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Robertson, William

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THE HISTORY OF SCOTLAND

DURING THE REIGNS OF

QUEEN MARY and of 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.

A NEW EDITION.

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THE HISTORY OF SCOTLAND.

BOOK VIII.

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; but 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. BOOK VIII. 1590. The King and Queen arrive in Scotland.

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 August 4.

BOOK VIII. 1590. 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 [1].

1591. An event happened soon after, which afforded the Clergy no small triumph. Archbishop Adamson, their ancient opponent, 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 to the Presbyterians. Such a confession, from the most learned person of the Episcopal order, was considered as a testimony which the force of truth had extorted from an adversary [2].

Disorders in the kingdom. 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

[1] Cald. iv. 204. [2] Spotsw. 385. Cald. iv. 214.

barbarity. All the defects in the feudal ariſtocracy were now felt more ſenſibly, perhaps, 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 vigor, ſuffered all theſe enormities to paſs with impunity.

An attempt of Bothwell's againſt the King.

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. 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

BOOK VIII. 1591. enemy, the Chancellor, he assembled his followers, under pretence of driving him from the King's councils. Being favored by some of the King's attendants, he was admitted by a secret passage, under cloud of night, into the court of the palace of Holy-rood-house. He advanced directly towards the royal apartment, but happily, before he entered, the alarm Dec. 27. 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[a].

1592. 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 color of executing that commission, gratified his private revenge, and surrounded the house of the Earl of Murray, Feb. 8. 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

[a] Melv. 388. Spotsw. 386.

from the city, and fixed his reſidence for ſome time at Glaſgow. There Huntly ſurrendered himſelf to juſtice; and, notwithſtanding the atrociouſneſs of his crime, and the clamors 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 Lenox, 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 [4].

Presbyterian Church-government eſtabliſhed by law.

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 privileges and juriſdiction by the acts of the parliament one thouſand five hundred and eighty-four, and though theſe laws had 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 favor 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 adminiſ-

[4] Spotſw. 387.

BOOK VIII. 1592.

tration, 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 of one thousand five hundred and eighty-four 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 favor, 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 by concessions to the Presbyterian Clergy,

more liberal than he himſelf would otherwiſe have choſen to grant [5]. 1592.

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 [6].

A new conſpiracy of the Popiſh Lords.

Scarcely was this danger over, when the nation was alarmed with the diſcovery of a new and more formidable conſpiracy. George Ker, the Lord Newbattle'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

[5] Cald. iv. 248. 252. Spotſw. 388.

[6] Melv. 402.

BOOK VIII.

in Scotland, and then to invade England with the whole forces of the kingdom. David Graham of Fintry, and Barclay of Ladyland, whom he accuſed of being privy to the conſpiracy, were taken into cuſtody, and confirmed all the circumſtances of his confeſſion [7].

1593. Zeal of the people,

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 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 vigor. 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

and proceedings of the King againſt them.

[7] Rymer, xvi. 190.

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 Mariſchal his Lieutenants there[s]. 1593. Jan. 8.

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 rigor; and if he could not apprehend 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

March 18. Elizabeth ſolicits him to treat them with rigor.

[s] Spotſw. 301. Cald. iv. 291.

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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 favor 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 vigor; 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, showed 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 disappoint 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 out-laws[9].

Bothwell surprises the King.

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

[9] Cald. iv. 343. Spotsw. 393. Parl. 13 Jac. VI. c. 154.

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 Lenox, the Earl of Athol, Lord Ochiltree, and all the name of Stewart eſpouſed her quarrel, and widened the breach. James, fond no leſs of domeſtic tranquillity, than of public peace, adviſed his favorite to retire, for ſome time, in hopes that the Queen's reſentment would ſubſide. But as he ſtood in need, in the preſent juncture, of the aſſiſtance of an able 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 into 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. 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 for all paſt offences, and to procure the ratification of it in Parliament; and in the mean time to diſmiſs the Chancellor, the maſter of Gla-

1593.

July 24.

BOOK VIII. 1593

mis, 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.

He recovers his liberty. Sept. 7.

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 had 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 favor 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 a pardon, provided he would sue for it as an act of mercy, and promise to retire out of 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 [10].

Suspected of favoring the Popish Lords.

The King's ardor 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

[10] Cald. iv. 326. Spotsw. 395.

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. 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 the synod, or were subject to its jurisdiction, such was the zeal of the members, that, overlooking this irregularity, they pronounced against them the sentence of excommunication, to which the act of last parliament added new terrors. 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. Sept. 25.

His lenity towards them. Oct. 17.

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 Popish 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. They 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

BOOK VIII. 1593.

boldneſs, and demanded of him, according to the regular courſe of juſtice, to commit to ſure cuſtody perſons charged with the higheſt acts 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 humored 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 impowered 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 inquiry 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

Nov. 26.

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 [11].

1594. 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 pro- Jan. 18. nounced them to have forfeited the benefit of the articles which were offered; and the King required them, by proclamation, to ſurrender themſelves to juſtice. The preſence of the Engliſh ambaſſador contributed, perhaps, to the vigor 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 rigor, which their crimes, as well as the poſture of affairs, rendered neceſſary. 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 arti-

[11] Cald. iv. 330. Spotſw. 397.

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fice 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 Counſellors 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.

A new attempt of Bothwell's.

Meanwhile, the King and the Clergy were filled with mutual diſtruſt of each other. They were jealous, perhaps, to exceſs, that James's 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 honor, 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, he promiſed to proceed againſt the Popiſh Lords with the utmoſt rigor of law. Animated by their Miniſters, the citizens ran cheerfully to their arms, and advanced, with the King at their head, againſt Bothwell;

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 Dalkeith 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 [12]. 1594.

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 indulgence could not reclaim, the moſt deſperate actions were to be dreaded. The aſſembly of the Church immediately took the alarm; 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 unfavorable ſuſpicions among the Engliſh, exerted himſelf with unuſual vigor. He called a Parliament; laid

Freſh dangers from the Popiſh Lords. April 3.

June 8.

[12] Spotſw. 403. Cald. iv. 359.

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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 which the law can inflict. They were declared to be guilty of high treason, and their estates and honors forfeited. At the same time, statutes, more severe than ever, were enacted against the professors of the Popish religion.

Battle of Glenlivat.

How to put this sentence in execution, was a matter of great difficulty. Three powerful Barons, cantoned in a part of the country of difficult access, 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 expenses of an expedition against them. To attack them in person, with his own forces alone, might have exposed James 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 Argyll 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.

Argyll, 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 horseback, 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 Argyll, 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 honor of their name [13]. BOOK VIII. 1594. Oct. 3. 1595.

On the first intelligence of this defeat, James, though obliged to pawn his jewels in order to raise money [14], assembled a small body of troops, and marched towards the North. He was joined by the Irvines, Keiths, Leslys, 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 the 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 Lenox as his Lieutenant in that part of the kingdom, with a body of men sufficient to restrain them from

[13] Cald. iv. 408. [14] Birch, Mem. i. 186.

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gathering to any head there, or from infesting the low country. Reduced at last to extreme distress by the rigor 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 [15].

Popish Lords driven out of the kingdom.

By their exile, tranquillity was re-established in the North of Scotland; and the firmness and vigor 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 rigor with which the King had lately 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 they might oppose to his. The Papists who resided in England turned their eyes towards the Earl of Essex, whose generous mind, though firmly established in the Protestant faith,

The Roman Catholics incensed against James.

[15] Spotsw. 404. Cald. 373, &c.

abhorred the severities inflicted in that age on account of religious 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. 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 forced to fly into Spain.

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 reason; 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 strong-

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eſt reſentment to the ſlighteſt acknowledgments, could never be ſoftened by his ſubmiſſion, nor be induced to liſten to any interceſſion in his behalf [16].

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 honor of his memory, a copy of verſes, which, when compared with the compoſitions of that age, are far from being inelegant [17].

A change in the adminiſtration.

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 rigor, and to huſband them with more care. This important truſt was committed to eight gentlemen of the law [18], 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

[16] Winw. Mem. i. Spotſw. 410. [17] Id. 411.

[18] Alexander Seaton Preſident of the Seſſion, Walter Stewart Commendator of Blantyre Lord Privy Seal, David Carnegy, John Lindſay, James Elphingſton, Thomas Hamilton, John Skene Clerk Regiſter, and Peter Young Elemoſynar.

penſion, or order on the treaſury, ſhould be held valid, unleſs it were ratified by the ſubſcription of five of the commiſſioners; all their acts and deciſions were declared to be of equal force with the ſentence 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 honorable office. The ancient ſervants of the Crown repined at being obliged to quit their ſtations to new men. The favorites 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 favoring 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 the adminiſtration of the finances, by which the neceſſary expenſes of government were more eaſily defrayed than in any other period of the King's reign [19].

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The rumor 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

Violence of the nation againſt the Popiſh Lords.

[19] Spotſw. 413. 435.

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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 rigor.

March 24.

The King's remissness with regard to them.

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 upon him their indignation. Elizabeth was now well advanced in years; her life had lately been in danger; if any Popiſh competitor 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 favorably 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 favor, 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.

The raſh proceedings of the Clergy and people.

As ſoon as they were informed of this, the members of a committee, appointed by the laſt General Aſſembly, met at Edinburgh, and with

BOOK VIII. 1596. 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 favoring Popery under the same censure by a summary sentence, and without observing the usual formalities of trial. 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, apointed them to reside constantly at Edinburgh, 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

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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 rage.

Seditious doctrine taught by Black.

Mr. David Black, Minister at St. Andrew's, 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 sake, but we have no cause, she will never do us good.

Nov. 10. The Clergy espouse his defence.

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 one thousand five hundred and eighty-four, 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 falshood 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 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 upon 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. Proud of such an oppotunity to display his zeal, he 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 enjoined every Minister to subscribe it in testimony of his approbation. BOOK VIII. 1596.

James defended his rights with no less vigor than they were attacked. Sensible of the contempt under which his authority must fall, if the Clergy should be permitted publicly, and with

BOOK VIII. 1596. 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 members of 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 produced ſome new ſcheme of reconcilement; but through the King's ficklenes, 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 rigor 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.

A tumult in Edinburgh.

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[20]. They doubted no more of the truth

[20] Though matters were induſtriouſly aggravated by perſons, who wiſhed both parties to purſue violent meaſures; neither of

BOOK VIII. 1596. 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 Decem. 17. danger: and he painted it with all the strong colors 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 Clergy; they drew up a petition to the King, craving the redress of those grievances, of which the Church 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 a haughty reply; the petitioners insisted with warmth; and a promiscuous multitude pressing into the room, James

The King in danger.

these reports was altogether destitute of foundation. 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. ii. 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. 270.

retired

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, threatenings, 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 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 [21].

[21] Spotſw. 417, &c. Cald. v. 54, &c. Birch. Mem. ii. 235.

BOOK VIII. 1596.

As soon as he retired, the leaders of the male-contents assembled, in order to prepare their petition. The punishment of the Popish Lords; the removal of those Counsellors who were suspected of favoring 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 this 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 vigor 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 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 labored 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 Edin-

He leaves Edinburgh, and proceeds with severity against the citizens.

burgh 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 valor of their anceſtors; that they wanted only a leader to unite them, and to inſpire them with vigor; that his zeal for the good cauſe, no leſs than his noble birth, entitled him to that honor: 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 favor, were preparing to obey: and the Miniſters, who ſaw no other hope of ſafety, fled towards England [22].

The King humbles the power of the Church. Jan. 3.

This unſucceſsful inſurrection, inſtead of overturning, eſtabliſhed the King's authority. Thoſe concerned in it were confounded and diſperſed. The reſt of James's ſubjects, in order to avoid ſuſpicion, or to gain his favor, 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

[22] Spotſw. 451. Cald. v. 126.

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submission to the King's jurisdiction, in all matters civil and criminal; impowered magistrates to commit, instantly, to prison any Minister, who, in his sermons, should utter any indecent reflections on the King's conduct; prohibited 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 [23].

Abridges the privileges of the citizens of Edinburgh.

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 favor 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 favor, interceded in their behalf; neither acknowledgments, nor intercessions, were of the least avail [24]. The King continued inexorable, the

Feb. 28.

[23] Cald. v. 147. [24] Cald. v. 149.

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 favor, and moved by the continual solicitations of the nobles, James abfolved 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 were imposed on them; and a great sum of money was exacted by way of peace-offering [25].

March 21.

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,

regard to the Church.

[25] Spotsw. 434. 444.

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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 overawed. 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 favor 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 uncontroverted, 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, 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 ſuch as continued to oppoſe his meaſures, inſtead of their former popular topic of the King's violent encroachments on a juriſdiction which did not belong to him, were obliged to turn their outcries againſt the corruptions of their own order[26].

By the authority of theſe General 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

Popiſh Lords pardoned.

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

[26] Spotſw. 433. Cald. v. 189. 233.

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Dec. 19. Towards the end of the year, a parliament was held in order to restore Huntly and his associates to their estates and honors, 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 the last General Assembly to complain to the Parliament, that the

Ecclesiastics restored to a seat in parliament.

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 this requeſt, an act was paſſed, by which thoſe Miniſters, on whom the King ſhould confer the vacant Biſhoprics and Abbeys, were entitled to a vote in Parliament; and that the Clergy might conceive no jealouſy of any encroachment upon 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 [27].

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 luſtre 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 acquire, 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

[27] Spotſw. 450. Parl. 15th Jac. VI. c. 235.

BOOK VIII. 1598. circumſcribing the juriſdiction of ſuch as were to be raiſed to this new honor, 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 leading Clergymen, with what colors 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 honors, 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 March 7. 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[28].

[28] Spotſw. 450. Cald. v. 278.

1599. James endeavours with ſucceſs to gain a party in England.

As the proſpect of ſucceeding to the Crown of England drew nearer, James multiplied precautions in order to render it certain. 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 which 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

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oppoſition to every pretender[29]. 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 favorable. It was entitled *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 contemptible performance, and not to be inferior to the works of moſt contemporary writers, either in purity of ſtyle or juſtneſs of compoſition. Even the 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 nation happy, and of which James could diſcourſe with great plauſibility, though often incapable of putting them in practice, the Engliſh conceived a high opinion of his abilities, and expected an increaſe of national honor 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[30].

[29] Johnſt. 242. [30] Camd. Spotſw. 457.

The Queen of England's ſentiments concerning James, were very different from thoſe 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 favors, 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 Vaiſon, a Scotſman, to the dignity of a Cardinal[31]. Elizabeth, who had received by another channel[32], ſome im-

Accuſes him of correſponding with the Pope.

[31] Cald. 333. [32] Winw. Mem. vol. i. 37. 52.

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perfect 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 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 favorable 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 inquiry. 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 exposed 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 [33].

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 expense of his own fame, and with the danger of his life, endeavoured to draw a veil over this part of his master's conduct [34].

James at great pains to gain the Roman Catholics.

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

[33] State Trials, vol. i. 429. Spotsw. 456. 507. Johnst. 448.
[34] Cald. vol. v. 322. vi. 147.

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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 [35]; the Archbiſhop of Glaſgow was an active inſtrument with thoſe of his own religion [36]. The Pope expreſſed ſuch favorable 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 [37]. 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.

1600. March 28. His regulations with regard to the Church.

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 of the North, among whom the King's influence chiefly lay. 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

[35] Winw. Mem. vol. ii. 57. [36] Cald. vol. vi. 147.
[37] Cald. vol. v. 604.

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Assembly shall recommend six persons to every vacant benefice, which gave a title to a seat in Parliament, out of whom the King should nominate one; that the person so elected, after obtaining his seat in Parliament, shall neither propose, nor consent to any thing there, that may affect the interest of the Church, without special instructions to that purpose; that he shall be answerable for his conduct to every General Assembly; and 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 [38]. 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 the 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

[38] Spotsw. 453. 457. Cald vol. v. 398.

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off these fetters, and gradually acquire all the privileges which belonged to the episcopal order. The Clergy dreaded the same thing; and of course he contended for the nomination of these commissioners, and they opposed it, not so much on account of the powers then vested in them, as of those to which it was believed they would soon attain [39].

Gowrie's conspiracy.

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 honors, 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 Gowrie, and his brother Alexander, the sons of that Earl who was beheaded in the year one thousand five hundred and eighty-four. 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

[39] Spotf. 454.

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 great quantity of foreign 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 seminary 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 rumi-

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nating upon 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 urging 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 Lenox 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 embarraſſed, 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 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, 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, "Remenber," ſaid he, "how unjuſtly my father ſuffered by your command; you are now my priſoner; "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 domeſtics 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

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must 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 ensued. The man in armour stood, as formerly, amazed and motionless; and the King dragging Ruthven towards a window, which during his absence 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. Lenox 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 Ramsey, 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 Ramsey, Erskine, and Herries, one Wilson, a footman, entered the room where the King was, and before they had time to shut the door, Gowrie 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 Ramsey pierced Gowrie, through the heart, and he fell down dead 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 labored in vain to force a passage; and the King being assured that they were Lenox, 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 solemn thanks to God for such a wonderful deliverance. The danger, however, was not yet over. The inhabitants of the town, whose Provost Gowrie was, and by whom he was extremely beloved, hearing the fate of the two brothers, ran to their arms, and surrounded the house, threatening 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 all the 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

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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 "abundance." 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.

The motive of the conſpirators not eaſily explained.

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 ſcarcely probable that they could impute them to the King, whoſe youth, as well as his 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 Gowrie himſelf, ſenſible of his favor, had 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, 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 design as the rest; and though placed in the study by Gowrie'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. BOOK VIII. 1600.

Sprot's discoveries concerning it.

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 several persons that he knew some secrets relating to Gowrie'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 Gowrie's intentions, and an accomplice in his crimes. Mr. Ruthven, he said, had frequent interviews with Logan, in order to concert the plan of their operations; the Earl had corresponded with him to the same purpose; and one Bour, Logan's confi-

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dent, 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 Gowrie 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[40]. Theſe were compared, by the privy council, with papers of Logan's hand-writing, and the reſemblance was manifeſt. 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[41],

[40] Logan's letters were five in number. One to Bour, another to Gowrie, and three of them without any direction; nor could Sprot diſcover the name of the perſon to whom they were written. Logan gives him the appellation of *Right Honorable*. 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 Geor-"gii 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.

[41] By the Roman law, perſons guilty of the crime of High Treaſon might be tried even after death. This practice was

his lands were forfeited, and his poſterity declared infamous. Sprot was condemned to be hanged for miſpriſion of treaſon. He adhered to his confeſſion to the laſt, and having promiſed, on the

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 commit or ſhall commit leſe Majeſty againſt the King's perſon, againſt the realm for averting 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 within five years after the deceaſe of the ſaid 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 heir was 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 their 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 frequently 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 Gowrie 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. § 22.

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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[42].

[42] 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. The man depoſed, &c. It ſeemed to be a very fiction, and a mere invention of the man's own brain, for neither did he ſhow the letter, nor could any wiſe man think that Gowrie, who went about the treaſon ſo ſecretly, would have communicated the matter to ſuch a man as Logan was known to be." p. 508. Spotſwood could not be ignorant of the ſolemnity with which Logan had been tried, and of 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, the 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 Articles 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 at 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."

But though it be thus unexpectedly discovered that Gowrie did not act without associates, little additional light is thrown, by this discovery, on the motives and intention of his conduct. It appears almost 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, 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 imbrue their hands in the blood of their Sovereign, what advantage could have accrued to them by his death? and what claims or pretensions could

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they have oppoſed to the rights of his children [43]? 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 [44]; nor

[43] It has been aſſerted, that, in conſequence of the King's death, the Earl of Gowrie 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 nobleman 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 Steward, Lord Methven's ſecond wife, a daughter of John Earl of Athol. Crawf. Peer. 329. And though Gowrie had really been deſcended from the blood-royal of England, the King at that time had a ſon and a daughter; and beſides them, Lady Arabella Stewart, daughter of Charles Earl of Lenox, had a preferable title to the Crown of England.

[44] 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 Gowrie'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 letter be any confirmation of that ſuſpicion, is ſubmitted to the reader. In his letter, Sept. 22, 1602, he mentions the return of Gowrie's two younger brothers into

was he of a ſpirit ſo ſanguinary, or ſo noted for raſh and deſperate valor, 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 Lenox, the former connected in cloſe friendſhip with the houſe of Gowrie, and the latter married to one of the Earl's ſiſters.

A conjecture concerning the intention of the conſpirators.

Whichſoever of theſe oppoſite ſyſtems we embrace; whether we impute the intention of murder to Gowrie, 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.

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 Paiſley, 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 ſhowed 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."

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To keep the King of Scots in continual dependance, was one great object of Elizabeth's policy. In order to this, she sometimes soothed him; and sometimes bribed his Ministers and favorites; and when she failed of attaining her end by these means, she encouraged the Clergy to render any administration which she distrusted unpopular, by decrying it, or stirred up some faction of the nobles to oppose and to overturn it. In that fierce age, men little acquainted with the arts of undermining a Ministry by intrigue, had recourse to the ruder practice of rendering themselves masters of the King's person, that they might thereby obtain the direction of his councils. Those nobles, who seized the King at the *Raid of Ruthven*, were instigated and supported by Elizabeth. Bothwell, in all his wild attempts, enjoyed her protection, and when they miscarried, he was secure of retreat in her dominions. The connexions 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 Gowrie 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 inseparably connected with the subsistence of the alliance between the two kingdoms. During his residence at Paris, he had contracted

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[45]. Elizabeth received him, as he paſſed through England, with diſtinguiſhed marks of reſpect and favor. 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 frith of Forth. The Earl's two younger brothers fled into England after the ill ſucceſs of the conſpiracy, and were protected by Elizabeth. James himſelf, though he prudently concealed it, took 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 ſafe-guard 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 Gowrie 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

[45] Winw. i. 156.

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any attendants. When these proved more numerous than was expected, the Earl employed a stratagem in order to separate 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 their 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. Though Gowrie had not collected his followers in such numbers 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. 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, 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 a 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.

1600. Many dis. believe the account published by the King.

A few days after, the King returned to Edinburgh; and though Galloway, the Minister of his own chapel, made an harangue 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 Gowrie, their jealousy of every part of the King's conduct, added to some false and many improbable circumstances in the narrative, not

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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 further 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 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 [46].

Proceedings of Parliament againſt the conſpirators.

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 honors were forfeited; the puniſhment due to traitors was inflicted on their dead bodies; and, as if the puniſhment 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

[46] Spotſw. 461, &c. Cald. v. 389. &c.

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 [47].

[47] 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 Cromertie published an "Historical account of the conspiracy by the Earl of "Gowrie, 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 the 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 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 hands. Disc. 53. Crom. 50. Henderson likewise boasted to his wife, that he had that day twice saved the King from being stabbed. Disc. 54. Crom. 53.

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Though Gowrie's conſpiracy occaſioned a ſudden and a great alarm, it was followed by no conſequences of importance; and having been concerted by the two brothers either without any aſſociates,

Eſſex's conſpiracy againſt Elizabeth.

II. The King aſſerts that Henderſon opened the window during Mr. Ruthven's abſence. Diſc. 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 the Earl came up the 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 any 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 you* "*of my father's murder; you ſhall now die for it*, and "minting to his Highneſs's heart, with the dagger, the de- "ponent threw the ſame out of Mr. Ruthven's hands, and "ſwore that as God ſhall judge his ſoul, that if Mr. Ruth- "ven had retained the dagger in his hand, the ſpace a man "may go ſix ſteps, he would have ſtricken the King to the

or with such as were unknown, and chose to remain so, the danger was over, as soon as discovered. But not long after, a conspiracy broke out in England

"hilts with it." Disc. 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 his 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 Lenox confirms this in his deposition. 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 Moncrief, 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. Moncrief 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

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againſt Elizabeth, which, though the firſt danger was inſtantly diſpelled, produced tragical effects; that rendered the cloſe of that Queen's reign diſmal and unhappy. As James was deeply intereſted 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 ſupreme direction of affairs. The leader of the one was Robert D'Evreux, Earl of Eſſex; Sir Robert Cecil, the ſon of Lord Treaſurer Burleigh, was at the head of the other. The former was the moſt accompliſhed and the moſt popular of all the Engliſh nobles; brave, generous, affable; though impetuous, yet willing to liſten to the counſels of thoſe whom he loved; an avowed, but not an implacable enemy; a friend no leſs conſtant than warm; incapable of diſguiſing his own ſentiments, or of miſrepreſenting thoſe of others; better fitted for a camp than for a court; and of a genius that qualified him for the firſt place in the adminiſtration, with a ſpirit which ſcorned the ſecond as below his merit. He was ſoon diſtinguiſhed by the Queen, who, with a profuſion uncommon to her, conferred on him, even in his earlieſt youth, the higheſt honors. Nor did this diminiſh the eſteem and affection of his countrymen; but, by a rare felicity, he was at once the favorite of his Sovereign, and the

King at Falkland?" Crom. 70, 71. Which queſtion ſeems to prove that he did not aim at keeping that journey a ſecret. In the Collection of Criminal Trials, publiſhed by Mr. Arnot in 1785, the evidence againſt the two brothers has been conſidered with great attention, P. 20, &c.

darling of the people. Cecil, on the other hand, educated in a court, and trained under a father deeply ſkilled in all its arts, was crafty, inſinuating, induſtrious; and though poſſeſſed of talents which fitted him for the higheſt offices, he did not rely upon his merit alone for attaining them, but availed himſelf of every advantage, which his own addreſs, or the miſtakes of others, afforded him. Two ſuch men were formed to be rivals and enemies. Eſſex deſpiſed the arts of Cecil as low and baſe. To Cecil, the Earl's magnanimity appeared to be preſumption and folly. All the military men, except Raleigh, favored Eſſex. Moſt of the courtiers adhered to Cecil, whoſe manners more nearly reſembled their own. BOOK VIII. 1601.

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 honors 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 toward him, could not eaſily bear contradiction, and who conferred favors 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

His correſpondence with the Scottiſh King.

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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 favor 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 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, of which he was just about to obtain possession, 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.

James's cautious conduct.

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 even 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

The wild attempts of Essex.

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to redreſs his wrongs by violence. But being 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. Eſſex nevertheleſs, 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 [48]. But, though almoſt adored by the

[48] Birch. Mem. ii. 477.

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 against him 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 Bruce, Abbot of Kinloss, 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 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 his 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 empowered 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 [49]. But before the Ambassadors could reach London, Essex had suffered the punishment which he merited by his treason. Perhaps the fear of their interposing, in order to

His death.

[49] Johnst. 289. Birch. Mem. ii. 510.

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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 favor 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, who had intereſt with the Queen, might perhaps have ſaved his life, and have procured him a remiſſion, which, of herſelf, ſhe was aſhamed to grant. But this generous nobleman had at that time no ſuch friend. 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 honors, as well as all his aſſociates in the conſpiracy, and diſtinguiſhed them with his favor [50].

James continues his intrigues in England.

The Scottiſh Ambaſſadors, finding that they had arrived too late to execute the chief buſineſs committed to their charge, not only concealed that part of their inſtructions with the utmoſt

[50] Camd. Spotſw. 464.

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 to that nobleman's intentions 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 favor 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 car-

BOOK VIII. 1601.

ried it on with all the ſecrecy and caution neceſſary in his ſituation, and peculiar to his character[51]. 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[52]. It was with ſome difficulty that he reſtrained within proper bounds his adherents in that kingdom, who, laboring to diſtinguiſh themſelves by that officious zeal, with which a Prince, who has a near proſpect 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, the dictates of which 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[53].

[51] See Appendix, No. 1.

[52] Dr. Birch, in his life of Prince Henry, p. 232, has given ſome account of the myſterious mode in which this correſpondence was carried on, and how the letters were conveyed from London to Dublin, and from thence to Scotland. Notwithſtanding the ſolicitude which Cecil repeatedly diſcovers, that his letters ſhould be deſtroyed as ſoon as the King had read them, a conſiderable number of them has been preſerved, and publiſhed by Sir David Dalrymple in the year 1766. They were written by Lord Henry Howard, under the inſpection of Cecil, in a ſtyle affectedly obſcure. The whole correſpondence is more curious than inſtructive.

[53] Spotſw. 467. 471. Birch. Mem. ii. 514.

Notwithſtanding

BOOK VIII.

1602. Attempts to civilize the Highlanders.

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 too much 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 subduing 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 labor, 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 [54], 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

[54] Basil. Dor. 139.

BOOK VIII. 1602.

under their jurisdiction, to bind themselves to deliver them to justice, and to indemnify those who should suffer by their robberies; 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 Cantire, 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 natives 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, and surprising them in the night-time, murdered some of them, and compelled 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 thoughts, but of having firſt pointed out the proper method of introducing the civil arts of life into that part of the iſland. [55].

Elizabeth's laſt illneſs and death.

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 vigor 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 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.

1603. January 31.

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 Elizabeth's 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

[55] Parl. 1587. 1594. 1597. Spotſw. 468.

BOOK VIII. 1603.

a new Prince, began to desert her. And crowds of people hurried towards Scotland, eager to preoccupy the favor 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 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 [56]. An accident happened soon after her retiring to Richmond, which revived her affection with new tenderness, and embittered her sorrows. The Countess of Nottingham, being on her deathbed, desired to see the Queen, in order to reveal something to her, without discovering which, she

[56] Birch. Mem. ii. 505.

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 favor 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 [57]. From that

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[57] This anecdote concerning Elizabeth was first published by Osborne, 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. 106. 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. ii. 506. Essex, however, 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 sorrows should revive with so much violence at so great a distance of time. As the death of the Countess of Nottingham hap-

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moment, her ſpirit ſunk entirely; ſhe could ſcarce taſte food; ſhe refuſed all the medicines preſcribed 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 fervor. Waſted, at laſt, as well by anguiſh of mind, as by long abſtinence, ſhe expired, without a ſtruggle, on Thurſday the twenty-fourth day of March, in the ſeventie th year of her age, and in the forty-fifth of her reign [58].

Her character.

Foreigners often accuſe the Engliſh of indifference and diſreſpect towards their Princes. But without reaſon; no people are more grateful than

pened 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 Oſborne, as will entitle it to a place in hiſtory. The only objection to the account we have given of Elizabeth's attachment to Eſſex, ariſes from her great age. At the age of 68, 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 Royal and Noble Authors, Article Eſſex.

[58] Camd. Birch. Mem. ii. 506. Birch. Negoc. 206. Strype, iv. 373.

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. 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 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.

BOOK VIII. 1603.

Such is the picture which 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 valor of her anceſtors could not accompliſh, reduced that kingdom to a ſtate of dependance 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 other actions, Elizabeth is the object of our higheſt admiration; in this we muſt allow that ſhe not only laid aſide the magnanimity which became a Queen, but the feelings natural to a woman.

James proclaimed King of England.

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. 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 favor 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; the 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 ſcarcely heard; and Cecil, by ſtifling it, added to his ſtock of merit with his new maſter. Sir Charles Percy, brother of the Earl of Northumberland, and Thomas Somerſet, the Earl of Worceſter's ſon, were diſpatched to Scotland, with

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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 Hunſdon'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 which he brought was not made public, and the King kept his apartment till the arrival of Percy and Somerſet. 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 the 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, were melted into sorrow by these tender declarations [59].

Takes possession of the throne.

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

[59] Spotsw. 476.

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remembered no other court but hers; and their notions of the manners and decorums 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 honor, 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.

Conclusion.

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

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A view of the Revolutions in the conſtitution of Scotland ſince the acceſſion of James VI.

The Scots had ſo long conſidered their monarchs as next heirs to the Engliſh throne, that they had full 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 honors which 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 honorable 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 ſubmiſ-

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sion of the nobles. But though this produced a species of government extremely feeble and irregular; 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 the King, whose claims and pretensions were many, though his power was small, were afraid of irritating their dependants by unreasonable exactions, and tempered the rigor of aristocratical tyranny, with a mildness and equality to which it is naturally a stranger. As long as the military genius of the feudal government remained in vigor, the vassals both of the Crown and of the Barons were generally not only free from oppression, but were 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 privileges 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 honors; and the hope of his favor 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 rigor with which they were exerciſed. The nobles, exhauſting their fortunes by the expenſe 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 hardly utter complaints which they knew would never reach the ear of their Sovereign, nor move him to grant them any redreſs. 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

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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. The nobles, perceiving the ſceptre to be now in hands leſs friendly, and ſwayed by a Prince with whom they had little connexion, 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. 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 own 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 vigor. 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;

land; 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 his 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 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 hardly 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.

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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 Peers of Scotland 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 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 men-

tioned rather than developed, enables us to point out three eras, 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 their *Acceſſion* to the throne of England, 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 control, or their nobles to reſiſt. At the *Union* of the two kingdoms, the feudal ariſtocracy, which had ſubſiſted ſo many ages, and with power ſo exorbitant, was overturned, and the Scottiſh nobles having ſurrendered rights and pre-eminences peculiar to their order, 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 ſeldom courted by the nobles, have emerged into dignity; and, being admitted to a participation of all the privileges which the Engliſh had purchaſed at the expenſe 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, had revived the name and office of Biſhops. But they poſſeſſed no eccleſiaſtical juriſdiction or pre-eminence, their revenues were inconſiderable,

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and they were scarcely distinguished by any thing but by their seat in 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 effect an union in the ecclesiastical policy, which he had, in vain, attempted in the civil government of the two kingdoms, 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 reestablished with new vigor. Together with Monarchy, Episcopacy was restored in Scotland. A form of government, so odious to the people, required force to uphold it; and though not only the whole rigor of authority, but 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. BOOK VIII.

Nor did the influence of the Acceſſion extend to the civil and eccleſiaſtical conſtitution 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 vigor, and even of perſpicuity. No author thought 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. 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 deemed 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, or 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

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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 Buchanan, 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 labor 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 to 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, were at leaſt more attainable. 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 had 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 honor. 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 refinement. Scotland might have had a ſeries of authors in its own, as well as in the Latin language, to boaſt of; and 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. BOOK VIII.

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

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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 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, might have been conſidered in the ſame light with the varieties occaſioned by the different dialects in the Greek tongue; might have been conſidered as beauties; and, in many caſes, might have been uſed promiſcuouſly by the authors of both nations. But, by the Acceſſion, the Engliſh naturally became the ſole judges and law-givers in language, and rejected as ſoleciſms, every form of ſpeech to which their ear was not accuſtomed. Nor did the Scots, while the intercourſe between the two nations was inconſiderable [60], and ancient prejudices

[60] 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 Weſtminſter. By this report, which is very minute, it appears that the whole number of Scots at that time was 58. 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 88. Strype, iv. 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

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 matters of which they treat mingling daily in common diſcourſe and buſineſs, many of thoſe vicious forms of ſpeech, which are denominated *Scotticiſms*, have been introduced by them 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, prior to the Revolution, none were conducted with the ſpirit and vigor natural to a popular aſſembly. BOOK VIII.

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 beginning of that period, both nations were

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emerging out of barbarity, but the distance between them, which was then inconsiderable, became, before the end of it, immense. 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 languor. 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 show 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; peculiarities 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. 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.

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 Queen 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 judgement 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 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 a hiſtorian adopts with regard to it, he muſt vary and diſpoſe the whole of his ſubſequent narration. A 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, ſet off by ſome external frivolous accompliſhments, 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 antipathy 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 upon 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 favor, by addreſs and by flattery. By degrees he gained her heart. In order to gratify his love, or at leaſt his ambition, it was neceſſary to get rid of the King. Mary had rejected the propoſal which, it is ſaid, had been made to her for obtaining a divorce. The King was equally hated by the partiſans 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 favor. Among the people Darnly was fallen under extreme contempt. Bothwell might expect, for all theſe reaſons, that the murder of the King would paſs without any inquiry, and might truſt to Mary's love, and to his own addreſs and good fortune, 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 the murder of her huſband, ſhe married the perſon who was both ſuſpected and accuſed of having perpetrated that odious crime.

Thoſe, who charge the guilt upon Murray and his party, reaſon in this manner. Murray, they ſay, 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 favor, and engrossed 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 Darnly, 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 assassinate Henry, 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 accessary 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 the party of which he was the leader 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 favorable ſuppoſition) the precarious poſſeſſion of her favor only a few days before his death? It is difficult to conceive what Murray had to fear from the King's life. It is ſtill a more difficult 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 acceſſary 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 render him odious, by accuſing him of crimes which he had not committed, and, in conſequence of this unjuſt charge, ſhould be enabled to deprive him of that power? The moſt adventurous politician never hazarded ſuch a dangerous

gerous experiment. The moſt credulous folly never truſted ſuch an uncertain chance.

How ſtrong ſoever theſe general reaſonings may appear to be, it is not upon them alone that we muſt decide, but according to the particular evidence that is produced. This we now proceed to examine.

That Bothwell was guilty of the King's murder, appears, 1. From the concurring teſtimony of all the contemporary 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. ii. 165. 3. From the acknowledgment of Mary's own commiſſioners, who allow Bothwell to have been one of thoſe who where guilty of this crime. Good. ii. 213. 4. From the expreſs teſtimony of Leſly, Biſhop of Roſs, to the ſame effect with the former. Def. of Q. Mary's Honor. And. i. 76. Id. iii. p. 31. 5. Morton, at his death, declared that Bothwell had ſolicited him, at different times, to concur in the conſpiracy formed 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, which I have publiſhed in the Appendix to Vol. II. No. 34. 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. II. No. 11.

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 own table, a few days after the murder "was committed? Did he not charge you with the "foreknowledge of the same murder; did he not, "*nulla circumlocutione usus*, flatly and plainly burden "you, that riding in Fife, and coming with one of "your most assured and trusty servants the same day "whereon you departed from Edinburgh, said to "him, among other talk. This night ere morning "Lord Darnly shall lose his life?" Defence of Q. Mary, Anders. ii. 75. But the assertion of a man so heated 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 Herries was one of the most zealous advocates for Mary, and it is remarkable that, in all his negociation at the court of England, he never once repeated this accusation of Murray. In answering the challenge given him by Lord Lindsay, Herries 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 Murray, he industriously avoids any insinuation against Murray himself. Keith, Pref. xii. Mary herself, in conversation with Sir Francis Knolles, accused Morton and Maitland of being privy to the murder, but does not mention Murray. And. iv. 55. When the Bishop of Ross and Lord Herries

appeared before the 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 "council and foreknowledge thereof; neither who "were deviſers, inventors, and executors of the ſame, "till it was publicly diſcovered long thereafter by "ſome of the aſſaſſins, who ſuffered death on that ac-"count." Good. ii. 308. 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 Earls of Huntly and Argyll, in their *Proteſtation touching the murder of the King of Scots*, after mentioning the conference at Craigmillar concerning a divorce, 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 ſecretary Lethington were authors, inventors, "counſellors and cauſers of the ſame murder, in what "manner, or by whatſomever perſons the ſame "was executed." Anderſ. iv. 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 connexion 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 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. 5. It is altogether uncertain whether Huntly and Argyll ever ſubſcribed this proteſtation. A copy of ſuch a proteſtation as the Queen thought would be of advantage to her cauſe, was tranſmitted to them by her. Anderſ. iv. p. ii. 186. The proteſtation itſelf, publiſhed by Anderſon, is taken from an unſubſcribed copy with blanks for the oath and place of ſubſcribing. On the back of this copy, there is paſted, indeed 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 can hardly be deemed 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, Jan. 5. 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. iv. 185. 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 ſeems to render it highly probable 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 at the converſation at Craigmillar. 6. But even if all this reaſoning ſhould be ſet aſide, and the authenticity of the *Proteſtation* ſhould be admitted in its full extent, it may ſtill be a queſtion, what degree of credit ſhould be given to the aſſertion of the two Earls, who were

not only present in the first Parliament, held by Murray as Regent in December 1567, in which the one carried the sceptre, and the other the sword of state, Spotsw. 214. but were both members of the Committee of Lords of Articles, and in that capacity assisted in framing all the acts by which the Queen was deprived of the crown, and her son seated on the throne; and in particular concurred in the act by which it was declared, that whatever had befallen the Queen, "was in her awin default in sa far as, be divers hir previe letters written halelie with hir awin hand, and send by hir to James sometyme Erle of Bothwell, cheif executour of the said horribill murthour, as weill befoir the committing thairof as thairaftir: And be hir ungodlie and dishonourabill proceeding to ane pretendit marriage with him, suddaindlie and unprovisitlie thairaftir, it is maist certane that sche was previe, airt and pairt, of the actual devise and deid of the foirnamit murthour of the King her lauchfull husband, and thairfoir justlie desirvis quhatsumever hes bene done to hir in ony tyme bygaine, or that sal be usit towards hir, for the said cause." Anders. ii. 221.

The Queen's commissioners at the *Conferences* in England accused Murray and his associates of having murdered the King Good. ii 281. But this charge is to be considered as a recrimination, extorted by the accusation preferred against the Queen, and contains nothing more than loose and general affirmations, without descending to such particular circum-

ſtances as either aſcertain their truth, or diſcover their falſhood. The ſame accuſation is repeated by the nobles aſſembled at Dumbarton Sept. 1568. Good. ii. 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 the 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. Anderſ. iv. Part ii. 130. But whoever conſiders the limited powers of a Scottiſh 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 to the objections and alledgance of the Queen, alledging the Earl of Murray, Lord Regent, the Earl of Morton, Murt, 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. Paper-Office.

It is anſwered, that is alledged but (i. e. without) all appearance, and it appears God has be-

reft the alledgance of all wit and good remembrance, for thir reasons following:

Imprimis, as to my Lord Regent, he never had occasion to grudge thereat, in respect the Queen made him privy to the same, and took resolution with him for the execution thereof, letting his Lordship know she would assuredly in the famine except all things she had given to him, and ratefy them in the next parliament as she did indeed; and for that cause wished my Lord to leave behind him Master John Wood, to attend upon the same, to whom she declared, that als well in that as in all others her grants it should be provided, yea of free will did promise and offer before ever he demanded, as it came to pass without any lett or impediment, for all was ratified by her command, and hand write, at the parliament, but (i. e. without) any difficulty.

Item as to my Lord of Morton, he could not grudge thereat 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 of Parliament thairanents to the Queen herſelf, and did complain of the manifeſt corruption of ane act of parliament paſt upon her Majeſty's return, and ſa did lett any revocation at that time; but the armour for revenge of the King's deid was not till twa 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 inquire 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. ii. 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 unfavorable to her. Keith, Pref. ix. Many of her nobles loudly 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 hardly admit of a poſitive or direct proof. Deeds of darkneſs can ſeldom be brought perfectly to light. Where perſons are accuſed not of

being *Principal*, but only of being *Acceſſaries* in the commiſſion of a crime; not of having perpetrated 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, a 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 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. Vol. II. No. III. and IV. Le Croc, the French ambaſſador, who was an eye-witneſs of what he de-

ſcribes, not only repreſents her averſion to 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 foretell 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

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in proportion to the increaſe of Mary's hatred of her huſband, Bothwell made progreſs in her favor, and that he became the object not only of her confidence but 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 unwarranted 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. i. 36. a paper in conſequence of 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. ii. 156. 3. Soon after, February 20, the Earl of Lenox, the King's father, wrote to Mary, conjuring her, by every motive, to proſecute the murderers with the utmoſt rigor. He plainly declared his own ſuſpicions of Bothwell, and pointed out a method of proceeding againſt him, and for diſcovering

the other authors of that crime, no leſs obvious than equitable. He adviſed her to ſeize, and to commit to ſure cuſtody Bothwell himſelf, and ſuch as 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 farther trial. And i. 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 nathing (ſays he) by quhat zour Majeſty writes to me zourſelf, that ſen it has pleſit God to conſerve zow to make 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 nathing to zour prejudiſe, but I *man* conſtraindly writ the ſamin, that *muſt* all may come to zour knawlege; for the better remede may be put therto. Heir it is needfull 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 heavy envie and diſpleſir of the committing thereof, and conſerve that reputation in all godlineſs, ze have conquiſt of lang, quhich can appear na wayis mair clearlie, than that zow do *ſich* juſtice *ſuch* that the *haill* world may declare zour innocence, *whole* and give teſtimony forever of thair treaſon that has committed (*but* fear of God or man) ſo cruel *without*

and ungodlie a murther, quhairof there is ſa *meikle* ill
much ſpoken, that I am conſtrainit to aſk zow mercy, that
neither can I or will I make the rehearſal thereof, which
too is *owr* 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 II.
No. VI. 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
vigor in her proceedings. Her huſband had been
murdered in a cruel manner, almoſt in her own pre-
ſence. Her ſubjects were filled with the utmoſt horror
at that crime. Bothwell, one of her principal favorites,
had been publicly accuſed as the author of it. Re-
flections, extremely diſhonorable to herſelf, had
been thrown out. If indignation, and the love
of juſtice, did not prompt her to purſue the mur-
derers with ardor, decency, at leaſt, and con-
cern for vindicating her own character, ſhould
have induced her to avoid any appearance of re-
miſſneſs or want of zeal.

But inſtead of this, Mary continued to diſcover,
in all her actions, the utmoſt partiality towards
Bothwell. 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 prin-
cipal port in the kingdom, but a great aſcendant

over the citizens of Edinburgh, who wished much to keep possession of it [1]. 2. Bothwell being ex-

[1] *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 pervenerint 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 confisum consanguineum et consilarium 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 hereditatem, supra summam viginti millium mercarum hujus nostri regni, alienavit ac læsit. Et nos cogitantes quod, ex nostra principali honore et devoria dictum nostrum confisum consanguineum & consiliarium cum quodam accidente et gratitudine recompensare et gratificare incumbit quæ nos commodè 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 legitimos, &c. assignatos in et ad literas reversionis factas, &c. per Symonem Preston de eodem, militum præpositum, balivos, consules, et communitatem hujus nostri burgi de Edinburgh, pro seipsis ac suis successoribus, &c. nobis, nostrisque hæredibus, successoribus, et assignatis pro redemptione, &c. superioritatis totius villæ de Leith, &c. impignoratæ per nos dictis præposito, &c. sub reversione alienatæ continentis ummam decem millium mercarum monetæ præscriptæ nu-

tremely 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. i. Pref. 64. Keith, 379. note (*d*). 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. ii. 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. Being examined on the Monday after the King's death, "This deponar shew that Bonkle had the key of the cellare, 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. iv. 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 Lenox's

merandum et calculandum 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.

repeated

repeated ſolicitations, notwithſtanding the reaſonableneſs 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. i. 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 Council 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. II. p. 62, &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 honors which ſhe had conferred upon him, in which was contained an ample enumeration of all the ſervices he had performed. And. i. 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 reſentment. Melv. 156. 9. Bothwell 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 MS. "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, clamor, 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 honors. And i. 87. 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 a part of her subjects, her affection did not in the least abate, and she continued to express the most unalterable attach-

ment to him. "I can perceive (says Sir N. Throkmorton) that the rigor 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 murderer; 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 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." Append. to Vol. II. No. IX. In all their negociations with Throkmorton, the Confederates mention this unalterable attachment of the Queen to Bothwell, as a sufficient reason for rejecting his proposals of an accommodation with their Sovereign. Keith, 419. 449. This assertion they renewed in the conferences at York. Anders. iv. part ii. p. 66. Murray, in his interview with Mary in Lochlevin, charged her with persisting in her inordinate affection to Bothwell. Keith, 446. All these, however, may be considered merely as accusations brought by the Confederates, in order to vindicate their rigor towards the Queen. But Throkmorton, who, by his residence in Edinburgh, and by his intercourse with the Queen's partisans, as well as with her enemies, had many opportunities of discovering whether or not Mary had expressed herself in such terms, and who was disposed to view her actions in the most favorable light, appears, by the passage which I have quoted from his

letter of the 14th of July, to be perſuaded that the Confederates had not miſrepreſented her ſentiments. He had ſoon an opportunity of being confirmed with greater certainty in this opinion. Although the Confederates had refuſed him acceſs to the captive Queen, he found means of holding a ſecret correſpondence with her, and endeavoured to perſuade her to give her conſent to have her marriage with Bothwell diſſolved by a ſentence of divorce, as the moſt probable means of regaining her liberty. She hath ſent me word that ſhe will in no wiſe conſent unto that, but rather die. Append. to Vol. II. No. IX. There is evidence of the continuance of Mary's attachment ſtill more explicit. Lord Herries, in the Parliament held the 15th of December 1567, acknowledged the Queen's inordinate affection to that wicked man, and that ſhe could not be induced by perſuaſion to leave him; and that in ſequeſtering her within Lochlevin, the Confederates had done the duty of noblemen. App. to Vol. II No. XI. In the year 1571 a conference was held by ſome deputies from a Convention of Clergy, with the Duke of Chatelherault, Secretary Maitland, Sir James Balfour, and Kirkaldy; and an account of it written by Mr. Craig, one of the Miniſters of Edinburgh, is extant in Calderwood MSS. Hiſt. ii. 244. In preſence of all theſe perſons, moſt of whom were in Edinburgh when the Queen was taken at Carberry, Maitland, who was now an avowed partiſan of Mary, declares, that on the ſame night ſhe was brought to Edinburgh, he himſelf had offered that if ſhe would abandon Bothwell, ſhe ſhould

have as thankful obedience as ever ſhe had ſince ſhe came to Scotland. But no wiſe would ſhe conſent to leave Bothwell. According to Sir James Melvil, the Queen found means of writing a letter to Bothwell on the evening of that day when ſhe was conducted as a priſoner to Edinburgh, in which ſhe declared her affection to him in the moſt tender expreſſions, and her reſolution never to abandon him. This letter, he ſays, was intercepted by the Confederates, and determined them to confine Mary in the caſtle of Lochlevin. But as neither Buchanan nor Knox, both abundantly diſpoſed to avail themſelves of every fact and report that could be employed in order to repreſent Mary's conduct as improper and criminal, mention this letter; and as the Confederates themſelves, in their negociations with Throkmorton, as well as in their accuſations of the Queen before the Engliſh Commiſſioners at York and Weſtminſter, maintain the ſame ſilence with regard to it, I am ſatisfied that Melvil, who wrote his memoirs for the information of his ſon, in his old age, and long after the events which he records happened, has been miſtaken with regard to this particular. From this long enumeration of circumſtances, we may, without violence, draw the following concluſion. Had Mary really been acceſſary to the murder 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 ſcarcely have taken any other ſteps than thoſe which 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 *naiveté* 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 ſcarcely be ſuppoſed to have entered the imagination of any man but one of Paris's rank 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 as it will, ſome of the moſt material facts in Paris's affida-

vits 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. II. 95. 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.

I. External proofs of the genuineneſs of Mary's letters. 1. Murray, and the nobles who adhered to him, affirm upon their word and honor, that the letters were written with the Queen's own hand, with which they were well acquainted. Good. ii. 64. 92. 2. The letters were publicly produced in the parliament of Scotland, December 1567; and were ſo far conſidered as genuine, that they are mentioned in the act againſt Mary, as, one chief argument of her guilt. Good. ii. 66, 67. 3. They were ſhown 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 ii. 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 here to us." Good ii. 154. Nor did Norfolk declare these to be his sentiments only in public official letters, he expressed himself in the same manner to his most confidential friends. In a secret conference with the Bishop of Ross at York, the Duke informed him, that he had seen the letters, &c. which the Regent had to produce against the Queen, whereby there would be such matter proved against her, as would dishonor her for ever. State-Trials, Edition of Hargrave, i. 91. Murdin, 52. The Bishop of Ross, if he had known the letters to be a notorious forgery, must have been naturally led, in consequence of this declaration, to undeceive the Duke, and to expose the imposture. But, instead of this, the Duke and he and Lethington, after consulting together, agreed, that the Bishop should write to Mary, then at Bolton, and instruct her to make such a proposal to Elizabeth as might prevent the public production of the letters and other evidence State-Trials, i 94 Murdin, 45. Indeed, the whole of this secret conference seems to imply, that Lethington, Ross, and Norfolk, were conscious of some defect in Marys cause,

and therefore exerted all their ingenuity in order to avoid a public accusation. Murdin, 52, 53. To Banister, whom the Duke seems to have trusted more entirely than any other of his servants, he expressed himself in similar terms with respect to the Queen of Scots. State-Trials, i. 98. The words of Banister's evidence are remarkable: "I confess that I, waiting of my Lord and Master, when the Earl of Sussex and Mr. Chancellor of the Dutchy that now is, were in commission at York, did hear his Grace say, that upon examination of the matter of the murder, it did appear that the Queen of Scots was guilty and privy to the murder of Lord Darnly, whereby I verily thought that his Grace would never join in marriage with her. Murdin, 134. Elizabeth, in her instructions to the Earl of Shrewsbury and Beale in 1583, asserts, that both the Duke and Earl of Arundel did declare to herself, that the proof, by the view of her letters, did fall out sufficient against the Queen of Scots; however, they were after drawn to cover her faults and pronounce her innocency. MS. Advoc. Library. A. iii. 28. p. 314, from Cot. Lib. Calig. 9. 4. A similar impression was made upon other contemporaries of Mary by the production of the letters, which implies a full belief of their being genuine. Cecil, in his correspondence with Sir Henry Norris, the English Ambassador in France, relates this transaction in terms which leave no room to doubt with respect to his own private opinion. In his letter, Decem. 14th, 1568, the very day on which the letters, &c. were laid

before the meeting of Privy Counſellors and Peers, he informs him, "that the Regent was driven, for his defence, to diſcloſe a full fardel of the naughty matter, tending to convince the Queen as deviſer of the murther, and the Earl of Bothwell as her executour; and now the Queen's party, ſo great, refuſe to make any anſwer, and preſs that their Miſtreſs may come in perſon to anſwer the matter herſelf; before the Queen's Majeſty, which is thought not fit to be granted until the great blot of the marriage with her huſband's murtherer, and the evident charges, by letters of her own, to be deviſer of the murther, be ſomewhat razed out or recovered; for that as the matters are exhibited againſt her, it is far unſeemly for any Prince, or for chaſte ears, to be annoyed with the filthy noiſe thereof; and yet, as being a Commiſſioner, I muſt and will forbear to pronounce any thing herein certainly, though as a private perſon I cannot but with horror and trembling think thereof." Cabala, 156. 5. From the correſpondence of Bowes, the Engliſh Reſident in Scotland, with Walſingham in the year 1582, publiſhed towards the cloſe of this Diſſertation, it is manifeſt that both in England and Scotland, both by Elizabeth and James, both by the Duke of Lenox and Earl of Gowrie, the letters were deemed to be genuine. The eagerneſs, on one ſide to obtain, and on the other to keep poſſeſſion of the caſket and letters, implies that this was the belief of both. Theſe ſentiments of contemporaries, who were in a ſituation to be thoroughly informed, and who had abilities to

judge with discernment, will, in the opinion of many of my readers, far outweigh theories, suppositions, and conjectures, formed at the distance of two centuries. 6. The letters were subjected to a solemn and judicial examination with respect to their authenticity, as far as that could be ascertained by resemblance of character and fashion of writing: For after the conferences at York and Westminster were finished, Elizabeth, as I have related, assembled her Privy Counsellors, and, joining to them several of the most eminent noblemen in her kingdom, laid before them all the proceedings against the Scottish Queen, and particularly ordered, 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. ii. 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 collation whereof no difference was found." Good. ii. 256. 7. Mary having

written an apologetical letter for her conduct to the Counteſs of Lenox, July 10, 1570 [2], ſhe tranſmitted it to her huſband then in Scotland; and he returned to the Counteſs the following anſwer:

[2] 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, enemies weill knawin for traitouris to zow, and alace to muche truſted of me by zoure advice, had not ſo far ſturred you agains my innocency, (and I muſt ſay aganis 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 wold not have omittit thus lang my dewtie in wryting to zow excuſing me of thoſe untrew reporties made of me. But hoping with Godis grace and tyme to have my innocency knawin to zow, as I truſt it is already to the maiſt pairt of all indifferent perſonis, 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 ſon, and my onelie child in this countrey. To the quhilk albeit I be never ſa willing, I wald be glaid to have zoure advyſe therein, as in all uther thingis tuiching him. I have born him, and God knawis with quhat danger to him and me boith; and of zow he is deſcendit. 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 myndin that and all uther thingis betwixt us, my ambaſſador the biſhop of Roſs ſall be ready to confer with zow. And ſo after my hairtlie commendationis, remitting me to my ſaide ambaſſador, and zour better conſideratioun, I commit zow to the protection of Almighty God, quhom I pray to preſerve zow and my brother Charles, and caus zow to knaw my pairt better nor ze do. From Chatiſworth this x of July 1570.

To my Ladie Lenox
my moder in law

Youre natural gude Nice
and lovynge dochter."

" 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 can for hirſelf, to ſeame to purge her of that, quhairof many beſyde me are certainly perſuadit of the contrary, and I not only aſſurit by my awin knawledge, but by her hand writ, the confeſſionis of men gone to the death, and uther infaillibil experience. It wull be lange tyme that is hable to put a mattir ſo notorius 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 equite of zour and my cauſe, and of the juſt occaſioun of our miſlyking. Hir richt dewtie to zow and me, being the parteis intereſt, were hir trew confeſſioun and unfeyned 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 inquity." *Lenox's Orig. Regiſt. of Letters.* In their public 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 a private letter to his own wife, Lenox 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. 8. In oppoſition to all theſe reaſons for believing the letters, &c. to be authentic, the conduct of the Nobles confederated againſt Mary, in not producing them

directly as evidence against her, has been represented as an irrefragable proof of their being forged. According to the account of the Confederates themselves, the casket containing the letters was seized by them on the twentieth of June one thousand five hundred and sixty-seven; but the first time that they were judicially stated as evidence against the Queen was in a meeting of the Regent's Privy Council, December fourth, and they afterwards served as the foundation of the acts made against her in the Parliament, held on the fifteenth of the same month. If the letters had been genuine, it is contended, that the obtaining possession of them must have afforded such matter of triumph to the Confederates, that they would instantly have proclaimed it to the whole world; and in their negociations with the English and French Ministers, or with such of their fellow-subjects as condemned their proceedings, they would have silenced, at once, every Advocate for the Queen, by exhibiting this convincing proof of her guilt. But in this reasoning sufficient attention is not paid to the delicate and perilous situation of the Confederates at that juncture. They had taken arms against their Sovereign, had seized her person at Carberry-hill, and had confined her a prisoner in Lochlevin. A considerable number, however, of their fellow-subjects, headed by some of the most powerful noblemen in the kingdom was combined against them. This combination, they soon perceived, they could not hope to break or to vanquish without aid either from France or England. In the former kingdom, Mary's uncles the Duke of Guise and Cardina

of Lorrain were, at that period, all powerful, and the King himself was devotedly attached to her. If the Confederates confined their views to the dissolution of the marriage of the Queen with Bothwell, and to the exclusion of him for ever from her presence, they might hope, perhaps, to be countenanced by Charles IX. and his Ministers, who had sent an envoy into Scotland of purpose to dissuade Mary from that illfated match; Append. to Vol. II. No. IX. whereas the loading her publicly with the imputation of being accessory to the murder of her husband, would be deemed such an inexpiable crime by the court of France, as must cut off every hope of countenance or aid from that quarter. From England, with which the principal Confederates had been long and intimately connected, they had many reasons to expect more effectual support; but, to their astonishment, Elizabeth condemned their proceedings with asperity, warmly espoused the cause of the captive Queen, and was extremely solicitous to obtain her release and restoration. Nor was this one of the artifices which Elizabeth often employed in her transactions with Scotland. Though her most sagacious Ministers considered it as the wisest policy to support the confederate Lords rather than the Queen of Scots, Elizabeth disregarded their counsel [3]. Her high notions of royal authority,

[3] This was the opinion of Throkmorton, as appears from an extract of his letter of July 11th, published in the Append. to Vol. II. No. IX. The same were the sentiments of Cecil, in his letter of Aug. 19th, 1567, to Sir Henry Norris, Eliza-

and of the ſubmiſſion due by ſubjects, induced her, on this occaſion, to exert herſelf in behalf of Mary, not only with ſincerity but with zeal; ſhe negociated, ſhe ſolicited, ſhe threatened. Finding the Confederates inflexible, ſhe endeavoured to procure Mary's releaſe by means of that party in Scotland which continued faithful to her, and inſtructed Throkmorton to correſpond with the leaders of it, and to make overtures to that effect. Keith. 451. App. No. X. She even went ſo far as to direct her Ambaſſador at Paris, to concert meaſures with the French King how they, by their joint efforts, might perſuade or compel the Scots to "acknowledge the Queen her good ſiſter to be their Sovereign Lady, and Queen, and renounce their obedience to her ſon." Keith. 462, 3, 4. From all theſe circumſtances, the Confederates had every reaſon to apprehend that Mary would ſoon obtain liberty, and by ſome accommodation be reſtored to the whole, or at leaſt to a conſiderable portion of her authority as Sovereign. In that event they foreſaw, that if they ſhould venture to accuſe her publicly of a crime ſo atrocious as the murder of her huſband, they muſt not only be excluded for ever from

beth's Ambaſſador to France, "You ſhall perceive, ſays he, by the Queen's letter to you, at this preſent, how earneſtly ſhe is bent in favor of the Queen of Scots, and truly ſince the beginning ſhe hath been greatly offended with the Lords; and, howſoever her Majeſty might make her profit by bearing with the Lords in this action, yet no counſel can ſtay her Majeſty from manifeſting her miſliking of them." Cabala, 140. And in his letter of Sept. 3d. "The Queen's Majeſty, our Sovereign, remaineth ſtill offended with the Lords for the Queen; the example moveth her." Ib. 141. Digges Comp. Amb. 14.

power

power and favor, but from any hope of personal safety. On this account they long confined themselves to that which was originally declared to be the reason of their taking arms; the avenging the King's death, the dissolving the marriage with Bothwell, the inflicting on him condign punishment, or banishing him for ever from the Queen's presence. It appears from the letters of Throkmorton, published by Bishop Keith, and in my Appendix, that his sagacity early discovered that this would be the tenor of their conduct; in his letter from Edinburgh, dated July 14th, he observes that "they do not forget their own peril conjoined with the danger of the Prince, but as far as I perceive, they intend not to touch the Queen either in surety or in honor; for they speak of her with respect and reverence, and do affirm, as I do learn, that, the condition aforesaid accomplished, (i. e. the separation from Bothwell) they will both put her to liberty, and restore her to her estate." Vol. III. p. 247. His letter of August 22d, contains a declaration made to him by Lethington, in name and in presence of his associates, "that they never meant harm neither to the Queen's person nor to her honor—that they have been contented hitherto to be condemned, as it were, of all Princes, strangers, and, namely, of the Queen of England, being charged of grievous and infamous titles, as to be noted rebels, traitors, seditious, ingrate and cruel, all which they suffer and bear upon their backs, because they will not justify themselves, nor proceed in any thing that may touch their Sovereign's honor. But in case they be

with theſe defamations continually oppreſſed, or with the force, aid, and practices of other Princes, and namely of the Queen of England, put in danger, or to an extremity, they ſhall be compelled to deal otherwiſe with the Queen than they intend, or than they deſire; for, added he, you may be ſure we will not loſe our lives, have our lands forfeited, and be reputed rebels through the world, ſeeing we have the means to juſtify ourſelves." Keith, 448. From this view of the ſlippery ground on which they ſtood at that time, their conduct in not producing the letters for ſeveral months, appears not only to have been prudent but eſſential to their own ſafety.

But, at a ſubſequent period, when the Confederates found it neceſſary to have the form of government, which they had eſtabliſhed, confirmed by authority of Parliament, a different mode of proceeding became requiſite. All that had hitherto been done with reſpect to the Queen's diſmiſſion, the ſeating the young King upon the throne, and the appointment of a Regent, was in reality nothing more than the deed of private men. It required ſome exhibition of ſome legal evidence to procure a conſtitutional act giving the ſanction of its approbation to ſuch violent meaſures, and to obtain "a perfect law and ſecurity for all them that either by deed, counſel, or ſubſcription, had entered into that cauſe ſince the beginning." Haynes, 453. This prevailed with the Regent and his ſecret counſel, after long deliberation to agree to produce all the evidence of which they were poſſeſſed; and upon that production Parliament paſſed the acts which were

required. Such a change had happened in the ſtate of the kingdom as induced the Confederates to venture upon this change in their conduct. In June, a powerful combination was forming againſt them, under the leading of the Hamiltons. In December, that combination was broken; moſt of the members of it had acknowledged the King as their lawful Sovereign, and had ſubmitted to the Regent's government. Huntly, Argyll, Herries, the moſt powerful noblemen of that party, were preſent in the Parliament, and concurred in all its acts. Edinburgh, Dunbar, Dunbarton, and all the chief ſtrong holds in the kingdom, were now in the hands of the Regent; the arms of France had full occupation in its civil war with the Hugonots. The ardor of Elizabeth's zeal in behalf of the captive Queen ſeems to have abated. A ſtep that would have been followed with ruin to the Confederates in June, was attended with little danger in December. From this long deduction it appears, that no proof of the letters being forged can be drawn from the circumſtance of their not having been produced immediately after the twentieth of June; but though no public accuſation was brought inſtantly againſt the Queen, in conſequence of ſeizing the caſket, hints were given by the Confederates, that they poſſeſſed evidence ſufficient to convict her. This is plainly implied in a letter of Throkmorton, July 21ſt, Keith, Pref. p. xii. and more clearly in the paſſage which I have quoted from his letter of Auguſt 22. In his letter of July 25, the papers contained in the caſket are ſtill more plainly pointed out. "They (i. e. the Confederates) ſay, that they have as apparent proof againſt her

as may be, as well by the teſtimony of her own hand-writing, which they have recovered, as alſo by ſufficient witneſſes." Keith, 426.

II. 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 ſolicitude 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 ſuppoſititious deeds in their own favor produced by monaſteries; the falſe charters of homage mentioned, Vol. I. p. 13. 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 murder perpetrated, &c. ſo was ſhe of the foreknowledge, counſel, device, perſuader, and commander of the ſaid murder to be done." Good. ii. 207. But of this 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. Leſly,

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 ſhow the writer to have been in the foreknowledge, counſel, 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. i. 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? It is almoſt impoſſible to invent a long narration of fictitious events, conſiſting of various minute particulars, and to connect theſe 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 extreme folly to have inſerted, if they had been altogether imaginary, and with-

out foundation. 3. The truth and reality of ſeveral circumſtances in the letters, and theſe, too, of no very public nature, are confirmed by undoubted collateral evidence. Lett. 1. Good. ii. p. 1. The Queen is ſaid to have met one of Lenox's gentlemen, and to have had 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. ii. 245. According to the ſame letter there was much diſcourſe between the King and Queen concerning Mynto, Hiegait, and Walcar. Good. ii. 8. 10, 11. What this might be, was altogether unknown, until a letter of Mary's, preſerved in the Scottiſh college at Paris, and publiſhed, Keith, Pref. vii. diſcovered it to be an affair of ſo much importance as merited all the attention ſhe paid to it at that time. It appears by a letter from the French ambaſſador, that Mary was ſubject to a violent pain in her ſide. Keith, ibid. This circumſtance is mentioned, Lett. 1. p. 30. in a manner ſo natural as can ſcarcely belong to any but a genuine production. If we ſhall ſtill think it probable to ſuppoſe that ſo many real circumſtances were artfully introduced into the letters by the forgers, in order to give an air of authenticity to their production; it will hardly be poſſible to hold the ſame opinion concerning

the following particular. Before the Queen began her first letter to Bothwell, she, as usual among those who write long letters containing a variety of subjects, made *notes* or *memorandums* of the particulars she wished to remember; but as she sat up writing during a great part of the night, and after her attendants were asleep, her paper failed her, and she continued her letter upon the same sheet on which she had formerly made her memorandums. This she herself takes notice of, and makes an apology for it: "It is late; I desire never to cease from writing unto you, yet now, after the kissing of your hands, I will end my letter. Excuse my evil writing, and read it twice over. Excuse that thing that is scriblit, for I had na paper zesterday, quhen I wrait that of the memorial." Good. ii. 28. These memorandums still appear 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 so unnatural an 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. Good. ii. 152. This they cannot poſſibly be; for the Queen herſelf writes with ſo much exactneſs concerning the different points in the memorandums, that there was no need of giving any credit or inſtructions to the bearer concerning them. The memorandums are indeed the *contents* of the letter. 5. Mary, mentioning her converſation with the King, about the affair of Mynto, Hiegait, &c. ſays, "The morne (i. e. to-morrow) I will ſpeik to him upon that point;" and then adds, "As to the reſt of Wille Hiegait's, he confeſſit it; but it was the morne (i. e. the morning) after my coming or he did it." Good. ii. 9. 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. An addition perfectly ſimilar to this made to a genuine paper, may be found, Good. ii. 282.

But, on the other hand, Mary herſelf, and the advocates for her innocence have contended, that theſe letters were forged by her enemies, on purpoſe to blaſt her reputation, and to juſtify their own rebellion. It is not neceſſary to take notice of the arguments which were produced, in her own age, in ſupport of this opinion; the obſervations which we have already made, contain a full reply to them. An author, who has inquired

into the affairs of that period with great induſtry, and who has acquired much knowledge of them, has publiſhed (as he affirms) a demonſtration of the forgery of Mary's letters. This demonſtration he founds upon evidence both internal and external. With regard to the former, he obſerves, that the French copy of the Queen's letters is plainly a tranſlation of Buchanan's Latin copy; which Latin copy is only a tranſlation of the Scottiſh copy; and, by conſequence, the aſſertion of the Queen's enemies, that ſhe wrote them originally in French, is altogether groundleſs, and the whole letters are groſs forgeries. He accounts for this ſtrange ſucceſſion of tranſlations, by ſuppoſing that when the forgery was projected, no perſon could be found capable of writing originally in the French language letters which would paſs for the Queen's; for that reaſon they were firſt compoſed in Scottiſh; but unluckily the French interpreter, as he conjectures, did not underſtand that language; and therefore Buchanan tranſlated them into Latin, and from his Latin they were rendered into French. Good. i. 79, 80.

It is hardly neceſſary to obſerve, that no proof whatever 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, and 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. 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 the printer, is allowed by all parties to be a manifeſt impoſture. Our author, from obſerving the day of the month, from 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 adjouſté a ceſte declamation un petit libelle du pretendu mariage du Duc de Norfolk, et de la façon de ſon

proces, et la tout envoyè aux freres à la Rochelle, leſquels voyant qu'il pouvoit ſervir à la cauſe, l'ont traduit en François, et iceluy fut imprimé à Edinbourg, c'eſt à dire, à la Rochelle, par Thomas Waltem, nom apoſté et fait à plaiſir. Martyre de Marie. Jebb. ii. 256." The author of the *Innocence de Marie* goes farther, and names the French tranſlator of the Detection. "Et icelui premierement compoſé (comme il ſemble) par George Buchanan Eſcoſſoys, et depuis traduit en langue Françoiſe par un Hugonot, Poitevin (advocat de vocation) Camuz, ſoy diſant gentilhomme, et un de plus remarquez ſeditieuz de France. Jebb, i. 425. 443." The concurring teſtimony of two contemporary 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. i. 103. Had our author attended to all theſe circumſtances, he might have ſaved himſelf the labor 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, partly in Scottiſh. Good. i. 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, two or three sentences of the original French were prefixed to each letter, which breaking off with an &c. the Scottish translation of the whole letter 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 those 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 this expression, *veu ce que peut un corps sans cœur*, is by no means a translation of *cum plane perinde essem atque corpus sine corde.* The whole sentence has a spirit and elegance in the French, which neither the Latin nor Scottish have retained. *Jusques à la dinée* 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 *until* 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 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 veillè 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 later 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 Scottiſh 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 veux garder ſantè et vie,
Pour luy tout vertu de ſuivre j'ay envie.

For him I attend all good 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 other lines do not expreſs the ſenſe of the French, and the laſt is 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 comparing 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. ii. 76. it is probable that Buchanan made his tranſlation not from the French, but from the Scottiſh copy. Were it neceſſary, ſeveral critical proofs of this might be produced. One that has been already mentioned ſeems deciſive. *Diutius illic morata ſum* bears not the leaſt reſſemblance to *j'ay veillé 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 criticiſms, 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 proofs of the forgery of the Queen's letters, which our author has produced, appear at firſt ſight to be ſpecious, but are not more ſolid than that which we have already examined. Theſe proofs may be claſſed under two heads. 1. The erroneous and contradictory accounts which are ſaid to be given of the letters, upon the firſt judicial production of them. In the Secret Council held Decem. 4, 1567, they are deſcribed "as her privie letters written and ſubſcrivit with her awin hand." Haynes, 454. Good. ii. 64. In the act of parliament, paſſed on the 15th of the ſame month, they are deſcribed as "her privie letters writtin halelie with hir awin hand." Good. ib. 67. This diverſity of deſcription has been conſidered as a ſtrong preſumption of forgery. The manner in which Mr. Hume accounts for this is natural and plauſible, vol. vi. p. 491. And ſeveral ingenious remarks, tending to confirm his obſervations, are made in a pamphlet lately publiſhed, entitled, *Miſcellaneous Remarks on the Inquiry into the Evidence againſt Mary Queen of Scots.* To what they have obſerved it may be added, that the original act of Secret Council does not now exiſt; we have only a copy of it found among Cecil's papers, and the tranſcriber has been manifeſtly ſo ignorant, or ſo careleſs, that an argument founded entirely upon the ſuppoſition of his accuracy is of little force. Several errors into which he has fallen, we are enabled to point out, by comparing his copy of the act of Secret Council with the act of Parliament paſſed in conſequence of it. The former contains a petition to Parliament; in the latter the real petition

tion is resumed *verbatim*, and converted into a law. In the copy, the Queen's marriage with Bothwell is called "a priveit marriage," which it certainly was not; for it was celebrated, after proclamation of banns, in St. Giles's church three several days, and with public solemnity, but in the act it is denominated "ane pretendit marriage," which is the proper description of it according to the ideas of the party. In the copy, the Queen is said "to be so thrall and *bludy* affectionat to the privat appetite of that tyran," which is nonsense, but in the act it is "blindly affectionat." In the copy, it is said, "all nobill and virtuous men abhorring their *traine* and company." In the act, "their tyrannie and companie," which is evidently the true reading, as the other has either no meaning, or is a mere tautology. 2. The other proof of the forgery of the letters, is founded upon the impossibility of reconciling the account, given of the time when, and the places from which, the letters are supposed to have been written, with what is certainly known concerning the Queen's motions. According to the paper published, Anders. ii. 269. which has been called Murray's Diary, and which is formed upon the authority of the letters, Mary set out from Edinburgh to Glasgow, January 21, 1567; she arrived there on the 23d; left that place on the 27th; she, together with the King, reached Linlithgow on the 28th, stayed in that town only one night, and returned to Edinburgh before the end of the month. But, according to Mr. Goodal, the Queen did not leave Edinburgh until Friday January 24th; as she stayed a night at Callendar,

ſhe could not reach Glaſgow ſooner than the evening of Saturday the 25th, and ſhe returned to Linlithgow on Tueſday the 28th. By conſequence, the firſt letter, which ſuppoſes the Queen to have been at leaſt four days in Glaſgow, as well as the ſecond letter, which bears date at Glaſgow *Saturday morning*, whereas ſhe did not arrive there until the evening, muſt be forgeries. That the Queen did not ſet out from Edinburgh ſooner than the 24th of January, is evident (as he contends) from the public records, which contain a *Precept of a confirmation of a life-rent* by James Boyd to Margaret Chalmers, granted by the Queen, on the 24th of January, at Edinburgh; and likewiſe a letter of the Queen's dated at Edinburgh on the ſame day, appointing James Inglis taylor to the Prince her ſon. 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 there, dated at Linlithgow January 28. Good. i. 118.

This has been repreſented to be not only a convincing, but a legal proof of the forgery of the letters ſaid to be written by Mary; but how far it falls ſhort of this will appear from the following conſiderations:

1. It is evident, from a declaration or confeſſion made by the Biſhop of Roſs, that before the conferences at York, which were opened in the beginning of October 1568, Mary had, by an artifice of Maitland's, got into her 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 honor in the year 1570. They were publiſhed to all the world, together with Buchanan's Detection, A. D. 1571. Now, if they had contained an error ſo groſs, and, at that time, ſo obvious 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 author's arguments. 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 aſſertion 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 unacquainted with the forms of law in Scotland; but every Scotſman converſant in buſineſs will underſtand me, when I ſay that the precept of confirmation 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 favor 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 but be very lame and uncertain.

3. At that time all public 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 days 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 fixing 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 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 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 24, 1567; ſo that if we were to rely implicitly upon 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 Octobre 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* [*].

Bothwell ſeized the Queen as ſhe returned from Stirling, April 24th, 1567, and (according to her own account) conducted her to Dunbar with all diligence. And. i. 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. i. 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 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

[*] N. B. In ſome of the early editions of this Diſſertation, another inſtance of the ſame nature with thoſe which go before and follow was mentioned; but that, as has ſince been diſcovered, was founded on a miſtake of the perſon employed to ſearch the records, and is therefore omitted in this edition. The reaſoning, however, in the Diſſertation ſtands ſtill in force, notwithſtanding this omiſſion.

ſhe returned to Edinburgh along with him in the beginning of May. Our author himſelf allows that ſhe reſided twelve days there, vol. i. 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 ſtyle 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 inſtance of this may be found in a paper publiſhed, Good. ii. 301. Mary's letters to Bothwell were written in the utmoſt hurry; and yet under all the diſadvantages of a tranſlation, they are not deſtitute either of ſpirit or of energy. The manner in which ſhe expreſſes her love to Bothwell has been pronounced indecent and even ſhocking. But Mary's temper led her to warm expreſſions of her regard; thoſe refinements of delicacy, which now appear in all the commerce between the ſexes, were, in that age, but little known, even among perſons of the higheſt rank. Among the Earl of Hardwicke's papers there is a ſeries of letters, from Mary to the Duke of Norfolk, copied from the Harleian Library, P. 37. B. 9. Fol. 88. in which Mary declares her love to that nobleman in language which would now be reckoned extremely indelicate; Hardw. State-Papers, i. 189, &c.

Some of Mary's letters to Bothwell were written before the murder of her huſband; ſome of them after that event, and before her marriage to Bothwell. Thoſe which are prior to the death of her huſband abound with the fondeſt expreſ-

ſions of her love to Bothwell, and excite ſomething more than a ſuſpicion that their familiarity had been extremely criminal. We find in them, too, ſome dark expreſſions, which her enemies employed to prove that ſhe was no ſtranger to the ſchemes which were forming againſt her huſband's life. Of this kind are the following paſſages, "Alace! I nevir diſſavit ony body; bot I remit me altogidder to zour will. Send me advertiſement quhat I ſall do, and quhatſaever thing come therof, I ſall obey zow. Adviſe to with zourſelf, gif ze can find out ony mair ſecret inventioun by medicine, for he ſuld tak medicine and the bath at Craigmillar." Good. ii. 22. "See not hir quhais fenzeit teiris ſuld not be ſa meikle praiſit and eſtemit, as the trew and faithfull travellis quhilk I ſuſtene for to merit hir place. For obtaining of the quhilk, agains my natural, I betrayis thame that may impeſche me. God forgive me," &c. Ibid. 27. "I have walkit later thairup, than I wald have done, gif it had not been to draw ſomething out of him, 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 [5].

[5] That letters of ſo much importance as thoſe of Mary to Bothwell ſhould have been entirely loſt, appears to many alto-

WITH reſpect to the Sonnets, Sir David Dalrymple has proved clearly, that they muſt

gether unaccountable. After being produced in England before Elizabeth's commiſſioners, they were delivered back by them to the Earl of Murray. Good. ii. 235. He ſeems to have kept them in his poſſeſſion during life. After his death, they fell into the hands of Lenox his ſucceſſor, who reſtored them to the Earl of Morton. Good. ii. 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 diligent ſearch, which has lately been made, no copy of Mary's letters to Bothwell can be found in any of the public 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 September 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 I

have been written after the murder of the King, and prior to Mary's marriage with Both-

ſhould have found great difficulty; now I will eſſay Gowrie, and of my ſucceſs you ſhall be ſhortly advertiſed.

12th of November 1582, from Edinburgh.

Becauſe I had both learned, that the caſket and letters mentioned in my laſt, before theſe were come to the poſſeſſion of the Earl of Gowrie, and alſo found that no mean might prevail to win the ſame out of his hands without his own conſent and privity; in which behalf I had employed fit inſtruments, that nevertheleſs profited nothing; therefore, I attempted to eſſay himſelf, letting him know that the ſaid caſket and letters ſhould have been brought to her Majeſty by the offer and good means of good friends, promiſing to have delivered them to her Majeſty before they came into his hands and cuſtody, and knowing that he did bear the like affection, and was ready to pleaſure her Majeſty in all things, and chiefly in this that had been thus far tendered to her Majeſty, and which thereby ſhould be well accepted, and with princely thanks and gratuity be requited to his comfort and contentment; I moved him that they might be a preſent to be ſent to her Majeſty from him, and that I might cauſe the ſame to be conveyed to her Majeſty, adding hereunto ſuch words and arguments as might both ſtir up a hope of liberality, and alſo beſt effect the purpoſe. At the firſt he was loth to agree that they were in his poſſeſſion; but I let him plainly know that I was certainly informed that they were delivered to him by Sanders Jardin; whereupon he preſſed to know who did ſo inform me, enquiring whether the ſons of the earl of Morton had done it or no. I did not otherwiſe in plain terms deny or anſwer thereunto, but that he might think that he had told me, as the Prior is ready to avouch, and well pleaſed that I ſhall give him to be the author thereof; after he had ſaid (though) all theſe letters were in his keeping (which he would neither grant nor

well. But as hardly any part of my narrative is founded upon what is contained in the

deny) yet he might not deliver them to any perſon without the conſents and privities, as well of the King, that had intereſt therein, as alſo of the reſt of the noblemen enterpriſers of the action againſt the King's mother, and that would have them kept as an evidence to warrant and make good that action. And albeit I replied, that their action in that part touching the aſſignation of the crown to the King by his mother, had received ſuch eſtabliſhment, confirmation, and ſtrength, by acts of parliament and other public authority and inſtruments, as neither ſhould that caſe be ſuffered to come in debate or queſtion, nor ſuch ſcrolls and papers ought to be ſhewed for the ſtrengthening thereof, ſo as theſe might well be left and be rendered to the hands of her Majeſty, to whom they were deſtined before they fell in his keeping; yet he would not be removed or ſatisfied; concluding, after much reaſonings, that the Earl of Morton, nor any other that had the charge and keeping thereof, durſt at any time make delivery; and becauſe it was the firſt time that I had moved him therein, and that he would gladly both anſwer her Majeſty's good expectation in him, and alſo perform his duty due to his ſovereign and aſſociates in the action aforeſaid; therefore he would ſeek out the ſaid caſket and letters, at his return to his houſe, which he thought ſhould be within ſhort time; and upon finding of the ſame, and better advice and conſideration had of the cauſe, he would give further anſwer. This reſolution I have received as to the thing; and for the preſent I could not better, leaving him to give her Majeſty ſuch teſtimony of his good will towards her, by his frank dealing herein, as ſhe may have cauſe to confirm her Highneſſes good opinion conceived already of him, and be thereby drawn to greater goodneſs towards him. I ſhall ſtill labour him both by myſelf and alſo by all other means; but I greatly diſtruſt the deſired ſucceſs herein.

Sonnets, and as in this Diſſertation I have been conſtrained to dwell longer upon minute and ver-

24th of November 1582, from Edinburgh.

For the recovery of the letters in the coffer, come to the hands of the Earl of Gowrie, I have lately moved him earneſtly therein, letting him know the purpoſe of the Scottiſh Queen, both giving out that the letters are counterfeited by her rebels, and alſo ſeeking thereon to have them delivered to her or defaced, and that the means which ſhe will make in this behalf ſhall be ſo great and effectual, as theſe writings cannot be ſafely kept in that realm without dangerous offence of him that hath the cuſtody thereof, neither ſhall he that is once known to have them be ſuffered to hold them in his hands. Herewith I have at large opened the perils likely to fall to that action, and the parties therein, and particularly to himſelf that is now openly known to have the poſſeſſion of theſe writings, and I have lettin him ſee what ſurety it ſhall bring to the ſaid cauſe and all the parties therein, and to himſelf, that theſe writings may be with ſecrecy and good order committed to the keeping of her Majeſty, that will have them ready whenſoever any uſe ſhall be for them, and by her Highneſſes countenance defend them and the parties from ſuch wrongful objections as ſhall be laid againſt them, offering at length to him, that if he be not fully ſatisfied herein, or doubt that the reſt of the aſſociates ſhall not like of the delivery of them to her Majeſty in this good manner, and for the intereſt rehearſed, that I ſhall readily, upon meeting and conference with them, procure their aſſent in this part (a matter more eaſy to offer than to perform); and laſtly, moving him that (for the ſecrecy and benefit of the cauſe, and that her Majeſty's good opinion towards himſelf may be firmly ſettled and confirmed by his acceptable forwardneſs herein) he would, without needleſs ſcruple, frankly commit theſe writings to her Majeſty's good cuſtody for the good uſes received. After long debate he reſolved, and ſaid, that he would unfeignedly ſhew and do to

bal criticiſms, than may be intereſting or agreeable to many of my readers, I ſhall reſt ſatisfied

her Majeſty all the pleaſure that he might without offence to the King his Sovereign, and prejudice to the aſſociates in the action, and therefore he would firſt make ſearch and view the ſaid letters, and herein take advice what he might do, and how far he might ſatisfy and content her Majeſty; promiſing thereon to give more reſolute anſwer; and he concluded flatly, that after he had found and ſeen the writings, that he might not make delivery of them without the privity of the King. Albeit I ſtood long with him againſt his reſolution in this point, to acquaint 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 Lenox 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

with referring, for information concerning every particular relative to the Sonnets, to *Remarks on the Hiſtory of Scotland*, Chap. XI.

HAVING thus ſtated the proof on both ſides; having examined at ſo great a length the different ſyſtems with regard to the facts in controverſy; it may be expected that I ſhould now pronounce ſentence. In my opinion, there are only two concluſions, which can be drawn from the facts which have been enumerated.

One, that Bothwell, prompted by his ambition or love, encouraged by the Queen's known averſion to her huſband, and preſuming on her attachment to himſelf, ſtruck the blow without having concerted with her the manner or circumſtances of perpetrating that crime. That Mary, inſtead of teſtifying much indignation at the deed, or diſcovering any reſentment againſt Bothwell, who was accuſed of having committed it, continued to load

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. 1584, 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 archives of ſome of our great families, it is impoſſible to determine.

him with marks of her regard, conducted his trial in such a manner as rendered it impossible to discover his guilt, and soon after, in opposition to all the maxims of decency or of prudence, voluntarily agreed to a marriage with 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 other conclusion is that which Murray and his adherents labored to establish, "That 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 Souveraine Lord, and the Queenis lauchfull husband; sa was she of the foreknowledge, counsall, devise, perswadar and commander of the said murder to be done." Good ii. 207.

Which of these conclusions is most agreeable to the evidence that has been produced, I leave my readers to determine.

APPENDIX.

APPENDIX.

N°. I. (Vol. I. p. 216.)

A MEMORIAL of certain points meet for reſtoring the realm of SCOTLAND to the antient weale.

IMPRIMIS,[1] it is to be noted, that the beſt worldly 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 antient 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

[1] 5th Auguſt 1559, Cotton. Lib. Cal. B. 10. fol. 17. From a copy in ſecretary Cecil's hand.

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 ſhow their cauſe to be moſt agreeable to Chriſt's religion.

Next, to provide that Scotland might be governed, in all rules and officers, by the antient 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 occaſioned 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 to 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 for the weale of the land, then hath the three eſtates of the realm authority, forthwith, to 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 antient 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 means may be deviſed by God's goodneſs, to accord the two realms, to endure for time to come at the pleaſure of Almighty God, in whoſe hands the hearts of all princes be.

N°. II. (Vol. I. p. 226.)

A letter of Maitland of Lethington's, thus directed: [2]

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 matter of Scotland, and commoditeys may enſew to that realm hereafter, giff ze preſently aſſiſt ws with zour forces, ze find a nombre of the contrary adviſe, doubting that we ſall not at length be found truſty friends, 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 profe quhareof, they alledge things that have paſt betwixt ws heretofore, and a few preſumptiones tending to the ſam end, all grounded upon miſtruſt; quhilks, at the firſt ſicht, have ſome ſhewe of apparance, gif men wey not the circumſtances of the matter; but gif they will confer the tyme paſt with the preſent, conſider the nature of this caus, and eſtate of our contrye, I doubt not but jugement ſal be able to baniſh miſtruſt. And firſt, I wad wiſh ze ſhould examine the cauſes of the old inmitye betwixt the realms of England and Scotland, and quhat moved our anceſtors 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 certain kynde of ſoveraintye over this realm; ſome tyme upon hye courage, or incited by incurſions off our bordourares, and ſemblable occaſions, mony tymes enterpriſed

[2] 20th January 1559-60. Cott. Lib. Cal. B. ix. From the original in his own hand.

the conqueſt of ws, and ſa far furth preiſt it by force off armes, that we wer dryven to great extramiteys, by loſs of our princes, our noblemen, and a good part of our contrey, ſa that experience taught ws that our owne ſtrength was ſcarſe ſufficient to withſtand the force of England. The Frenche zour auncient enemies, 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 enemyes, 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 of zour countrey at hame, offering for that effect to beſtowe ſome charges upon ws, and for compaſſing off theyr purpos, choyſed a tyme to propone the matter, quhen the freſche memory of injuris lately receaved at zour hands, was ſa depely prented on our hartes, that all our myndes were occupied how to be revenged, and arme ourſelfes with the powar of 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 off the wyſeſt foreſaw the perril, and ſmall frute ſhould redound to us thereof at lenth: zit had affection ſa blinded jugement, that the adviſe of the maiſt part overcame 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 procurement rather than any one caus off our ſelves: and quhenſaever 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 altered the caſe, zea changed it to the plat contrary, that now hes the Frenſche taken zour place, and we, off very jugement, becum deſyrous to have zow in thyr 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 theyre commodite, and nevertheleſs wad not ſtyck, oft tymes, againſt the natour of the ligue, to contrak peace, leaving ws in weyr. We

ſae that their ſupport, off late zeres, wes not grantit for any affection they bare to ws, for pytie they had off our eſtate, for recompenſe of the lyke friendſhip ſchawin to theym in tyme off theyr afflictiones, but for ambition, and inſaciable cupiditie to reygne, and to mak Scotland ane acceſſary 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 ſeek ze not the ruyne of our country, but will preſerve the libertie thereof from conqueſt by ſtrangeares, ſall not the occaſion off all inimite with zow, and ligue with theym, be taken away? The cauſes being removed, how ſall the effectes remane? The fear of conqueſt made us to hate zow and love theym, the cais changed, quhen we ſee theym planely attempt conqueſt, and zow ſchaw ws friendſhip, ſall we not hate theym, and favour zow? Gif we have ſchawne ſa great conſtance, continuing ſa mony zeares in amity with theym, off quhome we had ſa ſmall commodite, quhat ſall move us to breake with zow, that off all nations may do ws greateſt pleſour?

But ze will ſay, this matter 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 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 off ourſelfes, perpetually expone our common weill to a maiſt manifeſt danger, and becum a prey 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 might? and it is lyke eneuch, thay will not ſtick hereafter to tak theyr tyme off ws, quhen diſpleſour and grudge hes taken depe rute on baith ſydes, ſeeing ambition has ſa impyrit ower theyr reaſon, that before we had ever done any thing myght offend theym, but by the contrary pleaſed them by right and wrang, they did not ſtick to attempte the ſubverſion of our hale ſtate. I wald ze ſhould not eſteeme ws ſa barayne of jugement, that we cannot foreſee 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 in all the relaying of zour friendſhips. I pray zow conſider in like 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 amytye betwixt baith realms; was not at all tymes the difference of religion the onley ſtay they were 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 off the way; now is not theyr practice 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 ſtrayteſt knot of amitye can be deviſed. Giff it may be alledged, that ſome of our countrymen, at ony tyme, violated theyr promis? giff ze liff to way the circumſtances, ze ſall find the promis is rather brought on by neceſſite, after a great overthraw off our men, then comme of fre will, and tending ever to ou· great incommodite and decay off our haill ſtate, at kiſt ſa taken. But in this caſe, ſall the preſervation of our libertie be inſeparably joined with the keping off promeſſe, and the violation of our fayth caſt ws in maiſt miſerable ſervitude. So that giff neyther the fear off God, reverence of man, religion, othe, promiſe, nor warldly honeſtye wes ſufficient to bynd, us, yet ſall the zeale of our native countrey, the maintenance off our own eſtate, the ſafety

of our wyffes and childrene 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 deſyrous of it as we ar, aſſurances may be devyſed, quharby all partyes will be out of doubte. There be gode meanes to do it, fit inſtruments for the purpos, tyme ſerves weill, the inhabitants of baith realms 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 mony things concurre 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 his work, and mainteyned it quhile now, by the expectation of man, ſall perfyte it.

I pray zow, let not zour men dryve tyme in conſultation, quhether ze ſall ſupport ws or no. Seyng the mater ſpeaketh for itſelf, that ze mon take upon zow the defence off our caus, giff ze have any reſpect for zour 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 ſtate at; they ſeke our realme, but for ane entrey to zours. Giff they ſhould directly ſchaw hoſtilite to zow, they knaw zo wald mak redy for theyme, therefor they do, by indirect meanes, to blind zow, the thing, they dare not as zit planely attempte. They ſeme to invade us to th' end that having aſſembled theyr hayle forces ſa nere zour bordours, they may unlok it to attack zow: It is ane of 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 fynely diſſembled, I think ze have not 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 ſpeks of. Tak hede ze zay not hereafter,

"Had I wiſt;" ane uncomely ſentence to procede off a wyſe man's mouth. That is onwares chanced on to zow, qukilk 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 untruſty frends, and na langer continued ſtedfaſte, then perril had appeared. But now, quhat off our ſelf, we have conceyved the hatered, provoked by private injuries, and that theyr evil dealing with ws hes deſerved our inimitye, let no man dobte but they ſall fynde 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 opportunitie, and hoping to have ever gode luk comme ſleaping upon zow, it is to be feared zour enemye waxe ſo 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 time, ze will acknowledge zour error. Ze have felt, by experience, quhat harme cometh of 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 it is their luſt to reygne, that they can neither 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?

It ſall 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 have found na reſiſtance, their opinion hes deceaved theym, and that makes them now amaſed. The eſtates off the empire (as I heare) has ſuted reſtitution off the 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 opportune eſteme ye the time for zow. Giff the lyke occaſion were offered to the Frenſche againſt zow, wey, how gladly would they embrace it. Are ze not eſchamed of zour fleuth, to ſpare theym that hes already compaſſed zour deſtruction, giff theym wer able? Conſider with zour ſelf quhilks is to be choyſed? To weyr againſt them out with zour realme or within? Giff quhill ze ſleape, we ſal be overthrowne, then ſall they not fayle to fute zow in zour awne countrey, and uſe ws as a fote ſtole to overloke zow. But ſome will ſay, perhaps, they meane it not. It is foly to think they wald not giff they wer 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 with in zowr country, but a moneth; albeit ye receaved na other harme, zit ſhould zowr loſſe be greatar, nor all the charge ze will nede to beſtow on our ſupport will draw to, beſydes the diſhonour.

Let not men, that eyther lack gode adviſe, or ar not for particular 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 little likelyhode that our ennemyes will offer ws ſik as will remove all miſtruſt, and giff we wald have accepted other, the mater had bene lang or now compounded. Let zow not be moved for that they terme ws rebelles, and diffames our juſt querell with the name of conſpiracy againſt our ſoverayne. It is hir hyenes right we manetayne. It is the liberty off hir realm we ſtudy to pre-

ſerve, with the hazard of our lyves. We are not (God knaweth) comme to this poynt for wantones, as men impatient of rewll, or willing to ſchake of the zoke of government, but ar drawne to it by neceſſite, to avoyde the tyranny of ſtrangeares, ſeaking to defraude ws of lawful government. Giff we ſhould ſuffer ſtrangeares to plant themſelffes peaceably in all the ſtrenthes of our realme, fortify the ſeyportes, and maiſt important places, as ane entre to a plain conqueſt, now in the minoritie 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 ws 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 plẽſour; myght not the people eſteem our noblemen unworthy the place of counſalours? We mean na wyſe to ſubtrak our obedience from our ſoverane, to defraud hir hyenes off her dew reverence, rents and revenues off hir crown. We ſeke nathing but that Scotland may remane, 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 remane with the lawful blode.

I wald not ze ſould not ſa lyttil eſteme the friendſhip 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 neir a nyghtbour, quhais inimitye may more trouble zow, then off any other nation albeit twyfs as puiſſant, not lyeng dry marche with zow. Beſides that ze ſall not nede to feare the invaſion off any prince lackying the commodite to invade zow by land, on our land. Conſider quhat ſuperfluous charge ze beſtowe on the fortification and keping of Barwick; quhilk ze may reduce to a mean ſowme, having ws to frendes. The realme of Ireland being of natour a gode and fertill countrey, by reaſon off the continewall unquietnes and lak of policey, 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 yow the lyke, and are the rather to be embraced, for that zour aunceſtors, by all meanes, maiſt erneſtly ſuted our amity, and yet it was not theyr hap to come by it. The mater hes almaiſt carryed me beyond the boundes of a lattre, quharfor I will leave to trouble zow after I have geven you this note. I wald wiſs that ze, and they that ar learned, ſould rede the twa former orations of Demoſthenes, called Olynthiacæ, and conſidere 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 therof myght be applyed to our purpos. There may ze learne of him quhat adviſe is to be followed, when zour nyghtbours hous is on fyre: Thus I bid zow heartily fareweill. From Sant Andrews, the 20th of January, 1559.

N°. III. (Vol. I. p. 234.)

Part of a letter from Tho. Randolph to Sir William Cecil, from the camp before Leith, 29th of April 1560.[3]

I WILL only, for this time, diſcharge myſelf of my promiſe to the earl of Huntly, who ſo deſyreth 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

[3] An Original in the Paper Office.

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 truſted to adjoin many to this cauſe; and ſaith ſurely that no man ſhall lie were 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.

N°. IV. (Vol. I. p. 248.)

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, Pitarrow and the Juſtice Clerk. Alſo they have conſulted whom they think meeteſt to name for the XXIV. of the which the XII. counſellors muſt be choſen.

* An Original in the Paper Office.

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 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 much like the ſame, as the Earl of Athol, the Earl of Sutherland, the L. Glamis, who dined yeſterday with L. James. The Lord 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 ratified 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 diſannulled. 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 Honr. ſome earneſt charge to travel herein. I doubt not but it would ſerve to good purpoſe. If it might be alſo known with what ſubſtantial 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 uſed mo delays then 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 L. 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, 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 Honour. The lords, at ten of the clock, aſſembled themſelves at the palace, where the duke lieth; from whence 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, 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 he were bound heartily to acknowledge it, and to requite it. He took away the perſuaſion that was in many men's mind 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 remem-

ber 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 he ended. The clerk of the 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 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 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 ratified 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 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

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

The duke of Chatelherault.

Earls.	Lords.	Lords Spiritual.
Arran.	Erſkine.	St. Andrews.
Argyle.	Ruthven.	Dunkell.
Athole.	Lindſay.	Athens.
Crawford.	Somervill.	The biſhop of the Iſles.
Caſſils.	Cathcart.	Abbots and Priors I know
Marſhall.	Hume.	not how many.
Morton.	Livingſton.	
Glencairn.	Innermeth.	
Sutherland.	Boyd.	
Cathneſs.	Ogilvy.	
Rothes.	Fleming.	
Monteith.	Glamis.	
	Gray.	
	Ochiltree.	
	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.	Cunninghamhead.
Arbroath.	Athole.	Lochenvar.
Newbottle.	Morton.	Pittarow.
Lindoris.	Glencairn.	Lundy.
Cowpar.	Ruthven.	Ten Provoſts of the chief
Kinroſs.	Erſkine.	towns, which alſo are
Kilwinning.	Boyd.	of the Articles.
	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 Honour for this time to know that, by the common opinion of men, there was not a ſubſtantialler 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 enſue. This preſent morning, viz. the 10th, the L. of Lidington made me privy unto your letter; 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 allegeth 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 whole world judgeth.

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

MY lords, unto your lordſhips, humbly means and ſhows, we the barons and freeholders of this realm, your brethren in Chriſt, That whereas the cauſes of true religion, and common well of this realm, are, in this preſent parliament, to be treated, ordered, and eſtabliſhed, to the glory of God, and maintenance of the commonwealth; and we being the greateſt number in proportion, where the ſaid cauſes concern, and has been, and yet are ready to bear the greateſt part of the charges thereuntil, as well in peace as in war, both with our bodies 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 council for the furtherance thereof, for the maintenance of virtue, and puniſhment of vice, as uſe and cuſtom had been of old

[s] Incloſed in Randolph's letter to Cecil, 15th Aug. 1560.

by ancient acts of parliament obſerved in this realm; and whereby we underſtand that we ought to be heard to reaſon and vote in all cauſes concerning the commonwealth, as well in councils 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 favor, be at this preſent parliament confirmed, approved and ratified, and act of parliament made thereupon. And your lordſhips anſwer humbly beſeeches.

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.

N°. V. (Vol. I. p. 259.)

A letter of Thomas Randolph, the Engliſh reſident, to the right worſhipful Sir William Cecil, knt. principal ſecretary to the queen's majeſty [6].

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, ſcarcely any man can be perſuaded that ſhe hath any ſuch thought in her head. I have ſhown your honour's letters 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 tho' they never ſaw her face. They travel what they can to prevent the wicked devices 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 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

[6] 9 Aug. 1561. Cott. Lib. B. 10. fo. 32.

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 coming home; 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 bear 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 earnestly 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 gentleman 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 of my continuance in this room, so I trust that I shall find that continual favour at your hands, that so soon as it shall stand with the queen's majesty's pleasure, I may give this

place unto ſome far worthier than I am myſelf, 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 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 Edenburgh the 9th of August 1561.

N°. VI. (Vol. I. p. 269.)

A letter of Queen Elizabeth to Queen Mary [7].

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 right 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 Abbevile, 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 show you: and if he shall not so do, yet least in the mean season you might be induced to think that your reasons has satisfied us somerally we assure you, that to our requests your answer cannot

[7] 16th of Aug. 1561. Paper-Office, from a Copy. This is the complete paper of which that industrious and impartial collector, Bishop Keith, has published a fragment, from what he calls his shattered MS. 145, note (a) 181.

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 as 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 advice 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 knit 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 whereunto divers evil councillors induced your father; or finally where it ſeemeth that report had been made unto you, that we had ſent our admiral to the ſeas with our navy to impeche 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 friendly and ſiſterly offers of friendſhip, which, before God, we mean and intend to accompliſh. Given under our ſignet at Heyningham the 16th of Auguſt, in the third year of our reign.

N°. VII. (Vol. I. p. 304.)

A letter of Randolph to the right honorable Sir William Cecil, knight, principal ſecretary to the queen's majeſty[s].

OF late, until the arrival of monſieur Le Croc, I had nothing worth the writing unto your honour. — Before his coming we had ſo little to think upon, that we did nothing but paſs our time in feaſts, banquetting, maſking, and 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 truly 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 Aſtruche,

[s] 15th of May, 1563. Paper-Office, from the Original.

and this queen; wherein he hath so far travelled, that it hath 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, Le Croc 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 Le Croc is ready for his departure, and his letters writing both day and night. This queen being before advertized 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 what she can to keep that secret; and because resolution in his absence cannot be taken, she will, for this time, return Le Croc with request, to have longer time to devize; and after, with the most speed she can, she fully proposeth to advertize him, I mean, her uncle the cardinal, of her mind. Of this matter the L. of Lidington is made privy. I know not whether by some intelligence that he had before his departure, or since his arrival in France, divers letters have passed between her grace and him, whereof as much as it imported not greatly the knowledge of, was communicated to some, as much as was written in sypher, is kept unto themselves. Whether also the L. of Lidington hath had conference with the Spanish ambassador in England of this matter, or any like, I leave it unto your honour's good means, to get true knowledge thereof Guesses or surmizes in so grave matters, I would be loath to write for verities. This also your honour may take for truth, that the emperor hath offered with his son, for this queen's dower, the county of Tyroll, which is said to be worth 30,000 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 Scottiſh 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 to, 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 their mone be, they are like to receive but ſmall comfort 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, or know how to bring to paſs that we may be void of their comber.

To-morrow, the 16th of this inſtant, the queen departeth of this town, towards Edenburgh. If my hap be good, you ſhall thoroughly hear ſome merry tidings of the Bp. of St Andrews; upon Wedneſday next he ſhall be arraigned, and five other prieſts, for their maſſing at Eaſter laſt. Thus moſt humbly I take my leave; at St. Andrews the 15th of May, 1563.

N°. VIII. (Vol. I. p. 313.)

Letter of Randolph, to the right honourable Sir William Cecil, knight, principal ſecretary to the queen's majeſty [9].

MAY it pleaſe your honour, the 7th of this inſtant, Rowlet, this queen's ſecretary, arrived here; he reporteth very honeſtly of his good uſage, he brought with him

[9] 10th of April 1563. Paper-Office, from the Original in his own hand.

many letters unto the queen that came out of France, full of lamentation and ſorrow. She received from the queen mother two letters, the one contained only the rehearſal of her griefs, the other ſignify the ſtate of France as then it was, as in what ſort things were accorded, and what farther was intended for the appeaſing of the diſcords there, not miſtruſting but that if reaſon could not be had at the queen of England's hands, but that the realm of France ſhould find her ready and willing to ſupport and defend the right thereof, as by friendſhip and old alliance between the two realms ſhe is bound.

How well theſe words do agree with her doings, your honour can well conſider, and by her writings in this ſort unto this queen, (which I aſſure your honour is true) you may aſſuredly know, that nothing ſhall be left undone of her part, that may move debate or controverſie between this queen and our ſovereign.

It was much muſed at by the queen herſelf, how this new kindneſs came about, that at this time ſhe received two long letters written all with her own hand, ſaying, all the time ſince her return ſhe never received half ſo many lines, as were in one of the letters, which I can myſelf teſtify by the queen's own ſaying, and other good aſſurance, where hitherto I have not been deceived. I can alſo farther aſſure your honour, that this queen hath ſayed 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 whatſomever the occaſion is, this queen hath ſomewhat 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 Lidington 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 I 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 all to himſelf. There comes a vulture in this realm, if ever that man come again into credit.

N°. IX. (Vol. I. p. 322.)

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 Umquile Matthew Earl of Lenox.

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 forfaultour was decreed againſt my Lord of Lenox, 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 anciency of his houſe, and the ſirname 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 leaſt moment, beſides that of her own natural, her Majeſty has a certain inclination 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 licenſed 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 realme, 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 leſt 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 reciproque; as by her Majeſty's prudence we enjoy this preſent peace with all foreign nations, and quietneſs 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 weill, 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 politic 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.

N°. X.

N°. X. (Vol. I. p. 333.)

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 Darnley.

FIRST, the minds of such as be affected to the Queen of Scots, either for herself or for the opinion of her pretence to this crown, or for the desire to have change of the forme 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 desires 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 Darnley, by bond of blood and alliance; as first, all the house of Lorrain and Guise for her part, and the Earl of Lenox 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 in this realme 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 deviſers 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 Darnley, do perſuade themſelves that the ſaid Queen of Scotts hath 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 ſucceed 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 bruits, by rumours, and ſuch like, to alienate the minds of good ſubjects from the Queen's majeſty, and to conciliate 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, eſpecially in the north towards Scotland, ſo as

thereupon may follow ſome open enterpriſe 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 as 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 increaſe and continue her charge thereby, to retain her from being mighty or potent, and for 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 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 pleaſable 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[10].

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

Queſtions propounded were theſe two.

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

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 Darnley,

[10] 4th of June 1565. Cott. Lib. Cal. B. 10. fol. 290.

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 Darnley, 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 atchieve 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 linked together, naturally for maintaining the one with the other. The firſt of theſe ſort of perils was that, by this marriage with the Lord Darnley, 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 eſtate, 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 ſtaid, in 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.

Proofs 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 dauphin 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 majeſty, firſt

by writing and publiſhing herſelf in all countries Queen of England; by granting charters, patents, and commiſſions, with that ſtyle, and with the arms of England, both the French and Scotts, which charters remain ſtill undefaced; and to proſecute it with effect, it is known what preparations of war were made, and ſent into Scotland; and what other forces were aſſembled in foreign countries; yea, in what manner a ſhameful peace was made by the French with king Philip to employ all the forces of France to purſue all the matters by force which by God's providence, and the Queen's majeſty contrary power, were repelled; and afterwards, by her husband's death, her fortune and power being changed, the intention began to hide itſelf, and although by the Scottiſh Queen's commiſſaries an accord was made at Edenborough, to reform all thoſe titles, and claims, and pretences, yet to this day, by delays and cavillations, the ratification of that treaty hath been deferred. And ſo now, as ſoon as ſhe ſhall feel her 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 Darnley, being a ſubject of 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 increaſe by force with diminution of the power of the realm; in that whatſoever power he could make by the faction of the papiſt, and other 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 of 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 ſeem more dangerous than treble the like abroad; whereof the examples are in our own ſtories many, that foreign powers never prevailed in this realm, but with the help of ſome at home. It was alſo remem-

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 countries of the realm, scantily 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 Lenox, and his had more knowledge hereof than was thought, and thereby made avant now in Scotland, and 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 perils, 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 perils, 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 on 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 defer 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 poſterities, 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 religion ſhall be ſhortly changed in this realm, by means that the biſhops, by the Queen's majeſty 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 archbiſhops, 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 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 furtherance 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, fryars, 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 not found honeſt and conformable, may be baniſhed out of the realm, for that it appeareth they do ſow ſedition in the realm, in many places, and now will increaſe their doings.

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

The ſeventh is, that the judges of the realm, having no ſmall authority in this realm in governance of 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 into Yorkſhire, to be lieutenant-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 lady Lenox be committed to some place, where she may be kept from giving or receiving of intelligence.

9. That the earl of Lenox 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 the same be done in deeds and not in shews) that the marriage will be avoided, or at the least that it may be qualified 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 made by the Queen of Scotts 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.

10. 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.

11. 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.

12. That inquiry 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 persons have rule of the same people's lands.

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

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

15. That the Queen's majesty's household, chamber, and

penſioners, be better ſeen unto, to avoid broad and uncomely ſpeech uſed by ſundry againſt the ſtate of the realm.

16. That the younger ſon of the earl of Lenox, Mr. Charles, be remembered to ſome place where he may be forth coming.

17. 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 favour 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 Hartford, that the Queen of Scotts thereby may find ſome change, and her friends put in doubt of further proceeding therein.

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

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

20. Finally, that theſe adviſes being conſidered by her majeſty, it may pleaſe to chooſe 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.

N°. XI. (Vol. I. p. 349.)

Randolph to the earl of Leiceſter, from Edinburgh the 31ſt of July 1565 [11].

MAY it pleaſe your lordſhip, I have received your lordſhip's letter by my ſervant, ſufficient teſtimony of your

[11] Cot. lib. Cal. E. 9. fol. 216. An Original.

lordſhip's favour towards me, whereof I think my ſelf always ſo aſſured, that what other miſhap ſoever befal me, I have enough to comfort myſelf with; though I have not at this time received neither according to the need I ſtand, nor the neceſſity of the ſervice 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 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 amitie 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 quarrel 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 otherways, 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 needful, as ſpeedy execution. Upon the Queen's majeſty, we wholly de-

pend, in her majesty's hands it standeth to save our lives, or to suffer us to perish; greater honour 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 dayley be found tho' this will be some charge; men grow dayley, 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 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 majesty's worst subjects to those that are her best, he declareth what mind he beareth to the Queen's majesty's 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 conceived 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 Darnley; 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 honour that may be attributed 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 perſuade that I ſhould hang myſelf; 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 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 riſen amongſt our men of law whether ſhe being clad with a husband, and her husband not twenty-one years, any thing without parliament can be of ſtrength, that is done between them; upon Saturday at afternoon, theſe matters were long in debating. 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 doulfull day of the burial of her husband: ſhe was led into the chapell, by the earls of Lenox and Athol, 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 ſorrowful garments, and give herſelf to a more pleaſant life, after ſome pretty refuſall, more I believe for manner ſake than grief of heart, ſhe ſuffered 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 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; mony thrown about the houſe in great abundance, to ſuch as were happy to get any part; they dine both at one table, ſhe upon the upper hand, there ſerve her theſe earls Athole Sewer, Morton Carver, Craufoord Cup-bearer; theſe ſerve him in like offices, earls Eglington, Caſſels, and Glencairn; after dinner they danced a while, and then retired themſelves till the hour of ſupper; and as they dined ſo do they ſup, ſome dancing there was, and ſo they go to bed; of all this I have written to your lordſhip I am not Oculatus 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 evil 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,

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 partaker of such letters as I write to Mr. Secretary, so that I trust that he shall be to this, to save me of a little labour, to write the same again. most humbly I take my leave at Edinburgh, the last day of July 1565.

N°. XII. (Vol. I. p. 349.)

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 [12].

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 party is at the least 5000, and they not much above 1000; besides, that the Queen hath harquebusyers, and they have none, and do yet want the power that the earl of Arguyle should

[12] 2d of Sept. 1565. Paper-Office, from the Original.

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 the mean season new helps are preparing; to this know not I what to say or how to do. And so much more I marvel thereof, as that having so many times written touching this matter no resolute determination cometh. And so between the writing, and looking for answer, the occasion cannot pass, but must needs proceed and have success. God turn it to his glory; but surely all men's reason hath great cause to fear it. Such a push it is now come unto, as this little supply would do much good to advance God's honour, to continue her majesty's great and careful memory of them, and to preserve a great many noblemen and gentlemen. If it be not now helpen, it is gone for ever. Your good will and affection that way I do nothing mistrust, and herein shall take such good advice as by any means I can. I received from these lords two papers inclosed, the effect whereof shall appear unto you. For those matters that captain 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 hear that the protestants are retired from Edenborough, further off. So I hope your resolution for their aid shall 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 2d of Sept. 1565.

N°. XIII. (Vol. I. p. 345.)

The Queen to the earl of Bedford [13].

UPON the advertiſements 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 3000l. to be thus uſed. If you ſhall certainly underſtand that the earl of Murray hath ſuch want of money as the impreſting to him of 1000l. might ſtand him in ſtead for the help to defend himſelf, you ſhall preſently let him ſecretly underſtand, that you will, as of yourſelf, let him have ſo much, and ſo we will that 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 beforehand.

The other 2000l. 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 tho' 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

[13] 12 Sept. 1565. Paper-Office.

maintain any other prince's ſubjects, to take arms againſt their ſovereign, neither would we willingly do any thing to give occaſion to make wars betwixt us and that prince, which has 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 has 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 defence, to let them (as of your own adventure, and without notifying that you have any direction therein 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.

APPENDIX

TO THE

SECOND VOLUME.

N°. I. (Vol. II. p. 6.)

Randolph to Cecil, from Edinburgh, 7th Feb. 1565-6 [1].

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 men's 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 ſhewed 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 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 crown of England. I write

[1] An Original.

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 Chriſtiandom; this band was ſent out of France by Thorneton, and is ſubſcribed 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 copy 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 held 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 Candlemas day there carried their candles, with the Queen, her husband, the earl of Lenox, and earl Athol; divers other Lords have been called together and required to be at the maſs that day, ſome have promiſed, as Caſſels, Mongomerie, Seton, Cathneſs. Others have refuſed, as Fleming, Levingſton, Lindſay, Huntly and Bothel; and of them all Bothel 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 willis 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, where of I am ſure there is ſome things tho' 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 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.

N°. II. (Vol. II.) p. 15.

Part of a letter from the earl of Bedford and Mr. Tho. Randolph to the lords of the council of England from Berwick, 27th of March 1566. An Original in the Cotton Library, Caligula B. 10. fol. 372 [2].

May it pleaſe your Honours,

HEARING of ſo maynie matters as we do, and fyndinge ſuch varietie in the reports, we have myche ado to decerne the veritie: which maketh us the ſlower and loother to put any thing in wryting, 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 Edinbourge 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,

[2] 27th March. 1566.

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 husband being entered into a vehement ſuſpicion of David, that by hym ſome thynge was committed, which was moſt agaynſte the Queen's honour, and not to be borne of his perte, fyrſte communicated his mynde to George Duglas, who fynding his ſorrows 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 ſhould be taken out of the waye. Wherein he was ſo earneſt and daylye preſſed the ſame, that no reſte could be had untyll it was put in execution. To this that was found good, that the lord Morton, and lord Lindſaye ſhould be made privie to th' intente that theie might have their friends at hande, yf neade required; which cauſed them to aſſemble ſo mayny, as theie 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 lords were aſſured that the erles Argyle, Morraye, Rothes and their complyces ſholde have been forfeited, yf the king could not be perſuaded through this means to be their friend; who for the deſyre he had that this intent ſhould take effect th' one waye, was content to yielde, without all difficultie to t'other, with this condition, that theie ſhould 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 delay; and to the intent that myght manifeſte unto the world, that he approved the acte, was content to be at the doing of that himſelf.

Upon Saturdaye at night neire unto VIII of the clock the king conveyeth himſelf, the lord Ruthen, George Duglaſs, and two others, throwe his own chamber by the privy 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 they were ſitting at 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 ſaid, that he ſhould lerne 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 arms, David was thruſt out of the cabinet throw the bed 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 him, that bore him evil will, one thruſt him into the boddie with a dagger, and after hym a great many others, ſo that he had in his bodie above wonds. It is told for certayne, that the king's own dagger was left ſticking in him. Wheather he ſtuck him or not we cannot be here certayn. He was not ſlayne in the Queen's preſens, as was ſaid, but going down the ſtayres out of the chamber of preſens.

There remayned a long 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 than he for the ſpace of two months; and therefore for her honour and his own contentment he gave his conſent that he ſhould be taken away. "It is "not," (ſaythe ſhe) "the woman's part to ſeek the huſ- "band," and therefore in that the fault was his own. He ſaid that when he came, ſhe either wold not or made herſelf, ſick. "Well," ſaythe ſhe, "you have taken your laſt of "me and your farewel." Then were pity, ſayd 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. Beſydes this man was mean, baſſe, enemie to the nobility, 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 litle, herſelf continually weepeth. The lord Ruthen being ill at eaſe and weak calleth for a drink, and ſaythe, " This I muſt do with " your majeſties pardon, " and perſuadeth her in the beſt ſort he could, that ſhe would pacify herſelf. Nothing that could be ſaid, could pleaſe her.

In this mean time there roſe a nombre in the court; to pacify which there went down the lord Ruthen, who went ſtrayt to the erles Huntly, Bothwell and Atholl to quiet them, and to aſſure them from the king that nothing was intend againſt them. Theſe notwithſtanding taking fear, when theie heard that my lord 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 Deyſley the perſon of Owne) to go where they wold, and bring concorde 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 leaſt talk with the Queen, in the hering of the lord Ruthen ſhe was content that he ſhould 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 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 make a defence, the lord Ruthven 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, whither reſorted the lords Huntley 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 value of 11mL. 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 daggers. "He had the cuſtody of all the Queen's letters, which all "were delivered unlooked upon. We hear of a juill, that "he had hanging about his neck of ſome price, that can-"not be heard of. He had upon his back, when he was "ſlayn, a night gown of damaſk furred, with a ſatten "doublet, a hoſe of ruſſet velvet."]

N°. III. (Vol. II. p. 25.)

Part of a Letter from Randolph to Cecil, Jan 16. 1565-6.

——I CANNOT tell what miſliking of late there hath been between her grace and her husband, he preſſeth earneſtly for the matrimonial crown, which ſhe is loth haſtily to grant; but willing to keep ſomewhat in ſtore, until ſhe know how well he is worth to enjoy ſuch a ſovereignty:

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[3].

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 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 arraigned, 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 Lenox 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 hath 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.

[3] 4 April, 1566. Paper-Office, from the Original.

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 accompanied 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, they have no hope yet among themſelves of quietneſs.

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

N°. IV. (Vol. II. p. 30.)

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 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 a 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 Melvill, who afterwards, for the pleaſure, which he ſaw the king have in ſuch kind of dogs, gave him to the king. The Queen thereupon fell marvellouſly 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, Aug. 8.

THE diſagreement between the Queen and her husband continueth, or rather increaſeth. Robert Melvill drawing homewards, within twelve miles of Edinburgh, 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 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 Foſter to Cecil, 8 Sept. from Berwick.

THE Queen hath her husband in ſmall eſtimation, and the earl of Lenox came not in the Queen's ſight ſince the death of Davy.

Sir John Foſter 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.

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 the king, which he did a few nights ſince in the Queen's preſence, and in the hearing of divers. The

[*] Auguſt 1566, Paper-Office, from the original.

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 now 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 ere he parted with ſuch land as was deſired, he ſhould part with his life. My lord of Murray ſaid ſtoutly to 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 Edinburgh, and carryeth the prince thence to Stirling 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 to my lord of Murray, that money was ſent from the pope, how much it was, and by whom, and for what purpoſe it was brought.

N°. V.

N°. V. (Vol. II. p. 46.)

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 cauſes 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 accompanied that fact, by receiving of my ſubjects that were baſe runnegates and offenders at home, and enhancing 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 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.

N°. VI. (Vol. II. p. 65.)

Letter of Q. Elizabeth to Q. of Scotts. Thus marked on the back with Cecil's hand. — *Copiæ Literarum Regiæ Majeſtatis ad Reginam Scotorum.* VIII°. *Aprilis* [5].

MADAME, vous ayant trop moleſté par M. de Crocq, je n'euſſe eu ſi peu de conſideration de vous faſcher de cette lettre, ſi les liens de charité vers les ruinez, & les prieres des miſerables ne m'y contraignaſſent. Je entens que un edit a été divulgué de par vous, madame, que ung chaſcun, que veult juſtifier que ons eſté les meurtriers de votre feu mari, & mon feu couſin, viennent a le faire le XIIme de ce mois. Laquelle choſe, comme c'eſt plus honorable & neceſſaire, qui en tel cas ſe pourra faire, ne y eſtant caché quelque miſtere ou fineſſe, ainſi le pere & amis du mort gentelhomme m'ont humblement requis, que je vous priaſſe de prolonguer le jour, pource qu'ilz cognoiſſent que les iniques ſe ſont combinés 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, & pour la conſolation des innocens, de vous exhorter de leur conceder cette requeſte, laquelle, ſi

[5] Paper-Office.

elle les ſeroit nié, vous tourneroit grandement en ſoupçon, de plus que j'eſpere ne penſez, & que ne voudriez volontiers ouyr. Pour l'amour de Dieu, madame, uſez de telle ſincerité & 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 esbloyë hors de rancz de princeſſes, & non ſans cauſe faite opprobre de vulgaire, & plutot que cela vous avienne, je vous ſouhaiterois une ſepulture honorable, qu'une vie maculée; vous voiez, madame, que je vous traite comme ma fille, & vous promets, que ſi j'on euſſe, ne luy ſouhaiterais mieulx, que je vous deſire, comme le Seigneur Dieu me porte teſmoignage, a qui je prie de bon cœur de vous inſpirer a faire ce qui vous ſera plus a honneur, & a vos amis plus de conſolation, avec mes tres cordialles recommendations comme a icelle a qui je ſouhaite le plus de bien, qui vous pourra en ce monde avenir. De Weſt. ce 8 jour de Janvier [6] en haſte.

N°. VII. (Vol. II. p. 80.)

Account of the ſentence of divorce between the earl of Bothwell and lady Jean Gordon his wife. From a manuſcript belonging to Mr. David Falconer, advocate. Fol. 455.

UPOUN the 29 of Apryle 1567, before the richt hon. Mr. Robert Maitland, dean of Aberdene, Mr. Edward Henryſon doctor in the laws, two of the ſenators of the college of juſtice, Mr. Clement Little, and Mr. Alexander Syme advocattis, commiſſers of Edendurgh; compeered Mr. Henry Kinroſſe, procurator for Jean Gourdoune, countes of Bothwell, conſtitute be her for purſewing of ane proces of divorcement intendit by her contra James erle Bothwel her husband for adultry, committed be him with Beſſie Craw-

[6] A miſtake in the date corrected with Cecil's hand VIII°. Aprilis.

ſurde the purſuers ſervant for the time; and ſicklyke, for the ſaid erle, compeared Mr. Edmond Hay, who efter he had purſued and craved the purſuer's procurator's oath de calumnia, if he had juſt caus to purſew the ſaid action, and obtained it, denyed the libell, and the ſaid Mr. Harrie took the morne, the laſt day of Apryle, to prove the ſame pro prima. The quhilk day, having produced ſome witneſſes, he took the next day, being the 1 of May, to do farther diligence. Upon the quhilk 1 of May, he produced ſome moe witneſſes, and renounced farther probatioune. After quhilk, he deſired a term to be aſſigned to pronounce ſentence. To whom the ſaid commiſſars aſſigned Satterday next, the 3 of May, to pronounce ſentence, therein, ſecundum allegata et probata, quilk accordingly was given that day in favour of the purſewar.

At the ſame time there was another proces intendit be the erl of Bothwell contra his lady, for to have their marriage declared nul, as being contracted againſt the canons, without a diſpenſation, and he and his lady being within degrees defendand, viz ferdis a kin, and that wyſe for expeding of this proces, there was a commiſſioune grantit to the archbiſhop of St. Androis to cognoſce and determine it, and Rot. biſhop of Dunkeld, William biſhop of Dunblane, Mr. Andro Craufurd chanon in Glaſgow, and parſon of Egelſhame, Mr. Alexander Creichtoun, and Mr. George Cooke chancellor of Dunkeld, and to Mr. Johne Manderſtoune chanon in Dunbar and prebendar of Beltoune, or any ane of them. This commiſſione is datit 27 Aprile 1567, was preſented to two of the ſaids commiſſioners, viz. Mr. Andr Crawfurd and Mr. John Manderſtoune on Satterday 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 Chriſtianitatis de Hadingtone, nec non vicario ſeu curato eccle. parochiæ de Creichtoune, ſeu cuicunq; alteri cappellano debite requiſitis, fer ſummoning, at the ſaid erles inſtance, both of the lady perſonally if ſhe could be had, or otherways at the

paroſche kerk of Creichtoune the time of ſervice, or at her dwelling place before witneſſes, primo, ſecundo, tertio et peremptorie, unico tamen contextu pro duplice edicto. And likeways to be witneſſes in the ſaid matter, Alex. biſhop of Galloway, who did marry the ſaid erle and his lady, in Halerud-houſe kirk, in Feb. 1565, ſir John Bannatyne of Auchnoule juſtice clerk, Mr. Robert Creichtoun of Elliok 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 Edr on Monday the 5 of May, be thamſelves, or their procurators. Upon the ſaid 5 day, Mr. John Manderſtoun, one of the judges delegat only being preſent, compeared the ſame procurators for both the parties that were in the former proces, Mr. Edmund Hay (articulatlie [7]) and ſome of the witneſſes ſummoned produced, and received for proving of the ſame. The ſaid procurator renounced farder probatioune, and the judge aſſigned the morne, the 6th of May, ad publicandum producta, nempe depoſitiones ipſorum teſtium. The quhilk day, poſt publicatas depoſitiones prædictas, Mr. Hen. Kinroſſe, procurator for the lady inſtanter objecit objectiones juris generaliter, contra producta, inſuper renunciavit ulteriori defenſioni; proinde concluſa de conſenſu procuratorum hinc inde cauſa, judex prædictus ſtatuit craſtinum diem pro termino, ad pronunciandam ſuam ſententiam definitivam, ex deductis coram eo, in præſenti cauſa et proceſſu. Conform hereunto, on Wedneſday the 7th of May, the ſaid judge gave out his ſentence in favour of the erle, declaring the marriage to be, and to have been null from the beginning, in reſpect of their contingence in blood, which hindered their lawful marriage without a diſpenſation obtained of befoir.

[7] Two words in the parentheſis illegible.

N°. VIII. (Vol. II. p. 84.)

A letter from England concerning the murder of king Henry Darnley [2].

HAVING the commodity of this bearer Mr. Clark, I tho't good to write a few words unto you. I have received ſome writs from you; and ſome I have ſeen lately ſent to others from you, as namely to the earl of Bedford of the 16th of May. I have participat the contents thereof to ſuch as I thought meet, this mekle I can aſſure you; the intelligence given hither by the French was untrue, for there was not one papiſt nor proteſtant which did not conſent that juſtice ſhould be done, be the Queen my ſovereign's aid and ſupport, againſt ſuch as had committed that abominable ill murder in your country; but to ſay truth, the lack and coldneſs did not riſe from ſuch as were called to council, but from ſuch as ſhould give life and execution thereunto. And further, I aſſure you, I never 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 with greater affection, than the Spaniſh ambaſſador. And ſure I am that no man dare openly be of any other mind, but to affirm that whoſoever is guilty of this murder handfaſted with advoutre, is unworthy to live. I ſhall not need to tell you, which be our letts, and ſtayes from all good things here. You are acquainted with them as well as I. Needs 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,

[2] E. of Morton's Archieves. Bundle B. N°. 25.

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 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 of May.

N°. IX. (Vol. II. p. 94)

Part of a letter from Sir Nicolas Throkmorton to Cecil, 11th of July 1567, from Berwick [9].

——SIR, your letter of the 6th of July. I received the 10th at Berwick. I am ſorry to ſee that the Queen's majeſty's 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 Throkmorton to Cecil, from Faſtcaſtle, 12th of July 1567 [10].

SIR, as you might perceive by my letter of the 11th July, I lodged at Faſtcaſtle that night, accompanyed

[9] An Original. Paper-Office.

[10] Paper-Office.

with the lord Hume, the lord of Ledington, and James Melvin, where I was intreated very well, according to the ſtate of that place, which is fitter to lodge priſoners than folks at liberty, as it is very little, 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 ſurety, 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 perceive, to be plain with yow, they find more perril to grow unto them through the Queens majeſtys dealing than either they do by the French, or by any contrary faction amongeſt themſelves, for they aſſured themſelves the Queen will leave them in the bryers if they run her fortoun, and though they do acknowledge 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, methinketh 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 remedy as occaſions 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 a while 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 obſcurely with the Queen,

and their uncertainty hath occaſioned this that is yet happened, and therefore her Majeſty hath ſent me to the end I may inform her throughly 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 yourſelves good, as I fear me in the end that will prove; Sr if there be any truth in Ledington, le Crocq is gone to procure Ramboilet his coming hither or a man of like quality, and to deliver them of their Queen for ever, 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 likelihood 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 our ſelves. 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 Edinr; by my next I hope to ſend you the band concluded by Hamiltons, Argyll, Huntly, and that faction, not ſo much to the prejudice of the lords of Edinr, as that which was ſent into France; thus having no more leaſure but compelled to leap on horſeback with the lords to go to Edinr, I humbly take my leave of from Faſtcaſtle the 12th of July 1567.

To Sir Nicolas Throkmorton being in Scotland. By the Queen, the 14th July 1567.

TRUSTY and well beloved we greet you well, though we think that the cauſes will often change upon variety of accidents, yet 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 thereby (as it is manifeſt) her ſon cannot be free, if ſhe ſhall be contented that her ſon may enjoy ſuerty and quietneſs, within this our realm, being ſo near as ſhe knows it is; we ſhall not fail to yield her as good ſuerty therein for her child, as can be deviſed for any that might be our child born of our own body, and ſhall be glad to ſhew 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 nouriſhed and acquainted with our country; and therefore all things conſidered, this occaſion 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 ſo deal with her, both to ſtay her indeed from inclining to the French practice, which is to us notorious, 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 Throkmorton to Queen Elizabeth, 14th July 1567, from Edinburgh. [11].

IT may pleaſe your majeſty to be advertiſed, I did ſignifie unto Mr. Secretary by my letters of the 11th and 12th of

[11] An Original. Paper-Office.

July, the day of mine entry into Scotland, the causes of my stay, my lodging at Fastcastle, a place of the lord Hume's, 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 aforesaid, and with 400 horses by their appointment for my better conduct, I came to Edinr 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 he assembled within this town as I desired, that is to say the earls of Athole, and Morton, the lord Hume, the lord 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 deferred 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 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 journey 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 intended 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 loſe his favour and good intelligence with him: I anſwered, that as to their refuſal 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 Bothel (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 then good; but your majeſty being advertized of all things which had chanced, had ſent me hither to treat with them, for the well of the realm, for the conſervation of their honours and credit, and for their ſurety; 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 Queen's majeſty's 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 Throkmorton, my lord Morton, and ſuch as were in pain for the death of Davie, found but

cold favour of the Queens majeſtys hands, when they were baniſhed forth of their own country; but I would all our whole company were as well willing to accompliſh the Queen your ſovereign 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 employ myſelf to employ 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 lords 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 Lindſay and Lochleven the owner of the houſe, for the lord Ruthven is imployed 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 earl of Murray's brother, hath alſo liberty to come to 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 principal cauſe of her detention is, for that theſe lords do ſee the Queen being of ſo fervent affection towards the earle Bothell as ſhe is, and being put at, as they ſhould be compelled to be in continuall arms, and to have occaſion of many battles, he being with manifeſt evidence notoriouſly detected to be the principall murderer, and the lords meaning proſecution of juſtice againſt him according to his merits.

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

They do not alſo forget their own perill, conjoined with the danger of the prince, but as far as I can perceave, they intend not either to touch the Queen in ſuerty or in honour, for they do ſpeak of her with reſpect and reverence, and do affirm, as I do learn, that the conditions aforeſaid accompliſhed, they will both put her to liberty, and reſtore her to her eſtate.

Theſe lords have for the guard of their town 450 Harquebuſhers which be in every good order, for the entertainment of which companys, until all matters be compounded, they did ſue unto your majeſty, to aid them with ſuch ſum of money as hath been mentioned to Mr. Secretary by the lord of Lidington's writing, amounting as I perceive to ten or twelve thouſand crowns of the

They were lately advertized that the French King doth mind to ſend hither monſieur de la Chapell des Urſine, a knight of the French order, and always well affectionate to the houſe of Guyſe, and howſoever la Foreſt, Villaroy, and de Crocq have uſed language in the Queens favour and to theſe lords diſadvantage there, to your majeſty; de 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.

Nevertheless, since my coming to this town, the Hamiltons have sent unto me a gentleman of their sur-name, named Robert Hamilton, with a letter from the bishop of St. Andrews and the abbot of Arbroth, the copy whereof I send your majesty and mine answer unto them, referring to the bearer the declaration of some things, as these did by him unto me.

The earle of Argyll hath, in like manner, sent another unto me with a letter and credit, I have used him as I did the others, the copy of both which letters I send your majesty also. The lord Harrys hath also sent unto me but not written, and I have returned unto him in like sort.

Against the 20th day of this month there is a generall assembly of all the churches, shires, and boroughs-towns of this realm, namely of such as be contented to repair to these lords to this town, where it is thought the whole state of this matter will be handeled, and I fear me much to the Queen's disadvantage and danger; unless the lord of Lidington and some others which be best affected unto her do provide some remedy; for I perceave the great number, and in manner all, but chiefly the common people, which have assisted in these doings, do greatly dishonour the Queen, and mind seriously either her deprivation, or her destruction; I used the best means I can (considering the furie of the world here) to prorogue this assembly, for that appeareth to me to be the best remedy: I may not speak of dissolution of it, for that may not be abiden, and I should thereby bring myself into great hatred and peril. The chiefest of the lords which be here present at this time dare not show so much lenity to the Queen as I think they could be contented, for fear of the rage of the people. The women be most furious and impudent against the Queen, and yet the men be mad enough; so as a stranger over busie may soon be made a sacrifice amongst them.

There was a great bruit that the Hamiltons with their

adherents would put their force into the fields againſt the 24th of this month, but I do not find that intent ſo true, as the common bruit goeth.

The earle of Argyll is in the Highlands, where there is trouble among his own countrymen.

The earle of Lenox 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 Bothwell's deſtruction, becauſe they would compaſs a marriage betwixt the Queen and the lord of Arbroth.

The earle of Argyll doth affect her liberty, and Bothwell's deſtruction, becauſe he would marry the Queen to his brother.

And yet neither of them, notwithſtanding their open concurance (as appeareth 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 conference 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 into either England or into France, but moſt willingly into England, for ſuch —— and miſlikeings 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

yow in remembrance, that in caſe the ſaid Queen come into England by your allowance, without the French king's conſent, ſhe ſhall looſe 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 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 contry, 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, honour, and all felicity; at Edinburgh the 14th July 1567.

Sir Nicholas Trokmorton to Queen Elizabeth, the 18th of July 1567, from Edinburgh [12].

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 two days; and for

[12] An Original. Paper-Office.

that I find, by likelihood 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 therefore please your majesty, to understand Robert Melvin returned from the Queen in Lochlevin, 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, to change the place of restraint to the castle of Stirling, to the end she might have the comfort and company of her son, and if they will not change her from Lochleven, she required to have some other gentlewomen about her, naming none.

To have her Apothecary, to have some modest minister. ——To have an imbroiderer to draw forth such work as she would be occupied about, and to have a varlet of the chamber.——Touching the government of the realm she maketh two offers, which are but generally touched in her letter, the particularitys be not specified, but referred to Robert Melvin's credit, the one is to commit it only and wholly to the earle of Murray, the other is to the lords whose names ensue, assisted with such others as they shall call unto them, that is to say, the duke of Chattelrault, the earls of Morton, Murray, Marr, and Glencairn.

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

She yieldeth in words to the prosecution of the murder.

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

I have also persuaded her to conform herself to renounce

Bothell for her husband, and to be contented to suffer a divorce to pass betwixt them; she hath sent 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; by renouncing Bothell, she should acknowledge herself to be with child of a bastard, and to have forfeited her honour, which she will not do to die for it; I have perswaded her to save her own life and her child, to choose the least hard condition.

Mr. Knox arrived here in this town the 6th of this month, with whom I have had conference, and with Mr. Craig also, the other minister of this town.

I have perswaded with them to preach and perswad lenity, I find them both very austere in this conference, what they shall do hereafter I know not, they are furnished with many arguments, some forth of the scripture, some forth of histories, some grounded (as they say) upon the laws of this realm, some upon practices used in this realm, and some upon the conditions and oath made by their prince at her coronation.

The bishop of Galloway, uncle to the earle of Huntley, hath sent hither to these lords, that his nephew the earle and some others of that side may, at Linlithgow or at Stirling, have some communication with some appointed on this side, assuring them that there is a good disposition in the lords of the other party to concurre with these, assuring further that they will not dissent for triffles or unnecessary things, and (as I am given to understand) they can be pleased the Queen's restraint be continued, untill the murder be pursued in all persons, whereby the separation of the Queen and Bothell is implyed, the preservation of the prince, the security for all men, and a good order taken for the governance of the realm in tranquillity.

Captain Clerk, which hath so long served in Denmark and served at Newhaven, did the 16th of this month (accompanyed with one of his soldiers, or rather the soldier as the greater fame goeth) kill one Wilson a seaman, and

ſuch a one as had great eſtimation with theſe lords both for his ſkill, his hardyneſs, honeſty, and willingneſs in this action; whereupon Clerk hath retired himſelf; their quarrel was about the ſhip which took Blacketer, which ſhip was appointed by theſe lords to go to the north of Scotland to impeach the paſſage of the earle Bothell, in caſe he went either to the iſles, or to any other place; by the death of this man this enterprize was daſhed.

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

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

As I wrote unto your majeſty in my laſt, the Hamiltons now find no matter to diſever theſe lords and them aſunder, but would concur in all things (yea in any extremity againſt the Queen) ſo as that they might be aſſured the prince of Scotland were crouned king, and ſhould die without iſſue, that the earle of Lenox's ſon living ſhould not inherit the croun of this realm, as next heir to his nephew.

And although the lords and councelors ſpeak reverently, mildly, and charitably of their Queen, ſo as I cannot gather by their ſpeech any intention to cruelty or violence, yet I do find by intelligence, that the Queen is in very great peril of her life, by reaſon that the people aſſembled at this convention do mind vehemently the deſtruction of her.

It is a public ſpeech amongſt all the people, and amongſt all eſtates (ſaving of the counſellors) that their Queen hath no more liberty nor priviledge to commit murder nor adultery, than any other private perſon, neither by God's laws, nor the laws of the realm.

The earl of Bothwell, and all his adherents and aſſociates, be put to the horn by the ordinary juſtice of this town, named the lords of the ſeſſion; and commandment given to all ſhirriffs, and all other officers, to apprehend him, and all other his followers and receiptors — The earl of Bothell's porter, and one of his other ſervitors of his chamber, being apprehended, have confeſſed ſuch ſundry circum-

ſtances, as it appeareth evidently, that he, the ſaid earl was one of the principal executors of the murder, in his own perſon accompanyed 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 Ormiſtons of Tivotdall, 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 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 ſurprized; 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 Throkmorton 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 [13].

BY my former diſpatches ſent to her majeſty, and Mr. Secretary, ſince the 12th of July, your lordſhip might have

[13] 24th of July 1567. Paper-Office, from the Original.

perceived the ſtate of this country, and to what end theſe matters be like to come: ſo as not to trouble your lordſhip 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, (unto 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 king can wiſh, to all intents and purpoſes. And as for the Hamiltons, the earls of Argyle, Huntlye, and that faction, they be already ſo far inchanted that way, as there needeth 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 circumſtance, 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 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 there 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 Edinburgh this 24th of July 1567.

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

The Queen to Sir Nicholas Throkmorton [14].

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 committed 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 ſhould continue 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 proceeding toward their Soveraign 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

[14] 6th Aug. 1567.

muſt needs remain to their perpetual tauche for ever. And therefore ye 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 licence 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, 1567.

Throkmorton to the right honourable Sir William Cecil, knight, one of her majeſty's privy council and principal ſecretary, give theſe [25].

SIR,

WHAT I have learned, ſince the arrival of my lord of Murray, and Monſ. de Linnerol, 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 they ſhoot at, is, to renew their old league; and can be as well contented to take it of this little king, (howſoever his title be) and the ſame by the order of theſe lords, as otherwiſe. Lineroll came but yeſterday, and methinketh he will not tarry long; you may gueſs how the French will ſeek to diſpleaſe theſe lords, when they changed the coming of La Chapelle des Ourſins for this man, becauſe they doubted that de la Chapelle ſhould not be grateful to them, being a papiſt. Sir, to ſpeak more plainly to you, than I will do otherwiſe, me thinketh the earl of Murray will run the courſe that thoſe men do, and be partaker of their fortune. I hear no man ſpeak more bitterly againſt the tragedy, and the players therein, than he, ſo little like he hath to horrible ſins. I hear an inkling

[25] 12th Aug. 1567. Paper-Office, from the Original.

that Ledington is to go into France, which I do as much miſlike, as any thing, for our purpoſe. I can aſſure you the whole proteſtants of France will live and die in theſe men's quarrels; and, where there is bruit amongſt you; that aid ſhould be ſent to the adverſe party, and that Martigues ſhould come hither with ſome force; Monſ. Baudelot hath aſſured me of his honour, that inſtead of Martigues coming againſt them, he will come with as good a force to ſuccour them: and if that be ſent under meaner conduct, Robert Stuart ſhall come with as many to fortify them. But the conſtable hath aſſured theſe lords, that the king meaneth no way to offend them. Sir, I pray you find my revocation convenient, and ſpeed you to further it, for I am here now to no purpoſe, unleſs it be to kindle theſe lords more againſt us. Thus I do humbly take my leave of you, from Edenburgh the 12th of Auguſt, 1567.

Yours to uſe and command.

The Queen to Nicholas Throkmorton.

TRUSTY and well-beloved we greet you well. We have, within theſe two days, received three ſundry letters of yours, of the 20th, 22d, and 23d, of this month, having not before thoſe received any ſeven days before; and do find, by theſe your letters, that you have very diligently and largely advertiſed us of all the haſty and peremptory proceedings there; which as we nothing like, ſo we truſt in time to ſee them wax colder, and to receive ſome reformation. For we cannot perceive, that they with whom you have dealt can anſwer the doubts moved by the Hamiltons, who howſoever they may be carried for their private reſpects, yet thoſe things which they move, will be allowed by all reaſonable perſons. For if they may not, being noblemen of the realm, be ſuffered to hear the Queen their ſovereign declare her mind concerning the reports which are made of her, by ſuch as keep her in captivity, how ſhould they believe the reports, or obey them which do report it? and therefore our

meaning is, you ſhall let the Hamiltons plainly underſtand, that we do well allow of their proceedings, (as far forth as the ſame doth concern the Queen their ſovereign for her relief) and in ſuch things as ſhall appear reaſonable for us therein to do, for the Queen our ſiſter, we will be ready to perform the ſame. And where it is ſo required that upon your coming thence, the lord Scroope ſhould deal with the lord Herris to impart their meanings to us, and ours to them, we are well pleaſed therewith, and we require you to advertiſe the lord Scroope hereof by your letters, and to will him to ſhew himſelf favourable to them in their actions, that may appear plainly 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.

N°. X. (Vol. II. p. 100.)

Sir Nicholas Throkmorton to the archbiſhop of St. Andrew's and the abbot of Arbrothe [16].

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 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,

[16] 13th Aug. 1567. Paper-Office, from a copy which Sir Nicholas ſent to the Queen.

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 earl of Bodwell, and lastly for their own sureties. In the negociation 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 farther 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 farthest, being the 19th of this August; for I intend (God willing) to depart towards England, upon Wednesday following. Thus I most humbly take my leave of your lordships at Edenburgh, the 13th of Aug. 1567.

Indorsed the 13th of Aug. 1567.

Sir Nicholas Throkmorton to the lord Herrys [17].

YOUR good lordſhip's letter of the 13th of Auguſt I have received the 19th of the ſame. For anſwer whereunto it may like your lordſhip to underſtand, that I will ſignify unto you plainly, how far forth I am already thoroughly inſtructed of the Queen's majeſty my ſovereign's pleaſure concerning the detention of the Queen your ſovereign, and concerning her relief.

To the firſt her majeſty hath given in charge, to uſe all kinds of perſuaſion in her name, to move theſe lords aſſembled at Edenburgh to deſiſt from this violent and undutiful behaviour, which they uſed towards their ſovereign. And in this part, beſides the ſhew of many reaſons, and ſundry perſuaſions of amicable treaty with them, her majeſty hath willed me to uſe ſome plain and ſevere ſpeech unto them, tending ſo far forth, as if they would not be better adviſed, and reform theſe their outrageous proceedings exerciſed againſt their ſovereign, that then they might be aſſured her majeſty neither would nor could indure ſuch an indignity to be done to the Queen, her good couſin and neighbour.

And notwithſtanding theſe my proceedings with them, they have made proof to be little moved thereby, for as yet neither will they conſent to the enlargement, neither ſuffer me to ſpeak with her. So as it ſeemeth to me, it is ſuperfluous to treat any more with them after this manner. Whereupon I have advertiſed the Queen's majeſty my ſovereign, expecting daily her majeſty's further order; and as I ſhall be advertiſed thereof, ſo will not fail to ſignify the ſame to your good lordſhip; and in the mean time will advertiſe her majeſty alſo, what your lordſhip hath written unto me. Thus with my due commendations to your good lordſhip, I commit the ſame to

[17] 24th Aug. 1567. Paper-Office, from a copy which Sir Nicholas ſent to ſecretary Cecil.

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

Indorsed 24th of August, 1567.

N°. XI. (Vol. II. p. 111.)

Account of lord Herrys's Behaviour in the Parliament held December 15, 1567 [rs].

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 meanes for punishment of the earl Bothwell, as also seeing the Queen's inordinat 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,

[rs] Paper-Office.

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 for our party, none of ourselves could have made. He did not forget to term my lord regent, by the name of regent, (there was no mention at all of the Earl of Murray) and to call him grace at every word, when his speeches were directed to him, accompanying all his words with low courtesies after this manner.

N°. XII. (Vol. II. p. 134.)

Queen Mary to Queen Elizabeth [19].

MADAM,

ALthough the necessity of my cause (which maketh me to be importune to you) do make you to judge that I am out of the way; yet such as have not my passion, nor the respects where you are persuaded, will think that I do as my cause doth require. Madam, I have not accused you, neither in words, nor in thought, to have used yourself evil towards me. And I believe, that you have no want of good understanding, to keep you from perswasion against your natural good inclination. But in the mean time I can't chuse (having my senses) but perceive very evil furtherance in my matters, since my coming hither. I thought that I had sufficiently discoursed unto you the discommodities, which this delay bringeth unto me. And especially that they think in this next month of August, to hold a parliament against me and all my servants. And in the mean time, I am stayed here, and yet will you, that I should put myself further into your country, (without seeing you) and remove me further from mine; and there do me this dishonour at the request of my rebels, as to send commissioners to hear them against me,

[19] Cott. Lib. Cal. I. A Copy, and probably a Translation.

as you would do to a mere subject, and not hear me by mouth. Now, madam, I have promised you to come to you, and having there made my moan and complaint of these rebels, and they coming thither, not as possessors, but as subjects, to answer. I would have besought you to hear my justification of that which they have falsly set furth against me, and if I could not purge myself thereof, you might then discharge your hands of my causes, and let me go for such as I am. But to do as you say, if I were culpable I would be better advised; but being not so, I can't accept this dishonour at their hands, that being in possession they will come and accuse me before your commissioners, whereof I can't like: And seeing you think it to be against your honour and consignage to do otherwise, I beseech you that you will not be mine enemy, untill you may see how I can discharge myself every way, and to suffer me go into France, where I have a dowry to maintain me; or at least to go into Scotland, with assurance that if there come any strangers thither, I will bind myself for their return without any prejudice to you, or if it pleis you not to do thus, I protest that I will not 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 honour of blame shall be yours. For I had rather die here, and that my faithful servants may be succoured (tho' you would 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 shall have to do, in this country, with others than with you. But forasmuch as nothing hath followed upon my last moan, I hold my peace, happen what may hap. I have as leef to abide / endure my fortune, as to seek it, and not find it. Further, it pleased you to give license to my subjects to go and come. This has been refused by my lord Scroop and Mr. Knolls (as they say) by your commandment, because I would not depart hence to your charge, untill I had answer of this letter, tho' I shewed them that you required my answer, upon the two points, contained in your letter.

The

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 quarrel, 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 mean time, I beſeech you, to return to me my Lord Herries, 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* [20] 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 withal, for I have left them in charge, to have more reſpect to my ſervants and to my eſtate, than to my life. Good ſiſter, be of another mind, win the heart, and all ſhall be yours, and at your commandment. I thought to ſatisfy you wholly, if I might have ſeen you. Alas! do not as the ſerpent, that ſtoppeth his hearing,

[20] Perhaps *for*.

for I am no enchanter, but your ſiſter, and natural couſin. If Cæſar had not diſdained to hear or read the complaint of an advertiſer, he had not ſo died; why ſhould princes ears be ſtopped ſeeing that they are painted ſo long; Meaning that they ſhould hear all and be well adviſed, before they anſwer. I am not of the nature of the baſiliſk, and leſs of the chamelion, to turn you to my likeneſs, and tho' I ſhould be ſo dangerous and curs'd as men ſay, you are ſufficiently arm'd with conſtancy and with juſtice, which I require of God, who give you grace to uſe it well with long and happy life. From Carliſle the 5th of July, 1568.

N°. XIII. (Vol. II. p. 135.)

Part of a letter from Sir Francis Knollys to Cecil, 8th Aug. 1468, from Bolton [21].

——BUT ſurely this Queen doth ſeem, outwardly, not only to favour the form, but alſo the chief article of the religion of the goſpel, namely juſtification by faith only: and ſhe heareth the faults of papiſtry revealed, by preaching or otherwiſe, with contented ears, and with gentle and weak replys, and ſhe doth not ſeem to like the worſe of religion throw me.

Part of a letter from ſir Francis Knollys to Cecil, 21 Sept. 1568, from Bolton.

——IT came to this Queen's ears of late that ſhe was bruited to be lately turned to the religion of the goſpell, to the great diſliking of the papiſts hereabouts, which thing herſelf confeſſed unto me, and yeſterday, openly in the great chamber, when the aſſembly was full, and ſome papiſts pre-

[21] An Original. Paper-Office.

ſent, ſhe took occaſion to ſpeak of religion, and then openly ſhe profeſſed herſelf to be of the papiſt religion, and took upon her to patronize the ſame more earneſtly than ſhe had done a great while afore; altho' her defences and arguments were ſo weak, that the effect of her ſpeech was only to ſhew her zeal; and afterwards to me alone, when I miſliked to ſee her become ſo confidently backward in religion. Why, ſaid ſhe, would you have me to loſe France and Spain, and all my friends in other places, by ſeeming to change my religion, and yet I am not aſſured the Queen my good ſiſter will be my aſſured friend, to the ſatisfaction of my honour and expectation.

N°. XIV. (Vol. II.) p. 136.

A letter from my lord Herries to my lord Scroop and ſir F. Knollys, September 3d, 1568 [22].

My lords, pleaſit your honourable lordſhips, I am informed by James Borthwick, lately come from the Queen's majeſty your ſoverane, that is ſchawin to her highneſs, I ſhould have ridden in Crafurdmure, ſen my laſt cuming into this realm, upon the earl of Murray's dependents. And that I ſuld have cauſit, or been of counſal to Scottiſmen to have ridden in England, to ſlay or ſpulzie her majeſty's ſubjects.

My lords, I thought it right needfull becauſe your lordſhips is, by 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 had knowledge of any Scottiſman's riding 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;

[22] Cott. Lib. Cal. C. An Original in his own hand.

that gif ony ſic open hurt be done, it is by the Queen my ſovereign's diſobedients, and that I have not ridden nor hurt no Scottiſhman, nor commanded no hurt to be done to them, ſen my coming from the Queen's majeſty of England, it is well kend, for that never ane will complain of me.

I have done more good to Crawfurdmure nor ever the earl of Murray has done, and will be loather to do them any harm than he will. Except the Queen's majeſty your ſovereign, command ſic falſe reports to be tryit, quhereof this is altogidder an inventit leaſing, her grace ſall be trublit, and tyne the hearts of true men here, quhom of ſic report ſall be made, that baieth would ſerve hir, and may, better than they unworthy liars.

My lords, I underſtand the Queen's majeſty your ſovereign is not contented of this bruite, that there ſhould ony Frenchman come in this realm, with the duke of Chattelherault. Truth it is, I am no manner of way the counſall of their cuming, nor has no ſic certainty thereof, as I hear by Borthwick's report from the Queen's majeſty your ſovereign. And gif I might as well ſay it, as it is true indeed, her grace's ſelf is all the wyitt, and the counſall that will never let her take order with my maiſtreſs cauſe. For that our ſovereign havand her majeſty's promiſe, be writing, of luff, friendſhip, and aſſiſtance gif need had ſo requirit, enterit that realm, upon the 16 day of May, ſen that time the Queen's majeſty has commanded me diverſe times to declare ſhe would accept her cauſe, and do for her, and to put her in peaceable poſſeſſion of this realme, and when I required of her majeſty, in my maiſtreſs name, that her highneſs would either do for her, (as her ſpecial truſt was ſhe would) according to her former promiſes, or otherwiſe give her counſal, would not conſent, (as I ſhow her grace I fand diverſe repugnant) then that ſhe would permit her to paſs in France, or to ſome other prince to ſeek ſupport, or failing hereof, (quhilk was againſt all reaſon) that ſhe would permit her to return in her awin countrie, in ſic ſempil manner as ſhe came out

of it, and ſaid to her majeſty ane of thir, for her honour, would not be refuſit, ſeeand that ſhe was comed in her realm upon her writings and promiſes of friendſhip. And ſicklike, I ſaid to her highneſs, gif my maiſtreſs had the like promiſe of her nobility and eſtates, as ſhe had of herſelf, I ſhould have reprovit them highly, gif they had not condeſcendit to one of thir three, and ſo I ſay, and ſo I write, that in the warld it ſhall be maiſt reprehendable, gif this promiſe taketh not other good effect, nor yet it does. Notwithſtanding, I get gud anſwer of thir promiſes of friendſhip made to my ſovereign, and to put her grace in this her awin countrie peaceably, we have fund the contrary working by Mr. Middlemore directit from her highneſs to ſtay the army that cuiſt down our houſes. And alſua, in the proceeding of this late 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 ſovereign's cauſe was taken upon hand be the Queen's majeſty of that realm, an hundred thouſand pound Scots worth of her awin true ſubjects geir, under the color of the 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 their 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 over meikle on baith the ſides unfit, and plainly, according to the auld true cuſtom of Ingland and Scotland, quherein be a word promiſt truth was obſerv'd, promiſe in the name of the eternal God, and upon the high honour of that nobill and princely blude of the kings of Ingland, quhereof ſhe is deſcendit, and preſently wears the diadem, that ſhe will put my maiſtreſs in her awin country, and cauſe her as Queen thereof in her authority and ſtrength to be obeyit, and to do the ſame will appoint an certain day within two months at the fartheſt, as we underſtand this to be our weil, ſua will we, or the maiſt part of us all, follow upon it, leaving the Frenchmen, and their evil French phraſes togidder. And therefore, and for the true perpetual friendſhip of that realm, will condition, and for our part, with the grace of Almighty God, keep ſic heads and conditions of agreement, as noble and wiſe men can condeſcend upon, for the weill of this hail iſland. As I have been pardlings declaring to the Queen your ſovereign, quhilk I ſhew to your lordſhips ſelfis both in religion, in the puniſhment of the earl Bothwile, for the Queen's laſt husband's ſlaughter, and for a mutual band of amity perpetually to remain amongis us.

Doubtleſs, my lords, without that, we may find ſic time and friendly working, as may gif us occaſion baith to forgette Middlemore and his late pretendit parliament, we will turn the leaf, leaving our ſovereign agains our will to reſt where ſhe is, under the promiſe of friendſhip. As I have baith ſaid, and will ever affirm, made be your ſovereign, quhilk was only cauſe of her graces coming in that realme, and ſeek the help and moyen of French, or Spaniſh, till expulſe this treaſonable and falſe pretendit authority, quhilk means to reign above us.

My lords, I deſire your lordſhips conſider, that it is he, that maiſt deſires the amity betwixt Ingland and Scotland to continue, and of a poor man beſt cauſe has, that writ this.

My brother the laird of Skirling, ſchaws me, that in your lordſhips communing with him, it appearit to him,

your mind was we ſhold ſuffer the earl of Murray to work, altho' it were agains reaſon to us, and complain thereof to the Queen's majeſty, and her highneſs wald ſee it reformit. My lords, her majeſty will be over meikle troublit to reform the wranges we have ſuſtainit already. For I am ſure, gif reaſon and juſtice may have place, our maiſtreſs, and we her ſubjects, have received expreſs wrang, far above two hundred thouſand pounds ſterling, in the time of this unhappy government, ſeeing the reformation of ſa great cauſes, comes, now a days, ſo ſlowlie and the ungodly law of oblivion in ſic matters ſo meikle practis'd, I think, nowther for the Queen's honour, nor our weill, your lordſhips would ſua mean, nor that it is good to us to follow it. And that ye will give your ſovereign ſic advertiſement thereof, as your good wiſdoms ſhall find in this cauſe meet. It will be true and friindfull working for us, indeed, and nowther French phraſes, nor boaſting, and finding little other effect, that will cauſe us to hold away the Frenchmen. This is plainly written, and I deſire your lordſhip's plain anſwer, for in truth and plainneſs langeſt continues gud friendſhip, quhilk in this matter I pray God may lang continue, and have your lordſhips in his keeping. Off Dumfreis, the 3d day of September 1568.

Your lordſhips at my power
to command leifully

HERRIS.

Queen Mary to Q. Elizabeth [23].

MADAME ma bonne ſœur. 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 perſuadée n'avoir par voſtre promeſſe, quant a n'oſſer donner commiſſion de venir ſans un parlement pour leur peu de nombre de nobleſſe alors, je vous reſpons, qu'ils

[23] 1568. Cott. lib. Cal. x. An Original.

n'ont que trois ou quatre d'avantage, qui euſſent auſſi bien dit leur opinion hors de parlement, qui n'a eſté tenu tant pour cette effect, mais pour faire ce qu'expreſſement nous avions requis eſtre empeſchés, qui eſt la forfalture de mes ſubjects pour m'avoir eſtés fidelles, ce que je m'aſſurois, juſques a heir, 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 marie, pour ce que ſur votre lettre qu'ils 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, & les miens ſinceres. Dans voſtre lettre auſſi dateé du 10me d'Aouſt, vous metties ces mots. " I think your adverſe " party, uppon 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 any act of " judgment 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 contremandé mes ſerviteurs, les faiſſant retirer, ſouffrant ſelon voſtre commandement d'être fauſſement nommés traitres, par ceulx, qui le ſont de vray; & encore d'etre provoqués par eſcarmons dies, & par prinſes de mes gens & lettres, & au contraire vous etes informée que mes ſubjects ont evahis les voſtres, Madame, qui a fait ce rapport n'eſt pas homme de bien, car laird de Sesford & ſon fils ſont & ont eſtes mes rebelles depuis le commencement; enquirés vous, s'ils n'eſtoient a Donfris aveques eulx, j'avois offri reſpondre de ſa frontiere, ce qui me fut refuſé, ce qui me devroit aſſes deſcharger, neanmoins, pour vous faire preuve de ma fidelité, et de leur falſité, s'il vous me fayte donner le nom des coulpables,

& 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 volonté, au reſte mes ſubjects fidelles ſeront reſponſables a tout ce que leur ſera mis ſu les contre vous, ni les voſtres, ni les rebelles, deſpuis que me conſeillates les faire retirer. Quant aux François, j'eſcrivis que l'on n'en fit nulle pourſuite, car j'eſperois tant en vous, que je n'en aurois beſoign, — je ne ſçeu ſi le dict aura en mes lettres, mais je vous jure devant Dieu que ne ſçay choſe du monde de leur venue, que ce que m'en aves manday, ni n'en ai oui de France mot du monde, & ne le puis croire pour ceſt occaſion, et ſi ils ſi ſont, c'eſt ſans 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, & vous aſſure que votre amitié, 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 mein, en ſœur, & bonne amie, comme ma Francé eſt en vous; mais une choſe ſeule me rende confuſe, j'ay tant d'enemis qu'ont votre oreille, la quelle ne pouvant avoir par parolle, toutes mes actions vous ſont deſguiſées, & falſement raportées, par quoi il m'eſt impoſſible de m'aſſurer de vous, pour les manteries qu'on vous a fait, pour deſtruire voſtre bonne volonté de moy; par quoi je deſirerois bien avoir ce bien vous faire entendre ma ſincere & bonne affection, laquelle je ne puis ſi bien deſcrire, que mes enemis a tort ne la decoloré. Ma bonne ſœur, gagnes moy, envoyés moy querir, n'entrés en jalouſie pour faulx raports de celle que ne deſire que votre bonne grace; je me remettray ſur Meſter Knoleis a qui je me ſuis librement deſcouverte, & apres vous avoir baiſée les mains, je prierai Dieu vous donner en ſanté, longue & heureuſe vie. De Boton, ou je vous promets, je n'eſpere pertir, qu'aveques voſtre bonne grace, quoyque les menteurs mentent. Ce 26 d'Aouſt.

N°. XV. (Vol. II. p. 137.)

Queen Elizabeth to the Earl Murray [24].

RIGHT truſty and right well beloved couſin, we greet you well. Where we hear ſay, that certain reports are made in ſundry parts of Scotland, that whatſoever ſhould fall out now upon the hearing of the Queen of Scotts cauſe, in any proof to convince or to acquit the ſaid Queen concerning the horrible murder of her late husband our couſin, we have determined to reſtore her to her kingdom and government, we do ſo much miſlike hereof, as we cannot indure the ſame to receive any credit: and therefore we have thought good to aſſure you, that the ſame is untruly deviſed by the authors to our diſhonour. For as we have been always certified from our ſaid ſiſter, both by her letters and meſſages, that ſhe is by no means guilty or participant of that murder, which we wiſh to be true, ſo ſurely if ſhe ſhould be found juſtly to be guilty thereof as hath been reported of her, whereof we would be very ſorry, then, indeed, it ſhould behove us to conſider otherwiſe of her cauſe than to ſatisfy her deſire in reſtitution of her to the government of that Kingdom. And ſo we would have you and all others think, that ſhould be diſpoſed to conceive honourably of us and our actions.

Indorſed 20 Sept. 1568.

N°. XVI. (Vol. II. p. 144.)

Sir Francis Knollys to Cecil, the 9th of October 1568, from York [25].

——MY lord's grace of Norfolk ſending for me to Bolton, to attend upon him here Thurſday laſt, I made my

[24] Paper Office. From a copy corrected by ſecretary Cecil.
[25] An Original. Paper-Office.

repair hither accordingly, meaning to ſtay here until Monday next; as touching the matters of the commiſſion, that his grace and the reſt have from her highneſs, his grace hath imparted unto me of all things thereunto appertaining, and what hath hitherto paſſed, and altho' the matters be too weighty for my weak capacity, to preſume to utter any opinion of mine own thereof, yet I ſee that my lord Herris, for his parte laboureth a reconciliation, to be had without the extremity of odious accuſations; my lord of Ledington alſo ſaith to me, that he could wiſh theſe matters to be ended in dulce maner, ſo that it might be done with ſafety; of the reſt you can conceive, by the advertiſements and writings, ſent up by our commiſſioners.

A letter from the biſhop of Roſs to the Queen of Scotts, from York, October 1568 [26].

PLEIS your majeſty I conferred at length with A. ane great part of a night, who aſſurit me that he had reaſoned with B. this Saturday C. on the field, who determinate to him that it was the D. determinit purpoſe not to end your cauſe at this time, but to hold the ſame in ſuſpence, and did that was in her power, to make the E. purſue extremity, to the effect F. and his adherents might utter all they could to your diſhonour, to the effect to cauſe you come in diſdain with the hail ſubjects of this realm, that ye may be the mair unable to attempt any thing to her diſadvantage. And to this effect is all her intention, and when they have produced all they can againſt you, D. will not appoint the matter inſtantly, but tranſport you up in the country, and retain you there till ſhe think time to ſhew you favour, which is not likely to be haſtily, becauſe of your uncles in France, and the fear ſhe has of yourſelf to be her unfriend. And therefore their counſel is, that ye write an writing to the D.

[26] Cott. lib. Calig. C. 1. a copy.

meaning that ye are informit that your ſubjects which has offendit you. — This in effect that your majeſty hearing the eſtate of your affairs as they proceed in York, was informed that her majeſty was informed of you, that you could not gudely remit your ſubjects in ſuch ſort as they might credit you hereafter, which was a great cauſe of the ſtay of this controverſy to be ended. And therefore perſuading her D. effectually not to truſt any who had made ſuch narration. But like as ye had rendered you in her hands, as moſt tender to you of any living, ſo prayit her take na opinion of you, but that ye wald uſe her counſell in all your affairs, and wald prefer her friendſhip to all others, as well uncles as 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 foreſaid.

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.

N°. XVII. (Vol. II. p. 156.)

Deliberation of Secretary Cecil's concerning Scotland, Dec. 21. 1568 [27].

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 Scots might be induced, by ſome perſwaſions, to agree that her ſon might continue king, becauſe he is crowned, 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 Scots, and for her ſon, that is to ſay the one half by the Queen of Scots, and the other by the earle of Lenox and lady Lenox, parents to the child; and out of thoſe, the Queen's majeſty of England to make choice for all the officers of the realm, that are, by the law of Scotland, diſpoſable by the king or Queen of the land.

That until 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 offices 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 Scots and of the young king.

—— That hoſtages be delivered unto England on the young king's behalf, to the number of twelve perſons of the earle of Murray's part as the Queen of Scots ſhall

[27] Paper-Office.

name; and likewiſe on the Queen's behalf to the like number as the earle 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, until three months after that 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. the Decem. 1567) ſhall be eſtabliſhed to be kept and obeyed, under pain of high treaſon for 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 be made univerſally from the Queen of Scots 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 by either ſide taken from them which were the owners thereof at the committing of the Queen of Scotts to Lochlevin.

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

That the Queen of Scotts 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 Queen's majeſty.

That the young king ſhall be nouriſhed 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 majeſty are to be concluded.

N°. XVIII. (Vol. II. p. 159.)

The Queen to Sir Francis Knolleys, 22 Jan. 1568-9[28].

WE greet you well, we mean not, at this point, by any writing, to renew that which it hath pleaſed God to make grievous to us and ſorryfull to yow; but forbearing the ſame as unmeet at this point, having occaſion to command you in our ſervice, and yow alſo whileſt you are to ſerve us. We require yow to conſider of this that followeth with like conſideration and diligence, as hitherto yow have accuſtomate 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 writtings 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 we ſend yow, and becauſe at the ſame time we were advertiſed, that it ſhould be ſhortly proclaimed in Scotland, though then it was not, we thought good firſt to remove the Queen, before we would diſcloſe the ſame, and then expect the iſſue thereof; and now, this day, by letters from our couſin of Hunſdon we are aſcertained, that ſince that time the ſame matters contained in the writings, are publiſhed in diverſe parts of Scotland, whereupon we have thought it very meet, for the diſcharge of our honour, and to confound the falſehood contained in that writing, not only to have the ſame reproved by open proclamation upon our frontiers, the copy whereof we do herewith ſend yow,

[28] Paper-Office.

but alſo in convenient ſort to charge that Queen therewith, ſo as ſhe may be moved to declare the authors thereof, and perſuaders of her to write in ſuch ſlanderous ſort ſuch untruths of us; and in the mean ſeaſon, we have here ſtayed her commiſſioners, knowing no other whom we may more probably preſume to be parties hereunto, than they, until, the Queen ſhall name ſome other, and acquit them; who being generally charged, without expreſſing to them any particularity, do uſe all manner of ſpeeches to diſcharge themſelves; wherefore our pleaſure is, that ye ſhall, after ye have well peruſed the copy of this writing ſent to yow, ſpeedily declare unto her, that we have good underſtanding given us of diverſe letters and writings, ſent by her into Scotland, ſigned by her own hand, amongſt which, one ſuch writing is ſent with her commandment expreſly as now it is already publiſhed, as we are much troubled in mind that a princeſs as ſhe is having a cauſe in our hands ſo implicated with difficultys and calamitys, ſhould either conceave in her own mind, or allow of them that ſhould deviſe ſuch falſe, untrue, and improbable matters againſt us, and our honor, and ſpecially to have the aventure to have the ſame being known ſo untrue to be publiſhed, and you ſhall alſo ſay, becauſe we will not think ſo ill of her, as that it ſhould proceed of her ſelf, but rather ſhe hath been counſelled thereunto, or by abuſe made to think ſome part thereof to be true, we require her, even as ſhe may look for ony favour at our hands, that ſhe will disburden herſelf as much as truly ſhe may herein, and name them which have been the authors and perſwaders thereof, and ſo ſhe ſhall make as great amends to us as the caſe may require; after you have thus far proceeded, and had ſome anſwer of her, whether ſhe ſhall deny the writing abſolutely, or name any that have been the adviſers thereof, you ſhall ſay unto her that we have ſtayed her commiſſioners here, until we may have ſome anſwer thereof, becauſe we cannot but impute to them ſome part of this evil dealing, until by her anſwer the authors may be known; and as ſoon as you can have direct anſwers

from

from her, we pray you to return us the ſame; for as the caſe ſtandeth, we cannot but be much diſquieted with it, having our honour ſo deeply touched contrary to any intention in us, and for any thing we know in our judgment the earl of Murray and others named in the ſame writing void of thought for the matters, to them therein imputed; you may impart to the Queen of Scots either the contents of the ſlanderous letter, or ſhew her the copy to read it, and you may alſo impart this matter to the lord Scroop, to join with you there as you ſhall think meet.

Sir Francis Knolleys to Queen Elizabeth, from Wetherby, the 28th January 1568 [29].

——I WILL ſuppreſs my own grieffs, and paſs them over with ſilence, for the preſent learning of your majeſty —and for this Queen's anſwer to the copie of her ſuppoſed letter ſent unto Scotland, I muſt add this unto my brother's letter, ſent unto Mr. Secretary yeſternight late; in proceſs of time ſhe did not deny but that the firſt lines contained in the ſame copie, was agreeable to a letter that ſhe had ſent unto Scotland, which touched my lord of Murray's promiſe to deliver her ſon into your majeſty's hands, and to avoid that the ſame ſhould not be done without her conſent, made her, ſhe ſaith, to write in that behalf; ſhe ſaith alſo that ſhe wrote that they ſhould cauſe a proclamation to be made to ſtir her people to defend my lord of Murray's intent and purpoſe, for delivering of her ſaid ſon, and impugne his rebellious government, as ſhe termed it, but ſhe utterly denyeth to have written any of the other ſlanderous part 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.

[29] An Original. Paper-Office.

N°. XIX. (Vol. II. p. 168.)

Sir Nicholas Throkmorton to the right honourable the Lord of Liddington [30].

YOUR letter of the 3d of July, I have received the 15th 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 dissension, 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 realm of Scotland, by you, should propose the matter to the Queen our sovereign, if you like to use convenience, 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

[30] 20th of July 1569. From the Original.

Queen's reſtoration and marriage to the duke of Norfolk ſhould 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, methinketh you uſe a prepoſterous 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 factious diviſion amongſt you, whereby a blouſtering intelligence muſt needs come to Queen Elizabeth of the intended marriage 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 and ſo bring the matter to ſuch paſſe, as this which ſhould have wrought ſurety, quietneſs, and a ſtay to both 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 untill 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 defamations do carry them of Queen Elizabeth's affections, and maſter ſecretary's, to aſſiſt the regent and to ſuppreſs the Queen of Scotts, I know not, nor is it not material; but I do aſſuredly think, that her majeſty will prefer her ſurety, the tranquillity 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 as for Mr. Secretary, you are not to learn, that as he liketh not go too faſt afore, ſo he coveteth not to tarry too far behind, and ſpecially when the reliques be of no great value or power.

If I could as well assure you of his magnanimity, and constancy, as of his present conformity, I would say confidently, you may repose as well of him in this matter, as of the duke of Norfolk, the earls of Arundel, Pembroke, Leicester, Bedford, Shrewsbury, and the rest of the nobility; all which do embrace and protestе the accomplishment of this case. I have, according to your advice, written presently to my lord Regent, with the same zeal and care of his well doing that I owe to him, whom I love and honour. Mr. Secretary hath assured unto him the Queen of Scotland's favour of good opinion, wherewith he seemeth to be well satisfy'd. If your credit be, as I trust, hasten your coming hither, for it is very necessary that you were here presently. Q. Elizabeth both doth write to my lord Regent in such sort, as he may perceive Mr. Wood's discourses of her majesty's affection to be vain, and Mr. Secretary otherwise bent than he conjectureth of him, the effect of which her majesty's letter you shall understand, by my lord Leicester's letter unto you at this dispatch. At the court, 20th July 1569.

N°. XX. (Vol. II. p. 170.)

Part of a letter from the earl of Murray to L. B. *probably Lord Burleigh* [31].

—BECAUSE I see that great advantage is taken on small occasions, and that the mention of the marriage betwixt the Queen my sovereign's mother, and the D. of Norfolk hath this while past been very frequent in both the realms, and then I myself to be spoken of as a motioner, which I perceive is at the last come to her majesty's ears; I will, for satisfaction of her highness, and the discharge of my duty towards her majesty, manifest unto you my interest, and medling in that matter,

[31] 1569. Harl. Lib. 37. B. 9. to 43.

from the very beginning, knowing whatſoever is prejudicial to her highneſs, cannot but be hurtful to the king my ſovereign, this his realm, and me. What conferences was betwixt the duke of Norfolk, and any of them that were with me within the realm of England, I am not able to declare; but I am no wiſe forgetful of any thing that paſſed betwixt him and me, either at that time, or ſince. And to the end her Majeſty may underſtand how I have been dealt with, in this matter, I am compelled to touch ſome circumſtances, before there was any mention of her marriage. In York, at the meeting of all the commiſſioners, I found very—and neutral dealing with the duke, and others her higneſs's commiſſioners in the beginning of the cauſe, as in the making of the others to proceed ſincerely, and ſo furth. During which time, I entered into general ſpeech, ſticking at our juſt defence in the matters that were objected againſt us, by the ſaid Queen's commiſſioners, looking certainly for no other thing, but ſummary cognition in the cauſe of controverſy, with a final declaration to have followed. Upon a certain day the lord Lithington ſecretary rode with the duke to Howard, what purpoſe they had I cannot ſay, but that night Lithington returning, and entering in conference with me upon the ſtate of our action, I was adviſed by him to paſs to the duke, and require familiar conference, by the which I might have ſome feeling to what iſſue our matters would tend. According to which advice, having gotten time and place convenient in the gallery of the houſe where the duke was lodged, after renewing of our firſt acquaintance made at Berwick, the time before the aſſize of Leith, and ſome ſpeeches paſſed betwixt us; he began to ſay to me, how he in England had favour and credit, and I in Scotland had will and friendſhip of many, it was to be thought there could be none more fit inſtruments, to travel for the continuance of the amity betwixt the realms, than we two. And ſo that diſcourſe upon the preſent ſtate of both, and how I was entered in that action tending ſo far to the Queen's diſhonour, I was willed by him to conſider how matters

ſtood in this, what honour I had received of the Queen, and what inconveniences her defamation in the matters laid to her charge might breed to her poſterity. Her 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 of 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, 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 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 of 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 of our wit, 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. I had no other anſwer to give them, but that I ſhould neither do againſt conſcience or 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 miſlike of me, and to ſpeak of me, as that I had reported of the ſaid Queen irreverently, calling her ——— [32] 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 deſpair, 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 —— [33] thereby my affections to be ſo alienate from her, as that I could not love her, nor be content of her preferment, howbeit he might perſwade 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 was in the ſelf) and as to the

[32] Probably *adulterer*.
[33] Probably *ſuſpect*.

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 —— [34] whenſoever God ſhould move her heart to repent of her bypaſt 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, as were affectioned to the true religion, and whom we might truſt, I could find in my heart to love her, and to ſhew her as great pleaſure, favour, and good will, as ever I did in my life; and in caſe, he ſhould be that perſonage, there was none whom I could better like of, the Queen —— in —— of England being made privy to the matter, and ſhe allowing thereof, which being done, I ſhould labour in all things that I could, to her honour and pleaſure, that were not prejudicial to the king my ſovereign's eſtate, and prayed him not to think otherwiſe of me, for my affection was rather buried and hidden within me, awaiting until God ſhould direct her to know herſelf, that utterly alienated and abſtracted from her; which he ſeemed to accept in very good part, ſaying, Earl of Murray thou thinks of me that thing, whereunto I will make none in England or Scotland privy, and thou haſt Norfolk's life in thy hands. So departing, I came to my lodging, and by the way and all night, I was in continual thought and agitation of mind, how to behave myſelf in that weighty matter; firſt, imagining whereunto this ſhould tend, if it were attempted without the Queen's majeſty of England's knowledge and good will, this realm and I myſelf in particular having received ſuch favour and comfort at her highneſs's hands, and this whole iſle ſuch peace and quietneſs, ſince God poſſeſſed her majeſty with her crown. And on the other part, ſeeing the duke had diſcloſed him to me, proteſting, none other were or ſhould be privy to our ſpeech, I tho't I could not find in my heart to utter any thing that might endanger him; moved to the uttermoſt

[34] Probably *dishonour*.

with these cogitations, and all desire of sleep then removed, I prayed God to send me some good relief and outgate, to my discharge, and satisfaction of my troubled mind, which I found indeed; for upon the morn, or within a day or two thereafter, I entered in conversation with my lord of Leicester, in his chamber at the court, where he began to find strange with me, that in the matter I made so difficult to him, standing so precisely on conferrence, and how when I had in my communication with the duke, come so far —— [35] and there he made some discourse with me, about that which was talke 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 understood. 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 of the nobility in England, so that it might appear to the Queen's majesty of England—so cold towards us, and doing nothing publickly 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

[35] Probably *disclosed*.

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 nowiſe accord to his ſending, nor allow of the matter motioned, but altogether miſliked it, as bringing with the ſame great inconveniencies to the ſurety and quietneſs of this whole iſle; for our proceedings have declared our miſliking and diſallowance of the purpoſe from the beginning, and if we had pleaſed he was ready for the journey. And in likewiſe it was deviſed to give conſent, that the —— [36] between the ſaid Queen and Bothwell, ſhould be ſuffered to proceed in this realm, as it was deſired by the ſaid lord Boyd, by reaſon we could not underſtand what was the Queen's majeſty's pleaſure, and allowance in that behalf —— And whereas ye mean, that her highneſs was not made privy of any ſuch intention, the fault was not in me. The firſt motion being declared, as I have written, to my lord of Leiceſter, and by him imparted to her majeſty, ſo far as I could perceived by ſome ſpeech of her highneſs's to me, before my departing. Thus I have plainly declared how I have been dealt withal for this marriage, and how juſt neceſſity move me not to require directly, that which the duke appeared ſo —— unto. And for my threatnings, to aſſent to the ſame, I have expreſſed the manner; the perſons that laid the matter before me, were of my own company. But the duke ſince hath ſpoken, that it was his writing which ſaved my life at that time. In concluſion I pray you perſuade her majeſty, that ſhe let no ſpeeches nor any other thing paſſed and objected to my prejudice, move her majeſty to alter her favour — towards me, or any ways to doubt of my aſſured

[36] Probably *divorce*.

conſtancy towards her highneſs, for in any thing which may tend to her honour and ſurety, I will, while I live, beſtow myſelf, and all that will do for me, notwithſtanding my hazard or danger, as proof ſhould declare, when her majeſty finds time to employ me.

N°. XXI. (Vol. II. p. 182.)

William Maitland of Ledington, to my lord of Leiceſter, March 20th, 1570, from Ledington [37].

THE great deſolation threatned to 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; therefore 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 dealt 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 principall of the nobility, and therewithall, good numbers of the inferior ſort, throughout the whole realme, which alſo look aſſuredly that all kings do allow their quarrel and will aid them accordingly. What conſequence this diviſion

[37] An Original.

will draw after it, I leave it to your lordſhips conſideration; there is fallen out another diviſion, accidentally, by my lord regent's death, which is like to change the ſtate of the other two factions, to encreaſe 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 neglected; this order they think prepoſterous, that the meaner ſort ſhall be placed in public 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 not be extended to the preſent, for that the conditions thereunto annexed are ceaſed, and ſo the effect of the whole void; the latter 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 enſue; 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 bruits are ſpread, that the ſame ſhall be here out of hand; theſe that think themſelves of equal force with their contrary faction at home, are rather an overmatch to them,

yet not able to encounter with the forces of another prince, rather than yield to their inferiors, will, I fear, take advice of neceſſity, and evil councillors, and ſeek alſo the maintenance of ſome foreign prince, whereby her majeſty (altho no further inconvenient were to be feared) muſt be driven to exceſſive charges, and it would appear there were a conſpiracy of all the elements at one time to ſet us together by the ears, for now when the rumour of your forces coming towards the border is ſpread abroad, even at the ſame time is arrived at Dumbarton, a galzeon with a meſſenger ſent expreſly from the king of France, to that part of the nobility that favours the Queen, to learn the ſtate of the country, and what ſupport they lack or deſire, either for furtherance of her affairs, or for their own ſafety; aſſuredly this meſſage will be well received, and ſuffered accordingly, this is the preſent ſtate of Scotland. Now, if your lordſhip would alſo know my opinion, how to choice the beſt, as the caſe ſtandeth; I will in that alſo ſatisfie your lordſhip, I am required from them to deal plainly, and your lordſhip ſhall judge whether I do ſo or not; for I think it plain dealing, when I ſimply utter my judgment, and go not about to diſguiſe my intents. I truſt the Queen's majeſty hath a deſire to retain at her devotion the realme of Scotland, which ſhe hath gone about to purchaſe, with beſtowing great charges, and the loſs of ſome of her people; this deſire is honourable for her highneſs, profitable for both the countrys, and of none to be diſallowed; ſpecially if it be (as I take it) to have the amity of the whole realme, for it is not a portion of Scotland can ſerve her turn, nor will it prove commodious for her to ſuit the friendſhip of a faction of Scotland, for in ſo doing, in gaining the beſt, ſhe may loſe the more, and the ſame would bring all her actions with us in ſuſpicion, if ſhe ſhould go about to nouriſh factions amongſt us, which meaning I am ſure never entered into her majeſty's heart; then if it be the friendſhip of the whole ſhe doth demand, let her not, for pleaſure of one part, go about to overthrow the remnant, which will not be ſo

faisable, as some may give her to understand; but rather, by way of treaty, let her go about to pacify the whole state, bring the parties to an accord, reduce us all by good means to an uniformity, so shall she give us all occasion to think well of her doings, that she tendeth our wealth, and provokes us universally to wish unto her majesty a most prosperous continuance; by the contrary, if, for the pleasure of a few, she will send forces to suppress these whom they mislike, and so consequently offend many; men be not so faint hearted, but they have courage to provide for their own safety, and not only will embrace the means partly offered, but will also procure further, at the hand of other princes. This for mine own part, I do abhor, and protest I desire never to see forces of strangers to set foot within this land, yet I know not what point necessity may drive men into; as if men in the middle of the sea were in a ship, which suddenly should be set on fire, the fear of burning would make them leap into the sea, and soon after the fear of the water would drive them to cleive again to the fired ship, so for avoiding present evil, men will many times be inforced to have recourse to another, no less dangerous. Trust me forces will not bring forth any good fruit to her majesty's behove, it must be some way of treaty shall serve the turn, wherein by my former letters your lordship doth know already what is my judgment; you see how plainly I do write, without consideration in what part my letters may be taken, yet my hope is that such as will favourably interpret them, shall think that I mean as well to her majesty, and that realme, as these that will utter other language. I wish the continuance of the amity betwixt the two countrys, without other respect, and will not conceal from her majesty any thing, to my knowledge, tending to the prejudice thereof; if I shall perceave her majesty taking frank dealings in evil part, I shall from thenceforth forbear; in the mean season I will not cease to trowble your lordship, as I shall have occasion to write, and so I take my leave of your lordship.

N°. XXII. (Vol. II. p. 189.)

Letter of Queen Elizabeth to the earle of Sussex, July 2d, 1570 [88].

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 earl of Lenox and the rest of the noblemen conveened with him. Where it is by them, in their letters, and writings alledged, that for lack of our resolute answer, concerning the establishing of the regiment of the realm, under their young king, great inconveniencies have happened, and therefore they have deferred now at their last convention to determine of the samine, who shall have the place of governour, until the 21st this month, before which time they require to have our advise, in what person or persons the government of that realme shall be established, we accept very thankfully 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 surety, so on the other part, they of their wisdoms ought to think, that it might be by the whole world evil interpreted in us to appoint them a form of government, or a governour by name, for that howso-

[88] Calderw. MS. History, vol. 2. p. 189.

ever 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 ordained; ſo as finding difficulty on both parts, and yet miſliking moſt that they ſhould take any diſcomfort by our forbearing to ſhow our mind therein, we have thought in this ſort for to proceed, conſidering with ourſelves how now that realm had been a good ſpace of time ruled in the name of their king, and by reaſon of his baſe age, governed heretofore by a very careful and honourable perſon, the earle of Murray, untill that by a miſchievous perſon, (an evil example) he was murdered, whereby great diſorder and confuſion of neceſſity had, and will more follow, if determination be not made of ſome other ſpecial perſon, or perſons, to take the charge of governor, or ſuperior ruler, ſpeciall for adminiſtration of law and juſtice, we cannot but very well allow the deſire of theſe lords to have ſome ſpecial governor to be choſen; and therefore being well aſſured, that their own underſtanding of all others is beſt to conſider the ſtate of that realm, and to diſcern the abilities and qualities of every perſon meet and capable for ſuch a charge, we ſhall better ſatisfie ourſelves, whom they by their common conſent ſhall firſt chooſe, and appoint to that purpoſe, then of any to be by us aforehand uncertainly named, and that becauſe they ſhall perceave that we have care of the perſon of their king, who by nearneſs of blood, and in reſpect of his ſo young years, ought to be very tender and dear to us, we ſhall not hide our opinion from them, but if they ſhall all accord to name his grandfather, our couſin, the earl of Lenox to be governor alone, or jointly with others, (whom we hear to be in the mean time by their common conſent appointed lieutenant-general) reaſon moveth us to think that none can be choſen in that whole realme, that ſhall more deſire the preſervation of the king, and be more meet to have the government for his ſafety, being next to him in blood of any nobleman of that realm, or elſewhere; and yet hereby, we do not mean to preſcrive

to

to them this choice, except they ſhall of themſelves fully and freely allow thereof; furthermore we would have them well aſſured, that whatſoever reports of deviſes, are, or ſhall be ſpread or invented, that we have already yielded our mind to alter the ſtate of the king or government of that realme, the ſame are without juſt cauſe or ground by us given, for as we have already advertized them, that although we have yielded to hear, which in honour we could not refuſe, what the Queen of Scotts on 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 realme ruled by a king, and the ſame affirmed by laws of that realme, 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 honour 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 by us in the ſame, as well for matters betwixt ourſelves and her,

as betwixt herſelf and her ſon and his party of that realme, 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 miſconceiving our good meaning towards them, or by indirect aſſertions of their adverſary grounded on untruths, hinder or weaken their own cauſe, in ſuch ſort, that our good meaning towards them ſhall not take ſuch effect towards them, as they ſhall deſire, or themſelves have need of. All this our anſwer ye ſhall cauſe be given them, and let them know, that for the ſhortneſs of time, this being the end of the ſecond of this month, we neither could make any longer declaration of our mind, nor yet write any ſeveral letters, as if time might have ſerved we would have done. 2 July, 1570.

N°. XXIII. (Vol. II. p. 189.)

The biſhop of Roſs, to ſecretary Lidington from Chattiſworth [39].

I HAVE received your letters dated the 26th of May, here at Chattiſworth, the 10 of January, but on the receipt thereof I had written to you at length, like as the Queen did with my lord Levingſton, by the which you will be reſolved of many points contained in your ſaid letter. I writ to you that I received your letter and credit from Thomas Cowy at London, and ſent to Leiceſter to know the Queen of England's mind whether you ſhould come here or not. He ſent me word, that ſhe will no ways have you come as one of the commiſſioners, becauſe ſhe is yet offended with you; and therefore it

[39] 15th June 1570.

appears good that ye come not hither, but remain where you are, to uſe your wiſdom and diligence, as may beſt advance the Queen's affairs, for I perceive your weill and ſafety depends thereon, in reſpect of the great feid and ennimity born againſt you by your Scots people, and the great heirſhip taken of your father's landis; both were ſure demonſtrations of their malice. Yet I am encouraged by your ſtout and deliberate mind. Aſſure yourſelf no diligence ſhall be omitted to procure ſupports forth off all parts where it may be had. We will not refuſe the aid neither of Papiſt, Jew, nor Gentil, after my advice; and to this end, during this treaty, let all things be well prepared. And ſeeing my lord Seaton is deſirous to go into Flanders, the Queen thinks it very neceſſary that he ſo do, for the duke D'Alva has gotten expreſs command of the king of Spain to give ſupport, and I am ſure that there he ſhall have aid both of Flanders and the pope, for it abides only on the coming of ſome men of countenance, to procure and receive the ſame. He muſt needs tarry there, on the preparations thereof, during the treaty, which will be a great furtherance to the ſame here. The Queen has already written to the duke D'Alva for this effect, advertizing of his coming; there is certain ſums of money coming for ſupport of the Engliſhmen, as I wrote to you before from the pope. Whereupon I would he had a general commiſſion to deal for them, and receive ſuch ſums as ſhall be given. The means ſhall be found to cauſe you be anſuerit of the ſums you writ for, to be diſpoiſit upon the furniſhing of the caſtle of Edenburgh, ſo being, ſome honeſt and true man were ſent to Flanders to receive it, as ſaid is, which I would you prepared and ſent. Orders ſhall be taken for the metals as you writ of. We have preponit your avyce in entering to treat with the Queen of England, for retiring of her forces puntyoally for lack of aid. Your anſwers to the Engliſhmen are tho't very good, but above all keep you weil out of their hands, in that caſe, eſtote prudentes ſicut ſerpentes. You may take experience with the hard dealing with me, how ye

would be uſed if ye were here, and yet I am not forth of danger, being in medio nationis pravæ; always no fear, with God's grace, ſhall make me ſhrink from her majeſty's ſervice. Since the Queen of England has refuſed that you come here, it appears to me quod nondum eſt ſedata malitia amorreorum, &c. and therefore if Athol or Cathenes might by any means be procured to come, they were the moſt fit for the purpoſe, Rothes were alſo meet, if he and I were not both of one ſirname; ſo the treaty would get the leſs credit either in Scotland or here. Therefore avys, and ſend the beſt may ſerve the turn, and fail not Robert Melvil come with them, whoever comes, for ſo is the Queen's pleaſure; in my laſt packet, with James Fogo, to you, in the beginning of May, I ſent a letter of the Queen's own hand-writing to him, which I truſt ye received. I am ſorry ye come not for the great relief I hoped to have had by your preſence, for you could well have handled the Queen of England, after her humour, as you were wont to do. The reſt I refer to your good wiſdom, praying God to ſend you health. From Chattiſworth the 15th of January.

N°. XXIV. (Vol. II. p. 211.)

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

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

And in this doing, she will deal with the regent 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.

N°. XXV. (Vol. II. p. 223.)

Articles sent by Knox to the general Assembly August 5th, 1572 [40].

FIRST, desiring a new act to be made ratifying all things concerning the king and his obedience that were enacted of before without any change, and that the ministers who have contravened the former acts be corrected as accordeth.

That sute be made to the Regent's grace and nobility maintaining the king's cause, that whatsoever proceedeth in this treaty of peace they be mindful the kirk be not prejudg'd thereby, in any sort, and they especially of the ministers, that have been robbed of their possessions within the kirk, during the time of the troubles, or otherwise dung and injured, may be restored.

To sute at the regent, that no gift of any bishoprick or other benefice be given to any person, contrary to the tenor of the acts made in the time of the first regent of good memory, and they that are given contra the said acts,

[40] Calderw. MS. History, Vol. 2. 356.

or to any unqualified perſon, may be revoked and made null by an act of ſecret council, and that all biſhopricks, ſo vacand may be preſented, and qualified perſons nominat thereunto, within a year after the vaking thereof, according to the order taken in Leith by the commiſſioners of the nobility and of the kirk in the month of January laſt, and in ſpecial to complain upon the giving of biſhoprick of Roſs to the lord Methven.

That no pentions of benefices, great or ſmall, be given by ſimple donation of any lord regent, without conſent of the poſſeſſor of the ſaid benefices having tittle thereto, and the admiſſion of the ſuperintendent or commiſſioners of the province where this benefice lyeth; or of the biſhops lawfully elected according to the ſaid order taken at Leith; and deſire an act of council to be made thereupon, until the next parliament, wherein the famine may be ſpecially inacted, with inhibition to the lords of ſeſſion to give any letters or decreets, upon ſuch ſimple gifts of benefices or pentions not being given in manner above rehearſed, and that the kirk preſently aſſembled declare all ſuch gifts null ſo far as lyeth in their power.

That the firſt form of preſentation to benefices, which were in the firſt and ſecond regent's time, be not changed as now it is commonly; but that this clauſe be contained in the preſentation, that if the perſons preſented make not reſidance, or be ſlanderous or found unworthy either in life or doctrine by the judgment of the kirk (to which alwiſe he ſhall be ſubject) or meet to be tranſported to another room at the ſight of the kirk, the ſaid preſentation and all that ſhall fall thereupon ſhall be null and of no force nor effect; and this to have place alſo in the nomination of the biſhops.

That an act be made in this aſſembly, that all things done in prejudice of the kirk's aſſumption of the third, either by papiſts or others, by giving of fews, liferents, or taks, or any otherwiſe diſponing the ſaid aſſumed thirds, be declared null with a ſolemn proteſtation, the whole kirk diſaſenteth thereto.

That an act be made decerning and ordaining all biſhops, admitted to the order of the kirk now received, to give account of their whole rents, and intromiſſions therewith once in the year, as the kirk ſhall appoint, for ſuch cauſes as the kirk may eaſily conſider the ſame to be moſt expedient and neceſſar.

Anent the juriſdiction of the kirk, that the ſame be determined in this aſſembly, becauſe this article hath been long poſtponed to make ſute to the regent and council for remedy againſt meſſengers and excommunicate perſons.

Laſt that orders be taken anent the procures of the kirk, who procure againſt miniſters and miniſtry, and for ſutting of juſtice of the kirk's actions in the ſeſſion.

N°. XXVI. (Vol. II. p. 230.)

Declaration of Henry Killigrew, Eſq; upon the peace concluded the 23d Feb. 1572.

BE it known to all men, by theſe preſents, that I Henry Killegrewe, Eſq; ambaſſador for the Queen's majeſty of England. Foraſmuch as, at the earneſt motion and ſolicitation being made to me, on her highneſs's behalf, there is accord and pacification of the public troubles and civil war within this realm of Scotland agreed and concluded, and the ſame favourably extended towards the right honourable George earl of Huntly, lord Gordon and Baidzenuch, and the lord John Hamilton, ſon to the duke's Grace of Chaſtellarault, and commendatour of the abby of Abirbrothock, for the ſurety of their lives, livings, honours, and goods of them, their kinsfolks, friends, ſervants, and partakers, now properly depending on them; in treating of the which ſaid pacification, the murders of the late earl of Murray uncle, and the earl of Levenax grandfather, late regent to the king's majeſty of Scotland his realm and lieges, as alſo an article touching the diſcharge for the

fructis or moveable goods, which the said persons have taken fra personis professing the king's obedience, before the damages done or committed by them, since the 15th day of Junij, 1567, and before the penult day of July last by passed, by reason of the common cause or any thing depending thereupon, being thought by the king's commissaries matteris of such wecht and importance, as the king's present regent could not conveniently, of himself, remit or discharge the same. Yet in respect of the necessity of the present pacification, and for the weil of the king, and common quietness of this realm and lieges, it is accorded, that the matters of remission of the said murderers, and of the discharge of the said fructis, moveable goods, and other damages, be moved by the persons desiring the said remissions and discharge to the Queen's majesty my sovereign, as to the princess neareſt both in blood and habitation to the king of Scots. And whatsoever her majesty shall advise and counsel touching the said remission and discharge, the said lord regent, for the weil of the king and universal quietness of the realm of Scotland, shall perform, observe, and fulfil the same. And in likewise, the said earl Huntly, and commendatour of Abirbrothock, being urged to have delivered pledges and hostages for observation of the conditions of the said accord and pacification, hath required me in place thereof, in her majesty's name, by virtue of my commission, to promise for them that they shall truly and faithfully observe and keep the said pacification, and all articles and conditions thereof, for their parts, and that it would please her majesty to interpose herself, as surety and cautioner for them to that effect, to the king's majesty of Scotland their sovereign and his said regent, which I have done and promise to do, by virtue of her 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 by her ministers hath travelled for the said pacification, and in the end, at her motion and

ſolicitation, the ſame is accorded, knowing her majeſty's 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, livings, honours and goods. Therefore in her majeſty's name, and by virtue of my commiſſion, I promiſe to the aforeſaid earl Huntly and commendatour of Abirbrothock, that by her majeſty's good means, the ſaid remiſſion and diſcharge ſhall be purchaſed and obtained to them, their kinsfolks, friends, ſervants, and partakers, now properly depending upon them (the perſons ſpecified in the firſt abſtinence 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. 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 [41].

THE Queen of Scotland, dowager of France, had for her dowry, beſides other poſſeſſions, the dukedom of Turene, which was ſolemnly contracted and given to her by the king and eſtates of parliament; which dukedom ſhe poſſeſſed peacefully till 1567, and then, upon the pacification betwixt the king and Monſ. his brother, to augment whoſe appenage this dutchy was given, to which the Queen of Scotland yielded upon account of princes, who were her near relations, provided the equivalent which was

[41] 1576. Cott. lib. Calig. B. 4.

promiſed her ſhould be faithfully performed. So that year, after a great many ſolicitations, in lieu of that dutchy, ſhe had granted her the county of Vermandaiſe with the lands and bailiwicks of Seuley and Vetry; tho' 'tis known that county, and the other lands were not of equal value with Turene, but was promiſed to have an addition of lands in the neighbourhood to an equal value. Upon this letters-patent were granted, which were confirmed in the courts of parliament, chamber of accounts, court of aids, chamber of the treaſury, and others neceſſary; upon which ſhe entered into poſſeſſion of that county, &c. Afterwards, by a valuation of the commiſſioners of the chamber of accounts, it was found that the revenue of that county, &c. did not amount to thoſe of Turene, by 3000 livres. But inſtead of making up this deficiency according to juſtice, ſome of the privy council, viz. M. de Cheverney, the preſidents of Bellievre, Nicocholay and St. Bonet, in the name of the king, notwithſtanding of her aforeſaid loſſes, did ſell and alienate the lands of Senlis, and the dutchy of Eſtaimpes, to Madam de Monpenſier, from whom the king received money; of which ſale the counſellors aforeſaid obliged themſelves to be guarantees, which hath hindered the aforeſaid Queen to have juſtice done her. So that Madam de Monpenſier hath been put in poſſeſſion of theſe lands of Senlis, contrary to all the declaration, proteſtation and aſſurances of the king of France to Queen Mary's ambaſſadors. So that the Queen of Scotland is diſpoſſeſſed of her dowry; contrary to all equity, without any regard to her quality.

N°. XXVII. (Vol. II.) p. 236.

A letter from the Lord of Lochlevin to the Regent Mortoun [42].

IT will pleaſe your grace, I received your grace's letter, and has conſidered the ſame. The parſon of Cam-

[42] 3d March 1577. E. of Morton's Archives. Bund. B. N°. 19.

ſey was here at me before the receit thereof, directed fra my lord of Mar, and the maſter anent my laſt written, which was the anſwer of the writing that the maſter ſent to me, which I ſend to your grace, deſiring me to come to Sterling to confer with them. I had given my anſwer before the receit of your grace's letter, that I behuiffit to be beſyd Sanct Androis, at ane friends tryſt, which I might not omit: I underſtand by my ſaid couſin, that the king's majeſty is to write to divers of the nobility to come there, anent your lordſhips trial, and that he had written before his departure to my lord Monthrois. I underſtand, likewiſe, he will write to your grace to come there for the ſame effect, which I tho't good to make your grace foreſeen of the ſame, praying your grace, for the love of God Almighty, to look upon the beſt, and not to ſleep in ſecurity, but to turn you with unfeigned heart to God, and to conſider with yourſelf, that when the king's majeſty was very young, God made him the inſtrument to diveſt his mother from her authority, who was natural princeſs, for offending his Divine Majeſty, and that there ran no vice in her, but that the ſame is as largely in you, except to 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 believes 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 be the reſt, and that moſt principally for your hard dealing. I pray your grace, beir with me that I am thus hamlie, for certainly it proceeds 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; pray I your grace to call to God, and look on the best, and cast from your grace both your vices, to wit, ambition and avaritiousness. I am riding this day to Sanct Androis, and trust to return on Wednesday at the fartheſt. If your grace will command me in any offices that are honeſt, that I may do your grace pleasure at Sterling, advertise of your grace's mind, and shall do to my power and knowledge, and this with my heartilie, &c.

To our trusty cousin the lord Lochleven [43].

TRUSTY cousin, after our most hearty commendations we received your letter of the 3d of March, and as we take your plainness therein in good part, as proceeding from a friend and kinsman, in whose good affection towards us we never doubted, so ye may not think it strange that we purge ourself so far of your accusation, as in conscience we find not ourself to have offended in. As touching our offence to God, we intend not to excuse it, but to submit us to his mercy, for ambition surely we think none can justly accuse us; for in our private estate we could, and can live as well contented, as any of our degree in Scotland, without further aspiring. The bearing too the charge of the government of the realm, indeed, mon lead us, or any other that shall occupy that place, not simply to respect ourself, but his majesty's rowme, which we supply, and therein not transcending the bounds of measure, as, we trust, it shall not be found we have done, it ought not to be attributed to any ambition in us. For as soon as ever his majesty shall think himself ready and able for his own government, none shall more willingly agree and advance the same nor I, since I think never to set my face against him, whose honour, safety, and preservation has been so

[43] From the Original. E. of Morton's Archives, Bund. B. N°. 31.

dear unto me, nor I will never believe to find otherwise at his hand than favour, although all the unfriends I have in the earth were about him, to persuade him to the contrary. As we write unto you, our friendly dealing and confidence in the house of Mar is not thankfully acquit; as we trust yourself considers; but because the ambassadors of England, my lord of Angus, the chancellor, treasurer, and some noblemen rides west this day to see the king, we pray you heartily address yourself to be there as soon as ye can, and as ye shall find the likelihood of all things, let us be advertized thereof, with your own advice, by Alex. Hay, whom we have thought good to send west, seeing my lord of Angus from Stirling rides to Douglas. And so we commit you in the protection of God. At Holyrood-house, the 4th of March, 1577.

For the avaritiousness laid to our charge, indeed it lies not in us so liberally to deal the king's geare, as to satisfy all cravers, nor never shall any sovereign and native born prince, let be any officer, eschew the disdains of such, as thinks them judges to their own reward; in many causes I doubt not to find the assistance of my friends, but where my actions shall appear unhoneſt, I will not crave their assistance, but let me bear my own burthen.

N°. XXVIII. (Vol. II. p. 265.)

Letter of Walsingham's to Randolph, Feb. 3, 1580-1 [44].

SIR,

I HAVE received from my lord lieutenant the copy of your letter of the 25th of the last directed unto his lordship, containing a report of your negotiation with the king and his council, in your second audience, wherewith having

[44] Cott. Lib. Calig. C. 6.

made her majesty acquainted, she seemed somewhat to *mislike*, 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 soliciting 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

by the next. And so I commit you to God. At Whitehall, the 3d of February 1580.

Your very loving cousin and servant,

FRA. WALSINGHAM.

This letter is an original, and in some parts of it wrote in ciphers and explained by another hand. By Empedocles is understood Morton. By Villenarius the king of Scots, 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 [45].

FIRST, it hath been informed, by credible means, that D'Aubigny was privy and acquainted with la Navè 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 any 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

[45] Cott. Lib. Calig. C. 6. An Original.

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 remembered, or near the same. That in this behalf he had conference with the bishops of Glasgow, and Ross, and with sir James Baford, with which persons, and with the duke of Guise he had and hath frequent intelligence, and by Sir James Baford he was advised to confer with the lord John Hamilton before his repair into Scotland, whereunto he agreed, and yet afterwards he sent one John Hamilton to the said lord John to excuse him in this part, alledging, that he did forbear to come to him, lest thereby he should marr or hinder greater effects to be executed by him in Scotland.

That before his coming into that realm, the nobility and country were well quieted and united in good concord, with great love betwixt the king and nobility, and amongst the nobless, but he hath both drawn the king against sundry of the chiefest of his nobility, that have been most ready, and have expended their blood and possessions to preserve religion, and defend the king's person, his government and estate, and also hath given occasions of great suspicions and offence to be engendered betwixt the king and his nobility, and especially with such as have been in action against the king's mother, and her authority, who by force and means of the said commission and practice, should have been brought into most dangerous condition; and who also may find themselves in no small perill while he possesses the king's ear, abuseth his presence, and holdeth such of the principal keys and ports of his realm, as he presently enjoyeth.

That

That he hath drawn the king not only to forget the great benefits done to him and his realme, by the Queen's majeſty of England, but alſo to requite the ſame with ſundry ſigns of great unthankfulneſs, and wounding therewith the honour of her majeſty, and thereby hath adventured to ſhake the happy amity long time continued betwixt thoſe princes.

And whereas theſe griefs were to be repaired by gentle letters and good offers, to have paſſed, and been done betwixt them: In which reſpect, the king and council having reſolved to write to her majeſty, for her highneſs better ſatisfaction in the late 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 hands, 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 lewd harangue, and by his means hath hitherto eſcaped chaſtiſement and correction, due for his offence.

That ſir James Baford, condemned of the ſlaughter of the king's father, hath been called into the realme by Lenox, 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 Lenox 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 Lenox means denied.

This is the charge againſt D'Aubigny, mentioned in the foregoing letter by Walſingham; but by Baford they mean ſir James Balfour.

N°. XXIX. (Vol. II. p. 283.)

The copy of the king of France his directions sent to Scotland with Seigneur de la Motte Fenelon. Translated out of the French [46].

FIRST, on their most christian majesty's part, he shall make the most honourable salutation and visiting to the most serene king of Scotland, their good brother and little son, that in him is possible.

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

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

And that he be not hindered in the honest liberty that he ought to have, and that no greater, or straiter guards be about him than he had before.

And such like, that he be not impeached in the authority, that God hath given to him of king and prince sovereign above his subjects, to the effect he may as freely ordain and command in his affairs, and in the affairs of his country, with his ordinary council, as he was used to do of before.

That his nobility, barons, and commonality of his country may have their free liberty to resort to his serene majesty without suspicion of greater guards or more armed men about his person than the use was, that they be not affraid and hindered to resort; and further that the seigneur de la Motte Fenelon sall liberally and freely speak to the said serene king and council, requiring the re-establishing of that that may or hath been changed or altered.

And that he may know if the principalls of the nobility, and

[46] Calderw. MS. History, Vol. 3. p. 208.

other men of good behaviour of the towns and commonality of the contry conveens, and are content with the form of government presently with the said serene king, to the end that if there be any miscontent he may travaile to agree them together, and that he return not without the certainty of the famine.

And if he may understand that there be any who have not used them so reverently towards the said serene king, their sovereign lord, as the duty of their obedience required, that he may pray on this behalf of his majesty most christian, the said serene king his good brother, giving him councill wholly to forget the same, and exhorting them to do their duty towards his majesty, in time coming, in all respects with the obedience and true subjection they ought him.

And if the said seigneur de la Motte perceives the said serene king to be in any manner constrained of his person, authority, liberty, and disposition of his affairs, than he used to be, and not convenient for his royal dignity, or as the sovereignty of a prince does require, that he use all moyen lawful and honest to place him in the famine, and that he imploy as much as the credit of his most christian majesty may do towards the nobility, and subjects of that contry, and as much as may his name, with the name of his crown towards the Scottish nation, the which he loves and confides in as much as they were proper Frenchmen.

And that he wittness to the said serene king, and his estates, of his consent, and to all the nobility and principall personages of the contry, that his most Christian majesty will continue on his part in the most ancient alliance and confederacy, which he hath had with the said serene king his good brother, praying his nobility and contry, with his principall subjects, to persevere in the famine, in all good understanding and friendship with him; the which, on his part, he shall do, observing the famine most inviolable.

Further his most christian majesty understanding that the serene king his good brother was contented with the duke of Lenox, and his servise; the said seigneur De

la Motte had charge to pray his ſerene majeſty that he might remaine beſide him to his contentment, believing that he ſhould more willing intertain the points of love and confederacie, betwixt their majeſtys and their contrys, becauſe he was good ſubject to them both; and if he might not remain, without ſome alteration of the tranquility of his eſtate, that he might retire him to his own houſe in the ſaid contry, in ſurenes, or if he pleaſed to return to France that he might ſurely —— and if it pleaſes his ſerene majeſty, to cauſe ceaſe and ſtay the impeachments, that are made of new upon the frontiers, to the effect that the natural Frenchmen may enter as freely into the contry, as they were wont to do of before.

And that there may be no purpoſe of diffamation, nor no ſpeech but honourable of the moſt Chriſtian king, in that contry, but ſuch like as is ſpoken moſt honourably of the ſerene king of Scotland in France.

He had another head to propone, which he concealed till a little before his departure, to wit, that the Queen, the king's mother, was content to receive her ſon in aſſociation of the kingdom.

N°. XXX. (Vol. II. p. 300.)

Lord Hunſdon to Sir Francis Walſingham, the 14th of Auguſt 1584, from Berwick [47].

SIR,

ACCORDING to my former letters, touching my meeting with the earl of Arran upon Wedneſday laſt, there came hither to me from the earle, the juſtice clerk, and Sir William Stuart, captain of Dumbarton, both of the king's privie council, to treat with me about the order of our meeting, referring wholly to me to appoint the hour, and the number we ſhould meet withal; ſo as we concluded

[47] Calderw. MS. Hiſtory, vol. 3. p. 374.

the place to be Foulden, the hour to be ten o'clock, and the number with ourſelves to be 13 of a ſide; and the reſt of our troops to ſtand each of them a mile from the town; the one on the one ſide, the other on the other ſide, ſo as our troops were two miles aſunder; I was not many horſemen, but I ſupplied it with footmen, where I had 100 ſhot on horſe, but they were very near 500 horſe well appointed: According to which appointment, we met yeſterday, and after ſome congratulations, the erle fell in the like proteſtations of his good will and readineſs to ſerve the Queen's majeſty, before any prince in the world, next his ſovereign, as he had done heretofore by his letters, and rather more; with ſuch earneſt vows, as unleſs he be worſe than a devil, her majeſty may diſpoſe of him at her pleaſure; this being ended, I entered with him touching the cauſe I had to deal with him, and ſo near as I could, left nothing unrehearſed, that I had to charge the king or him with any unkind dealing toward her majeſty, according to my inſtructions, which without any delay he anſwered preſently, as ye ſhall perceive by the ſaid anſwers, ſent herewith; but I replying unto him, he amplified them with many moe circumſtances, but to this effect. Then I dealt with him touching the point of her majeſty's ſatisfaction, for the uttering ſuch practices as has been lately ſet on foot for the diſquieting of her majeſty and her eſtate, who thereof made ſundry diſcourſes, what marriages have been offered to his majeſty by ſundrie princes, and by what means the earle has ſought to divert them, and for what cauſes; the one, for that be marriage with Spain or France, he muſt alſo alter his religion, which as he is ſure the king will never do, ſo will he never ſuffer him to hearken unto it, ſo long as he has any credit with him; he denys not but the king has been dealt withal be practices to deal againſt her majeſty, which he has ſo far denied and refuſed to enter into, as they have left dealing therein, but whatſoever the king or he knoweth therein there ſhall be nothing hidden from her majeſty, as her majeſty ſhall know very ſhortly; ſurely it ſeems by his ſpeeches, that if the king would have yielded

thereunto there had been no small company of French in Scotland ere now to disquiet her majesty. —— This being ended, I dealt with him earnestly for the stay of this parliament, which now approacheth; or at the least that there may be nothing done therein, to the prejudice of these noblemen and others now in England, for the forfaulting of their livings and goods; hereupon he made a long discourse to me, first of the earl of Angus dealing about the earl of Morton, then of his going out, notwithstanding of sundrie gracious offers the king had made him, then of the road of Ruthven, how that presently after they had the king's majesty in their hands, they imprisoned himself, dealt with the king for putting of the duke out of the realme, the king refused so to do, they told him plainly that if he would not he should have the earl of Arran's head in a dish; the king asked what offence the earl had made? and they answered it must be so, and should be so; hereupon, for the safeguard of Arran's life, the king was content to send away the duke, and yet Arran afterwards sundrie times in danger of his life; I alledged unto him the king's letter to the Queen's majesty, and his acts in council, that they had done nothing but for his service, and with his good liking and contentment, who answered me he durst do no otherwise, nor could not do any thing but that which pleased them, with such a number of other their dealings with the king whilst he was in their hands as are too long to be written, and too bad if they were true; I said the king might have let the Queen's majesty's ambassador have known his mind secretly, and her majesty would have relieved him; he answered, that the king was not ignorant that the apprehensions in that manner, proceeded from Mr. Bow's practice, and thereby durst not impart so much to him, and yet the king was content, and did give remission to as many as would acknowledge their faults, and ask remission, and such as would not, he thought fit to banish, to try their further loyalty, in which time they conspired the king's second apprehension, and the killing of the earle, and others,

and ſeduced the miniſters to their faction, and yet not ſatisfied with theſe conſpiracies and treaſonable dealings (as he terms them), are entered into a third, being in England under her majeſty's protection, to diſhonour her majeſty as far as in them lyeth, or at leaſt to cauſe the king conceave ſome unkindneſs in her majeſty, for harbouring of them; I wrote to you what the conſpiracy was, the taking of the king, the killing of the earle of Arran, and ſome others, the taking of the caſtle of Edin. and bringing home the earles, to take the charge of the king; all which (ſays he) is by Drummond confeſſed, and by the provoſt of Glencudden not greatly denied, and the conſtable of the caſtle thereupon fled; the earl brought Drummond with him as far as Langton, where he lay, to have confeſſed the conſpiracy before me, but having at his lighting received a blow on his leg with a horſe, ſo as he could bring him no further, I replied that I thought verily they would not work any ſuch practices in reſpect of the Queen's majeſty, abiding within her realme, and if there be any ſuch practices, they have proceeded from others, and they not privie unto them: and that if it be not apparently proved againſt them, that it will be thought to be ſome practice to aggravate, the fault, and to make them the more odious to the king. He anſwered me, that it ſhould be proved ſo ſufficiently, that they ſhould not be able with truth to deny it, for their own hands is to be ſhowed to part of it, and therefore concluded, that if her majeſty ſhould ſo preſs the king for them at this time, that would rather hinder this matter of the amitty, not further it, and that ſince they ſeek chiefly his life, he could not, in any reaſon, ſeek to do them any good; and beſides he aſſured me, that if he would he dare not, this laſt matter being fallen out as it is; and furely if this matter had not fallen out, I would not have doubted the reſtoring of the earl of Mar very ſhortly, if her majeſty would have employed me therein, but for the earl of Angus, I perceive the king is perſuaded that both he, and the reſt of the Douglaſſes, have conceived ſo mortall an hatred againſt him and the earl of Arran, about the death

of the earl of Morton, as if they were at home, to-morrow next, they would not leave to practice and conspire the death of them both, and therefore a hard matter to do any thing for him: finally, he concluded and required me to assure her majesty from the king, that there shall nothing be hid from her, nor any thing left undone that may satisfie her majesty with reason, and that the king shall never do any thing, nor consent to have any thing done in her prejudice, so long as he had any credit with him, or authority under him. Having this far proceeded, he desired to shew me his commission, which is under the great seal, to himself only, which is as large as may be, and yet sundrie of the privie council there with him, but not one in commission, nor present, nor near us all this time having spent almost five hours in these matters; he presented to me the master of Gray, who delivered to me a letter from the king in his commendation, whom I perceive the king means to send to her majesty, and therefore requires a safe-conduct for his passage, which I pray you procure, and to send it as soon as you may. I let him understand of the lord Seaton's negociation with the French king. He swore to me, that Seaton was but a knave, and that it was partly against his will, that he should be sent thither. But his commission and instruction being of no great importance, he yielded the sooner; and if Seaton has gone beyond his instructions, which Arran drew himself, he will make Seaton smart for it. Touching William Newgate, and Mark Golgan, he protested he never heard of any such; he says there was a little poor soul, with a black beard, come thither a begging, who said he was an enemy to Desmond, to whom he gave a croun, but never heard of him since, and for any Scotsman going into Ireland, he says there is no such matter; if there be, there may be some few raskals that he knows not of; and touching the coming of any Jesuits into Scotland, he says, it is but the slanderous devise of the king's enemys, and such as would have the world believe the king were ready to revolt in religion, who the world shall well see will continue as

conſtant therein, as what prince ſoever profeſſed it moſt; and the earl himſelf dos proteſt to me, that to his knowledge, he never ſaw a Jeſuit in his life, and did aſſure me if there was any in Scotland, as their miniſters would do, if they preach ſuch doctrine as they did in Scotland; and touching one Ballenden, of whom I wrote to yow, I heard from Mr. Colvill, the earle avows conſtantly that he knows not, nor hath not heard of any ſuch man, but he would inquire at the juſtice clerk, and would inform me what he could learn of that; thus I have made you as ſhort a diſcourſe as I can of ſo many matters, ſo long diſcourſed upon, but theſe are the principal points of all our talk, ſo near as I can remember it, and for this time I commit you to the Almighty. At Berwick the 14th of Auguſt, 1584.

The king is very deſirous to have my ſon Robert Cary to come to him. I pray you know her majeſty's pleaſure.

Arran's Anſwers to the grieffs or articles proponed to the lord Hunſdon, ſet down in another form.

As to the ſtrait and ſevere perſecution of all ſuch, as have been noted to have been well affected to the Queen's majeſty, it cannot appear they were either for that cauſe puniſhed, or hardly dealt with, ſince his majeſty of late has been ſo careful and diligent to choice out good inſtruments to deal betwixt her majeſty and him, as his majeſty has done in electing of your lordſhip and me; beſides that in all their accuſations, their good will and affection born to her majeſty was, at no time, laid to their charge, but capital actions of treaſon many way tried now be the whole three eſtates, and more than manifeſt to the world.

As for his majeſty inhibiting, by publick proclamation, ſuch as were baniſhed, not to repair in England; the bruits and whiſperings that came to his majeſty's ears, of their conſpiracies and treaſons, which ſince ſyn they accompliſhed,

ſo far as in them lay, moved his majeſty to inhibit them to repair to any place, ſo near his majeſty's realme, leſt they ſhould have attempted theſe things, which ſhortly they did attempt, being farther off, and more diſtant both by ſea and land.

As for reception of Jeſuits, and others, her majeſty's fugitives, and not delivering them according to his promiſe, as your lordſhip propones, his majeſty would be moſt glad that ſo it might fall out by your lordſhip's travailes, that no fugitive of either realme ſhould be received of either, and when ſo ſhall be, it ſhall not fail on his majeſty's part, albeit in very deed this time bygone his majeſty has been conſtrained to receipt her majeſty's mean rebells and fugitives, contrar his good natural, ſince her majeſty hath receipt, in effect, the whole and greateſt rebells and traitors his majeſty in his own blood ever had; as for the agreement with his majeſty's mother anent their aſſociation, his majeſty has commanded me, in preſence of your lordſhip's ſervant, to aſſure her majeſty and your lordſhip, in his majeſty's name, that it is altogether falſe, and an untruth, nor any ſuch like matter done yet.

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

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

N°. XXXI. (Vol. II. p. 304.)

The Scottiſh Queen's offers upon the effect of her liberty propounded by her ſecretary Naw, November 1584 [48].

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 yield and bear the chief honour and reſpect, before all other kings and princes in Chriſtendom.

2. She will ſwear, and proteſt ſolemnly, a ſincere forgetfulneſs of all wrongs which ſhe may pretend to have been done unto her in this realme, and will never, in any ſort or manner whatſoever, ſhew offence for the ſame.

3. She will avow and acknowledge, as well in her own particular name, as alſo for her heirs and others deſcending of her for ever, your majeſty, for juſt, true, and lawful Queen of England.

4. And conſequently, will renounce, as well for herſelf, as for her ſaid heirs, all rights and pretences which ſhe may claim to the crown of England, during your majeſty's life, and other prejudice.

5. She will revoke all acts and ſhews, by her heretofore made, of pretence to this ſaid crown to the prejudice of your majeſty, as may be the taking of the arms and ſtile of Queen of England, by the commandment of king Francis, her late lord and husband.

6. She will renounce the pope's bull for ſo much as may be expounded to turn in her favour, or for her behoof, touching the deprivation of her majeſty, and will declare that ſhe will never help and ſerve herſelf with it.

7. She will not proſecute, during your majeſty's life,

[48] Cott. Lib. Calig. C. 8. A Copy.

by open force or otherways, any publick declaration of her right in the ſucceſſion of this realme, ſo as ſecret aſſurance be given unto her, or at the leaſt publick promiſe, that no deciding thereof ſhall be made in the prejudice of her, or of the king her ſon, during your majeſty's life, nor after your deceaſe, until ſuch time as they have been heard thereupon, in publick, free, and general aſſembly of the parliament of the ſaid realme.

8. She will not practiſe, directly or indirectly, with any of your majeſty's ſubjects, neither within nor out of your realme, any thing tending to war, civil or foreign, againſt your majeſty and your eſtate, be it under pretext of religion, or for civil and politick government.

9. She will not maintain or ſupport any of your ſubjects declared rebels, and convicted of treaſon againſt you.

10. She will enter into the aſſociation, which was ſhewed her at Wingfield for the ſurety of your majeſty's life, ſo as there be mended or right explicated 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 realme 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 maintenance 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 acknowledgement of

her right in the ſucceſſion of this crown, and promiſe, that happening any breach betwixt France and this realme, (which ſhe prayeth God never to happen) the juſt value of her dowry ſhall be placed for her in lands of the revenue of the crown.

15. For aſſurance of her promiſes and covenants, ſhe doth offer to abide herſelf in this realme 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 realme, the ſaid Queen of Scotts ſhe will give ſufficient hoſtage for ſuch time as will be adviſed.

17. If ſhe abide in this realme, ſhe will promiſe not to depart out of it, without your licence, ſo as it be promiſed unto her that her ſtate, in ſuch liberty as ſhall be accorded unto her, ſhall not be in any ſort altered, untill after tryall to have attempted againſt your life, or other trouble of your eſtate.

18. If ſhe go into Scotland, ſhe will promiſe to alter nothing there in the religion which is now uſed there, ſhe being ſuffered to have free exerciſe of hers, for her and her houſhold, as it was at her return out of France; and further, to pull out every root of new diviſion between the ſubjects, that none of the ſubjects of Scotland ſhall be ſifted for his conſcience, nor conſtrained to go to the ſervice of the contrary religion.

19. She will grant a general abolition of all offences done againſt her in Scotland, and things ſhall remain there as they are at this preſent, for the reſpect, ſaving that which hath been done againſt her honour, which ſhe meaneth to have revoked and annulled.

20. She will travel to ſettle a ſure and general reconciliation between the nobility of the country, and to cauſe to be appointed about the king her ſon, and in his council, ſuch

as shall be fit for the entertainment of the peace and quiet of the country, and the amity of the realm.

21. She will do her best to content your majesty, in favour of the Scots lords banished and refuged hither, upon their due submission to their princes, and your majesty's promise to assist the said Queen and king of Scotland against them, if they happen to fall into their former faults.

22. She will proceed to the marriage of the king her son, with the advice and good council of your majesty.

23. As she will pass nothing without the king her son, so doth she desire that he intervene conjointly with her in this treaty, for the greater and perfecter assurance thereof; for otherwise any thing can hardly be established 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 Monst. de Manniffiere 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 premises, 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 [49].

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 reſtrain her of the preſent liberty ſhe now hath.

3. Or to ſet her at liberty upon caution.

1. Touching the firſt, to continue her under cuſtody in that ſtate ſhe now is; it is to be conſidered, that the princes that favour that queen, upon the complaint ſhe maketh of hard uſage, are greatly moved with commiſeration towards her, and promiſe to do their endeavour for her liberty, for which purpoſe her miniſters ſolicit them daily.

[49] Cott. Lib. Cal. 8.

And to move them the more to pity her caſe, ſhe acquainteth them with her offers made to her majeſty, which appeared to be no leſs profitable than reaſonable for her majeſty, ſo as the refuſal and rejecting giveth her friends and favourers cauſe to think her hardly dealt withal, and therefore may, with the better ground and reaſon, attempt ſomewhat for the ſetting of her at liberty.

It is alſo likely that the ſaid Queen, upon this refuſal, finding her caſe deſperate, will continue her practice under hand, both at home and abroad, not only for her delivery, but to attain to the preſent poſſeſſion of this crown, upon her pretended title, as ſhe had hitherto done, as appeareth, and is moſt manifeſt by letters and plots intercepted, and chiefly by that late alteration of Scotland, which hath proceeded altogether by her direction, whereby a gap is laid open for the malice of all her majeſty's enemies, ſo as it appeareth that this manner of keeping her, with ſuch number of perſons as ſhe now hath, and with liberty to write and receive letters (being duly conſidered), is offenſive to the princes, the ſaid Queen's friends; rather chargeable, than profitable to her majeſty; and ſubject to all ſuch practices as may peril her majeſty's perſon or ſtate, without any proviſion for her majeſty's ſafety, and therefore no way to be liked of.

2. Touching the ſecond, to reſtrain her in a more ſtraighter degree of the liberty ſhe hath hitherto enjoyed.

It may at firſt ſight, be thought a remedy very apt to ſtop the courſe of the dangerous practices foſtered heretofore by her: For, true it is, that this remedy might prove very profitable, if the realme of Scotland ſtood in that ſort devoted to her majeſty, as few years paſt it did; and if the king of that realme were not likely, as well for the releaſe of his mother, as for the advancement of both their pretended titles, to attempt ſomewhat againſt this realme and her majeſty, wherein he ſhould neither lack foreign aſſiſtance, nor a party here within this realme: But the king and that realme ſtanding affected as they do, this reſtraint,

inſtead

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 it were 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 realme, 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 tendereth 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 realme, to allow of her liberty, being not made acquainted with ſuch cauſes, as time hath wrought, to make it leſs perilous than it hath been, nor with ſuch cautions as may, in ſome ſort, be deviſed 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 realme 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 to 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 realme, 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 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 perils 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 realme, 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 realme, 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 perill. 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 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 realme, especially having so good a ground of warrant as the par-

liament to ſtand unto; the charges and perills which her practices might have bred to this realme ſhall be avoided; and laſtly, the hope of the papiſts ſhall be taken away, by ſuch good proviſions, as in both the realmes may be made, whereby the perills 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 caſe no way relieved in point of religion.

Reaſons to induce her majeſty to proceed in the treaty under Secretary Walſingham's hand [50].

THAT ſuch plots as have of late years been deviſed (tending to the raiſing of trouble within this realme) 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 their 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 domeſtick 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 it is alſo to be doubted, that ſomewhat may be attempted by ſome of her fautors in an extraordinary ſort, to the peril 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.

[50] Cott. Lib. Cal. C. 2.

N°. XXXII. (Vol. II. p. 315.)

Letter of Q. Mary to Q. Elizabeth [51].

Madame ma bonne Sœur,

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 la mot leſs 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 ci devant je vous ay tant inſtantement importuné que vous me permettiez deſclaircir librement & ouvertement ce point de l'aſſociation d'entre moy & mon filz & me deſlier les mains pour proceder avec lui comme je jugeray eſtre requis pour ſon bien & le mien. Et j'entreprendz quoi que l'on vous die & puiſſe en rapporter de faire mentir ce petit brouillon qui perſuadé par aucuns de vos miniſtres a enterpris 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 eſté nouvellement envoyé pour mander par luy a mon filz mon intention ſur cela, ce qui je me promis que ne me refuſerez, quant ce ne ſeroit que pour demontrer en effect la bonne intention que vous m'avez aſſeurée avoir a l'accord & entretien de naturel 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 aucun de vos miniſtres pretendent afin de laiſſer toujours lieu a leur mauvais & ſiniſtres practiques entre nous. La lettre porte que l'aſſociation n'eſt pas paſſée, auſſi ne luy ai je jamais dit, bienque mon filz avoit accepté;

[51] Cott. Lib. Col. B. VIII. Fol. 147. An original.

& que nous en avions convenu enſemble, comme l'acte ſigné de ſa main, & ſes lettres tant a moy, que en France en font foy, ayant donné ce meme temoignage de ſa bouche propre a pluſieurs ambaſſadeurs & perſonnes de credit, s'excuſant de ne l'oſer faire publier par crainte de vous ſeulement, demandant forces pour vous reſiſter d'avant de ſe declarer ſi ouvertement eſtant journellement perſuadé au contraire par vos miniſtres qui luy promettoyent avecque une entreire a Yorck le faire declarer votre heretier. Au ſurplus Madame qpand mon enfant ſeroit ſi malheureux que de s'opiniaſtrer en cette extreme impieté & ingratitude vers moy, je ne puis penſer que vous non plus qu'aucun aultre prince de la Chretienté le vouluſſiez en cela applaudir ou meintenir pour luy fayre acquerir ma maledi&tion ains que plutos *introviendres* pour luy faire recongnoitre la raiſon trop juſte & evidante devant Dieu & les hommes. Helas & encore ne luy vouloir j'en oſter, mays donner avec droit ce qu'il tient par uſurpation. Je me ſuis du tout commiſe a vous, & fidelement faites ſi il vous pleſt qúe je ne en ſoye pis qu'auparavant, & que la faulſete des uns nẽ prevale deſvant la verite vers vous, pour bien recevant mal, & la plus grande affli&tion que me ſçaurroit arriver a ſçavoir la perte de mon fils. Je vous ſupplie de me mander en cas qu'il perſiſte en cette m'eſconnoiſſance de ſon devoir, que de luy ou de moy il vous plaiſt advouer pour legittime roy ou reyne d'Ecoſſe, & ſi vous aves agreable de pourſuivre avec moy a part le traité commencé entre nous de quoy je vous requiers, ſans plus attendre de reſponſe de ce mal gouverné enfant, vous en requerrant avec autant d'affection que je ſens mon cœur oppreſſé d'ennuy. Pour Dieu ſouvenez vous de la promeſſe que m'avez faites de me prendre en votre protection me raportant de tout a vous, & ſur ce prian. Dieu qu'il vous vueille preſerver de touts vos ennemys & diſſimulez amys, comme je le deſire de me conſoler & de me venger de ceulz qui pourchaſſent un tel malheur entre la mere & l'enfant. Je ceſſeray de vous troubler, mais non a m'ennuier que je ne reçoive quelque

conſolation de vous & de Dieu encore un coup je le ſupplie de vous garder de tout peril. Futhbery XII Mars.

Votre fidelement vouée ſœur
& obeiſſante couſine,

MARIE Q.

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

N°. XXXIII. (Vol. II. p. 315.)

A Teſtament by Q. Mary [52].

N. B. The following paper was tranſcribed by the revd. Mr. Crawford late regius profeſſor of church-hiſtory in the univerſity of Edinburgh. Part of this paper, according to him, is written by Naué, Mary's ſecretary, the reſt with the Queen's own hand. What is marked " is in the Queen's hand.

CONSIDERANT par ma condition preſente l'eſtat de vie humaine, ſi incertain, que perſonne ne s'en peuſt, ou doibt aſſeurer, ſinon ſoubs la grande & infinie miſericorde de Dieu. Et me voulant prevaloir d'icelle contre tous les dangers & accidens, qui me pourroient inopinement ſurvenir en cette captivité, meſmes a cauſe des grandes & longues maladies, ou j'ay été detenué juſques a preſent; j'ay adviſé tandis que j'ay la commodité, ou raiſon en jugement, de pourvoir apres ma mort le ſalut de mon ame, enterrement de mon corps & diſpoſition de mon bien, eſtat, & affaires, par ce preſent mon teſtament & ordonnance de mon dernier volonté, qui s'enſuyt.

Au nom du Pere, du Filz, & du benoite S^t. Eſprit

[52] Cott. Lib. Veſpaſ. L. 16. p. 415.

Premierement, me recongnoiſſant indigne pechereſſe avec plus d'offences envers mon Dieu, que de ſatisfaction par toutes les adverſités que j'ay ſouffert; dont je la loue ſa bonté. Et m'appuyant ſur la croix de mon Sauveur & Redempteur Jeſus Chriſt. Je recommende mon ame a la benoiſte & individue Trinité, & aux prieres de la glorieuſe Vierge Marie, & de tous les anges ſaincts & ſainctes de paradis, eſperant par leur merites & interceſſion, eſtre aydée a obtenir de eſtre faicte participante avec eulx de felicité eternelle. Et pour m'y acheminer de cueur plus net & entier, deſpouillant des a preſent tout reſſentiment des injures, calomnies, rebellions, & aultres offences, qui me pourroient avoir eſté faictes durant ma vie, par mes ſubjets rebelles & aultres ennemis; J'en retriet la vengeance a Dieu, & le ſupplie leur pardonner, de meſme affection, que je luy requiers pardon a mes faultes, & a tous ceuls & celles que je puis avoir offenſé de faicts ou de parolles. Je veulx & ordonne, &c. [*The two following paragraphs contain directions concerning the place and circumſtances of her burial.*]

Pour ne contrevenir a la gloire, honneur, & conſervation de l'Egliſe catholique, apoſtolique & Romaine, en la quelle je veulx vivre & mourir, ſi le prince d'Eſcoſſe mon filz y pueſt etre reduiet contre la mauvaiſe nourriture qu'il a priſe a mon tres grand regret en l'hereſie de Calvin entre mes rebelles, je le laiſſe ſeul & unique heritier de mon royaume d'Eſcoſſe, de droict que je pretende juſtement en a la couronne d'Angleterre & pays qui en dependent, & generallement de tous & chacun mes meubles & immeubles qui reſteront apres ma mort, & execution de ce preſent teſtament.

Si non, & que mon dit filz continue a vivre en la dite hereſie, Je cede, tranſporte, & faicte don "de touts & "chacuns mes droicts, que je pretende & puis pretendre "a la couronne d'Angleterre, & aultres droicts, ſeig-"neuries, ou royaulmes en dependantz, au roy catholique, "ou aultre des ſiens qu'il luy plaira, aveſques advis, con-"ſentement de ſa ſainteté; tant pour le voyr aujourhuy

" le seul seurs appui de la religion catholique, que pour " reconnoissance de gratuites faveurs que moy, & les miens " recommandez par moy, ont avons receu de luy en ma " plus grande necessité; & resguard aussi au droict que " luy mesme peut pretendre a ces ditz royaulmes & pays, " je le supplie qu'en recompence il preign alliance, de la " maison de Lorraine, & il ce pleut de celle de Guise, " pour memoire de la race de laquelle je suis sortie au " coste de Mere, n'a ayant de celuy de mon pere, que " mon seul enfant, lequel estant Catholique j'ay tousjours " voué pour une de ses filles, si il luy plaisoit de l'accepter, " ou faillant une de ses niepces mariée comme sa fille.

" Je laysse mon filz a la protection du roy, de prince, " & ducs de Lorraine & de Guise, & du Mayne, aux- " quelz je recommende & son estat en Escosse, & mon " droict en Angleterre, si il est catholique, & quelle le " parlie de ceste reyne."

Je faitz don au " conte de Lenox" du compte de Lenox tenu par feu son pere, & commande mon filz, comme mon heritier & successeur, d'obeyr en cest en droit a mon volonté.

Je veulx & ordonne toutes les sommes & deniers, qui se troveront par moys deues, tien mis cause de droict estre faits " a Lohliyen" etre promptement payés & acquittés, & tout tort & griefs reparés per lesdits executeurs desquelz J'en charge la conscience. Oultre, &c. [*Follow two or three paragraphs concerning particular legacies, and then is added*] Faict au manoir de Sheffeld en Angleterre le jour de —— Mil cinq cens soixant & dix sept.

After a large blank page follows in the Queen's hand:

" Si mon filz meurt, au comte de Lenox, au Claude " Hamilton lequel se montrera le plus fidelle vers moy, & " plus constant en religion, au jugement de —— Ducs de " Lorraine & de Guyse, ou je le rapporte sur ce de ceulx a " que j'auray donnay le charge de trayter avesque eux de

" par moy & ceulx, a condition de ce marrier ou allier en " la dite mayſon ou par leur advis."

Follow near two pages of particular legacies.

" Et le remets ma tante de Lenox au droict quelle peut " pretendr a la conté d'Angous avant l'Acort fait par mon " commandement entre ma dite tante de Lenox & le " comte de Morton, veu quil a eſté fait & par le feu roy " mon Mary & moy, ſur la promeſſe de ſa fidelle aſſiſtance, ſi " luy & moy encourions dangier & beſoign d'ayde, ce qu'il " rompit, s'entendant ſecretement au les nos ennemis rebel- " les, qu'attemtprient contre ſa vie, & pour ceſt effect pris " les armes, & ont porté les bannieres deſploiées, contre " nous, je revoque auſſi tout autre don que je luy ai fait de " conté de Morton ſur promeſſes de ſes bons ſervices a adve- " nir, & entends que la dite Conté ſoit reunie a la couronne, " ſi elle ſe trouve y partenir, comme ſes trahiſons tant en la " mort de mon feu Mary, que en mon baniſſement, & " pourſuit de la mien ne l'ont meritè. Et defends a mon " filz de ce jamays ſervire de luy pour la hayne qu'il aye " a ſes parents, la quelle je crains ne s'eſtende juſques a " luy, le connoiſſant du tout affectionné aux ennemis de " mon droite en ce royaume, du quel il eſt penconnaire.

" Je recommende mon nepveu Francois Stuart a mon " filz, et lui commande detenir pres de luy et s'enſervir, " et je lui laiſſe le bien du conte de Boduel ſon oncle, " en reſpect qu'il eſt de mon ſang, mon filleul, et ma " eſtè laiſſe en tutelle par ſon pere.

" Je declare que mon frere baſtard Robert Abbé de St. " Croix n'a eu que par circonvention Orkenay, et que le " ne fut jamays mon intention, comme il apert par la re- " vocation que j'ay fayte depuys, et eté auſſi faite d'avant " la aſge de xxv. ans, ce que j'aimois deliberer ſi il ne " m'euſſent prenner par priſon de ſe de defayre aulx eſtats " je veulx donc que Orkenay ſoit reunie a la couronne " comme une de plus neceſſaires pour mon filz, & ſans " mayſon ne pourra etre bien tenue.

" Le filles de Morra ne parvient acceſſi heriter, ains " revient la conte a la Couronne, ſi il luy pleſt luy don- " ner ſa ou fille en marriaſge, et il nome l'enſienne " ligne.

N°. XXXIV. (Vol. II. p. 327.)

A letter from Mr. Archibald Douglas to the Queen of Scotts [53].

PLEASE your majeſty, I received your letter of the date the 12th of Nov. and in like manner has ſeen ſome part of the contents of one other of the ſame date, directed to Monſ. de Moviſir, ambaſſador for his majeſty the moſt Chriſtian king, both which are agreeable to your princely dignity, as by the one your highneſs deſires to know the true cauſe of my baniſhment, and offers unto me all favour if I ſhould be innocent of the heinous facts committed in the perſon of your husband of good memory, ſo by the other the ſaid ambaſſador is willed to declare unto me, if your husband's murder could be laid juſtly againſt me, that you could not ſollicit in my cauſe, neither yet for any perſon that was participant of that execrable fact, but would ſeek the revenge thereof, when you ſhould have any means to do it; your majeſty's offer, 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

[53] April —— Harl. Lib. 37. B. 9. fo. 126.

never so little in that realme; 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 majesty's hand for his relief, in such matters as are more specially contained in the declaration following, which I am constrained for my 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 realme 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 into France the time of our banishment, at the desire of the rest, to humbly pray your brother the most Christian king to intercede that our offences might be pardoned, and your majesty's clemency extended towards us, albeit divers of no small reputation, in that realme, 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 committed to Mons. de Moviſir, who was directed at that time to go into Scotland, to congratulate the happy birth of your son, whom Almighty God of his goodness may long preserve in happy estate and perpetual felicity; the careful travail of the said de Moviſir was so effectual, and your majesty's mind so inclined to mercy, that within short space thereafter, I was permitted to repair in Scotland, to deal with earls Murray, Athol, Bodvel, Arguile, and secretary Ledington, in the name and behalf of the said earl Morton, lords Reven,

Lindsay, and remanent complesis, that they might make offer in the names of the said earl, of any matter that might satisfy your majesty's wrath, and procure your clemency to be extended in their favours; at my coming to them, after I had opened the effect of my message, they declared that the marriage betwixt you and your husband had been the occasion already of great evil in that realme, and if your husband should be suffered to follow the appetite and mind of such as was about him, that kind of dealing might produce with time worse effects; for helping of such inconvenience that might fall out by that kind of dealing, they had thought it convenient to join themselves in league and band with some other noblemen, resolved to obey your majesty as their natural sovereign, and have nothing to do with your husband's command whatsoever, if the said earl would for himself enter into that band and confederacy with them, they could be content to humbly request and travel by all means with your majesty for his pardon, but before they could any farther proceed, they desired to know the said earl's mind herein; when I had answered, that he nor his friends, at my departure, could not know that any such like matter would be proponit, and therefore was not instructed what to answer therein; they desired that I should return sufficiently instructed in this matter to Sterling, before the baptism of your son, whom God might preserve; this message was faithfully delivered to me at Newcastle in England, where the said earl then remained, in presence of his friends and company, where they 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 realme, 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 of 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 ap- "pointed unto him;" when I craſit 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 paſſed betwixt the ſaid earl and Ledington when they become in divers factions, as alſo ane buck ſet furth 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 off 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. And 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 ane 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 diſpoſit 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 wait 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 I pleaſed, I declared unto him I had no means whereby I might perform that deſire, till 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 re-

ſolved to ſpend the reſt of my days in your majeſty's ſervice, and the king your ſon's, whereſoever I ſhall be directed by your majeſty, and for the better performing thereof, if ſo ſhall be her 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 for 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.

N°. XXXV. (Vol. II. p. 335.)

A letter from Sir Amias Pawlet [54].

SIR,

I Did forbear, according to your direction ſignified in your letters of the fourth of this preſent, to proceed to the execution of the contents of Mr. Waade's 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 untill the 8th in the evening, by reaſon, as did appear by indorſement, that they had been miſtaken, and

[54] Origin. Cal. C. 9.

were

were sent back to Windsor, after they were entered into the way towards me, I considered, that being accompanied only by 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 Baggot, 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 practices, doubting lest she would 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 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 bars 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 canvas, 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. Waade's note maketh mention of 3 rolls left in Curle's chamber, [55] 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

[55] Curle can tell you the truth of this matter.

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 parcels of money are beſtowed in bags, and ſealed by Mr. Richard Baggot, 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 ſearch firſt all their lodgings, and then their own perſons. I thank God with all my heart, as for a ſingular bleſſing, that that falleth out ſo well, fearing leſt a contrary ſucceſs might have moved ſome hard conceits in her majeſty.

Touching the diſperſing of this Queen's ſervants, I truſt I have done ſo much, as may ſuffice to ſatisfy her majeſty for the time, wherein I could not take any abſolute courſe, until I heard again from you, partly becauſe her majeſty, by Mr. Waade's letter, doth refer to your conſideration to return ſuch as ſhall be diſcharged to their ſeveral dwellings and countries, wherein, as it ſeemeth, you have forgotten to deliver your opinion; partly, for that as yet, I have received no anſwer from you, of your reſolution, upon the view of the Scottiſh family ſent unto you; what perſons you will appoint to be diſmiſt; only this I have done, I have beſtowed all ſuch as are mentioned in this bill incloſed in three or four ſeveral rooms, as the ſame may ſuffice to contain them, and that their meat and drink ſhall be brought unto them by my ſervants. It may pleaſe you, to advertiſe me by your next letters, in what ſort, and for what courſe, I ſhall make their paſſports, as alſo, if they ſhall ſay that they are unpaid of their wages, what I ſhall do therein. It is ſaid that they have been accuſtomed to be paid of their

wages at Chriſtmas, for the whole year.[56] 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 Baſtian, are ſuch ſilly 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 fooliſh pity as they may; but for my part, I renounce my part of the joys of heaven, yf in any thing that I have ſaid, written or done, I have had any 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 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 Tyxall, diſcreet ſervants are not haſtily to deal in great matters, without warrant, and eſpecially where the cauſe is ſuch as the delay of it carried 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 realme. God grant a happy and ſpeedy yſſue to theſe good and godly councels; and ſo I commit you to his merciful protection. From Chartley the 10th of September 1586.

[56] This lady hath good ſtore of money at preſent in the French Ambaſſador's hands.

N°. XXXVI. (Vol. II. p. 349.)

Letter from the king of Scotts to Mr. Archibald Douglas his ambaſſador in England, October, 1586 [57].

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 life be taken, 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 pains nor plainnes in this cace, but redde my letter wrettin to Williame Keith, and conform yourſelf quhollie to the contentis thairof, and in this requeiſt let me reap the fruictis of your great credit there, ather now or never. Fairwell. October, 1586.

Letter to ſir William Keith, ambaſſador in England, probably from ſecretary Maitland. Nov. 27, 1586 [58].

BY your letters ſent by this bearer, (albeit concerning no pleaſant ſubject) his majeſty conceives well of your earneſtneſs and fidelity in your negotiations, as alſo of Mr. Archibald's activity and diligence, whom you ſo greatly praiſe and recommend. I wiſh the iſſue correſpond to his Majeſty's opinion, your care and travell, and his great diligence as you write. His majeſty takes this rigorous proceeding againſt his mother deeply in heart, as a matter greatly concerning him both in honour and otherwiſe. His highneſſes actions and behaviour utter

[57] Cott. Lib. Calig. C. 9. An Original in the king's hand.
[58] A Copy in the collect. of ſir A. Dick. Vol. A. fol. 219.

plainly not only how far nature prevails, but alſo how he apprehends of the ſequel of that proceſs, and of what moment he eſteems it. There is an ambaſſade ſhortly to be directed, wherein will be employed an earl and two counſellors, on whoſe anſwer will depend the continuance or diſſolution of the amity and good intelligence between the princes of this iſle. In the mean ſeaſon, if farther extremity be uſed, and his majeſty's ſuit and requeſt diſdained, his highneſs will think himſelf diſhonoured and contemned far beſides his expectation and deſerts. Ye may perceive his majeſty's diſpoſition by his letter to you, which you ſhall impart to Mr. Archibald, and both deal according thereto. I need not to recommend to your care, concerning your maſter's ſervice both in weill and in honour. As you and your colleague ſhall behave yourſelf in this behalf, ſo for my own part, will I interpret your affection to your maſter. I am glad of that I hear of yourſelf, and I do fully credit that you write of Mr. Archibald, whoſe friends here make great account of his profeſſed devotion to the Queen, beſides the duty he owes to the king's majeſty her ſon. Farther I am conſtrained to remit to next occaſion, having ſcarce time to ſcribble theſe few lines (which of themſelves may bear 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.

N°. XXXVII. (Vol. II.) p. 352.

To the king's majeſty, from Mr. Archibald Douglas [59].

PLEASE your majeſty, I received your letter of the date the 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 the ſaid letter befor the receit thereof, which by theſe preſents I muſt repeat for anſwering of the ſaidis. As to the firſt, ſo far as may concern the interceding 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, untill ſuch time as the law hath declared whether ſhe was innocent or guilty. Herewithal 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 realme 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 them liberty to proceed, leſt ſuch as had made the requeſt, might

[59] 16 Oct. 1586. From the Original in the collect. of ſir A. Dick, Vol. B. fol. 324.

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 ſtate in this perilous 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 councell 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 maiſter'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 realme, 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 Fothringham, 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 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 love 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 choleric 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; I have already opened the substance hereof to the Queen of his realme, who seems not to be

offended herewith, and hath granted liberty to deal therein with ſuch of the parliament as may remain in any doubt of mind. This being the ſum of my proceedings in this matter, beſides the remainder, contained in other letters of ſeveral dates, I am conſtrained to lay the whole open before your majeſty, and to humbly pray that full information may be ſent unto me what further to do herein; in this middle time, while I ſhall receive more ample direction I ſhall proceed and be doing according to ſuch direction as I have already received. And ſo, moſt gracious ſovereign, wiſhing unto your majeſty all happy ſucceſs in your affairs, I humbly take my leave from London, 16th of Oct^r. this 1586. Your majeſty's moſt humble ſubject and obed^t ſervant.

A memorial for his majeſty by the maſter of Gray [60].

IT will pleaſe your majeſty, I have tho't meeter to ſet down all things as they occur, and all advertiſements as they come to my ears, then jointly in a lettre.

I came to Vare the 24th of Dec^r, and ſent to W^m. Keith, and Mr. Archibald Douglas to advertiſe the Queen of it, lik as they did at their audience. She promiſed the Queen your majeſty's mother's life ſhould be ſpared till we were heard. The 27th they came to Vare to me, the which day Sir Rob^t came to Vare, where they ſhewed us how far they had already gone in their negociation, but for that the diſcourſe of it is ſet down in our general letter, I remit me to it, only this far I will teſtify unto your majeſty that W^m. Keith hath uſed himſelf right honeſtly and wiſely till our coming, reſpecting all circumſtances, and chiefly his colleague his dealing, which indeed is not better than your majeſty knows already.

The 29th day of Decr. we came to London, where

[60] 12 Jan. 1586. An Original in his own hand in the collect. of ſir A. Dick. Vol. A. fol. 222.

we were no ways friendly received, nor after the honeſt ſort it has pleaſed your majeſty uſe her ambaſſadors; never man ſent to welcome or convey us. The ſame day we underſtood of Mr. de Bellievre his leave taking, and for that the cuſtom permitted not, we ſent our excuſes by Mr. George Young.

The 1ſt day of Jany. Wm. Keith and his colleague according to the cuſtom ſent to crave our audience. We received the anſwer contained in the general letter, and could not have anſwer till the 6th day, what was done that day your majeſty has it in the general, yet we was not out of eſperance at that time, albeit we received hard anſwers.

The 8th day we ſpeak with the earl of Leiceſter, where our conference was, as is ſet down in the general. I remarked this, that he that day ſaid plainly the detaining of the Queen of Scotland priſoner was for that ſhe pretended a ſucceſſion to this crown. Judge then by this, what is tho't of your Majeſty as ye ſhall hear a little after.

The 9th day we ſpeak with the French ambaſſador, whom we found very plain in making to us a wiſe diſcourſe of all his proceedings, and Mr. de Bellievre we thanked him in your majeſty's name and opened ſuch things as we had to treat with this Queen, ſave the laſt point, as more largely ſet down by our general.

It is tho't here, and ſome friends of your majeſty's adviſed me, that Bellievre his negociation was not effectual, and that the reſident was not privy to it, as indeed I think is true, for ſince Bellievre his perting, there is a talk of this Chaſteauneuf his ſervants taken with his whole papers and pacquets, which he was ſending in France for that they charge him with a conſpiracy of late againſt the Queen here her life. It is alledged his ſervant has confeſſed the matter, but whom I ſhall truſt I know not, but till I ſee proof I ſhall account him an honeſt man, for indeed ſo he appears, and one (without doubt) who hath been very inſtant in this matter. I ſhew him that the Queen and earl of Leiceſter had deſired to ſpeak with me in private, and

craved his opinion; he gave it freely that he tho't it meeteſt, I ſhew him the reaſon why I communicate that to him, for that I had been ſuſpected by ſome of her majeſty's friends in France to have done evil offices in her ſervice, that he ſhould be my witneſs that my earneſt dealing in this ſhould be a ſufficient teſtimony that all was lyes, and that this knave Naué who now had betrayed her, had in that done evil offices; he deſired me, ſeeing ſhe ſaw only with other folks eyes, that I ſhould no ways impute it to her, for the like ſhe had done to himſelf by Naué his perſuaſion. I anſwered he ſhould be my witneſs in that.

The 9th day we ſent to court to crave audience, which we got the 10th day; at the firſt, ſhe ſaid a thing long looked for ſhould be welcome when it comes, I would now ſee your maſter's offers. I anſwered, no man makes offers but for ſome cauſe; we would, and like your majeſty, firſt know the cauſe to be extant for which we offer, and likewiſe that it be extant till your majeſty has heard us. I think it be extant yet, but I will not promiſe for an hour, but you think to ſhift in that ſort. I anſwered we mind not to ſhift, but to offer from our ſovereign all things that with reaſon may be; and in ſpecial, we offered as is ſet down in our general, all was refuſed and tho't nothing. She called on the three that were in the houſe, the earl of Leiceſter, my lord admiral, and chamberlain, and very deſpitefully repeated all our offers in preſence of them all. I opened the laſt part and ſaid, Madam, for what reſpect is it that men deal againſt your perſon or eſtate for her cauſe? She anſwered, becauſe they think ſhe ſhall ſucceed to me, and for that ſhe is a papiſt; appearingly ſaid I both the cauſes may be removed, ſhe ſaid ſhe would be glad to underſtand it. If Madam, ſaid I, all that ſhe has of right of ſucceſſion were in the king our ſovereign's perſon, were not all hope of papiſts removed? She anſwered, I hope ſo. Then Madam I think the Queen his mother ſhall willingly demit all her rights in his perſon. She anſwered ſhe hath no right, for ſhe is declared unhabil. Then I ſaid, if ſhe have no right, appearingly the hope ceaſes

already, so that it is not to be feared that any man attempt for her. The Queen answered, but the papists allow not our declaration; then let it fall, says I, in the king's person by her assignation. The earl of Leicester answered, she is a prisoner, how can she demit? I answered the demission is to her son, by the advice of all the friends she has in Europe, and in case, as God forbid, that any attempt cuttis the Queen here away, who shall party with her to prove the demission or assignation to be ineffectual, her son being opposite party and having all the princes her friends for him, having bonded for the efficacy of it with his majesty of before. The Queen made as she could not comprehend my meaning, and sir Robt opened the matter again, she yet made as tho' she understood not. So the earl of Leicester answered that our meaning was, that the king should be put in his mother's place. Is it so, the Queen answered, then I put myself in a worse case than of before, by God's passion, that were to cut my own throat, and for a dutchy, or an earldom to yourself, you or such as you would cause some of your desperate knaves kill me. No, by God, he shall never be in that place. I answered he craves nothing of your majesty but only of his mother. The earl 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 should not have a worse in his mother's place. And said, tell your king what good I have done for him in holding the crown on his head since he was born, and that I mind to keep the league that now stands between us, and if he break it shall be a double fault, and with this minded to have bidden us a farewell; but we achevit (i. est. finished arguing upon this point). And I spake craving of her that her life may be spared for 15 days; she refused. Sir Robt craved for only eight days, she said not for an hour; and so geid her away. Your majesty sees we have delivered all we had for offers, but all is for nothing, for she and her councel has laid a determination that they mind to follow forth, and I see it comes rather

of her councel than herſelf, which I like the worſe; for without doubt, ſir, it ſhall cut off all friendſhip ye had here. Altho' it were that once they had meaned well to your majeſty, yet remembering themſelves, that they have medled with your mother's blood, 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 truſſit 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 had it been doable (i. e. poſſible to be done) 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 [61].

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 negociation, 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 find your lordſhip friend as ye made promiſe, and by God I ſhall be to you if I can. Wm. Keith and I devyſed, 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 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 gave an example of it by king James the fourth, 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 paper than I have here, ſo I defer

[61] 12th Jan. 1586, an Original in the Collect. of ſir A. Dick. Vol. A. fol. 179.

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 negociation that all this council would not move this Queen to meddle 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 truſſed 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 the French ambaſſador, which was, le roy mon maiſtre ne peult moins faire que ſe reſentir. So that about the 24th I think we ſhall, God willing, be at home except that ſome ſtay come which we look not for. The Queen and the earl of Leiceſter has deſired to ſpeak with me. I refuſed ſave in preſence of my colleagues, by reaſon I ſee a determination which particular credit cannot help, and I crave no credit but for that cauſe. It will pleaſe your lordſhip retire the incloſed from his majeſty and keep it. So after my ſervice commended to yourſelf and bedfellow, I commit you to God. From London the 12th of Jan. 1586.

To the king's majeſty, from ſir Robert Melvil [62].

IT may pleaſe your majeſty, ſince the direction of our former letters, we had audience, and her majeſty appeared to take our overtures in good part in preſence of her council; albeit no offers could take place with them, having

[62] 20th Jan. 1586. An Original in his own hand, in the collect. of ſir A. Dick. Vol. A. fol. 181.

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, untill 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, thir 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 this proceeding 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 Alchinder (*i. e.* Alexander) Steward 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 wreat him to deſiſt from this dealing, ſaying it does harm, and he is not meet for that purpoſe, remitting to your majeſty's good diſcretion to take order herein as we ſhall be anſwerable to your majeſty not to omit any point we have in charge, as the truth is, the maſter of Grhaye has behaved himſelf very uprightly and diſcreetly in this charge, and evil tayne with be divers in theſe parts who were of before his friends. We have been behalding to the menſtrals who has born us beſt company, but has not been troubled with others. Wylzeme Kethe hath left nothing undone that he hath in charge. As for maſter Archibald he has promiſed at all times to do his dewoyr, wherein he ſhall find true report made to your majeſty, craving pardon of your majeſty that I have been ſo tedious, after I have kiſſed your majeſty's hand I humbly take my leave. Praying God to grant your majeſty many good days and happy, in whoſe protection I commit your majeſty at London, the 20th of Jan. 1586.

SIR,

SIR,

ALBEIT Maſter George has not been in commiſſion he is not inferior in his ſervice to any of us, as well by his good advice and diligent care he takes for the advancement of your ſervice, wherein we have not been a little furthered.

To the king's majeſty, from the maſter of Gray and Sir Robert Melvill [63].

PLEASE it your majeſty in the laſt audience we had, ſince our laſt advertiſement by W^m Murray, we find her majeſty at the reſuming our offers ſomething mitigated, and inclined to conſider more deeply of them, before we got our leave, at our reaſoning, certain of the council, namely, my lord Leiceſter, ſir Chriſtopher Haton, my lord Hunſdon, and my lord Hawart being preſent in the chamber, gave little ſhow of any great contentment to heare from her former reſolution, now caſſin in perplexitie what ſhe ſhould do, always we left her in that ſtate, and ſince have daily preſſed conference with the whole council, which to this hour we have not yet obtained. This day we have ſent down to crave our leave. The greateſt hinder which our negotiation has found hitherto is a perſuaſion they have here that either your majeſty deals ſuperficially in this matter, or that with time ye may be moved to digeſt it, which when with great difficulty we had expugnit, we find anew that certain letters written to them of late from Scotland has found ſome place of credit with them in our contrare. So that reſolving now to clear them of that doubt by a ſpecial meſſage, they have made choice of Sir Alexander Stewart to try your highneſs's meaning in it, and to perſuade your majeſty to like of their proceedings, where from no terror we can ſay out unto him is able to divert him, he has given out that he has credit with your majeſty, and that he doubts not to help this matter

[63] 21ſt Jan. 1586. An Original in the collect. of ſir A. Dick. Vol. A. fol. 180.

at your highneſs's hand. If he come there that errand, we think your majeſty will not overſee the great diſgrace that his attempts ſhall give us here, if he be not tane order with before that he be further heard, and if ſo be that any other be directed (as our intelligence gives us there ſhall) our humble ſuit is to your majeſty, that it may pleaſe your highneſs to hear of us what we find here, and at what point we leave this matter with her majeſty, before that they find accidence, the cauſes whereof remitting to our private letters. We commit your majeſty for the preſent to God's eternal protection. From London this 21ſt of Jan. 1586.

N°. XXXVIII. (Vol. II. p. 360.)

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 lordſhips 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 crie 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. Sonday 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 off; 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 aſſent 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 proviſion ſhould be com-

mitted 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. Waade'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 would 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 opinion) ſhe might ſet down what ſhe would have done, and the ſame ſhould be imparted unto her majeſty, of whom both ſhe and others might expect all courteſy. Touching her body, we knew not her majeſty's pleaſure, and therefore could neither ſay that her petition ſhould be denyed, 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 by 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 Nauè and Curle 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 thair 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 morning, after that we the earls were repaired unto the castle, and the sheriff had prepared all things in the hall for the execution, he was commanded to go into her chamber, and to bring her down to the place where were present, we which have signed this letter, Mr. Henry Talbot, esq; sir Edward Montague, knt. his son and heir apparent, and William Montague his brother, sir Richard Knightly, knt. Mr. Thomas Brudenel, Mr. Beuill, Mr. Robert and John Wingefield, Mr. Forrest, and Rayner, Benjamin Piggot, Mr. Dean of Peterborough, and others.

At the stairfold, she paused to speak to Melvil in our hearing, which was to this effect, "Melvil, as thou hast been an honest servant to me, so I pray thee continue to my son, and commend me unto him. I have not impugn'd his religion, nor the religion of others, but wish him well. And as I forgive all that have offended me in Scotland, so I would that he should also; and beseech God, that he would send him his Holy Spirit, and illuminate him." Melvil's answer was, that he would so do, and at that instant he would beseech God to assist him with his Spirit. Then she demanded to speak with her priest, which was denied unto her, the rather for that she came with a superstitious pair of beads and a crucifix. She then desired to have her women to help her, and upon her earnest request, and saying that when other gentlewomen were executed, she had read in chronicles that they had women allowed unto them, it was permitted that she should have two named by herself, which were Mrs. Curle and Kennedy. After she came to the scaffold, first, in presence of them all, her majesty's commission was openly read; and afterwards Mr. Dean of Peterborough, according to a direction which he had received, the night before, from us the earls, would have made a godly admonition to her, to repent and dye well in the fear of God and charity to the world. But at the first entry, she utterly refused it, saying that she was catholic, and that it were a folly to move her, being so resolutely minded, and that our prayers would 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 lordſhips 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 majeſty, 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 pardoned them; and ſaid, ſhe was glad that the end of all her ſorrows was ſo near. Then ſhe diſliked the whining 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 kneeled 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, apparel, and other things are retained here, are 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

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 Queen 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.

N°. XXXIX. (Vol. II. p. 365.)

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 [64].

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

[64] Cott. Lib. Calig. C. 1.

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 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 warrant 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 therefor 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 ſealed 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 hereof, 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 sealed all that night, and the greatest part of the 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 might throw the burthen from herself, he absolutely resolved to quit his hands thereof.

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 henceforth 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 Davison 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 is before mentioned) and not any private act of his, may appear by,

1. Their own confession. 2 Their own 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 chancellor Bromley. 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 furtherance 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 keeping the warrant in his hands ſix weeks unpreſented, without once offering to carry it up, till her majeſty ſent expreſly for the ſame to ſign.

5. His deferring to ſend it away after it was ſealed 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 innocency of Mr. Daviſon in the cauſe of the late Scottiſh Queen.

APPENDIX

TO THE

THIRD VOLUME.

N°. I. (Vol. III. p. 80.)

Letter from ⊙, to his majesty King James [1].

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,

[1] From the Original. Bibl. Fac. Jur. Edin. A. 1. 34. N°. 4. In the former editions, I printed this as a letter from Sir Robert Cecil, but am now satisfied that I was mistaken in forming this opinion. See Sir D. Dalrymple's Rem. on the Hist. of Scot. p. 233. As the letter is curious, I republish it, though I cannot pretend to say to which of the King's numerous correspondents in England it should be ascribed.

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 worthy nobleman bearer hereof, one noted in all parts of Chriſtendom for his fidelity to your perſon and ſtate, and to Mr. David Fowlis your moſt loyal ſervant, my firſt and faithful correſpondent; and unto James Hudſone, whom I have found in all things that concern you, moſt ſecret and aſſured. It may, therefore, pleaſe your majeſty, at the humble motion of ⊖, which jargon I deſire to be the indorſement of your commands unto me, that, by ſome token of your favour, he may underſtand in what terms you regard his fidelity, ſecrecy and ſervice. My paſſionate affection to your perſon (not as you are a king, but as you are a good king, and have juſt title, after my ſovereign, to be a great king) doth tranſport me to preſumption. Condemn not, moſt noble prince, the motives of care and love, altho' mixed with defects in judgment.

1. I, therefore, firſt beſeech your majeſty, that for the good of thoſe whom God, by divine Providence, hath deſtined to your charge, that you will be pleaſed to have an extraordinary care of all practicers or practices, againſt your perſon; for it is not to be doubted, but that in both kingdoms, either out of ambition, faction, or fear, there are many that deſire to have their ſovereign in minority, whereby the ſovereignty and ſtate might be ſwayed by partiality of ſubalternate perſons, rather than by true rule of power and juſtice. Preſerve your perſon, and fear not the practices of man upon the point of your right, which will be preſerved and maintained againſt all aſſaults of competition whatever. Thus I leave the protection of your perſon, and royal poſterity, to the Almighty God of Heaven, who bleſs and preſerve you and all yours, in all regal happineſs to his glory.

2. Next to the preſervation of your perſon, is the con-

verſation and ſecret keeping of your councells, which, as I have ſaid, are often betrayed and diſcovered, either out of pretended zeal in religion, turbulent faction, or baſe conception, the which your majeſty is to regard with all circumſpection, as a matter moſt dangerous to your perſon and ſtate, and the only means to ruin and deſtroy all thoſe that ſtand faithfully devoted to your majeſty's ſervice. Some particulars, and perſons of this nature, I make no doubt have been diſcovered by the endeavours of this nobleman, the bearer hereof, of whom your majeſty may be further informed.

3. The third point conſiderable is that your majeſty, by all means poſſible, ſecure yourſelf of the good affection of the French King and States, by the negociation of ſome faithful ſecret confident; the French naturally diſtaſting the union of the Britiſh iſlands under one monarch. In Germany, I doubt not, but you have many allies and friends, but by reaſon of their remote ſtate, they do not ſo much importe this affair, which muſt be guided by a quick and ſudden motion.

4. When God, by whoſe Providence, the period of all perſons and times is determined, ſhall call to his kingdom of glory her majeſty (although I do aſſuredly hope that there will not be any queſtion in competition, yet for that I hold it not fitting to give any 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, continually to be here reſident, whoſe negociation, it were convenient your majeſty ſhould fortifie, with ſuch ſecret truſt and powers, as there may not need 14 days reſpite, to poſt for authority, in a cauſe, that cannot endure 10 hours reſpite, without varieties of danger. In the which it is to be conſidered, that all ſuch as pretend leaſt good to your eſtabliſhment, will not in public oppugn your title, but out of their cunning ambition will ſeek to gain time, by alledging their pretence of common good to the ſtate, in propounding of good conditions for disburthening the

common weale, of divers hard laws, heavy impoſitions, corruptions, oppreſſions, &c. which is a main point to lead the popular, who are much diſguſted with many particulars of this nature. It were therefore convenient, that theſe motives, out of 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 purveyors and purveyance, 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 realme, 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 interpretations.

4. That your majeſty will be pleaſed to 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 majeſty 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 checquer 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 majeſty, 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 I will hold all your faithful 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,

⊗.

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THE END.



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