of Dalglieſh who was executed for the King's murder, and from whom Morton is ſaid to have received the box, yet not a ſingle queſtion was aſked him about a matter of ſuch importance. It was natural to think that as Dalglieſh had been apprehended only ſix days before, that he would have been confronted by the perſons who took him, and aſked, at leaſt, what orders he had received from his maſter, Bothwell, about it; and as this was not done, it gives conſiderable ſuſpicion that it was not then prudent to put ſuch queſtions.

The letters themſelves did not appear till the 4th of December 1567; when an act was ſubſcribed by the Earls of Murray, Morton, and others of that party, declaring that their riſing in arms, taking the

Queen

Queen prisoner, and confining her in Lochlevin castle, was on account of these letters, written and *subscribed* by the Queen. Nevertheless, only ten days after, Murray's first parliament justify the proceedings of the Lords, because the letters were written "wholly with her own hand." This contradiction betwixt the two accounts is so glaring, that Mr Hume was reduced to the necessity above mentioned, of ascribing it to the blunder of the clerk. To this Mr Tytler replies, that the papers said to be written and subscribed by the Queen's hand, are the "privy letters written and sent to James Earl of Bothwell." These words can by no means apply to a contract; nor is there the smallest reason to imagine that the framing of two such important acts would have been left to a clerk. It is certain that the letters produced before the parliament had no signature; though Murray, Morton, and other conspirators asserted, before the Secret Council, that they were subscribed as well as written. Mr Tytler accounts for this contradiction in the following manner: "The ardour of the forgers, to make the letters to Bothwell fully conclusive against the Queen, might very naturally prompt them at first to affix her subscription to them, and in this shape they were asserted by Murray, Morton, and others, before their own Secret Council, to be *written and subscribed with her own hand.* But after these cunning politicians came to consider deliberately, That "those horrible letters, (to cite the opinion of the English Commissioners in their own words) contained such foul matter, and abominable to be either thought of or written by a prince;" upon cool reflection, that it might shock the credulity of many people to believe, that the Queen would not only be so wicked as to write such letters, but even so far deprived of common sense as to put her name to them; they might very naturally, in the copies they produced before the Parliament, sink the subscription, and, in place of mentioning the letters to be written and subscribed by the Queen, substitute *written wholly by her own hand;* in which form they ever afterwards appeared."

Whether

Whether this account of the matter will be more satisfactory than that of Mr Hume, we muſt leave the reader to determine. On the latter, however, we cannot help remarking, that by Mr Hume's extreme readineſs to ſolve this contradiction, in favour of Mary's accuſers, he muſt evidently have prejudged the cauſe, and been willing at all events to find that unfortunate princeſs guilty. No concluſion can be drawn from contradictory evidence; and indeed Mr Hume himſelf ſeems to give up the letters by informing us, that Murray and his party had abundance of evidence againſt the Queen, without making any uſe of them.

Our author next obſerves, that the letters were not mentioned from December 15, 1567, till the month of October, 1568; and at this time they were not produced publicly, but ſhewn at a private conference by Buchanan, Lethington, and M'Gill, in a ſecret conference with the Biſhop of Roſs and others, on the part of Queen Mary, in preſence of the Duke of Norfolk, the Earl of Suſſex, and Sir Ralph Sadler, as Commiſſioners for the Queen of England. At this conference they proteſted that they did not ſhew the letters to the Engliſh noblemen as Commiſſioners, but for their inſtruction; after the declaration of ſuch circumſtances as led and induced to vehement preſumption to judge the Queen guilty of the King's murder. Thus they had the advantage of calumniating the Queen, at the ſame time that they refuſed openly to bring forth the proofs of her guilt, though called for by the Commiſſioners at that time. It was on this occaſion that Mary, in the inſtructions to her Commiſſioners, complained that there were people in the kingdom who could forge her hand; and that theſe forgers were "principally ſuch as were in company with themſelves," meaning the conſpirators.

The letters being thus ſhewn *privately*, an abſtract of their contents was next drawn up and ſent to Elizabeth, which is ſtill extant; and on this proceeding Mr Tytler very juſtly obſerves, that it "has too much the air of aſſaſſination;" and he obſerves that Dr Robertſon paſſes it over entirely in ſilence. It is plain

plain, however, as our author alſo very juſtly obſerves, that by ſuch proceedings the Engliſh Court ſhewed no inclination to adopt a plan for ſaving Mary's honour, and that even at this time the Duke of Norfolk was the dupe of Murray, who ſoon after betrayed him.

The conferences betwixt the Commiſſioners from both kingdoms being adjourned to Weſtminſter, Murray and his party were graciouſly introduced to Elizabeth, and on the 26th of November gave in their accuſation againſt their Sovereign. Mary being informed of this proceeding, demanded alſo to be introduced to the preſence of the Queen of England; but this was refuſed, until ſhe ſhould clear herſelf from the accuſations of her ſubjects, at the ſame time that Elizabeth declared that ſhe would receive proof upon theſe accuſations.

It is difficult, nay impoſſible, to read an account of ſuch ſhameful partiality without indignation. The Queen accuſed her ſubjects of crimes of a *public* nature, viz. Treaſon and rebellion; and theſe needed no proof; for the taking up arms againſt their ſovereign, impriſoning, and then driving her out of the kingdom, were matters ſo notorious, that all the world knew of it. On the other hand, Mary was accuſed by them of crimes in her *private* capacity as a woman, and as a wife; and however enormous theſe might be, her ſubjects had not any right to try her, much leſs to puniſh her firſt, and then attempt to prove her guilt, which they moſt certainly did. Elizabeth, therefore, ought to have admitted none of the parties into her preſence; or to have admitted both. Nay, though Mary had been admitted, the Earl of Murray ought at any rate to have been refuſed, as being the arch-rebel, who had aſſumed the ſovereign authority, and whoſe crimes againſt the ſtate could not be palliated even for a moment. It is no wonder, therefore, that the Scots Commiſſioners inſtantly broke up the conference. They remonſtrated againſt the proceeding as "a prepoſterous order, never uſed in any treaty or conference, yea, not even in caſes of judicial procedure, to receive probation before the party was heard

heard to anſwer the allegiance, and eſpecially in ſo weighty a cauſe. They, therefore, proteſted, that no further be proceeded in this conference."

This piece of partiality was inſtantly followed by another. Though Elizabeth had nothing farther to do in the matter, after this declaration of the Scots Commiſſioners, yet reſolved not to let her eſcape whom ſhe ſo much hated; ſhe demanded, at that very meeting, from Murray and Morton, the proofs they had of Mary's guilt; in conſequence of which, the box with the papers and ſonnets were immediately put into her hands, along with the depoſitions of Hay, Hepburn, Dalglieſh and Powrie, four of the ſervants of Bothwell; who, though they all concurred in accuſing their maſter, yet none of them pretended to lay any thing to the charge of the Queen; nay, it was aſſerted by their friends, and not denied by the oppoſite party, that all of them concurred in declaring her innocence.

Thus, again, it appears contrary to Mr Hume's aſſertion, that the conſpirators had no evidence whatever to produce beſides the letters in queſtion; and it was their intereſt to defend them to the utmoſt of their power; and, in this moſt important point, they were ſo intolerably defective, that the ſingle affirmation of Morton, giving an account of the way in which they came into his poſſeſſion, is all that they have to produce.

Morton affirmed that he got them in the way already mentioned, from Dalglieſh, Bothwell's ſervant; and Crawford, a dependent of the Earl of Lennox, gave his teſtimony in favour of meeting with Mary, and ſome other incidents of little conſequence. But here, Mr Tytler obſerves, that whoever did write the letters, would take care to inform himſelf of every circumſtance he could which might ſerve to eſtabliſh the credit of his narrative. Hume himſelf takes notice that Crawford was informed by Darnly of a converſation which paſſed between the Queen and him; and if he, as a huſband, was ſo ſilly as to inform others of the diſcourſes he had in private with his wife, it is no wonder to find her enemies poſſeſſed of the know-

ledge of many particulars which otherwiſe they would not have known. Surmiſes, calumny, and ſcandal, would furniſh a great deal more; and it was eaſy to fabricate a letter, in which the Queen ſhould own the truth of what, perhaps, the letter-writer himſelf was the inventor, and of which ſhe never heard.

Our author has already taken notice of the ſtrange behaviour of Morton in not confronting Dalgliesh with the witneſſes who ſeized the box; but this deficiency was ſtill more manifeſt in his not calling in a witneſs, who was living at that time, though Dalgliesh had been hanged ſoon after his confeſſion of the murder of the King by Bothwell. This was one Paris, or Nicholas Hubert, a ſervant of Bothwell, mentioned in one of the letters, and who is ſaid to have been the perſon intruſted to carry the letters from the Queen to Bothwell. "This man, ſays our author, had been kept in cloſe confinement in St Andrews all this time. Now, when one ſees the remarkable care and attention of the party in collecting every circumſtance which they ſuppoſed could be matter of proof againſt the Queen, in ſupport of their accuſation, their penury of proof notwithſtanding, and the pinching neceſſity of ſupporting the only evidence they had (that of the letters) by the bare and ſingle affirmation of Morton himſelf, the Queen's accuſer and moſt inveterate enemy, it is impoſſible to overlook, without the ſtrongeſt ſuſpicion, their omitting to have produced ſo very material an evidence as this Frenchman, in perſon, to have anſwered to the queſtions of Mary, or her Commiſſioners, before the Engliſh Council, and to the part aſſigned to him in the letters themſelves.

"Mr Hume has been very ſenſible of this defect of Murray's, in not calling upon Paris, and he endeavours to ſupply it in a pretty extraordinary manner. "On giving in the letters, (ſays he) Murray fortified "this evidence by ſome teſtimonies of correſponding "facts; and he added, ſome time after, the confeſſion "of Hubert, or French Paris, a ſervant of Bothwell, "who had been executed for the King's murder; and "who directly charged the Queen with being acceſ-

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"fary to that criminal enterprise." He afterwards adds "It is in vain at present to seek for improba-"bilities in this confession: it was certainly a re-"gular judicial paper, given in regularly and judi-"ally, and ought to have been canvassed at the "time" From this account Mr Hume would make one believe, that that piece of evidence, Paris's confession, had been given in by Murray a few days after the letters, at least while the conferences subsisted; yet nothing can be more false. The conferences broke up, and the Earl of Murray and his party got licence from Queen Elizabeth to return home to Scotland, in January 1568-9. Paris, after lying in close confinement till August 1569, was then put to death; at which time it is pretended he made these confessions against the Queen."

Mr Tytler now considers the subsequent conduct of Mary, and vindicates it from the censures of Dr Robertson, by whom she is blamed for proceeding any farther in the matter. The Doctor condemns her also on account of an accommodation which Lord Herreis had proposed with Murray and his party, as a tacit acknowledgment of her own guilt; but, though Mr Tytler agrees that this proposal was made at a very improper time, he observes that it ought not to be imputed as any presumption against Mary; because both Herries and Ross declared that it was made without her knowledge, and the accusers had not then produced any part of their proof. Her subsequent conduct, he thinks, was the best she could possibly make of matters as they stood. Her accusers had taken care to produce their proofs already to Elizabeth, and though her Commissioners had declined any further conference, she still continued to proceed. For this reason Queen Mary wrote a letter to her Commissioners, dated 19th December, 1568, desiring the inspection, and copies of the letters and papers which had been produced against her. Instead of this, however, Elizabeth only desired an *extract*, or summary of the contents of them to be given her; and whatever this was, Mr Tytler supposes it was no more than a copy of her accusation. No other answer could now be returned by Mary than that the

letters were forged; and she again insisted for an inspection of the original letters, and to have copies of them, in which case, she would make the forgery manifest. Even the copy, however, though from a copy no forgery could have been detected, was constantly denied her. Instead of this, Elizabeth *modestly* proposed that Mary should resign the crown in favour of her son, and remain in England as a private person. Even this proposal was in contradiction to what she herself had said before the box and letters were produced; for then she was of opinion that it was inconsistent with Mary's honour and innocence to have the matter ended by appointment; and now when the proofs against her were produced, the perfidious English princess absolutely refused her an opportunity of vindicating her innocence.

The answer made by Mary to this ignominious proposal shewed at once her high spirit and conscious innocence. She was determined rather to die than submit to such an indignity, and the last words of her life should be as Queen of Scotland. She was now determined, though justice could not be expected at the hands of Elizabeth, to vindicate her innocence, and to prove that Murray, Morton, and Lethington, whom she had already publicly accused, were the devisers and perpetrators of the murder. This, however, was totally inconsistent with the views of Elizabeth. She had encouraged Murray and his party publicly to accuse their sovereign, and had got into her hands what they called a proof of her guilt. She was assured that this proof would be sustained by the world as genuine, until it was exposed, and its fallacy detected; but, as Elizabeth had no mind that this should be done, it was now time to dismiss Murray and his associates, both to prevent Mary from vindicating herself, and likewise to free them from a dangerous attack from her.

The farce, however, was still carried on. The traitors desired to know whether the Scots Commissioners would accuse them personally. To this they replied, that they had already been commanded to accuse the Earl of Murray, and his adherents, by letters under

under the Queen's signet; that they had already given in their accusations, and would abide by them, as well as by the defence of the Queen's innocence; and as soon as they were furnished with copies of the letters, &c. they would enter upon particulars. This resolute way of proceeding proved so disagreeable to Murray and his accomplices, that the very next day they desired leave to depart for Scotland, which was very readily obtained. The day following, the Bishop of Ross and Lord Herreis were acquainted by Secretary Cecil, that Elizabeth would not refuse the copies of the letters, provided Mary would send a letter signed with her own hand, promising to answer to the charges contained in them. The Scots Commissioners instantly replied, that this had already been done by two writings shown and read in presence of Elizabeth herself, in which she offered to answer upon certain conditions there expressed; "so being that she might have the writings, or at least the copies of them." Cecil made no answer; indeed it was difficult to invent an answer on such a trying occasion. Mary's Commissioners, however, took the opportunity of complaining in name of their mistress, that "the Earl of Murray and his adherents, who had been publicly accused by the Queen, were allowed by the Queen of England to depart for Scotland, without abiding to hear Queen Mary's defence of her innocence, or to answer to her charges against themselves. In which case it was but reasonable to allow the Queen to depart also; the injustice being apparent of detaining the one in England, and allowing the others to go off."

The answer given to this reasonable demand was, that Murray had promised for himself and his company to return to England whenever the Queen should call him; but in the mean time their mistress could not be suffered to depart for many reasons.

"In this manner, says our author, did Murray and Morton, with their box and letters, withdraw from the conferences in England. What became afterwards of the letters, we know not. They are now lost, or have been destroyed, nobody knows how. This

we are certain of, and have seen, that Queen Mary, notwithstanding her frequent assertions that they were forged by her accusers, and her repeated earnest supplications, both under her hand and by the mouth of her Commissioners, to see the letters, to answer them, and prove the forgery upon Murray, and Morton, could not prevail in so reasonable a request. And, to her dying hour, these very letters upon which only, at this day, her enemies pretend to found any proof of her guilt, were most industriously hid from her, and at last buried forever in the same pit of darkness from which they had at first emerged."

Mr Tytler having thus set forth, in a strong point of view, the ignominious manner in which Queen Mary was treated by the perfidious Elizabeth, and her no less treacherous allies, Murray, Morton, &c. proceeds to point out a contradiction in Hume's account of the matter. That historian informs us that Mary absolutely refused to answer by her Commissioners to the charges produced against her; for which they gave this "extraordinary reason;" that as their mistress was a Sovereign princess, she was not accountable to any tribunal; and they required that she should be previously admitted into Queen Elizabeth's presence. He tells us also, that Elizabeth had always pretended to enter into the conferences only as the friend of Queen Mary, and by her own consent; without assuming any jurisdiction over her; in which case, when she refused to answer, no more could be done in the matter.

"If this, says Mr Tytler, was a necessary consequence of Mary's refusing to answer, (unless in person, Mr Hume should have added) it may be asked, How came Elizabeth, notwithstanding, to proceed in the trial, in absence of both Mary and her Commissioners? Was not this the height of partiality in this pretended friend of Mary, to hear her enemies by themselves, or to receive any thing from their hands as sufficient proof against her, upon their word only? And, when she did so, ought she not in common justice, to have communicated the same to Mary?"

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Mr Hume further informs us, that besides the letters and sonnets, Murray fortified his charge by certain corresponding facts and testimonies, to which he added, "some time after, the dying confession of Hubert, who *had been* executed for the King's murder, and directly charged the Queen, &c." "Would not any one, says Mr Tytler, believe, from this account, that Hubert had been hanged before the time here spoken of by Mr Hume, and that his confession was produced during the conferences; and yet we have seen that Hubert was alive all the time of the conferences, and no confession from him, nor the least mention made of his name for ten months after they broke up."

Mr Hume goes on to assert, that Mary's Commissioners had endeavoured to avoid this dilemma; and, being unable to answer satisfactorily, gave no answer at all, but broke up the conferences; and he considers this *recoiling from the enquiry*, as he calls it, to be an undeniable proof of Mary's consciousness of her guilt. In answer to this, Mr Tytler quotes the record dated at Hampton-Court, December 25, 1567. This paper sets forth, that on that day Mary's Commissioners declared, that their mistress could not suffer their slanderous accusations to remain *unanswered;* but *would answer* them in defence of her own innocence, and in accusation of them as authors, inventors, and executioners of the King's murder. "Which being read before her Majesty and her council, they most humbly desired her Majesty to cause them have such writings as were produced against their mistress by her adversaries."

As Mr Hume undoubtedly perused this record, it is by no means easy to see how he could fall into such a strange mistake; but Mr Tytler observes, that his account is directly contradicted almost in every sentence of the records, which it appears, he himself has perused. "At the same time, adds our author, it is easy to perceive the poor evasion that Mr Hume pretends to make for this so strange a detail. *1st*, That Mary had insisted to confront, personally, Murray and Morton, her accusers, in presence of Elizabeth, the whole English nobility, and foreign ambassadors; which

which Mr Hume is pleased to say, was such a request as could not be granted: and, *2dly*, That, this request being refused, Mary's Commissioners had protested against all further procedure, on the 9th of December; the conferences, therefore, according to Mr Hume, were from that minute, as he has said above, finally broken off. But this is such a pitiful shift, in which our author has followed Anderson, who breaks off his Collections, and gives us no more of the proceedings of the English Council after the 16th of December 1567. Mr Hume has told us, that Elizabeth only entered into these conferences as the friend of Mary, and by her own consent, without assuming any jurisdiction over her. In consequence of this Mary demands to be personally heard, upon her defence, to confront and interrogate her accusers in presence of all the world: A demand, that, without regard to Mr Hume's opinion, will, I presume, be thought a most just and necessary one. Elizabeth refuses it: Mary's Commissioners, on so manifest a partiality, protest against all further procedure in the matter. What follows: Do the conferences finally break up? No, 'tis quite otherwise: On the 16th of December 1567, Elizabeth "would not consent that any of the Scots Commissioners should depart the kingdom before the end of this conference." She allowed Murray and his associates to proceed, and produce the proof of their accusation; and, twelve days after the protest, she wrote to Mary, and advised her to make answer. This Mary had determined to do, before the date of Elizabeth's letter of the 21st of December; and had already written her resolution to her Commissioners, on the 19th of that month, to have inspection of Murray's proof, and doubles of all the writings; "and, with God's grace, (says she) I shall make such answer to their accusation, as my innocence shall appear, and their guilt." It is plain, therefore, that as the conferences were entirely founded on the consent of parties, allowing that Mary's Commissioners, or even that she herself had broke them off, yet, as Murray and his associates, on their part, were still going on before the English Council,

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it was ſtill in Mary's power to resume her defence, as Elizabeth herſelf deſired that ſhe ſhould do; and which ſhe did accordingly, in the ſtrongeſt manner, by letters under her hand and ſignet. We alſo ſee, from the records of Queen Mary's regiſter, that the proceedings at Hampton-Court were both frequent and regular: On the 10th of January 1568-9, at Queen Elizabeth's command, Cecil, her ſecretary, declares to Murray and his accomplices, that "There had been nothing ſufficiently produced, nor ſhewn by them againſt the Queen their ſovereign, whereby the Queen of England ſhould conceive or take any evil opinion of the Queen her good ſiſter, for any thing yet ſeen." On the 11th of January 1568-9, Murray, Morton, and their adherents, were publicly accuſed by Queen Mary, for being guilty of the King's murder; and notwithſtanding which, the very next day, Murray and his adherents got public licence to depart; the conferences were continued from day to day, until the 2d of February 1568-9."

Mr Tytler next proceeds to a more particular conſideration of the genuineneſs of the letters in queſtion. From the above ſtate of the caſe, the partiality of Queen Elizabeth to the enemies of Mary is evident. That ſhe had ever any intention of vindicating the honour of the Scottiſh princeſs is abſolutely incredible; ſince every ſtep ſhe took tended more and more to blacken her; and having now, as ſhe pretended, got the proofs of her guilt into her hands, they were not long in being circulated. Copies of the *Love Letters* and *Sonnets* were publiſhed to the world; but though there is no doubt that Mary would in this way procure copies as well as others, yet it was impoſſible to give any other anſwer than by a ſimple denial, and by ſetting forth in as ſtrong terms as poſſible the circumſtances which tended to ſhew the improbability of her being guilty; and this undoubtedly was done over and over, though without any good effect. What the biſhop of Roſs ſaid concerning them has already been taken notice of. He mentions alſo the dying confeſſion, but differs widely in his account of it from what is recorded by the enemies of Mary;

Mary; for he tells us, that, "at his execution, he took it upon his death, as he ſhould anſwer before God, that he never carried any ſuch letter, nor that the Queen was participant, nor of council in the cauſe."

From this time, theſe letters were no more heard of, till the time that Buchanan publiſhed his Detection, which Mr Tytler dates in 1571, though Anderſon makes it a year later. The box with the originals, have long been loſt, the French copy which is now extant, has been ſuppoſed to be taken from the original, and underwent ſeveral editions as ſuch; but Mr Goodall has endeavoured to ſhew, from a conſideration of the letters themſelvse, and by comparing the different copies with one another, that they cannot poſſibly be genuine.

His arguments are reduced by Mr Tytler, to the following. 1. The letters ſaid to be written in French by the Queen, as now extant, have been held by all parties as true copies of the originals produced by Morton. Buchanan not only had them in his cuſtody, but tranſlated the three firſt of them into Latin; and the Scots copy contained eight letters, with the love verſes. A French tranſlation of Buchanan's Detection, was printed at London in 1572, under the name of Thomas Waltam; but there never was any printer of that name in Scotland. 2. By comparing thoſe different copies together, Mr Goodall has ſhewn, that inſtead of the Scots and Latin being tranſlated from the French, the latter is plainly a tranſlation from the Latin, and the Latin from the Scots. 3. The Latin tranſlation is full of errors; and as often as theſe occur, the French always follow them. 4. As often as there happens to be a blunder in the Scots copy, both the Latin and French follow it; of which among ſeveral others we ſhall mention the following very remarkable one The Queen is made to ſay, that ſhe was going to ſeek her reſt till to-morrow; when, ſays ſhe, I ſhall end my *bible*, in place of her *bill*, a word uſed commonly at that time for any kind of writing. Both the Latin and French copies have this blunder in them; and it is abſolutely certain, that it would not have originated in the French;

French; so that this single circumstance shows, almost decisively, that the letters have been fabricated. 5. Mr Goodall has proved so clearly, that the letters we have at present are translations from Buchanan's Latin and the Scots copy, that even Mr Hume and Dr Robertson have been obliged to own, that the original copies are lost; and that the French are palpable translations from the Latin and Scots.

Our two learned historians have endeavoured to evade the force of this argument, in the following manner: "The original letters, say they, are lost, and we know nothing of them." Mr Tytler cites the following passage from Robertson's Dissertation in answer to Goodall. "All this author's premises may be granted, and yet his conclusions will not follow, unless he likewise prove, that the French letters, as we now have them, are a true copy of those which were produced by Murray and his party in the Scots parliament, and at York and Westminster; but this he has not attempted." Mr Goodall is obliged to the learned Doctor for having done it for him in his Dissertation, by fairly acknowledging that Buchanan made his translation not from the French, but from the Scots copy. The historian here ingenuously tells the truth, though, perhaps, he was not aware of the consequences. Had there been any other French letters than the present, what occasion had Buchanan for the Scots, when he himself must have had possession of the originals? Buchanan was actually one of the assistants appointed to the Scots Commissioners, and intrusted with the conduct of the whole process, and did, with Lethington, M'Gill, and Wood, a Lord of the Session, exhibit the original letters, and explain their contents in private to the English Commissioners. Buchanan could not have lost or mislaid them, because it is evident from Mr Anderson's account, that these letters were translated by Buchanan at London, during the time of the conferences.

It now becomes very reasonably a matter of question whether any letters besides those which we now have, ever existed. "Surely, says Mr Tytler, it is a fair conclusion to assert, that, if they did not exist with

with Buchanan, they did not exist at all; and if the Scottish Commissioners, who were said to produce them, never saw them, nobody else ever did. It cannot be pretended that Buchanan did not understand the French. He passed most of his life in that country, and taught a school there. Indeed, since the Doctor has been driven to deny that the French letters are true copies of the originals, by all the rules of proof and criticism, it was his business to produce these originals. But, how is it possible to fix men, who, after having, for two hundred years, quoted and insisted on these letters as originals, and have even commended the elegancy of their composition, on finding themselves forced to give them up, have now recourse to other letters, which they acknowledge to be lost; and now pretend to say never were seen, even by Buchanan himself who was employed by the public to produce them. None of the adversaries of Queen Mary ever pretended that the present French letters were vitiated translations. Not even Morton himself, nor Buchanan, who lived many years after their publication, ever said so; which it was incumbent on them to have done; neither did any body ever pretend that they were vitiated, before Mr Goodal demonstrated them to be so. It is incumbent, therefore upon those who insist on their authenticity, to produce the originals. Mr Hume tells us that "it is in vain at this day, to object to the letters; they were regularly and judicially given in, and ought to have been canvassed at the time." Had the Queen remained silent at the time when Murray produced these letters, there is no doubt that the argument would have held good; but this was by no means the case. On the contrary, she endeavoured by repeated supplications, to have them for the inspection of herself or her friends; in which case she would have undertaken to prove forgery; but so far was this from being the case. that the box with its contents were sent back in haste to Scotland with Murray and Morton, and what they did with them nobody can tell.

"But now, that it is said the original papers are lost, how is it possible to make good the accusation against

against the Queen? By copies it would appear. Let it be so; these copies have now been examined, and detected to be vitiated in such a manner, as it is forced to be acknowledged, that the Queen could not have written such letters. We are now told, that although the letters extant at present cannot be said to be either the originals, or copies from the originals, yet they are translations from translations, at the third hand. "The French translator declares that he translated them from the Latin." He says, indeed, that, having no manner of knowledge of the Scots language, he chose rather to express all that he found in the Latin. That this could not comprehend all the letters is plain, because only three of them were put into Latin by Buchanan, and the rest were in Scots, a language which, he says, he knew nothing of. How then got he these last? But, in order to expose the deception, here it will be necessary to trace the history of the French letters for some time back. "We have already seen that Buchanan published his libel called *Detectio Mariæ*, both in the Latin and Scots languages; to which he subjoined a Latin translation of the three first letters, and all the eight letters in the Scottish language. The very next year, about the time of the Duke of Norfolk's examination, and while a treaty was carrying on betwixt Elizabeth and the King of France, it was thought proper to publish a French translation of the Detection, with all the letters, which being said to be written by the Queen in French, were surely printed *verbatim* from the originals. But this French translator has declared that "he had no knowledge of the Scots language, and therefore chose to express all he found in the Latin." But Buchanan translated only three of the letters into that language: from what hand therefore did this supposed Frenchman procure the other four letters in French? For he published seven of them that were produced by Murray and Morton. Will it be said, that after finding he could not procure copies of all the original French letters, he translated the three first from Buchanan's Latin version; and for the other four, he had recourse to some friendly

Scotſman, who tranſlated theſe into Latin, from which the Frenchman tranſlated them again into French, in the ſhape they now ſtand? How ſtrange a proceſs this? How contrary to all credibility?

"But even to make this ill-contrived tale go down, he tells a direct lie. He ſays, that *all* the French letters were tranſlated into Latin; from which language he choſe to tranſlate all that he found. From all which it ſeems pretty evident, that the affected diſguiſe and lies of this impoſtor, were contrived to make us believe, that the book was not printed in London."

Mr Tytler next proceeds to ſhew that the probable reaſons of all this deceit and lying were, that, in this year (1571), there were negociations going on for a marriage betwixt the Duke of Anjou and Queen Elizabeth. Mary had conſtantly an ambaſſador at that Court, ſoliciting her releaſe from the hands of her enemy; and, at this very period, her relation, the Duke of Guiſe, was in the height of glory and power at that Court. To defeat theſe ſolicitations, therefore, and to afford a plauſible reaſon for keeping Mary in priſon, it was neceſſary to repreſent her in the blackeſt colours poſſible to the princes on the continent; which had already been done ſufficiently in England, by the publication of ſeveral editions of Buchanan's Detection, and Mary's letters.

That this was the caſe, is extremely plain from the inſtructions given to the Engliſh miniſter at the Court of France, "It were not amiſs to have divers of Buchanan's little Latin books to preſent, if need were, to the King, as from yourſelf, and to ſome of the other noblemen of the Council, for they will *ſerve to good effect to diſgrace her.*"

Dr Robertſon has produced the teſtimony of two French writers, to prove that the book was not printed in London; but Mr Tytler has ſhown that one of his teſtimonies makes rather againſt him. The author indeed ſays, that the Latin Detection of Buchanan was tranſlated into French by one Camuz; but this nobody will pretend to diſpute; though it ſays nothing as to the place where it was printed. On the other

hand, it is plain, from his words, that it was not printed in that country, but sent thither afterwards, and dispersed through that kingdom. Nay, one of them, Blackwood, says, that it was translated and printed at Rochelle; but if that was the case, who furnished them with the materials for this translation. But wherever they were printed, there can be no doubt that the publisher must have printed them from the originals. If in London, there they were in every body's hands; and if in France, one of the author's quoted by Dr Robertson asserts that Buchanan sent over the whole to his brethren in that country.

Another argument brought by the Doctor, is, that, in the Scots translation, there was prefixed to each letter two or three sentences of the original French; which, breaking off with an *&c.* the Scottish translation of the whole followed. The French editor, observing this, foolishly concluded, that the letters had been written partly in French and partly in Scots. In answer to this, however, our author observes, that nothing can be inferred from the words of an author whose intention was manifestly to deceive; though it will by no means be easy to convince us that he was either ignorant or foolish.

The Doctor next endeavours to support his argument; by shewing that the first sentences, by the spirit and elegance in them, appear to be the only remaining parts of the original French, as written by the Queen; and what follows them are only servile translations from the Latin version of Buchanan. This, at best, must be a very vague argument, and depend on the fancy of every reader. Mr Tytler owns that, in some instances, the French has a happier turn than the Latin translation; but this proves no more than that, in a few scattered sentences, on a poor, low translation may express a thought better than an original. Mr Goodall, however, has shewn that the Scots copy is the only original one; and this by such arguments as cannot easily be refuted. We have already taken notice of the scandalous error, *bible* for *bill;* which has run through both the French and Latin. In like manner, the Scots word *irkit*,

i. e. *weary*, has been written *nakit*, and though it makes the sentence plainly nonsense, has been translated in the Latin *nundata*, and in the French *nue*.

Another argument used by Mr Hume is, that the Scottish letters are evidently a translation from some French original which we now have not; but the answer to this is obvious. In the time of Queen Mary, and long after, the intercourse between the French and Scottish nations had intermixed the language of the former with that of the latter; so that even French words were sometimes used in the language of Scotland; the remains of which are not to this day totally eradicated. Instances of this are pointed out by Mr Tytler, from many other writings; so that the argument of Mr Hume, drawn from this quarter, must fall to the ground.

Lastly, Mr Tytler considers the style of the Scottish copy of those letters, and finds a number of proverbial sentences and phrases peculiar to the language of this country, to which the French have nothing similar in their language. Both Mr Hume and Dr Robertson own, that this Scottish copy is the original of the French and Latin translations; and if there ever was any other, it is incumbent on those who take the affirmative side of this question to produce them, or at least to shew that there ever existed another copy than the present, as well as to explain in what manner this supposed original came to be lost, after being in every body's hands, both in England and Scotland, which surely must be accounted a matter of no little difficulty.

Our author now proceeds to answer particularly the arguments of Dr Robertson, of which he gives a summary; and this, through the arguments at large, are to be found in the Dissertation contained in the body of this volume, we shall here transcribe for the ease of the reader's memory. They are as follow,

"1. Murray, and his adherents, affirmed, upon their word of honour, that the letters were written with the Queen's own hand.

"2. The letters were produced in the Regent's parliament, and are mentioned in the act against Mary, as the chief argument of her guilt.

"3. They

"3. They were shewn privately to the Duke of Norfolk, Earl of Sussex, and Sir Ralph Sadler, Elizabeth's Commissioners at York, who considered them as genuine.

"4. They were believed by Elizabeth and her ministers to be genuine: They laid them before the English Council; who, on comparing them with other letters of Mary, believed them to be genuine.

"5. The Earl of Lennox, and his lady, believed Mary guilty of the murder."

Besides the Doctor produced the following internal evidences for the authenticity of these letters.

1. That "whenever a paper is forged with any particular design, the forgers take care to make it as full and explicit as may be, to avoid any appearance of uncertainty, and all kind of cavil. Forgers seldom err in proving too little, but are apt to fall into the other extreme." Had the letters in question, therefore, been forged, the Doctor thinks it probable, that instead of obscure hints, and dark ambiguous expressions, there would have been the most full and open proofs of her guilt. All Mary's advocates insist that there is nothing in the letters which amount to a proof of her guilt. It was not to be supposed, therefore, that the forgers would have been at so much needless trouble to involve themselves in guilt and danger when, after all, it did not answer their purpose.

2. Skilful forgers avoid any long details, on account of the difficulty of keeping a proper connection in a long chain of circumstances without discovering the fraud. But Mary's letters, especially the first, are filled with a multiplicity of circumstances, "extremely natural in a real correspondence, but altogether foreign to the purpose of the Queen's enemies, and which it would have been absurd to have inserted, had they been altogether without foundation."

3. The reality of several circumstances in the letters are confirmed by undoubted collateral evidence; of which the story of Crawford, gentleman to the Earl of Lennox, already mentioned, is brought as an instance. "He declared, that, during the Queen

ſtay at Glaſgow, the King repeated to him, every night, what had paſſed through the day betwixt her majeſty and him, and that the account given of theſe converſations in the firſt letter, is merely the ſame with what the King communicated to him. According to the ſame letter, there was much diſcourſe between the King and Queen concerning Mynto, Hiegait, and Walcar. This was altogether, unknown till a letter of Mary's preſerved in the Scots College at Paris, and publiſhed by Keith, diſcovered it to be an affair of ſo much importance, as merited all the attention ſhe paid to it at that time." The pain to which the Queen was ſubject in her ſide, is likewiſe mentioned in the Doctor's opinion ſo naturally, that it can ſcarce belong to any thing but a genuine production.

4. In her firſt letter, the Queen mentions her having ſat up late writing; and that ſhe had written out all her clean paper, ſo ſhe continued the writing upon a ſheet on which ſhe had formerly written notes or memorandums. "Theſe memorandums ſtil lappear in the middle of the letter; and what we have ſaid, ſeems naturally to account for the manner how they might find their way into a real letter. It is ſcarce to be ſuppoſed, however, that any forger would think of placing memorandums in the middle of a letter, where, at firſt ſight, they make ſo abſurd and unnatural appearance. But if any ſhall ſtill carry their refinement ſo far as to ſuppoſe that the forgers were ſo artful as to throw in this circumſtance in order to preſerve the appearance of genuineneſs, they muſt, at leaſt, allow that the Queen's enemies, who employed theſe forgers, could not be ignorant of the deſign and meaning of theſe ſhort notes and memorandums; but we find them miſtaking them ſo far as to imagine, that they were the credit of the bearer, i. e. points concerning which the Queen had given him verbal inſtructions."

5. "Mary, mentioning her converſations with the King about the affair of Mynto, Hiegait, &c. ſays, 'To-morrow I will ſpeak to him upon that point;' and then adds, 'As to the reſt of Willie Hiegaits, he confeſſed it; but it was the morning after my coming before

before he did it.' This addition, which could not have been made till after the converſation happened, ſeems either to have been inſerted by the Queen into the body of the letter, or perhaps, ſhe having written it on the margin, it was taken thence into the text. If we ſuppoſe the letter to be a real one, and written at different times, as it plainly bears, this circumſtance appears to be very natural; but no reaſon could have induced a forger to have ventured upon ſuch an anachroniſm, for which there was no neceſſity."

In anſwer to theſe arguments, Mr Tytler obſerves, 1. That the exhibition, and collation of theſe letters was made entirely by the Queen of England and her Council, along with Murray, Morton, and the reſt of the Queen's adverſaries; and that upon Mary and her Commiſſioners inſiſting for a ſight of them, or for copies, they were inſtantly ſent off to Scotland; which conſideration undoubtedly cuts off every argument that can be drawn from the words of Murray or Queen Elizabeth.

1. Though the eagerneſs of a forger would naturally have hurried him on to make the letters quite explicit with regard to Mary's acceſſion to the murder, the obſervation cannot be ſaid to hold univerſally. Had a ſingle perſon been the author of theſe letters, no doubt it might have been allowed to hold good; but it muſt be conſidered that Murray, Morton, Lethington, and Buchanan, are ſaid to have been the actors in this ſcene, to which ſociety we cannot poſſibly aſcribe much of the raſhneſs in queſtion. One inſtance, however, of this raſhneſs has been given in their producing letters with a ſubſcription annexed to them; and afterwards others without it. Conſidering afterwards, however, that to affix a ſignature to ſuch ſhameful letters would have a ſuſpicious appearance, they afterwards ſuppreſſed this copy, and produced others, the only mark of authenticity of which was, their being wholly written with the Queen's hand.

The Doctor, our author obſerves, has ſhown no great impartiality in drawing an argument againſt the

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Queen from the apology made by her friends that the letters were not conclusive. He asks, what could any person have done more than to insist on being being brought personally before Queen Elizabeth, the nobility of England, and the foreign ambassadors, to plead her cause in person. She asserted, in the strongest language, that the letters were forged by Murray, and his agents, and that she would prove it; nor can we suppose that they would have denied the charge in more energetic terms, than it was urged home upon them by her advocate the bishop of Ross.

2. and 3. In answer to what is said, that the contents of the letters were natural, and that they were replete with many incidents known to be true, Mr Tytler considers the plan which the manufacturers of these letters must necessarily have followed. One of their first steps must have been to get good information of the Queen's situation at the time, with an account of those who were about her person, and what occurrences happened in her presence. In all this there was no difficulty. Murray, Morton, and Lethington, were all in the Queen's confidence and none of them could be ignorant of her having a pain in her side; and we have already taken notice of the way in which Crawford procured his intelligence, so that his testimony could not in the least have proved the letters to be genuine, but rather the contrary. It is remarkable that this person declared, not only that he was told every word by the King, of what passed between the Queen and him in conversation through the day, but that he wrote down every word, that he might be the more ready to give an account of it whenever the Earl of Lennox should think proper to call upon him to do so. Now, says Mr Tytler "Let me ask why this exactness to write down what he could tell Lennox, who was himself at Glasgow, by word of mouth, the next minute? And, for what end did he keep these writings by him after he had told them to Lennox? From inspiration or foresight, no doubt; that, some years after, he would be called upon to relate over again these conversations to Queen Elizabeth and her Council, to give faith to letters, which

which at the time that he set down his notes did not exist."

From all this it appears, that there was not in this letter any thing but what was either publicly known, or publicly reported at the time; so that, unless the letter-writer had discovered something which could not have been known without it, there cannot be the least reason to suppose, from its contents, that it is genuine; *private* letters are not usually written about public conversations, or common reports. One exception, indeed, is made by the Doctor, viz. the affair of William Hiegait, Mynto, and Walcar, which, he says, remained altogether unknown, till a letter from the Queen to the Archbishop of Glasgow, published by Keith, discovered it to be an affair of importance. Were this information just, there is no doubt but it would be acknowledged to have great weight. But so far is this from being the case, that from the contents of the letter, it appears that the matters spoken of in it had already been circulated all over the country. The matter was, that this William Walcar, a servant to the Archbishop of Glasgow came to the Queen at Stirling and declared, that it was openly reported, that the King designed, with the assistance of the nobility, to crown his son, and assume the government in his own hand; and, being pressed upon the subject, he named William Hiegait as his author. But on their examination before the Council, both of them denied separately, as well as when confronted together; only Walcar confessed that he heard a report of a design to imprison the King.

Thus the arguments for the authenticity of the letters in question, drawn from their contents hitherto divulged, fall to the ground. The most remarkable of all, however, yet remains, viz. Concerning the notes and memorandums in the middle of the first letter. This argument is taken from a passage in that letter, where the Queen is made to say "Excuse that thing that is scribbled; I had no paper yesterday, when I wrote that of the *memorial*." For lack of paper, then, says the Doctor, she was obliged to continue her letter

ter upon a ſeparate paper, upon which ſhe had written down her notes and memorandums, which is a circumſtance that no forger could poſſibly have thought of. "I owe, ſays Mr Tytler, that this obſervation is ingenious, and ſhews with what attention the acute diſſertator has ſcrutinized this matter. But, high as my opinion is of this gentleman's penetration, I cannot give him the preferance to his friends Murray, Morton, Lethington, and Buchanan, whoſe talents for conducting ſo dark an affair, I am of opinion, could not be exceeded by any perſon. To make out his argument, therefore, we muſt believe, as the diſſertator tells us, that the above four ſage politicians, who were poſſeſſed of the letters, and knew every circumſtance that is mentioned in them, or relating to them, and ſo recent as within a few months of their ſuppoſed date, were ſo entirely ignorant of their contents, that they made a blunder in explaining their meaning to the Commiſſioners at York, which blunder this ingenious gentleman, at the diſtance of two hundred years, has now diſcovered and ſet to rights. The Queen is made to refer Bothwell to the bearer of the letter for full information as to ſeveral things which ſhe had not time or intention to treat fully of. "Upon this point, ſays the writer of the letter, the bearer will ſhew you many things" Again, "this bearer will tell you the reſt; and if I learn any thing here, I will make you *memorial* at even." The letter is made to be written at different times, in the ſpace of two days: and, at the concluſion of each night's writing, there is added a few notes, profeſſedly a recapitulation of the preceding heads of the letter; and at the end of this letter, the Queen is made to ſay, "Excuſe that thing is ſcribbled, for I had not paper yeſterday when I wrote that of the memorial." I aſk the reader now, Is it poſſible to apply this to any other memorial, than that of the many ſmall things concerning which ſhe referred Bothwell to the bearer to explain to him fully? This is the plain ſenſe of the words themſelves, and in this ſenſe only did Lethington and Buchanan explain them in their conference with the Engliſh Commiſſioners at York. The memorial there meant

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"is in the credit (ſay they) given to Paris the bearer." Can any thing be more natural than this? "But, ſays our author, theſe gentlemen were in a miſtake as to this, and underſtood nothing of the matter; for now the diſſertator has diſcovered, that this *ſcribbled writing*, called the memorial, was no other than a part of her very letter on which ſhe had previouſly made ſome jottings, but was now forced to ſcribble her letter upon it, for want of paper. If we can poſſibly ſuppoſe that to have been the caſe, all the ſcribbling upon a paper, already blotted with notes and jottings, muſt undoubedly have appeared upon the face of the letter itſelf; in which caſe it is impoſſible to ſuppoſe that Lethington and Buchanan would have miſtaken the ſenſe of this paſſage in the letter.

"This letter appears to have been the ſubject of two nights writing; at the end of the firſt night the Queen is made to ſay, ſhe is going to bed, 'yet I ceaſe not to ſcribble all the remains of the paper.' Then follows a ſhort note of the heads of what ſhe had written. The night after, when ſhe comes to the very cloſe of her letter, there are added likewiſe a few jottings or memorandums, ſuch as, 'Remember you of the purpoſe of Lady Reres, &c.' all which is natural." Now if, according to this diſcovery of the diſſertator, ſhe was obliged to write part of the letter upon her paper of notes which ſhe had kept for jotting down what occurred; by what ſtrange accident came it to paſs that this paper of notes came to be ſo luckily divided, that one half of theſe notes falls ſo very *à propos* as to make an exact ſummary of the preceding part of the letter, and no more? After which the letter proceeds to the end, when a few other notes are again as naturally introduced, and with which this letter concludes. From all which, I think it is pretty plain, that theſe notes were always meant to paſs for what at preſent they appear to be, "part of the letter itſelf."

The next evidence brought againſt Queen Mary, is the dying confeſſion of Nicholas Hubert, commonly called French Paris, ſervant to the Earl of Bothwell,

well, and named in the letters themſelves, as the bearer of them from the Queen to Bothwell.

Four of Bothwell's ſervants were apprehended in June, 1567, as acceſſaries to the murder of the King, and publicly tried before the High Court of Juſticiary at Edinburgh; and all of them were condemned and executed on their own confeſſions, as guilty of the murder; but none of them accuſed the Queen. On the contrary, in the inſtructions given to the Commiſſioners of Mary, it is mentioned that they declared *at all times*, the Queen to be innocent. The evidence of this is inconteſtible; as there were preſent no fewer than nineteen of the firſt peers of the kingdom, eight biſhops, and eight abbots, of whom our author gives a catalogue.

The names of the four criminals already mentioned, are, Dalglieſh, Hay, Powrie, and Hepburn. As for Paris, who was ſuppoſed to be the confident of the whole intrigue betwixt the Queen and Bothwell, he was carried to the priſon in St Andrews, where the Earl of Murray reſided, and kept there for two years, during the whole time of the conferences at Weſtminſter and York.

The ſuſpicious conduct of Morton, with regard to Dalglieſh, in whoſe cuſtody it was ſaid the the box was found, has been repeatedly taken notice of; and one more concluſion drawn by Mr Tytler from the ſilence of Morton at this time, is, that he and his aſſociates had either forgot the matter of the box altogegether, or that the letters did not at that time exiſt, but that the whole ſtory was trumped up after Dalglieſh had been executed. Still, however, if the evidence of Paris could have availed them any thing, he might have been produced. Beſides, making the ſtrange ſuppoſition, that the exiſtence of this witneſs could have been forgot, the conduct of Murray himſelf, after this time, throws ſuch a violent ſuſpicion upon him, as never can be removed by any act whatever.

Mary having, as we have ſeen, been denied her requeſt of being furniſhed with copies of the letters, or inſpecting the originals, and having publicly accuſed Murray

Murray of being guilty of the murder; the latter, instead of waiting to exculpate himself, instantly set out for Scotland, and after residing there seven months, caused this Paris, the only person who could vindicate his own innocence, and prove the Queen's guilt, to be hanged. "Let us now see, says Mr Tytler, the method Murray takes to wipe off this foul aspersion, and to avoid all suspicions of practising, by the force of torture or promises, upon a poor, ignorant, friendless creature, then in his hands, to mould him to his purpose. Does he send him to London to be examined before the English Council, as his other witnesses, Crawford and Nelson, had been? Does he even venture to produce him before his own privy council at Edinburgh, to be interrogated there? No! As to these last, the experiment had not at all succeeded. In spite of torture, they had, with their dying breath, spoke out the truth, and acquitted the Queen. This man, Paris, was the last card Murray had to play: a new method, therefore, must be followed with respect to him. He was confined in an obscure dungeon, in Murray's citadel of St Andrews; there he was kept hid from all the world, and at last condemned by the Earl of Murray himself, in a manner nobody knows how. Several months after his death a confession was taken, clandestinely, without mentioning any person who was present when it was made, by Paris, and sent up privately to London to Secretary Cecil, but at what period nobody knows, accusing the Queen in the blackest terms, and extolling the Earl of Murray to the skies. And, to crown the whole, this precious piece of evidence is kept a profound secret from the Queen and her friends, who never once saw or heard of this confession.

"All that remains of this poor creature, are two confessions, one on the 9th, and the other on the 10th of August 1569. The first, said to be the original, and marked on some leaves with the initial letters of his name, is still extant in the Cotton Library. It charges Bothwell with the murder, but says nothing of the Queen or the letters, but the other expresly charges her with the whole."

Mr Tytler is of opinion, that these confessions were kept secret, and never shown to Mary, from the following circumstances, viz. that the only cotemporary writers who mention the condemnation and death of this Frenchman, are Lesly bishop of Ross, and the author of a manuscript History of Scotland during the reign of Queen Mary, and the four Regents, Murray, Lennox, Mar, and Morton; which was afterwards published by Crawford, historiographer to Queen Anne. The author of the manuscript mentions, that "the Regent (Murray) proceeded from Stirling to St Andrews; where Paris, a Frenchman, was hanged for the murder of the late King, *though he denied the fact.*" We have already taken notice of bishop Lesly's assertion, that Paris vindicated Mary from the crimes laid to her charge; from whence it is plain, that neither the Queen nor the Bishop had seen or heard of the second confession, in which she was so violently accused. "And the above passage from Crawford, says Mr Tytler, fully explains the good reason that Murray then had for keeping this pretended confession of Paris a profound secret, to all except his own confederates and Secretary Cecil, viz. Because it was at this time universally known, by every body in Scotland, that this very Paris, at his execution, had publicly given the lie to any pretended confession, by solemnly denying the fact."

Our author now attempts to determine betwixt the two sets of contradictory evidence before us on the present question. He quotes a letter from Elizabeth to Mary, in which she gives him a great character. "In our judgment, says she, ye have not any in loyalty and faithfulness can over match him;" and on this occasion Mr Tytler observes, what is indeed very surprising, that Dr Robertson should call Lesly "a man heated with faction, so that no stress can be laid upon what he says." From the abstract of his arguments already given, however, the reader will be enabled to judge how far the Doctor is in the right in his assertions; and it is impossible to hesitate a moment at giving the bishop the preference to Buchanan, in point of argument, candour and humanity.

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On the other ſide of the queſtion, we muſt conſider, that by the conduct of Mary, her accuſers had an opportunity of contradicting the reports concerning the confeſſion of Paris; but this they did not; and the only anſwer they made to the vindication publiſhed by the biſhop of Roſs, was to ſuppreſs the book altogether, on pretence of its containing ſome dangerous points with regard to Mary's title to the crown of England. By reaſon of this ſuppreſſion, it may be ſaid, that Murray and Morton had no opportunity of ſeeing the Queen's defence with regard to Paris; but this we can ſcarcely ſuppoſe, as the book was ſoon diſtributed, and ſome copies of the firſt edition are even extant at this day. As the order for ſuppreſſing it came from Elizabeth, the book muſt have been in the hands of her miniſters, and Murray and Morton had always an ambaſſador there, who could not fail to ſee it. Nay, the Earl of Morton himſelf was at London in the year 1571; having gone up at that time as Commiſſioner for the Earl of Lennox, then regent of Scotland, in order to treat with Elizabeth for the depoſition of Mary altogether. "What reaſon then, ſays Mr Tytler, can be aſſigned for this reſervedneſs, this determined ſilence of Morton and Murray, with reſpect to this aſſertion of the biſhop, as to Paris's dying teſtimony of Queen Mary's innocence, when they could at once have cruſhed it, by publiſhing the genuine confeſſion ſaid to have been made by Paris himſelf, which they had at that time in their pocket? Two reaſons, very different indeed from each other may be imagined: Either that this confeſſion of Paris, in Morton's cuſtody, was not fit to bear the light, or that ſome ſmall regard for Mary's fame made them conceal it from her."

That the adverſaries of Mary had not at this time, nor indeed at any other, the ſmalleſt regard for her fame, ſeems very plain from the whole tenor of their conduct already mentioned, as well as from what we have yet to deliver. This ſame year Buchanan publiſhed his *Detection*, in which nothing was omitted that could poſſibly ſerve to blacken her character. The whole intrigue betwixt her and Bothwell, her

amours in France as well as in Scotland, her repeated attempts to poison the King, and his actual murder at the last by her contrivance, as it was said, are all set forth in such a manner, as nothing but the most rancorous malice could have prompted even an adversary to have done. The letters to Bothwell are printed at full length, together with the confessions of Bothwell's four servants; and yet the pretended confessions of Paris are omitted. The book was presently dispersed all over the kingdom; "but, says Mr Tytler, what is most surprising, although Paris is often mentioned therein, as the confident of the whole scene betwixt the Queen and Bothwell, with respect to the King's murder; and that Bishop Lesly, in his printed Apology for Queen Mary, had affirmed in the face of the world, as a fact universally known, that Paris, at his execution, had publicly asserted the Queen's innocence; although the letters give only some suspicions and dark hints, from which the Queen's knowledge of the murder is inferred; whereas Paris's confession, of the 10th of August, 1569, expressly charges her as the contriver of it, and is the only evidence that does so; yet, in Buchanan's book there is not the least mention made of any such confession. Buchanan lived many years after this; his *Detection* underwent several editions; nay, he wrote his history at large, which was not published for several years after this period; and, though he there again makes mention both of Paris and the letters, yet not one word is said of any such confession made by this person to the prejudice of the Queen"

Our author also takes notice that a copy of this confession is still extant, attested by one Alexander Hay, a notary. This man appears to have been Murray's active instrument in the transactions of those times, and by degrees arrived to be clerk to his secret council. In this capacity, he attests the confession of Paris, but without any witnesses; nay, Mr Goodall has brought forth a very envious letter of his to John Knox, wherein he tells that reformer that the evil deeds of Queen Mary had been set forth both in Latin and English; and "*in appearance*, says he, *they have nothing unset forth tending to her infamy.*" Thus he tacitly

tacitly gives up the confeſſion of Paris altogether. "This ſame Hay, ſays Mr Tytler, had atteſted the copy of Paris's confeſſion on the 10th of Auguſt, 1569, which was ſent to London that year; and yet in this letter, wrote to his friend John Knox, though he knew well that his own copy of this confeſſion was in the hands of the very ſame people who had publiſhed the above ſcandalous collection againſt the Queen; yet, ſo well does he know from the very nature of his own manufacture, that this confeſſion of Hubert's durſt not be expoſed to light; and ſo far from enumerating that piece among the above collection, he ſinks it altogether, as if no ſuch paper had ever exiſted. He tells his friend that the above collection contained every thing that could tend to the Queen's infamy, when, at the ſame time, he knew well, that the blackeſt piece of all, which he himſelf had furniſhed them with, was omitted. From all which circumſtances, the violent preſumptions that ariſe from their carrying this poor ignorant ſtranger from Edinburgh, the ordinary ſeat of juſtice, their keeping him hid from all the world in a remote dungeon, and not producing him with their other evidences, ſo as he might have been publicly queſtioned; the poſitive and direct teſtimony of the author of Crawford's manuſcript, then living, and on the ſpot at the time, with the public affirmation of the biſhop of Roſs at the time of Paris's death, that he had vindicated the Queen with his dying breath; the behaviour of Murray, Morton, Buchanan, and even Hay, the atteſtor of this pretended confeſſion on that occaſion; their cloſe and reſerved ſilence at the time when they muſt have had this confeſſion of Paris in their pocket; and their publiſhing every other circumſtance that could tend to blacken the Queen, and yet omitting this confeſſion, the only direct evidence of her ſuppoſed guilt; all this, duly and diſpaſſionately conſidered, I think, one may ſafely conclude, that it was judged not fit to expoſe ſo ſoon to light this piece of evidence againſt the Queen, which a cloud of witneſſes, living, and preſent at Paris's execution, would freely have given clear teſtimony againſt, as a notorious impoſture."

Mr Tytler next proceeds to ſtate the evidence ariſing from this confeſſion itſelf. On this he obſerves that the abſurdities of the piece are ſo glaring, that the remark formerly made by Dr Robertſon, about forgers over-doing their work, is here verified in its full extent. "Their caution, ſays he, in not making the Queen ſpeak ſuch plain language in her letters, as this perſon does, was wiſe: here they forget themſelves by putting the groſſeſt words in his mouth. His character, they knew, was low enough to bear it; and they were reſolved to make him ſpeak out, ſo as to leave no doubt of the Queen's infamy as a proſtitute and a murdereſs!"

Dr Robertſon has taken notice of the abſurdities and inconſiſtencies in this confeſſion, but does not think that from thence there is ſufficient reaſon to reject it entirely. "It muſt be acknowledged, ſays he, that his depoſitions contain ſome improbable circumſtances. He ſeems to have been a fooliſh talkative fellow; the fear of death; the violence of a torture; and the deſire of pleaſing thoſe in whoſe power he was, tempted him, perhaps, to feign ſome circumcumſtances, and to exaggerate others. To ſay that ſome circumſtances in an affidavit are improbable or falſe, is very different from ſaying that the whole is forged. I ſuſpect the former to be the caſe here, but I ſee no appearance of the latter."

In anſwer to this Mr Tytler takes notice, that it has always been ſuppoſed a ſufficient reaſon for diſregarding the teſtimony of a witneſs, if he be found inconſiſtent with himſelf in any ſingle point; and in the preſent caſe, when the ſeveral objections ariſing from the external view of the teſtimony are taken into conſideration, this rule of judging muſt operate with double force. The reaſon aſſigned by the Doctor for Paris's interlarding his ſtory with improbabilities does not appear at all ſatisfactory; but, on the contrary, if it proves any thing, it proves too much. If Paris had a mind to pleaſe them, there is no doubt, that accuſing the Queen at any rate, was the moſt likely way to do it; and if we believe this to have been his deſign, which from the nature and circum-

ſtances

ſtances of the caſe there is no reaſon to doubt, we muſt alſo believe that the whole of his narrative is a lie. It is natural, indeed to ſuppoſe, that a poor forlorn and diſtreſſed creature like Paris would be tempted to falſify in this manner, in hopes of obtaining his life; but there is one circumſtance which cannot be reaſonably derived even from this motive. One of the particulars of his confeſſion is, that he took the liberty to ſay, one day, to the Queen, "Madam, Monſieur Bothwell hath commanded me to bring to him the keys of your chamber, as he wants to do ſomething there; that is, to make the King fly in the air with powder!" This ſpeech, in Mr Tytler's opinion, is too horrid to be ſuppoſed to come from the mouth even of Paris; and indeed it muſt be owned, that if he really did ſay any ſuch thing, it muſt be accounted the effect of inſanity rather than any thing elſe. The long confinement in priſon, and the miſeries he ſuſtained there, may not unreaſonably be ſuppoſed to have affected his brain.

In the farther examination of this confeſſion, it appears more and more, that it has been obtruded on the world merely as a ſcheme of the conſpirators to ruin the fame of Queen Mary. Mr Tytler obſerves, that the confeſſion, as we have it at preſent, is by no means judicial. It mentions no perſon whatever that was preſent when it was taken. All the other confeſſions of Dalglieſh, Hay, Hepburn, &c. taken before the High Court of Juſticiary, mention the judges before whom the confeſſion was made; and at the end of the depoſitions is the ſubſcription at large of Sir John Ballenden, Lord Juſtice Clerk, bearing that the principal depoſitions were in the records of the books of the High Court of Juſticiary; but the confeſſion of Paris has not a ſingle mark of authenticity, excepting the ſignature of Alexander Hay, Murray's clerk, who atteſts it as a notary, without any witneſſes. "All the world knows, ſays our author, that a copy of any paper, atteſted by a notary, requires the ſolemnity of two reputable witneſſes, to give faith to the notary's atteſtation. To this paper, however, though of the greateſt importance

there

there are no witneſſes. The whole, then, depends entirely upon the naked aſſertion of this noted clerk of Murray alone, contradicted, as we have ſeen, in the moſt public manner by all the world, and even tacitly diſavowed by himſelf.

The confeſſion of the 9th of Auguſt, does not charge the Queen with the murder; but our author takes notice, that Mr Goodall has likewiſe given very good reaſons for ſuppoſing it alſo to be an impoſture. He takes notice of what Mr Hume ſays upon this ſubject. viz. that the confeſſion was a regular and judicial paper, given in regularly and judicially; and ought to have been canvaſſed at the time, if the perſons whom it concerned had been aſſured of their innocence." Mr Tytler obſerves, however, that it evidently was not a judicial confeſſion: "The paper itſelf does not bear any ſuch mark; nor does it mention that it was taken in preſence of any perſon, or by any perſon, or by any authority whatever; and, by comparing it with the judicial examinations of Dalglieſh, Hay, and Hepburn, it is apparent that it is deſtitute of every formality requiſite in a judicial evidence. In what dark corner, then, this ſtrange production was generated, our author, Mr Hume, may endeavour to find out if he can. As to his aſſertion that it was regularly and judicially given in, and therefore ought to be canvaſſed during the conferences, we have already ſeen that this, likewiſe, is not fact. The conferences broke up in February 1569; Nicholas Hubart was not hanged till Auguſt thereafter; and his dying confeſſion, as Mr Hume calls it, is only dated the 10th of that month. How then can this gentleman gravely tell us, that this confeſſion was judicially given in, and ought to have been, at that very time, canvaſſed by Queen Mary and her Commiſſioners. Such poſitive aſſertions, contrary to fact, are unworthy the character of an hiſtorian, and may very juſtly render his deciſion with regard to evidences of a higher nature very dubious. In anſwer then, to Mr Hume: As the Queen's accuſers did not chuſe to produce this material witneſs, Paris, whom they had alive, and in their hands, nor any declaration from him

him, at the critical and proper time for having it canvaſſed by the Queen, I apprehend our author's conclusion may be fairly uſed against himſelf: That it is in vain at preſent to ſupport the improbabilities and abſurdities in a confeſſion taken in a clandeſtine way, nobody knows how; and produced, after Paris's death, by nobody knows whom; and from every appearance deſtitute of every formality requiſite and common to ſuch ſort of evidence. For theſe reaſons, I am under no ſort of heſitation to give ſentence againſt Nicholas Hubert's confeſſion, as a groſs impoſture and forgery."

Theſe are the principal arguments uſed in favour of Queen Mary by Mr Tytler, who may not unjuſtly be ſaid to have exhauſted the ſubject, and to have ſet forth, in a very candid and judicious manner, every thing of importance that can be ſaid upon the ſubject. As two other writers, however, of conſiderable reputation, viz. Dr Stuart, and Mr Whitaker, have very warmly entered into a defence of Queen Mary, we ſhall ſtill give an abſtract of the arguments made uſe of by them.

Dr Stuart obſerves, that when Murray and his party had proceeded to ſuch extravagant lengths againſt Mary, by deſtroying and impriſoning her, it was natural for them to think of ſome method of ſecuring themſelves from danger. They could have no ſecurity that Elizabeth would not take part with the Queen of Scotland; and they were likewiſe apprehenſive that the Court of France might interfere. To give a colour of juſtice to their proceedings, they inſtituted an inquiry before the Privy Council into their own conduct; and as they were in this caſe both judges and parties, there could be no doubt of the deciſion being favourable. The origin of the misfortunes of the Queen, they ſaid, lay in her own miſconduct, and they affirmed that ſhe was a party with the Earl of Bothwell in the murder of her late huſband; and, to ſupport this aſſertion, they appealed to the letters of which we have heard ſo much. Our author takes notice of the inconſiſtency in their account of this matter; it being impoſſible that the diſcovery

of

of letters, *posterior* to the date of their taking arms against their sovereign, could in any manner of way be the *cause* of that event. Another piece of inconsistency in their conduct is, that at the very time they were endeavouring to establish the proofs of Mary's guilt, by authenticating these letters, they gave in a manifesto to Throgmorton, the English ambassador, upon the 11th of July, representing the Queen as entirely innocent of the death of her husband, and setting forth that the crimes of Bothwell had been the occasion of their taking up arms. Dr Stuart is even of opinion, that it is not impossible to ascertain the date of the forgery of the letters in question. In some dispatches to Queen Elizabeth from her ambassador Throgmorton, dated 25th July 1567, he informs her that the enemies of Queen Mary designed to charge her with incontinency, with several persons besides Bothwell, and with the murder of her husband also. Of this last, says Throgmorton, "say they, they have as apparent proof against her as may be, as well as by the testimony of her hand-writing, which they have recovered, as also by sufficient witnesses. Dr Stuart considers this as overturning entirely the idea of the letters being discovered on the 20th of June, as in the end of July they were only thinking of establishing their charge. In this, however, his reasoning does not appear altogether conclusive; for they might have been for a few weeks in possession of the letters, without making the use of them that they intended. It is a stronger argument which he next adduces, viz that when Throgmorton was about to depart for England, they did not shew him the box and letters, though they were at that time very much disposed to blacken Mary's character. Throgmorton departed on the 30th of August this year; and our author supposes, that the letters were fabricated betwixt the 30th of August, and the 4th of December, when they were produced to the Earl of Murray's secret council. In the act of council published at this time, "the conspirators, says Dr Stuart, discover the greatest anxiety for their pardon and security. Now, if the letters had been genuine, this anxiety would have been

been moſt unnatural; the notoriety of her guilt would have operated moſt completeely their juſtification and pardon. In this Act of Council they betray the utmoſt ſolicitude to eſtabliſh the criminality of the Queen. Yet, if the letters had been real, her criminality would have been eſtabliſhed from the moment of their diſcovery. This anxiety, therefore, for themſelves, and this attempt againſt the honour of the Queen at a juncture ſo particular, are more than ſuſpicious. They appear to be obviouſly the ſuggeſtions of their guilty fears; and the ſteps by which they thought to accompliſh their purpoſes are a new evidence againſt them, and a freſh intimation of their guilt. It was with a view to the approaching convention of the Eſtates, that this act of council had been formed and managed. It was a preparation for the parliament, in which the conſpirators had ſecured the fulleſt ſway; and where they propoſed to effectuate their pardon and ſecurity, and to eſtabliſh the letters as deciſive vouchers againſt the Queen.

In the parliament which aſſembled on the 15th of the ſame month, the letters were ſuſtained as authentic, without either inſpection or inquiry. They were not at this time produced to public view, nor was the Queen brought from her confinement to defend herſelf, or any advocate ſuffered to ſpeak for her. The difference of form betwixt thoſe laid before the Privy Council, and thoſe deſcribed in Parliament, does not paſs unnoticed by our author; and he remarks, that they had neither dates, direction, nor ſeal. It is impoſſible to imagine that they could have been ſent to Bothwell as looſe papers; or that Nicholas Hubert, a perſon of the loweſt rank, and naturally indiſcreet would havebeen the meſſenger. From the contents of the letters alſo, it is evident, that they cannot be the performance of the Queen, "They have, ſays our author, a vulgarity, and indelicacy, and a coarſeneſs of manner and expreſſion, that do not apply to her; and while they are diſguſting from their want of elegance, they violate chronology. From a compariſon of them with national records of undoubted faith, they appear to have been written upon days when the Queen was differently

differently employed, and in places where ſhe was not actually preſent. It is not in one inſtance only, that they exhibit this wild inconſiſtency; the examples of it are frequent, and attended with peculiarities that are palpable. The objections, therefore, to their authenticity upon this head, ſeems deciſive; and are not to be contradicted, or even palliated, without a violence and ſcepticiſm that are altogether deſtructive of hiſtorical evidence."

Dr Stuart next proceeds to ſhow, that the criminality of the Queen does not receive any confirmation from hiſtory. It is ſaid, by her adverſaries, that ſhe was concerned in the murder of Darnly, in order to accompliſh the marriage with Bothwell. Her marriage with this nobleman was by no means voluntary. While ſhe was detained at Dunbar, thoſe who rebelled againſt her profeſſed to be the great friends of Bothwell, and inſtead of attempting to reſcue the ſovereign from his hands, they gave him every opportunity he could wiſh; and even furniſhed him with a bond declaring his innocence of the murder, and recommending him to be her huſband in the moſt unequivocal terms. Had the Queen been conſenting to all this, there would have been no occaſion for ſo much force and ſcandalous behaviour on the part of the nobility. With regard to Bothwell himſelf, he ſeems to have been entirely void of every principle of decency or humanity. Dr Stuart is of opinion, that ſhe never entertained any great affection for him previous to the marriage. Inſtead of being enamoured of him, the Doctor is of opinion, that he uſed the moſt abominable means to make her ſubſervient to his purpoſes. Theſe were, as he ſuppoſes, intoxicating and *amatorious potions*. Mary herſelf, in her inſtructions to the Biſhop of Dunblane, her ambaſſador to France, after mentioning his declaration of love and importunities, ſays, by theſe means, and *many others* he brought us to his intent.' In the proclamation againſt Bothwell, it was ſaid, and the apology made by the faction of the Earl of Murray to Throgmorton the Engliſh ambaſſador, it is ſaid, that 'the Queen was led captive, and by fear, force, and other *extraordinary*

ordinary and more *unlawful* means, compelled to become bed-fellow to another wife's husband.' Had the Queen been engaged in a criminal amour with Bothwell before her husband's death, what occasion would there have been for all this fracas when she was of herself sufficiently inclined to yield to his inclinations?"

The Doctor agrees with Mr Goodall and Mr Tytler, that the letters were written originally in the Scots language, and that no French originals ever existed. He finds fault with Goodall, however, on account of his excessive admiration of Mary, and his attempting to vindicate the character of the Earl of Bothwell; and he pays high compliments to Mr Tytler, on account of the merit of his work, which he thinks is in many respects complete, and stands in need of no assistance from any quarter. He observes that the insufficiency of the letters, is evident from the extreme caution with which the conspirators produced them to the world, even after all the pretended sanction they could give them. After having got them authenticated by the three Estates, on the 15th of December 1567, he shewed the letters privately to Elizabeth; and obtained from her a promise that they should be held good and valid proofs, before he would prefer his accusation. For this purpose, he procured the box and letters from Morton; giving, at the same time, a receipt for them with such formality, that Dr Stuart is of opinion, it, of itself, throws some suspicion on the genuineness of the letters in question.*

* This remarkable receipt is couched in the following terms:

"Apud Edinburgh, 16th September, Anno Dom 1568.

"The which day, the nobles and potent prince James, Earl of Murray, Lord Abernethie, regent to our Sovereign Lord, his realm and liges, granted and confessed him to have received from James Earl of Morton, Lord of Dalkeith, Chancellor of Scotland, a silver box overgilt with gold, with all missive letters contracts, or obligations for marriage; sonnets or love-letters, and all other letters contained therein, sent and passed betwixt the Queen, our Sovereign Lord's mother, and James, sometime Lord Bothwell. Which box, and haill pieces within the same, were taken

It was dated on the 16th of September 1568, and contains the first mention that appears in history of the discovery of the letters, as in the actual possession of Dalgliesh, upon the 20th of June 1567. It is true, he was alive on the 4th of December 1567; but it was neither proper at that time, nor on the 15th of the same month, when the letters were authenticated by the Estates, to mention his name particularly; though, after his execution, which took place in January 1568, there was then no longer any danger of his discovering any thing in contradiction to what they were pleased to report concerning the Queen, and then they also thought proper to mention Dalgliesh's name. "This, however, says our author, is not the only suspicious circumstance recorded in the receipt. In the act of Privy Council, and in the ordination of parliament in December 1567, when the Earl of Murray and his associates were infinitely anxious to establish the criminality of the Queen, the only vouchers appealed to of her guilt were the letters; and at that time, doubtless, they had prepared no other papers to which they could allude. But, in the Earl of Murray's receipt in September 1568, there is mention made

taken and found with *umquhile* George Dalgliesh, servant to the said Earl Bothwell, upon the 20th day of June, the year of God 1567 years; and therefore the Lord Regent for himself, and taking the burden upon him for the remaining noblemen and others, professing the *querrel* and obedience of our said Sovereign Lord, exoners, quitclaims, and discharges the said Earl of Mortoun of the box, and of all the saids missive-writings, contracts, obligations, sonnets, love-ballads, and other letters whatsoever, found and contained therein, the time of his receipt and intromission therewith; testifying and declaring, that he has truly and honestly observed and kept the said box, and haill writs and pieces foresaid within the same, without any alteration, augmentation, or diminution thereof, in any part or portion: And the said Lord Regent, upon his honour, faithfully promises, that the said haill letters and writings shall be always ready and forthcoming to the said Earl of Morton, and remaining noblemen that entered into the *querrel* of revenging the King our Sovereign Lord's father's murder; whensoever they shall have to do therewith, for manifesting the ground and the equity of their proceedings, to all whom it effeirs."

made of other vouchers besides the letters. He acknowledges that he received from the Earl of Morton, contracts or obligations, and sonnets, or love-verses. These remarkable papers, though said to have been found upon the 20th day of June 1567, appeared not until September 1568; and this difficulty is yet to be solved by those who believe them to be genuine. The general arguments which affect the authenticity of the letters apply to them in full force; and circumstances peculiar to themselves, evince, at the same time, their fabrication. They are not to be accounted for or explained on the supposition of the genuineness of the letters. But upon the hypothesis of the forgery of the letters, their use, and the æra of their invention, may be pointed out with an obvious clearness. When the Earl of Murray had agreed to accuse the Queen of Scots, his anxiety about his proofs were redoubled. His apprehensions were excessive and alarming. The private communication of the letters to Elizabeth, in June 1568, produced a wish that he could fortify these vouchers; for the letters only were at this time exhibited to the English Queen. The notion that the love of Mary to Bothwell was inordinate, required to be supported. It was a fundamental principle with the conspirators, and they had no facts by which it could be fixed and illustrated. Between the months, therefore, of June and September 1568, between the dates of the communication of the letters to Elizabeth, and of the receipt of the box from the Earl of Morton, he contracts and sonnets were invented; and that they might answer the intention, they were made to express and imply, in a strong degree, the affection of Mary to Bothwell. The forgery was now finished; and the papers, while they mutually evince the weakness and impropriety of one another, all concur to establish the certain and uniform criminality of the enemies of the Queen.

"As to the casket or box, in which the papers were deposited, it is said to have contained them from the 20th day of June 1567, when it is urged that they were first discovered. Yet, of this box, in connection with the letters and papers, there is no mention of the act of

Council, or the ordination of the Parliament where the letters are described; nor at the time when they were privately communicated to Queen Elizabeth. The 16th day December 1568, is the date of the first mention of the box, as containing vouchers against the Queen. The box had belonged to Mary, who received it from her husband Francis II. The initial letter of his name, with a crown over it, appeared upon many places of the box. It is rather against the conspirators that they should have employed a box of the Queen's to contain papers she had sent to Bothwell. It is not very probable that she would have given to that nobleman a box which she had received from Francis. The box might with greater probability have been made to contain letters from Bothwell to Mary; and if that unfortunate and flagitious man had been killed at the Orkney Isles by Sir William Murray and Kircaldy of Grange, it is very possible, that the forgery of the conspirators to defame the Queen would have assumed this form. The Queen had been accustomed to keep her jewels in this box, but when the conspirators seized upon her jewels, it was appropriated by them; and they conceived that it would give a propriety to their forgeries to lodge them in it.

"The next date of the distinction of the box and its contents, was upon the 10th day of October 1568. In the true spirit of the forgery, and, with the most guilty anxieties, the Earl of Murray communicated them by his agents to the English Commissioners at York, in a clandestine manner, not in their public capacity. His scheme was to avoid the necessity of a judicial or exact examination of them; and, to give them the stamp of authenticity, and of finished and decisive evidences against the Queen of Scots, by his own oath, and the oaths of his associates. His intrigues with Norfolk are still farther illustrative of the nature of his sensibilities and consciousness. The disappointment of Elizabeth, occasioned by his caution, guilt, and timidities produced the removal of the conferences from York to Westminster. Her resentments against Mary, the satisfaction she afforded to his scruples, and her promises of protection, brought him

him finally to the points ſhe had in view. His public accuſation of the Queen of Scots was delivered; and at length it was ſucceeded by his public exhibition of the box and its contents.

"When the Engliſh Commiſſioners received from the Earl of Murray the contents of the caſket, they read the letters and the ſonnets, and comparing them with undoubted and real diſpatches from the Queen, found the hand writing to be ſimilar; but there were many perſons beſides Maitland of Lethington, already mentioned, who could counterfeit the Queen's hand; particularly a young woman named Mary Beaton, one of the maids of honour to the Queen, whoſe handwriting could with difficulty be diſtinguiſhed from hers; and it has been ſuppoſed that this perſon had been allured to lend her aſſiſtance to the Earl of Murray and his faction. The examination of the letters by the Engliſh Commiſſioners was a mere farce. No ſcrutiny was made, and no care to attain the truth was exerted; as has already been fully explained.

"Murray having collated, as he pretended, the originals with the copies, took the former into his keeping; and the latter were detained by the Commiſſioners. At their next meeting, the Commiſſioners peruſed tranſlations of the letters and ſonnets, and examined the other writings produced by the Earl of Murray. The Earl of Morton then unfolded the manner in which the box with the letters, ſonnets, and contracts, was diſcovered. It was then requeſted by Murray, that Thomas Nelſon, and Thomas Crawford ſhould be examined. The former had been a ſervant to the King, and communicated ſome particulars concerning the murder; but though he related that event in ſuch a way as to inſinuate a ſuſpicion againſt the Queen, there yet appeared in his evidence, no direct accuſation againſt her. From the examination of the latter it may be gathered, that ſome incidents founded upon the letters were real; and as the conſpirators were well acquainted with all the tranſactions of the Queen, it muſt have been ſtrange, indeed, if they could not have communicated an air of authenticity to their forgery, by the introduction of ſome particulars which could be atteſted. No information,

however, was given by him, which was of power enough to criminate the Queen. By these depositions, which are frivolous in a great degree, and by the declaration of the discovery of the box made by the Earl of Morton, the most unprincipled man of a most unprincipled age, it was thought that the authority of the letters would receive a confirmation and support."

Our author likewise takes notice of the absurdity of not calling in the evidence of Nicholas Hubert, and adheres to the opinion of his exculpating the Queen with his dying breath. He observes, that according to Mr Goodall, the sonnets were written originally in the Scottish language; but he takes notice of the opinion of Lord Hailes, that they are a version from the French. "The sonnets, says he, convey the idea that Mary was influenced with the love of Bothwell to a degree of frantic and passionate ardour." This idea, which receives no aid from historical memorials, corresponds exactly with the practices of the conspirators. From internal evidence, it is obvious, that the sonnets are so fabricated as to have been written by Mary in the interval between the 24th of April 1567, when she was forcibly conveyed to Dunbar by Bothwell, and the 15th day of May following, when she married him. In this period, however, it is certain, that she must have been under the agitation of so many passions and cares, that she could not have found leisure or inclination for the the amusements of poetry. By a comparison, too, of the sonnets with the instructions of Mary to the Bishop of Dumblane, whom she sent to France to apologize for her marriage with Bothwell, it appears that the author of the former had minutely attended to the latter. Now, the instructions to the Bishop of Dumblane were not drawn up till some time after the 15th day of May, when the Queen was married; and the sonnets, if real, must have been composed before the marriage. The forger of the sonnets having assisted his invention by a perusal of the instructions, opened thus a source of detection against himself; and its power and meaning are sufficiently explicit. Buchanan observes, that the sonnets are not inelegant. This commendation, feeble as it is, seems remark-

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able from a perſon of his ſatirical diſpoſition, and of his principles. But, as he is more than ſuſpected of a concern in the forgeries againſt the Queen, this negative praiſe may be accounted for. He did not wiſh to diſcredit altogether, even in point of literary ability, a fabrication in which his pen had been too buſy; and indeed the ſonnets, though they appear to have been made and framed for an end, are by no means ſo deſpicable as they are often repreſented to be. The author, whoever he was, had the diſadvantage of being in fetters, and under conſtraint; and it is probable, that he had to ſtruggle with the embarraſſments of impoſing in a foreign tongue. But whatever may be the merit of the ſonnets as a compoſition, they cannot without great violence be imputed to the pencil of Mary. Brantome and Ronſard, who were well acquainted with her poetical writings, had no difficulty in pronouncing that they could not poſſibly have proceeded from her. Upon this topic, too, there is a ſtandard from which a judgment may be formed. The elegy written by Mary upon the death of Francis II. has come down to us; and it ſeems fully ſufficient to juſtify the ſentence of Brantome and Ronſard. There is a fancy, a delicacy, an elegance, a character in it, which give it the greateſt charm; and the ſonnets to Bothwell are in a ſtrain and manner altogether oppoſite.

"There were two contracts or obligations which were forged. That ſuppoſed to be written by Mary has been critically examined, and very able judges have compared it with the hand-writing of the Queen; and found it to bear no accurate reſemblance; neither was her ſubſcription done in the uſual manner. It was a promiſe of marriage to Bothwell. The other ſuppoſed to be written by Huntly, is alſo an engagement to marry Bothwell. In this obligation, ſhe is made to preſs herſelf upon Bothwell, and to inſiſt humbly and reverently that he would inſiſt on the divorce of his wife, the Lady Jane Gordon. This mode of proceeding, muſt have been unnatural in the Queen, even if ſhe had actually been in love with Bothwell, and can only correſpond with that inordinate and extravagant vehemency of affection imputed to her by the

the conſpirators. It is obſervable, too, that the conſpirators thought not of calling the Earl of Huntly before the Commiſſioners to atteſt the authenticity of this paper; and in fact, as early as the 12th day of September, when the trial of the Queen was in agitation, this nobleman had put his name to a public deed, which aſſerted her innocence in her marriage with Bothwell, and which affirmed the guilt of Murray and his confederates. He was alſo ſoon to join with the Earl of Argyle in a direct charge againſt the Earl of Murray and his faction, of a concern in the murder of the King. The general argument againſt the authenticity of the letters holds equally againſt the ſonnets and contracts."

But however plain it may appear, or however evident it might even then have been, that theſe writings were all forged, the conſpirators behaved with the greateſt effrontery; producing them in the moſt confident manner, as if they had been actual witneſſes to the writing of them. Murray and his aſſociates had formerly ſworn in the moſt ſolemn manner, to act with integrity and uprightneſs; and they affirmed before the Engliſh Commiſſioners, upon their honours and conſciences, that the letters, ſonnets, and contracts, were poſitively the hand-writing of the Queen, excepting the contract written by Huntly, which, however, they underſtood, and perfectly knew to be ſubſcribed by her. Theſe oaths, which no man could lawfully have taken, unleſs he had been an eye-witneſs to the writing of the papers, were ſuſtained as good and authentic proofs by the Engliſh Commiſſioners.

In the mean time, Queen Elizabeth, with the perfidy and diſſimulation which ſo ſtrongly marks her character, pretended to the Engliſh nobility that ſhe was thoroughly convinced of Mary's guilt, while to Murray, Morton, and the reſt of the aſſociates, ſhe declared that they had produced nothing of any moment againſt her. Dr Stuart indeed brings forth the moſt authentic proofs, that, ſo far from having any intention to allow this unfortunate Princeſs to exculpate herſelf, or wiſhing to ſave her honour, ſhe, from the beginning, intended never to allow her to depart out of England. From what has been already delivered, it muſt appear evident, that the

the pretended proofs of Mary's guilt never appeared satisfactory to a single person, even at the time they were produced; nor could any thing besides the industrious manner in which, the reports were propagated, and handed down from father to son, without any proof at all, have prevented the memory of these vile associates from being long ago stigmatized in the manner in which it now so justly is.

The silence of the two learned historians, Mr Hume and Dr Robertson, is a most convincing proof that they had nothing to reply to the arguments used by Mr Tytler. The former, indeed, did make a kind of reply, which, to gratify the reader's curiosity we shall here transcribe. "There is a person who has writ an *Inquiry, Historical and Critical, into the Evidence against Mary Queen of Scots;* and has attempted to refute the foregoing narrative. He quotes a single passage of the narrative, in which Mary is said simply to refuse answering; and then a single passage from Goodall, in which she boasts that she will answer; and he very civilly, and almost directly, calls the author a liar, on account of this pretended contradiction. That whole inquiry, from beginning to end, is composed of such scandalous artifices; and from this instance the reader may judge of the candour, fair dealing, veracity, and good manners of the inquirer. There are, indeed, three events in our history, which may be regarded as touchstones of party men. An English Whig, who asserts the reality of the Popish plot; an Irish Catholic, who denies the massacre in 1641, and a Scots Jacobite, who maintains the innocence of Queen Mary, must be considered as men beyond the reach of argument and reason, and must be left to their prejudices.

On this Billingsgate we may remark, that there are other two sets of men, who are equally impregnable to reason; viz. the enthusiastic sour faced bigot, who condemns to eternal punishment all who differ from him; and the conceited philosophical deist, who believes in a *God* that has neither *courage* nor *good manners* *. Mr Tytler, however, has given a more serious

* See Hume's posthumus works, where these two qualities are denied to the Deity.

rious anſwer, and ſhews that he has not quoted him at all unfairly, as Mr Hume accuſes him of having done. On the contrary, "he has quoted almoſt the whole of that hiſtorian's narrative concerning Queen Mary's refuſal to anſwer, and likewiſe her requeſt to be preſent at the trial of her cauſe, and that, too, in the hiſtorian's own words. In his quotation he particularly mentions the grounds upon which that author ſays Queen Mary's Commiſſioners found their refuſal to anſwer."

In ſupport of this aſſertion, Mr Tytler quotes the whole paſſage with which Mr Hume finds fault; and, having vindicated himſelf from the charges brought againſt him, proceeds next to conſider Mr Hume's propoſition, from which he has inferred, that Queen Mary abſolutely refuſed to anſwer Murray's accuſation, and recoiled from the inquiry. He allows that Mary, at firſt, ſenſible of Queen Elizabeth's groſs partiality, did refuſe to anſwer; but afterwards ſhe thought better upon it, and offered not only to anſwer the charge conditionally, but actually gave in her anſwer. He combats, with great ſtrength of argument, Mr Hume's poſition, that Mary could not be admitted into Elizabeth's preſence, and brings his reaſoning to the following concluſion: "Let me ſuppoſe, ſays he, that Queen Mary's requeſt, to be admitted to Queen Elizabeth's preſence, had appeared unreaſonable or improper, and was therefore refuſed; was that a good reaſon for refuſing her requeſt to ſee the letters? If, after inſpecting the evidence againſt her, Queen Mary had remained ſilent, and made no anſwer, the conſequence is plain, the letters muſt have been held as genuine, and ſhe ſtood convicted to Elizabeth, and the whole world, by her own letters. On the other hand, I apprehend, that unleſs a good reaſon can be ſhown for refuſing Mary's requeſt to ſee the letters, that refuſal is equally deciſive of the queſtion in her favour. I call upon Mr Hume, therefore, and deſire him, with all his ingenuity, to give me a ſolid reaſon for Elizabeth's refuſing to allow Mary to ſee theſe letters. I will venture to ſay that only one reaſon, conſiſtent with common ſenſe, can be given, which is this, That Queen Elizabeth and the penetrating

ting Cecil saw, or suspected a forgery; and, by the many shifts which, through whole course of the conferences were devised to elude a scrutiny and inspection of these letters, it is evident they were resolved to guard against a detection; and to close the scene, and prevent Queen Mary from ever getting a sight of this forged evidence, they took a very effectual way, by dismissing Murray and them together from the conferences. To this let me join the proof which has lately been brought by Goodall against the letters, which I am warranted to say, in the opinion of many of the first critics of the age, does clearly demonstrate the forgery."

Having now given a full acount of the arguments on both sides, used by the most celebrated writers upon this controversy, we shall close our subject with a few remarks from Mr Whitaker on the conduct of Queen Elizabeth. That gentleman has taken the part of Mary with great warmth, and condemned the conduct of Elizabeth in the strongest terms possible; nay, he even declares himself ashamed of her as an English Queen. It is observable, that though unchastity was one of the principal charges brought against Mary by her adversaries, yet it is a charge which retorts upon Elizabeth with aggravated force. Mary might be unchaste; but Elizabeth's unchastity was proclaimed to all the world; as appears by the following account of an act of parliament, which Mr Whitaker mentions as a disgrace to the English nation. "At the treaty, says he, which was held in 1570 between Mary and Elizabeth, it was specified, by the latter, that the former should succeed to the throne 'in case of Elizabeth's demise without *any* issue.' Mary altered the limitation thus, 'without *lawful* issue;' and Elizabeth would agree only to have it altered thus, 'without issue by a *lawful husband*.' This remarkable fact, which was prior to the law, shews us, in union with it, the firmness and audacity with which Elizabeth pursued her purposes upon the succession. She tried at first to make way for *any* issue. She then adhered resolutely to any by a lawful husband; because she could cure the bastardy by a marriage. And she at last spoke out with more than her original explicitness; spoke out even to her parliament; and had her

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natural iſſue, by name, rendered capable of ſucceeding her. Indeed, the exiſtence of ſuch a law as this, upon our ſtatute-book, is a full proof of effrontery of Elizabeth in vice, and of the obſequiouſneſs of the nation in meanneſs; and the law itſelf ſtands as a ſtrong note of infamy upon both at preſent."

Mr Whitaker is of opinion, that the melancholy with which Elizabeth was ſeized at the cloſe of her life proceeded not, as has been commonly ſuppoſed, from her love to the Earl of Eſſex, whom ſhe had cauſed to be beheaded; but from a remorſe of conſcience on account of her cruel treatment of Mary. Mr Tytler is of the ſame opinion. "We cannot help, ſays he, ſubſcribing to the opinion of Mr Whitaker in this matter, 'That Elizabeth had a more ſolid ground for melancholy and remorſe ariſing from the ſting of her own conſcience on the reflection of her inhuman treatment of Queen Mary.' To imagine that the maſculine ſpirit of Elizabeth would evaporate in a love-ſick fit of whining for an inſolent ſubject, who had braved her authority, and attempted an inſurrection in her very capital, is neither credible, nor in the leaſt conſiſtent with the character and fortitude of the haughty, unfeeling Elizabeth. Her whole conduct with regard to the Queen of Scots was ſuch as indeed to afford juſt cauſe for the moſt bitter remorſe in the laſt ſtage of her life, on the dreadful reflection of the long, deliberate, premeditated ſchemes, framed and proſecuted by her for the deſtruction of that princeſs.—Now in the decline of life, in her ſeventieth year, her popularity beginning to fade, and the approach of bodily infirmities, all muſt have awakened her to reflection, and to the bitter ſenſation of her crimes, and of her inhuman treatment of the Queen of Scots. How forcibly muſt the awful dying words that princeſs, (in a letter ſent to Elizabeth after Mary's condemnation) have vibrated in her ear! Think me not preſumptuous, that now, bidding farewell to this world, and preparing for a better, I put you in mind, that you muſt alſo die, and muſt anſwer to the Tribunal of the moſt High for your conduct.' Happy for Elizabeth, if unfeigned contrition, and penitence in her laſt moments, has expiated her crimes!"

THE END.