

PROOFS AND ILLUSTRATIONS

FROM

MANUSCRIPTS

IN

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PROOFS AND ILLUSTRATIONS.

I.

ATTACK ON STIRLING, 28TH APRIL, 1578.—Page 37.

A MINUTE and interesting account of the successful attack on Stirling Castle, which led to the restoration of Morton to the supreme power in the Government, will be found in the following letter from Sir Robert Bowes to Lord Burghley.

BOWES TO BURGHELY.¹

“EDINBURGH, *April 28th, 1578.*”

“May it please your Lordship. On Saturday last, about six in the morning, the Earl of Mar, accompanied with the Abbots of Dryburgh and Cambuskenneth, and their servants ordinarily lodged in the Castle of Stirling, came to the castle gate, with pretence to go a-hunting; and finding there the Master and his servants, the Abbots called the Master aside, charging him that he had much abused the Earl of Mar his nephew, and far overseen himself in withholding the custody of the King and castle from the Earl. The Master after reasonable excuse made, found that they pressed to possess the keys, and command the piece; and reaching himself to an halbert, his servants came to assist him. Dryburgh and some with him stayed the Master; Cambuskenneth and his complices assaulted the rest; when Buchanan, one of the Master’s men, was sore hurt. After the fray pacified, the Master and the Abbots withdraw themselves to the hall to debate the matter; and Argyle, being then a-bed, rose speedily, and came with a small number to the hall, where, hearing that the Master and the Abbots were in

¹ Orig. British Museum, Caligula, C. v. fol. 89.

quiet communication, he retired himself to his chamber, and, arming himself, he assembled his servants, that with the Master were able to have overmatched the other. But the Master being then fully satisfied, Argyle was likewise soon after appeased; and then yielding possession for the Earl, they agreed at length to remove thence, and draw to concord, specially to satisfy the King, who of the tumult, as is reported, was in great fear, and teared his hair, saying the Master was slain. And as I am informed, his Grace by night, hath been by this means so discouraged, as in his sleep he is herewith greatly disquieted. After all this was ended, the Earls of Argyle and Mar, the two Abbots and Mr Buchanan,¹ advertised by their letters this Council of this accident; declaring that the parties were well reconciled; and persuaded the Council to proceed forwards in the course determined for the government, as no such matter had happened. Argyle departed out of the castle, and he is now gone to levy his forces, meaning to return within two days at the farthest.

“In this uproar, the eldest son of the Master was so crushed in the throng, as he died the next day. The Master is fallen into vehement disease with danger of his life.

“Upon the coming of the said letters from Stirling, on Saturday about nine in the afternoon, the Council assembled; and after some hot humours digested, they despatched Montrose that night towards Stirling, to understand, and certify to them the true state of the matter, to persuade quietness about the King’s person, and to continue this present government established until the next Parliament.

“Montrose, after long abode at the Lord of Livingston’s house, came to Stirling in the next day, and was received into the castle. He putteth the Council in good hope that the matter is well pacified, and that this government shall not by this accident be impeached. Whereupon the most part of this Council, pretending to have the King’s letters commanding their repair to him, are departed this day towards Stirling; but what shall ensue hereof is greatly doubted.

“Lochleven being speedily advertised of the doings of the Abbots, came the same day to Stirling, and with some difficulty, (as outwardly was showed,) was let into the castle with one servant, whom presently he returned to Lochleven to the Earl of Morton, and himself remaineth still in the castle. The Earl of Morton,

¹ This was the celebrated Buchanan.

upon the first advertisement, came to Lochleven; despatched his servant to the Earl of Angus, to put all his friends and forces in a readiness on an hour's warning. And many noblemen, being friends to these two Earls, have done the like; nevertheless they show no force nor assembly as yet.

"The Lords of the Council have likewise levied all their powers, drawing some part with all possible speed towards Stirling, and leaving the residue in readiness upon warning.

"Some are of opinion, that the Council will be readily received and welcomed to the King and to all the castle, without further change; and many think that, by the means of the Abbots, the King shall cause them to retire to their own houses, till his pleasure be further known. And in case they disobey the same; then to lay siege and take the castle. That then the King will cause the Earl of Morton and other nobles to levy their power within the realm, to raise the siege, and rescue his person from their violence. What storm shall fall out of these swelling heats doth not yet appear. But I think, verily, and that within two or three days, that it will burst into some open matter; discovering sufficiently the purposes intended; wherein, to my power, I shall seek to quench all violent rages, and persuade unity and concord among them; which, if this sudden chance had not happened, might easily have taken place. Thus referring the rest to the next occasion,

"And with humble duty, &c.

"ROBERT BOWES."

II.

COMPOSITION BETWEEN MORTON AND HIS ENEMIES.—Page 43.

Lord Hunsdon's letter from Berwick to Lord Burghley, referred to in the text, and preserved in the British Museum, Caligula, C. v. fol. 101, gives some interesting particulars of the composition between Morton and his powerful opponents. It is as follows:—

HUNSDON TO BURGHELEY.

"BERWICK, *August 19, 1573.*

"My very good Lord—I will not trouble your Lordship with any long discourse touching this matter in Scotland."

Hunsdon then refers Burghley to Mr Bowes' letter, "who,"

he says, "has the greatest merit in bringing about peace : otherwise there had been such a slaughter as would not have been appeased in Scotland these many years, the malice of the lords and their adherents, especially the Wardens of Tevydale and the Merse and their bands, which was their greatest force against Morton, was so great and so desirous of revenge. They of the Merse made them a standard of blue sarcenet, and in it a child painted within a grate, with this speech out of his mouth, 'Liberty I crave, and cannot it have.' They seemed to answer under it, 'Either you shall have it, or we will die for it;' so as though their malice to Morton was their quarrel indeed, yet they made the detaining of the King their colour.

"My Lord, the Queen's Maj: hath now both sides at her devotion, and the party of Atholl and Argyle more in show than the King's; for the King's side terms the others Englishmen, because they were contented to put the whole of their causes to her Majesty, which the other lords, being required of Mr Bowes to do the like, Morton utterly refused the same, saying that the K. and his Council would end them. But if Mr Bowes' travel, and some other means, had not taken place, it was very like that Morton had been hard bested; for although the King's side were something more in number, yet were the others better chosen men, far better horsed and armed, and, besides, few of them but, either for their own causes or their friends, bare Morton a deadly hatred and sour desire of revenge, which was but in few of the King's side against any of the other lords. I pray God her Majesty do so deal now, having both sides at her devotion, as she may keep them both; which surely she may easily do, if she will.

"The King hath sent her Majesty a cast of Falcons. I would be glad that her Majesty would remember him with some token.

"Thus have I troubled, &c. &c. &c.,

"F. HUNSDON."

III.

DESTRUCTION OF THE HOUSE OF HAMILTON BY MORTON IN 1579.

Page 53.

The following letter of Captain Nicholas Arrington to Lord Burghley, describes his negotiations with the young King, and the

deep feeling of hatred and revenge which animated so many of the nobility against the house of Hamilton. It is preserved in the British Museum, Caligula, C. v. fol. 130.

NICHOLAS ARRINGTON TO BURGHELY.

“BERWICK, 10th October, 1579.

“Right Honourable—Having given my attendance, as well at Stirling as at Edinburgh, these twenty-six days, for answer of the King to such letters and instructions as I had to deliver and deal in from the Queen’s Highness my Sovereign with the King there; and having used my duty and diligence there to my simple knowledge, as well to the King himself as to the whole board and nobility, * * I have now received the King’s letters in answer, which I send herewith to your honour, as also a letter to her Highness from the Earl of Morton, &c. Yet, in using such conference with his Grace, as her Majesty’s letters and instructions did lead me unto, touching the Hamiltons, I could not find in the King other than fervent hatred against them, and as it were a fear he had of them, if they should remain or inhabit within that realm, to be dangerous to his person. I found the like devotion of the whole nobility there towards them, and not willing to pity their cause; and thought not only discourtesy in receiving them in England, but as much in soliciting their causes, being so odious murderers to the King’s dearest friends; yet seeming to be grateful of her Majesty’s good [will] in forewarning the danger that might happen to the King’s estate by their banishment into foreign countries, being of so great a house and quality. * * Touching the present state of that country, the King hath not been directly moved by the Council, or any number of Councillors or noblemen together, for any marriage with any particular person. Yet it is thought that, as there be several factions in that matter, so every one of them seeketh to persuade the K. to marry in that place that may be best for their own purpose; wherein some look for France, some for Spain, some for Denmark; and it is said the matter will be offered to the Queen shortly, with request to dispose himself such way as shall be found most convenient for his marriage; and it seems that the K., of his own inclination, best liketh

and affecteth to match with England in marriage, in case he may find her Majesty favourable to him.

“Touching Monsieur de Aubigny, it appeareth that the King is much delighted with his company, and he is like to win to special favour; and not only to be Earl of Lennox in reversion, (after the Earl present,) but also to have some part of the Hamiltons’ lands, if he may be drawn to religion. He hath not, as yet, dealt in any matter of marriage with the King, nor in any matter of great weight, but defers all those things to further time. He means to abide in Scotland this Winter. His wife is looked for there, with her younger brother Andracks. He lives in Court more than his living will bear, as is thought; whereupon some judges he is borne with some greater than himself. He hath many followers, as Mr Henry Ker and others, that are much suspected; which they perceive, causing them to be more wary to meddle in anything as yet.

“This Parliament holds at Edinburgh, the 20th of this month, which is thought chiefly for these causes: for the forfeiture of the Hamiltons and Sir James Balfour; for the confirmation of all things done in the Regent’s times during the King’s minority; and for order to be done in the King’s house and revenues. The heartburn and hatred betwixt the Earl of Morton and the Kers and the Humes, who depend upon Argyle, Montrose, and that fellowship, still continueth.

“The King is generally well loved and obeyed of both sides, and of all the people. Thus craving pardon for my evil scribbling, using more another weapon than the pen, I do commit your honour to the preservation of the Almighty.

“NICHOLAS ARRINGTON.”

IV.

POISONING OF THE EARL OF ATHOLL, AND STATE OF PARTIES IN SCOTLAND.—Page 54.

The two following letters, which are printed from the originals in the Bowes’ Papers, relate to the state of the country immediately after the death of the Earl of Atholl:—

LETTER FROM AN ANONYMOUS CORRESPONDENT OF SIR GEORGE BOWES. Dated, 29th April, 1579.¹

“The spirit of the Lord Jesus be with you for salutation.

“I wrote to you before, the day and date of the Earl of Atholl deid, quhilk² was the 24th of this instant April.

“He was opened and bowelled on Sunday, and it is plainly said he was poisoned, for so they perceive when he was opened. The Earl of Montrose and the Baillie of Arrol is left chief councillors to the Earl of Atholl's son, quhilk³ is eighteen years old.

“His father has given him in command to keep friendship with all them that he was in friendship withal before.

“There is great strife and debate quhilk should be Chancellor; but the Earl of Argyle has gotten the grant of it at the King.

“Morton is at Castle Semple with Boyd, and has ane enterprise upon the Hamiltons, at least seems so; but all is falsett⁴ he means.

“To this effect, Captain Crawford is to take up ane hundred men, and Captain Hume ane other hundred; but I think my Lord of Atholl's deid shall make them run a new course.

“Ye shall surely know that Atholl's fellowship will not leave the common cause; and, therefore, I think ye shall hear of some alteration shortly.

“Our name and the Kers is lying at wait what shall be enterprised. I wrote to you before we shall never be Morton's.

“It is thought that Argyle shall take Atholl's place plain upon him, and begin where he left; and Montrose will be a spur to the same.

“We are surely informed that the King of Denmark has levied six thousand men to come on Orkney and Shetland: by whose means this is done I wrote to you before in my last letter.

“The Earl of Angus remains at Tantallon.

“The Court is very quiet at this time. I pray God preserve our King, for he is in great hazard: for if they begin the Italian fashion in the King's house, what good shall we look for so long as he is there? Surely, I fear me, if he be not gotten out of their hands, they will the like with him. As I hear farther, you shall be advertised.

“Written the 29th April, 1579. Your loving friend,

“4^o.”

¹ From the Bowes' MSS. Orig.

² Death, which.

³ Quhilk—which, for who.

⁴ Falsett, falsehood.

LETTER OF INTELLIGENCE FROM AN ANONYMOUS CORRESPONDENT
TO SIR GEORGE BOWES.

“Sir,—Albeit the time hath been short since your departure, the accidents and mutations in this realm hath not been of small importance. As I wrote to you of before, that the Earl of Atholl his sickness was thought to be mortal, so is he now departed this present life, at Kincardine, the 25th of April, not without great suspicion, and a crying out that he was poisoned. And yet I think, with time, that bruit will vanish, notwithstanding that the Lord of Aratully,¹ whose name is Stewart, was by the Earl of Montrose, and the remanent friends that was present when the corpse was opened, sent to the King’s Majesty, humbly requiring for trial and punishment. To whom his Majesty answered,—Giff² that matter were true, it concerned himself for divers respects; and yet, as it were a shame to him to leave the matter untried, and gif need required unpunished,—so were it ane sin to slander any innocent personage: and therefore he would not fail, first to take trial, and thereafter to proceed to punishment.

“The hail³ friends of the dead are convened at Dunkelden on the 3d of May, where the young Earls of Atholl and Montrose put in deliberation what were best way to come by ane revenge of this heinous fact.

“It hath been concluded with that assembly, that not only those which were present should crave justice of this matter at the King’s Majesty, but also all the sociats of the Falkirk should be convened to crave the same. Upon this conclusion, a convention of the foresaids is appointed to be at Edinburgh upon the 15th May; but I am of opinion that this their appointed diet shall not hold, in respect of the causes subsequent.

“Upon the 1st May, a matter, before concluded, was put in execution. Letters was directed by the King and Council to charge the Lords of Arbroath and Paisley to exhibit their brother, the Earl of Arran, before the King in Stirling, upon the 20th of the said month; which letters was only devised to put the said lords in hope that no further shall proceed against them but by the order aforesaid.

“The Earl of Morton before that time was sent to Dalkeith, the Earl of Angus to Douglas, the Earl of Lennox to Glasgow, the

¹ Grantully.

² If.

³ Whole.

Lord Ruthven to Stirling; all these persons having their forces privately warned upon the 3d of May, marched towards Hamilton and Draffnage, where they made their rendezvous before their setting forward. The twae brether¹ was fled away, and left the house garnished; which are now enclosed, and ready to be given up.

“Immediately after the said lords was upon the fields to press towards Hamilton, when they were certain that no intelligence could prevent their doings, proclamation was sent forth by the King and Council, at an hour proclaimed in divers sheriffdoms, to follow the same lords for prosecuting and apprehending of the two foresaid brethren and their complices. * * *

“This sudden and unexpected dealing and proceeding, is like to put such affray in the minds of the associates at Falkirk, that their appointed diet for meeting at Edinburgh shall turn to great uncertainty.

“Besides this, the Lord Seton is charged to appear personally at Stirling, upon the 6th day hereof, to answer *super inquirendis*; where he is, for divers respects, to be committed to ward.

“John Seton, second son to the said lord, arrived in this country upon the 2d of May. He is created *Cavallero de Bucca* of the Catholic King of Spain. But I believe this commission shall be of the less efficacy, that his father is now by chance happened in the midst of these troubles. * * By fame nobody is charged with this heinous fact of poison but the Lady Mar, and her brother the Comptroller, quhilk² is thought shall be after trial evanished; because divers does believe, that this bruit hath rather proceeded upon malice to found ane quarrel upon, nor upon any sure ground. Ye may, by yourself, consider that all these matters tends to this fine,³ to bring the King to Edinburgh out of fear. * * The rulers of his affairs and person are looked for to be these: the Earls Morton, Buchan, Argyle, gif⁴ he will leave the associates; and Montrose in like manner, and the Lord Ruthven. It is thought, that ~~an~~, at the King's desire, shall be⁵ accept upon him the office of Chancellor; and failing of that, it is in question be-

¹ The two brothers.

² Quhilk, which.

³ Fine, end.

⁴ Gif, if.

⁵ So in the original. The writer had meant to score out *be*, but forgot.

twixt Argyle and Buchan, of thir twae¹ whay shall be thought meetest by the King and Council.

“I write only unto you *nudam et veram historiam*, leaving to your own judgment to discourse what shall follow; whilk is able enough to do, in respect that all the affairs of this country is better to you known nor by writing can be explained.

“I have had large conference with π ,² which I cannot at this time commit to writing. It appeareth that he is in part offended with some proceedings, but yet easily mitigate, gif the great word to you known shall be spoken.

“The Flemish painter is in Stirling, in working of the King’s portraiture, but expelled forth of the place at the beginning of thir troubles. I am presently travelling to obtain him license to see the King’s presence thrice in the day, till the end of his work; quhilk will be no sooner perfected nor nine days, after the obtaining of this license.” * * *

V.

JAMES’ LETTER TO MARY.—Page 75.

In the State Paper Office, there is an original letter of the young King, written at this time to his mother the captive Queen. Mary had sent him a ring; and the little ape which appears in the postscript, whose fidelity he so much commends, was perhaps also a present from her.

The letter of James is as follows:—

JAMES VI. TO MARY QUEEN OF SCOTS.³

“Je vous supplie tres humblement de croire que ce n’a point este de ma bonne vollontè que vostre seqretaire s’en soit retourne sens quil m’aye donne vostre lettre, et faict entendre ce que luy avies commende de me dire ayent treu beaucoup de regret de ce qui sen est passè, car je serois infiniment fache que long crust que je ne vous voulu se porter l’honneur et le devoir que je vous doibs,

¹ Thir twae, these two.

² Morton is here meant, I think. What the “*great word*” was which the writer thinks would operate like a talisman on this proud and able peer, is not easily discovered.

³ 29th January, 1580-1.

ayant esperence que avecque le temps Dieu me fera grace de vous faire p̄ndre de ma bonne et affectionnè amyteé, sachent asses qu'apres luy tout l'honneur qu'ay ence monde, je le tiens de vous.

“Je reseu la bague quil vous a pleu m'envoyer laquelle je garderay bien pour l'honneur de vous. Et vous en envoye une aultre, que je vous supplie treshumblement de vouloir resevoir daussy bon cueur comme je reseue la vostre. Vous m'aves bien faict paroistre par les avertisemens quil vous a pleu me faire par vos dernieres lettres, combien vous metes bonne mere. Vous supplient treshumblement que sy en endendes davantage de men advertir pour y mettre ordre le mieulx quil me sera possible, aquoy je desja commense ainsi quentendres par le Compte de Lenox, vous supplient de m'y estre aydente et de me donner vostre bon conseil et advis lequel je veulx ensuyire a celle. De vous rendre plus certaine quen toute chose on il vous plaira de me commender vous me trouverez toujours vostre tres obeissant filz. Vous baisent tres humblement les mains prient Dieu, &c.

“Vostre obeisant Filz a jamais,

“JACQUES R.¹

“Madame, je vous recommande la Fidelité de mon petit singe qui ne bouge daupres de moy, par lequel me manderes souvent de noz nouvelles.

“A la Royne D'Escosse,

“Matres Honores Dame.”

VI.

RANDOLPH'S NEGOTIATION IN SCOTLAND, AND ELIZABETH'S ATTEMPT TO SAVE MORTON.—Page 89.

The following letter of Randolph to Walsingham, written immediately before his leaving that country, after his unsuccessful attempt to save Morton, and the abstract from his original account of his negotiation upon this subject, contain many interesting particulars, too detailed and minute for a general history.

¹ This signature and the postscript are written in the young King's own hand.

RANDOLPH TO WALSINGHAM.¹

“May it please your Honour—There is so much matter fallen out against Morton, as I am credibly informed, by the confession of Whittingham brother to Archibald Douglas, George Fleck, Andrew Nesbit, John Reid, and Saunders Jerdan, that it is thought nothing can now save his life. The King’s self is so vehement against him, and not one Councillor that dare open his mouth for him. All men are appalled; courage and stomach quite overthrown. His enemies pursue these matters hot against him, and his friends able to do him no good. Neither can I yet be particularly informed of the matters they have against him. I think his days will not be long here; and yet have I wrought for him, and yet do for him, as for mine own self. The good course that was intended for meeting of Commissioners is now smally accounted of; alleging now that nothing less was intended than that Morton’s case should be committed to treaty. Your Honour hath now both to consider and advise what is to be done, and that with all expedition. * * *

* * * I have been here so well dealt with, that, besides the libel set upon my lodging’s door on Wednesday last, I had a shot bestowed on the window of my chamber, in the place where I am wont to sit and write. My good hap was to be away when it was shot, otherwise either Milles or I had been past writing; for the piece being charged with two bullets, struck the wall opposite before me, and behind him, where I am accustomed to sit, the table between us. Some show of search is made for fashion’s sake. The rest I have written to my Lord Hunsdon, &c. And so. *
Edinburgh, 25th March, 1581.” “T. R.”

MR RANDOLPH’S NEGOTIATION IN SCOTLAND.²

“17th January, R. took his journey into Scotland from Berwick.
“By the way, he received word of Morton’s being removed from

¹ Orig., 25th March, 1581.

² The original paper, of which this is an abstract, appears to me to be in the handwriting of one of Walsingham’s clerks.

Edinburgh Castle to Dumbarton Castle, which made him hasten forward. Next day after his arrival, he had an audience of the King. The King promised Morton should be put to his trial.

“2d Audience, 21st January.—The King promised that nothing should be done against Morton, without open trial and lawful favour. About this time came the bruit of her Majesty’s forces about the Borders; this gave him [Randolph] greater boldness to proceed both with the King and against D’Aubigny.

“3d Audience, 25th January.—R. charged some of the Scottish Council with breaking the amity, especially Lennox; and produced two intercepted letters written by the B. of Glasgow:—Lennox warmly defended himself. He gave copies of the letters, and demanded a speedy reply. All this time the report of the forces on the Borders continued.

“4th Audience, 30th January.—The King begged to hear any further matter against Lennox. After this the Ambassador began to deal according to the third part of his instructions; to deal with such of the nobility as came unto him; to represent the hazard to the King’s person, and the danger to themselves (intending to make out a party in this way, fit to join with her Majesty’s forces.) At first he had good hope; but finding that, day by day, the King grew more affectionate to the one and aggravated against the other, they all began to fail; and ‘no man seemed willing either to enterprise it himself, or join with others in this action.’ As these things were thus underhand in brewing, the King sent his answer by a Clerk of the Council.

“1st. that Morton’s trial was delayed for want of Archibald Douglas.

“2d. The matter against Lennox seemed to be forged.

“After this, the King assembled the General Estates of the realm, the matter being weighty, on the 20th February. The interval gave R. time to labour privately with the nobility, representing the greatness of Aubigny his offences against Elizabeth, and the danger to themselves. He also, in a private access to the King, laid before him his estate at large: the King took all well.

“All this time the Earl of Lennox made private means to speak with Randolph, standing still upon his purgation, which (being so commanded) he still resisted, which, notwithstanding grieved him [Randolph] much, as he understood a reconciliation was about to be wrought between Lennox and Morton, and the King approved

of it ; and was to have gone to Glasgow the better to contrive the matter ; ‘albeit that purpose took not effect ; for Morton’s friends, esteeming this course dishonourable, broke it off.’

“It was next determined to send Lord Seton from the King to her Maj.

“This staid by Randolph.

“The bruit of the gathering of English forces on the Borders continuing, it was determined to appoint a Lieutenant and 12 Captains, with commissions to levy 120 men.

“All this time, as matters grew worse, Mr Randolph omitted not underhand to procure a party, labouring by all means to make Morton’s case fearful unto them, and the greatness of Lennox odious ; alluring them by promises of Elizabeth’s support. Notwithstanding all, *vel prece vel pretio*, though many seemed *forward*, no man would be *foremost*,—no assurance could be had except on Angus, Mar, and Glencairn. They said also, there was a want of sufficient proof of the matters with which Lennox was charged withal.

“On the other hand, the friends of Lennox were not idle, and made a great impression, urging, that Elizabeth’s injustice and severity against an innocent man, showed she had more in view than the trial of Morton and the dismissal of D’Aubigny.

“At last, the 20th February, the day of the Convention, arrived. R. before it had a private conference with the King, and he obtained an audience of the whole Assembly on the 24th February, when he repeated all his message and arguments,—showed all that the Queen had done for the realm and the King, in a speech of almost two hours’ length,—added some further matter against D’Aubigny contained in Ross’ letter, and so left the Parliament House. D’Aubigny at that Assembly said nothing.

“To this assembly came Angus, with his friends, having all the time before kept himself aloof, (he had assurance from the King,) spending the day within doors, and the night in the fields, for fear of his enemies : but as it fortunèd, his abode was not long in Edinburgh ; for being secretly advised of certain practices intended against him by the Earl of Montrose and his own wife, upon the intercepting of certain letters passed between them, suddenly, in the night, he departed the town unto Dalketh ; where, finding his wife, and after speech with her, he in due time prevented the

mischief, acquainted the King with the matter dealing by Mar, who abode still in Court, and sent her away home unto her father.¹

“The Convention held not long. It was agreed, if war came from England, 40,000 L. Scots should be advanced by the barons and boroughs. Every day bred a new disorder. The bruit of wars grew stronger,—men stirring in all parts,—the ambassador grew odious and his death suspected, and the Court in a manner desperate. For all this, he forbore not to call for his answer: the Council was perplexed, and Lennox still stood up to his justification.

“Morton abode still at Dumbarton, straitlier kept than before, (although his larger liberty was craved by the ambassador.) Angus absented himself from the Court; and being suspected of dealing with the ambassador, made Lennox, Montrose, and Argyle, and that party, stand on their guard. The party from the first got up by the ambassador yet hung in doubt; but Angus was weakened by the late accident. Montrose and Rothes became his deadly enemies, and all went wrong.

“8th March. The answer so long in framing was at last given by the King. It was stated in it, that all griefs and jealousies should be healed by a meeting of *commissioners* on the frontiers. During the time that this answer was aframing, the ministers, who continually in their sermons preached against the disorders of the Court to prevent the wrath of God that now seemed to be imminent, published a general fast, to be held through the realm from the *first* Sunday in March to the *second* of the same. This promised meeting of commissioners on the Borders might have been to good purpose, had it not been for the discovery of the practices between Angus and the ambassador, by Angus and Morton’s own servants, which caused the ambassador to be greatly suspected and disliked. Whereupon all persons were examined that resorted to him, viz. George Fleck the laird of Mains, the laird of Spot, John Reid, and Whittingham,² all servants and nearest kinsmen to Morton and Angus. Angus himself was banished beyond the Spey. He laboured, notwithstanding, by conference with the clans, his friends Glencairn, Boyd, Lochleven, Clanquill, Dryburgh, and Drumquhassel, to combine together a sufficient party to join with her Majesty’s forces on the Borders; and might have wrought

¹ Her father was Mar.

² Douglas of Whittingham.

good effect, had not their own trustiest servants betrayed them, overthrowing all their purposes, to the great danger of themselves and Mr Randolph. The faithless and traitorous dealing of Whittingham was most noted, like a deep dissembler and fearful wretch. From the beginning, having had the handling and knowledge of all matters of importance and secrecy between Angus and the rest, in the end, without compulsion, by a voluntary confession he discovered their whole proceedings, not regarding his nearness of blood, or bond of duty to the Earls of Angus and Morton, or the danger he threw the other noblemen into. This man's treachery made Angus be put to the horn, and the ambassador ill handled. The King upon this intending to acquaint Elizabeth with the result of the confessions by an envoy, and proceeding with greater severity against Angus, Morton, and Mar. Randolph, finding his longer abode useless, and dangerous to himself, retired to Berwick, there to await her Majesty's further orders. Within two days a gentleman from Angus and Mar came to him to declare their state, and wishing to know when and where they were to await his coming. But finding their party not sufficiently strong nor trustworthy, it was thought imprudent to hazard the advance of her Majesty's forces; and so the messenger was dismissed. Thus were they deserted. In the meantime, news came daily of their proscription, and seizing their houses, summoning of Stirling Castle held by Mar, fortifying Leith,—at last they heard that Mar was reconciled, and Angus left alone. Such being the state of matters, it was thought best to discharge her Majesty's forces, to remain in these terms of *divorce*, and to call Mr Randolph home." ¹

It appears, in the above account of Randolph's negotiation, although I have not given the passage in the abstract, that at one time there was a proposal for a reconciliation between Lennox and Morton, on conditions which the King approved of. The following paper shows that these conditions were of the most severe nature, imprisonment for life being the first:—

¹ Original, 6th May.

CONDITIONS OFFERED BY THE KING TO MORTON AND
ARCHIBALD DOUGLAS.—16th May.

“Angus to move his uncle—

- “1. That he shall be confined for life.
- “2. That the Earl of Morton and A. D.¹ shall renounce all actions for goods taken from them since 29th December last.
- “3. That he shall give up Dalkeith to the King for ever.
- “4. Renounce his right to the castle of Blackness, and sheriffship and lands of Linlithgow, to the King.
- “5. Give up the office of Admiralty and sheriffship of Lothian to the King.
- “6. Cause his base son James, Prior of Pluscardine, give the Priory to Lord Seaton.
- “7. Pay the whole charges of the soldiers levied since last December.
- “8. Pay to the King a 100 stone weight of bullion, coined without warrant during his regency.”

VII.

LETTERS ON THE TROUBLES, TRIAL, AND DEATH OF THE
REGENT MORTON.—Page 79.

The following interesting letters, relative to the troubles, trial, and death of the Regent Morton, are taken from the originals preserved in the Harleian Collection in the British Museum. The volume of the Harleian is No. 6999, to which my attention was drawn by the Rev. Joseph Stevenson.

SIR R. BOWES TO LORD BURGHLEY AND SIR FRANCIS
WALSINGHAM.—January 7, 1580-1.

“It may please your good Lordship and your Honour. Yesterday Mr Archibald Douglas came out of Tyvedale hither, openly to Berwick, to seek her Majesty’s relief to the Earl of Morton in his present distress, and her Highness’ succour to himself.” * * *

He had offered himself for trial, if they would give him a fair trial and exempt him from the torture which was threatened, but

¹ Archibald Douglas.

finding his house seized, and his goods and papers seized, he had fled to Berwick. * * * *

“ My servant, lately addressed into Scotland to learn the certainty of these new accidents, returned yesternight, giving me to understand, that on Saturday the last of December, as before hath been signified, Captain James Stewart, with the privity and especial commandment of the King, and in the Council-chamber in the presence of the King and that Council, accused the Earl of Morton for the murder of the King’s father; not opening particularly at that time any other offence against him, as once was intended, and as is pretended to be done hereafter. After large discourse made by the Earl for his own acquittal, he concluded, and with such sharp words, against the Captain his accuser, as, the Captain returning to him like and bitter terms, they were ready to pass to blows, which was chiefly stayed by the Lords Lindsay and Cathcart; and the Earl was removed into the chapel to his own servants, and the Captain put out at the other door to the gardens; others that waited there in great numbers, looked for the beginning of the broil. Albeit many friends and servants of the Earl, being a great strength, and able to have delivered him at his pleasure, persuaded the Earl to put himself in safety; yet he refused to tarry with them, and returned to the Council. And James Stewart, understanding of his presence there, rushed in again, whereupon a new scuffle begun, that was likewise stayed by the Lords aforesaid; and hereupon all the Earl’s servants and friends were commanded, upon pain of treason, to depart, and whereunto the Earl commanded them to obey.

“ The Earl of Argyle Lord Chancellor, (the chief instrument against Morton,) asked the Earl of Angus, then sitting in Council with them, what should be done; but Angus alleging that the matter did so narrowly touch and concern him, as he would not vote therein. Likewise the Earl of Lennox refused to vote. At length the Earl of Eglinton persuaded that the King’s Advocate and Council might be conferred withal; which advocate being ready, affirmed, that upon such accusations of treasons, the party accused ought to be committed to sure custody, and afterwards tried as to the laws and case should appertain. Whereupon the Earl of Morton was committed to a chamber in Holyroodhouse, and there kept until the next Monday, on which he was conveyed to the Castle of Edinburgh, where he remaineth.

The town of Edinburgh, and many others, offered liberally for his delivery; nevertheless he always refused to be delivered in any sort, other than by the order of the laws. Mr John Craig, in his sermon on the Sunday following, did, upon the leading of his text, inveigh greatly *against false accusations*. Whereupon Captain James Stewart, as it is informed for truth, threatened him with his dagger drawn, charging him to forbear to touch him, or otherwise he should receive his reward. * * The Lord Boyd, accused also for the murder of the King's father, is summoned to appear, and not yet comed.

“ It is said Sir James Balfour had come out of France. * * * It is now thought as dangerous in Scotland to confer with an Englishman, as to rub on the infected with the plague. * * *

“ ROBERT BOWES.”

RANDOLPH TO LORDS HUNSDON AND HUNTINGDON.*

“ EDINBURGH, 16th March, 1580-1.

The first portion of the letter is unimportant. He then proceeds as follows:—

“ Angus' intent I know not. Yesterday it was determined in Council he should be commanded to ward beyond the river of Spey. Carmichael, and the Prior, and Mains, are commanded not to come at Angus, on pain of forfeiture of their goods, *ipso facto*; and means is made to apprehend them, but yet none of them are taken. The Laird of Whittingham is boasted to wear the boots, but I hear it will not be so. Spot hath had a sight of them, as I hear. * * All the Court is set on mischief. Captain Stewart taketh upon him as a prince, and no man so forward as he. I spake, on Tuesday, long with the King. There passed nothing on his part from him, but very good speeches of her Majesty, which I exhorted him to show forth in actions and in deed. He promiseth much if the meeting of the commissioners be. I charged more his Council than himself of the unkindness lately showed unto the Q. my mistress, that no one point of her requests could be yielded, specially for the Earl of Morton, that was, [not] so much as his liberty upon sufficient caution, until the day were appointed for his trial, might be granted. Whereat he fell again in speech of Mr Archibald Douglas; and I answered him with partial deal-

¹ Harleian, 6999.

ings, and favour showed to Sir James Balfour. I told him in what house he lieth in, between the Church and Castle, upon the right hand. I told who had spoken with him,—Lennox, Seton, and others; and that means would be made shortly to bring him into his own presence. I spake again of the *band in the green box*, containing the names of all the chief persons consenting to the King's murder, which Sir James either hath, or can tell of. I told him that I heard daily of new men apprehended, examined, and boasted with the boots, to find matter against the Earl of Morton; and he that was privy to the murder, and in whose house the King was killed, and was therefore condemned by Parliament, was suffered to live unpunished and untouched, in his chief and principal town." * * Randolph then states that he asked leave to depart from Scotland, adding, that after another farewell interview with the King, he hoped "it would be the last that he ever should have to do with that King and Council." "I have again this day spoken with Angus's trusty friend, who gave me some notes touching the Bands, and is gone unto him. I have given therein my advice. What will be farther done I know not; but sure I am Angus will not obey the charge for putting himself in ward. * * * George Fleck had yesternight the boots, and is said to have confessed that the Earl of Morton was privy to the poisoning of the Earl of Atholl, whereon they have sent for the Earl of Morton's chamberlain, Sandy Jerdan, from Dumbarton. They have also in hand Sandy —, George Fleck's servant, whom they suppose to know many of Morton's secrets, &c.—Your L.,

“THOMAS RANDOLPH.”

RANDOLPH TO LORD HUNSDON.

“*March 20, 1560-1.*”

“Whatsoever was intended by my Lord Angus is discovered by the voluntary confession of the Laird of Whittingham, that hath left nothing unspoken that he knew against any man, and much more than any man would have done upon so small occasion at all to say anything, being neither offered the boots, nor other kind of torment. The ministers have seen it, and in their sermons give God great thanks therefor.

“The enterprise should have been (as they say) to have taken the house where the King lieth, by forged keys, and intelligence

by some within, to have slain the Earl of Lenox, Montrose, and Argyle, and to have possessed themselves of the King to have sent him into England. Albeit these things have so small appearance of truth to have been intended indeed, as, for mine own part, I mean to suspend my judgment thereof till further trial be had."

"He hath also confessed that he was here, with the Earl of Angus, at my lodging, and what passed between us. * * I think it will fall out that George Fleck hath played as honest a part against his master as Whittingham hath done for the Earl of Angus, for he hath been so sore booted. But his legs serve him well enough to walk up and down, which I know to be true.

"*Poor* Sandy Jerdan came yesterday to this town, from Dumbarton, and is lodged near to the Court: one on whom the burden is laid to have ministered the bread and drink that poisoned Atholl. So accused by Affleck. What is done to him, I know not.

"The suspicion of this poisoning of the Earl of Atholl is thought to be great, for that it is said John Provend bought it. And he is fled thereupon, no man knowing where he is. * * * Robert Semple, for the making of a ballad, is taken and put in prison. Robert Lekprevik, for the printing thereof, is also fled, but not found. * * * *

"THOMAS RANDOLPH."

SIR JOHN FOSTER TO SIR F. WALSINGHAM.¹

"Pleasit your Honour to be advertised, that this day a man of mine, whom I sent into Scotland about certain business, is returned unto me with certain news, whereof I think my Lord of Hunsdon hath already written unto you; but, notwithstanding, I thought I could do no less but advertise your Honour thereof. That is, of the death of the Earl of Morton, who was convicted on Thursday, and adjudged to be hanged, drawn, and quartered on Friday. And there was twenty-two articles put against him; but there was none that hurt him but the murder of the King, which was laid unto him by four or five sundry witnesses. The first is the Lord Bothwell's testament. The second, Mr Archibald Douglas, when he was his man. Mr Archibald Douglas' man is the accuser of him, that bare a barrel of powder to the blowing up of the King into

¹ Orig. 4th June, 1581. Alnwick.

the air, and that for haste to come away, the said Mr Archibald Douglas left one of his pantafles at the house end. And, moreover, he was convicted for the speaking with the Lord Bothwell after his banishment in England before the King's murder, and then the consenting to the murdering of the King, and the binding his band of manrent to the said Lord Bothwell to defend him, and no person to be excepted. And the Queen's confession when she was taking at Carberrie Hill. She said he was the principal man that was the deed doer and the drawer of that purpose. Thus having none other news worthy of advertisement to send unto your Honour at this time, I humbly take my leave, at my house, nigh Alnwick, this 4th June, 1581.

“ JOHN FOSTER.

“ P.S.—The man that brought me these news came from Edinburgh on Friday last, at two of the clock, and then the said Earl of Morton was standing on the scaffold, and it is thought the accusations that were laid against him were very slender, and that he died very stoutly.”

VIII.

SCOTTISH PREACHING IN 1582. JOHN DURIE'S SERMON.

Page 112.

The sermon of Mr John Durie, alluded to in the text, is particularly described in the following extract from a letter of Sir Henry Woddrington to Sir Francis Walsingham. It is preserved in the British Museum, Caligula, C. vii., fol. 7, and dated 26th May, 1582.

WODDRINGTON TO WALSINGHAM,

“ Upon Wednesday, being the 23d inst., Mr John Durie preached in the Cathedral Church of Edinburgh, where divers noblemen were present, the effect thereof tending to the reproof of the Bishop of Glasgow, as plainly terming him an apostate and man-sworn traitor to God and his Church. And that even as the Scribes and Pharisees could find none so meet to betray Christ as one of his own school and disciples, even so this Duke, with the rest of the faction, cannot find so meet an instrument to subvert the

religion planted in Scotland as one of their own number, one of their own brethren, and one nourished among their own bowels who likewise touched the virtuous bringing up of the King, fearing now they have some device to withdraw him from the true fear of God, and to follow the devices and inventions of men, affirming that he was moved to think so, for that he saw all that were manifestly known to be enemies to the Church and religion to be nearest unto his person, and others that were favourers and maintainers thereof put off the Court, or to have small countenance there showed them. And likewise, he touched the present sent by the Duke of Guise to the King in these manner of speeches:—

‘I pray you what should move Guise, that bloody persecutor and enemy unto all truth, that pillar of the Pope, to send this present by one of his trustiest servants unto our King? Not for any love: no, no, his pretence is known. And I beseech the Lord the Church of Scotland feel it not oversoon. The King’s Majesty was persuaded not to receive it; for why? What amity or friendship can we look for at his hands, who hath been the bloodiest persecutor of the professors of the truth in all France? Neither was there ever any notable murder or havoc of God’s people at any time in all France but he was at it in person; and yet for all this, the Duke and Arran will needs have our King to take a present from him. If God did threaten the captivity and spoil of Jerusalem because that their King, Hezekiah, did receive a letter and present from the King of Babylon, shall we think to be free committing the like, or rather worse? And because you, my Lords, which both do see me, and even at this present hears me,—I say, because you shall not be hereafter excusable,—I tell it you with tears. I feel such confusion to be like to ensue that I fear me will be the subversion and ruin of the preaching of God’s Evangile here in the Church of Scotland. I am the more plain with you, because I know there is some of you in the same action with the rest. I know I shall be called to an account for these words here spoken; but let them do with this carcass of mine what they will, for I know my soul is in the hands of the Lord, and, therefore, I will speak, and that to your condemnation, unless you speedily return.’ And then, in the prayers made, he prayed unto the Lord, either to convert or confound the Duke. The sermon was very long, godly, and plain, to the great comfort and rejoice of the most number that heard it, or do hear of it.” * * *

IX.

SIR ROBERT BOWES TO WALSINGHAM, WRITTEN IMMEDIATELY PREVIOUS TO THE RAID OF RUTHVEN.—15th AUG. 1582.—
Page 122.

The minute and accurate information of Bowes communicated to Walsingham and the faction of the Protestant Lords, which led to the enterprise termed the Raid of Ruthven, is proved by the following extract from a letter of Sir Robert Bowes to Walsingham, dated Durham, 15th August, 1582:—

BOWES TO WALSINGHAM.

“ * * * I am informed the Duke intendeth to persuade the King's Majesty to commit to ward the Earls of Glencairn and Mar, the Lord Lindsay and Boyd, and sundry others best affected in religion, and loving the amity aforesaid; and also afterwards to hasten the death of the principals of them, whom I hear that he will not pursue for the death of David the Italian, (as from France ye have been advertised,) but rather to charge them with late matter and conspiracy intended, and to have been put in execution by them and their complices in the last month of July against the King and himself. And in case the information given me be true, then there is a secret intention and practice in device,—that after the execution of such principal persons in Scotland as would be most ready to defend religion, and the apprehension and safe custody of others known to be chiefly devoted that way, the alteration of that state in Scotland should be attempted; and the matter to reach into England so far, and with such speed as the (confederates) who practice could perform. The truth and secret herein may be best learned in France, I think, from whence the device and direction for the execution is said to come. The variance between the Duke and the Earl of Gowrie,—the progress of the matter against the new Bishop of Glasgow, both entreated in Edinburgh,—the labour of the Duke to win nobles and gentlemen to enter into friendship and band with him,—the purpose of some persons in Scotland to proceed in the provision of remedy against the dangerous course presently holden there,—with all other intel-

ligence and occurrents in that state and realm * * are so sufficiently signified to you, as I need not trouble you with needless repetition." * *

The conspiracy with which Lennox meant to charge the Protestant party alluded to in the above letter of Bowes, must be the same as that mentioned by Sir Henry Woddrington in a letter addressed (as I think) to Walsingham some time before this, dated 19th July, 1582. After stating that the King was with the Duke at St Johnston, he observed, that "the ministers had accused the Duke of supporting the Bishop of Glasgow, who was excommunicated." He then adds, "The Duke is about to charge them with the late conspiracy and practice, wherein they were about to have procured him to have been shot and slain." * *

X.

ARCHIBALD DOUGLAS TO RANDOLPH.—Page 133.

It is stated in the text, that, on the successful issue of the Raid of Ruthven, the notorious Archibald Douglas wrote from London an exulting letter to his old friend, Randolph. The original is in the State-paper Office, endorsed by Randolph himself "*Mr Nemo.*" It is spirited and characteristic:—

ARCHIBALD DOUGLAS TO RANDOLPH.—12th Sept., 1582, London.

"SIR,—From Scotland, by letters, I am advertised, that the Duke being in Edinburgh with some few lords, he made choice of Herries and Newbottle to send the King and lords with his Majesty some offers, which were all rejected.

"The said lords returned to Edinburgh accompanied with Cessford and Coldingknows, who gave the Duke a charge to render the Castle of Dumbarton to the Earl of Mar, in name of the King; to avoid the town of Edinburgh, and retire himself to Dalkeith or Aberdour, in private manner, there to await the King's farther pleasure. The Duke seeming to obey the charge, made him as he would ride to Dalkeith; but in the midway he turned, and is fled to Dumbarton, where, I think, he shall not make great cheer, if he render not that castle shortly.

“The King will hold his Convention at Edinburgh upon the 15th day hereof; to the which the Duke is charged to compear, but I think he shall not obey. When law has given the stroke against him, I believe ye shall hear news of his escaping. Your special good friend, the Earl of Arran, for the singular and constant affection he bears to the Duke, offers to accuse him of high treason, if they will spare his life to serve and assist the party that is with the King. Pity it were that he should not be well used in respect of his rare qualities natural, beautified with his virtuous education in moral philosophy: wherein he has so well profited, that his behaviour is marvellous, specially in treating of ambassadors; which makes me to believe that your worship, as one honoured with that dignity, will interpone some special request in his favours. If ye be disposed so to do, I will take the pains to be your messenger, for the safe conveying thereof to her Majesty’s ministers in Scotland.

“Your physic, ministered at your late being in that realm, begins now to be of so mighty operation, that banished men are like to have place to seek trial of their innocency, or else, I think, very shortly it shall be hard to discern the subject from the traitor. From such a market ye may think that I shall not be long absent. I am to take my journey towards that country shortly. If your sore horse’s price be so low as a poor banished man’s money may amount unto it, I pray you send him hither, and I will pay what price ye set upon him, so it be reasonable. And so, &c.

“London, this 12th of September.

“A. DOUGLAS.”

XI.

THE DUKE OF LENNOX’S LAST LETTER TO THE KING OF SCOTS.

Page 141.

This letter is preserved in the State-paper Office, in a copy of the time, endorsed by Burghley, “From the Duke of Lennox to the Scottish King from Dumbarton, 16th December, 1582.” It is as follows:—

“SIRE,—Je me rescens le plus malheureux homme du monde, de voir la mauvaise opinion que vostre Majeste a prise de moy, et de ce que la persuasion de ceux, qui sont aupres de vous maintenant, vous ont fait croire, que j’avois aultre intention que de vous

rendre l'obeissance et la fidelité que je vous doibs. Croyez je vous supplie tres humblement, que ces motz d'inconstance et desloyaulté que me mandes dans vostre lettre qu'ay laissé gaigner a mes ennemis sur moy, m'ont raporté une grande crevecoeur. Car je n'eusse jamais pensé que vostre Majeste m'eust voulu ecire telz mots, et je me prie a Dieu que tous ceulx qui vous serve, et se disent vos fideles serviteurs, vous serve avec aultant d'affection et de fidelité comme jay le fait, pendant que jay eu ceste honneur d'estre a vostre service.

“Sire,—Je ne crains nullement deestre accusé d'inconstance et de desloyaulté. C'est chose jamais remarque' en moy, mais si l'on me veult accuser d'avoir faict une tasche a mon honneur pour vous obeir, il faut bien que je l'avoue, car il est tres veritable, et me senible que l'engagement de mon dicte honneur vous doit assez rendre le preuve de ma dict obeissance et fidelité.

“Ce m'est ung piteux reconfort a mon partement, que apres avoir receu le dur traictment que j'ay receu, et endure les paines, et tormens et ennuis; qu'ay endure depuis trois ans, pour m'estre affectionné a vostre service, en vous servent fidelement (comme jay faict) que de voir vostre Majeste indigne contre moy, pour seulement avoir evite le danger qui me pouvoit avenir, et laquelle peut-estre avoit este conclu sans vostre sceu, sous ombre que les Comptes d'Angus et de Mar n'avoient pas signé l'assurance, dont la procuracion de dict Mar peut donner asses tesmoignage. Et pense que si tout chose soit bien recherchéé que [vous] trouverez que comme il estoit entre Falkirk et Callender, qu'il y en a eu de sa troupe, que luy donnera conseil de m'enfermer an dict Callender, et d'envoyer querir a le dict Angus, ce qu'ayant entendu, voyant qu'il n'y avoit pas ung des seigneurs n'y gentilhommes aryves a Lythgou, le Mardy a six heures de soir, excepte Laird de Wachtou et les serviteurs et amis de Mons^r. de Leviston, pour la seurte de ma vie, laquelle je scay estre recherchéé par eulx, je me suis seulement retire en ce lieu, en attendant que vostre Majeste donnast ordre que je puisse passer seurement, et ce qui vous avoit demandé de passer par Carleill, estoit parce que ce chemin la m'estoit beaucoup plus seur que celui de Barwick. Mais puis que c'est vostre volonté que je prenne ce chemin la je vous obeiray, et suyvant vostre commandement je partiray Mardy de ce lieu et m'en iray coucher a Glasgow, le Mecredy a Calendar, en Jeudy a Dalkeith, et Vendredy a Dunbar, et si mes hardes que je suis con-

straint de faire faire a Lislebourg, me soyent apportees le jour la, je ne faudray d'estre le lendemain a Barwick, et ou elles me pourront estre apportees. Je vous supplie très humblement, de me permettre de les attendre au dict Dunbar, et de me vouloir faire envoyer a Dalkeith tout ce que m'avez promis, par le dict Maistre George Young, et aussi de mander ung gentilhomme de me venir rencontrer que le dict Maistre George mande a vostre Majeste, lequel vous yra trouver puis qu'il m'a veu party de — a fin de vous assurer de l'obeissance que je vous vouley rendre.—Priant Dieu, Sire, qu'il vous ayt en sa sauve garde. De Dumbarton, 16 de Decembre, 1582.

“ De vostre Majeste,

“ Le tres humble et fidele serviteur,

“ LENNOX.”

XII.

THE KING'S RECOVERY OF HIS LIBERTY IN 1583.—Page 165.

In the month of May, 1583, when James was pondering on the plot for the recovery of his liberty, and his escape from the thralldom in which he was kept by the Ruthven lords, there occurs a remarkable letter written by Fowler to Walsingham, which shows that the young King had first disclosed his secret intentions to the Master of Glamis. This is strange enough; for Glamis, as we have seen, (*supra*, p. 125,) was one of the leaders of the “Raid of Ruthven.” The letter is as follows.—It is preserved in Brit. Mus., Caligula, C. vii. fol. 148 :—

FOWLER TO WALSINGHAM.

“ *May*, 1583.

“ MY LORD,—After my most humble commendations and service, I do send your honour such proofs of my fidelity, that your honour may thereby well judge of my true meaning. The King hath entered in conference with the Master of Glamis after this sort:—‘I intend to go in progress, and first to Falkland, and thereafter to the Glamis. What think you, Master,—shall I be welcome?’ The other answered, that his welcome should be better than his Majesty's entertainment; because, saith he, ‘I am less able now

than I was these five years before :’ meaning of his loss and fine of xx. thousand pounds, which he paid, by the Duke of Lennox’s means, for the killing of the Earl of Crawford’s man. The King answered, ‘Master, are you not yet contented and sufficiently revenged? If you had not turned that night to Ruthven, these things, which were then devised, would never have taken effect. Well, Master, I will forgive you ; and if you will conform yourself now to my request, your losses shall be faithfully repaired you hereafter.’ ‘ Sir, said he, what is your will ? Command me in anything : your Majesty shall be obeyed,—yea, were it in the killing of the best that are about your Majesty.’ The King answered, ‘ Master, I mean not so : but because I think it stands not with my honour to be guided by other men’s will, I would things were changed,—which you only may perform, if you follow my device. None mistrusteth you ; and, therefore, I will come to the Glamis, where you may have such power for that effect, that I will remain your prisoner, so that you debar these from me who hath me at their devotion.’ To conclude, the other hath agreed thereto, and shall conclude therein, if good counsel prevent it not. * * *

“ As these things must come to light, so would I they so should be used, as the chief intelligence should be known not to have come from hence ; otherwise I shall be suspected, and incur the King’s hatred, and the Master of Glamis’ displeasure.” * *

XIII.

WALSINGHAM’S EMBASSY TO THE SCOTTISH COURT, IN SEPTEMBER 1583.—Page 175.

The following letter, from the State-paper Office, relates to this interesting embassy :—

WALSINGHAM TO BURGHEY.

“ EDINBURGH, 6th September, 1583.

“ My very good Lord—Since I last wrote unto your Lordship. I have received three sundry letters from you, by the which I find your Lordship hath obtained so much leisure as to see your house at Burghley, where I could have been content, having finished here, to her Majesty’s contentment the charge committed to me, to have met your Lordship.—I mean, with the leave of God, ac-

ording to my promise made to Sir Thomas Cecil, to see him there, and to survey such faults as have been committed in your buildings by reason of your Lordship's absence; and yet am I in hope to come time enough in my return to see him at Snape; for here I see little hope to do any good, so resolutely and violently are they carried into a course altogether contrary to the amity of this Crown, which by the better sort is greatly disliked of: and it is thought that they which have the whole managing of the affairs cannot long stand, so hateful do they grow generally to all estates in this realm.

“ Though I press my audience very earnestly, yet can they not resolve neither of the time nor place. They are now, as I learn, busily occupied how they may excuse their breaches of promises and other attempts against her Majesty, but most especially how they may excuse the late outrage committed in the Middle Marches, by yielding fair words and promises for satisfaction. This kind of proceeding cannot but render them hateful that now manage the affairs; for I find the Borderers, the loose men only excepted, generally inclined to continue good peace with England. The Burrows, also, who live by traffick, and are grown to be wealthy by the long-continued peace between the two realms, do not willingly hear of any breach. The ministers, who foresee how greatly the common cause should be shaken if discord between the two nations should break out, will not omit to do their best endeavours to prevent the same. I will not fail, at my access, to press both speedy redress and full satisfaction, as well of that outrage as of divers others committed this last month. * * It shall be necessary for her Majesty, in these doubtful times, considering how they stand affected that have now the helm in hand here, to place some horsemen and footmen upon the Borders for a season, which may serve well for some other purpose, as your Lordship shall hereafter understand. * * *—At Edinburgh, the 6th September 1583.

“ Your Lordship's, &c.

“ FRANCIS WALSINGHAM.

“ After I had written my letter, Mr James Melvin came unto me from the King, to excuse the delay of my audience, without bringing any certain knowledge when the same should be granted, which moved me to deal roundly with him.” * *

XIV.

HISTORICAL REMARKS ON THE QUEEN OF SCOTS' SUPPOSED
ACCESSION TO BABINGTON'S CONSPIRACY.

That Mary was a party to this plot, so far as it involved a project for her escape, may be assumed as certain; indeed, she appears to have admitted it, by implication at least, on her trial. But the question remains, and it is one deeply affecting Elizabeth and her ministers—was she cognizant of the resolution to assassinate the English Queen?—did she permit, or encourage this atrocious design? After a careful research into the history of this conspiracy, and an anxious desire to procure and weigh every document connected with it, I believe Mary's solemn assertion to be true,—that she neither gave any encouragement to the plot, nor was aware of its existence. Hume, who pronounces Mary guilty, has written on this conspiracy with all his inimitable clearness and plausibility; but unfortunately with much of his usual carelessness as to facts and dates, which enter deeply into the question, and which a little trouble might have enabled him to discover and to rectify. Dr Lingard, in an acute note added to the last edition of his History,¹ has supported Mary's innocence; and Dr Robertson, without interrupting his narrative by critical remarks, has assumed it. Referring the reader to the works of these eminent men, I shall now briefly give some additional facts and observations, from which there arises the strongest presumption, if not absolute proof, of the innocence of the Queen of Scots.

First. It is evident, from the history of this conspiracy as given in the text, that Phelipps the decipherer had much, almost everything, in his power as to the proof of Mary's guilt or innocence. He was admitted by Walsingham into all "the secrets of the cause," (to use Paulet's phrase;) he enjoyed the full confidence of this minister and his royal mistress. It does not appear that any other person about Walsingham or the Queen of England could decipher. There are letters in the State-paper Office, and in the British Museum, which prove that whenever any intercepted letters in cipher fell into the hands of Elizabeth or Secretary Walsingham, they were forthwith sent to Phelipps "to be

¹ Note M. vol. viii. History of England, p. 434.

made English;"¹ and it is certain that he did decipher, and retain in his hands for ten days, the letter in cipher from Mary to Babington, upon a copy of which that Princess was convicted. It is evident from all this, that Phelipps had the power and the opportunity to alter the letters of Babington or of Mary which were sent him to be deciphered; and owing to the ignorance of his employers in this intricate science, he might have done so without much, or almost any fear of discovery. But it may be asked, Could he be so base as to garble these letters? or was Walsingham so lost to all sense of justice and honour as to have permitted it?

To this I reply, that there is preserved in the State-paper Office a letter or petition of Phelipps to the Earl of Salisbury, an extract from which I give below, which proves, that in one noted instance he had availed himself of his talents and opportunity to a base and unscrupulous extent. In this case, he did not add to or alter any letter placed in his hands; but he did much more. He composed, or created, an entirely imaginary correspondence. He wrote letters under the name of an imaginary person to a real person, who enjoyed the confidence of the Spanish Government, and who, by the forgery of these letters, was betrayed into a correspondence with Phelipps, who made his own uses of his base contrivance. All this he acknowledges in a letter to the Earl of Salisbury, which is an undoubted original, written in his own hand,² pleading

¹ MS. Letter, Caligula, C. ix., fol. 455, Davison to Phelipps, 11th Dec.

DAVISON TO PHELIPPS.

"Mr Phelipps. Her Majesty delivered me the ticket here enclosed for your exercise, because she thinketh you now be idle. When you have *made English thereof*, I doubt not but you will return it back to her Highness: and so, in the meantime, I commit you to God.—At the Court the 11th December."

There is another letter of Walsingham in Caligula, C. ix., fol. 455, written, I think, evidently to Phelipps, though the address does not appear:—

"I send you herewith enclosed another letter, written from the King of Spain unto some noblemen within this realm, which was delivered unto me by her Majesty, together with the other letter of Don Bernardino remaining in your hands, *which, if it may be deciphered*, will, I hope, lay open the treachery that reigneth here amongst us. Her Majesty hath promised to double your pension, and to be otherwise good unto you.—And so I commit you to God. The 30th Nov., 1585.

"F. WALSINGHAM."

² State-paper Office, 29th April, 1606. Thomas Phelipps, orig. in his own hand, dated (in pencil) 29th April, 1606:—

"Phelipps humbly prayeth, that the King's Majesty may be moved to

in extenuation of the forgery, that it was done for the benefit of the State.

Such being the unscrupulous character of this person, is it any overstrained supposition, that such a man would have felt little hesitation in altering the letters of the Queen of Scots, to suit the purposes of her enemies?

But here it is asked, (and the argument is insisted on by Hume,) —would a man of such high honour and probity as Walsingham, have been guilty of so base a proceeding? As to this alleged probity and honour, Hume, it is evident, trusted to the common eulogies which, in popular works, have been bestowed on Elizabethan statesmen. Happily, however, the correspondence of Elizabeth's ministers remains to test this praise; and Walsingham has left many letters which prove, incontestably, that, in working out any object which he was persuaded was for the good of the State, he

descend into a gracious consideration of his case, and he doubteth not but his Majesty shall find cause to conceive much better of his proceedings than it seemeth he doth.

“The truth is, that there never was any real or direct correspondence held with Owen. But, by a mere stratagem and sleight in the late Queen's time, that State upon an occasion, was entertained in an opinion of an intelligence with an imaginary person on this side, such as was none *in rerum naturá*, which Owen, abused, did manage on that side, as Phelipps for the Queen's service did on this. The manner whereof and the means were particularly declared to my Lord of Salisbury by Ph. when he was first called in question, who had himself made some use of it in the Queen's time; and you, Mr Lieutenant can, best of any man, remember how the Queen and my Lord of Essex served themselves of it.

“In the carriage of this business, the imaginary correspondent being pressed to find somebody that should set afoot certain overtures, touching peace and the jewels of the House of Burgundy, and such like, Phelipps was nominated and used for those purposes, to the contentment of both sides, as it fell out at sundry times, without that it was known, or so much as suspected, that Phelipps was the man that indeed managed all matters.

“With the Queen's life this course was supposed to have been quite determined; but shortly after, upon the hope of amity, which was growing between this realm and Spain, an address was newly made to the imaginary correspondent in Maucididor's name, to have Phelipps moved to concur with those that should be set a-work both for peace and league of firm amity between the Princes, with large offers, and promises of honourable gratification to all such as could do any good therein.

“Which being a thing in itself not unlawful, and Phelipps seeing opportunity offered him to make himself thereby of use, he willingly embraced.”

was quite as crafty and unscrupulous as his brethren. In those dark times, the scale of moral duty and honour was miserably low : justice, truth, religion, were names common in men's mouths, but slightly regarded in their actual dealings. To open letters, to rob an ambassador's desk, to corrupt his servants, to forge his signature, were all allowable methods of furthering the business of the State. The reader is already well aware of the little value placed on human life, of the frequency of private assassination, and the encouragement given to it by the highest statesmen of the age. To argue on the honour and probity of such men—as we should be entitled to do had they lived in our own times, (lax as this age may be in some things)—must lead to error. Nay, Hume himself was aware of, and states one instance in which Walsingham acted with a total disregard of all high principle. This historian tells us, that the English secretary, when he had intercepted and opened Mary's letters to Babington, added to them a postscript in the same cipher, in which she desired him to inform her of the names of the conspirators ; hoping thus to elicit from Babington the whole secrets of the plot. Was it possible that any man of common probity could have so acted ? and what are we to think of his letter quoted in the text, in which, in obedience to the English Queen's commands, he solicited Paulet to put Mary privately to death ? Could a man of the slightest probity have written that letter ?

It appears, then, that Phelipps and Walsingham were persons capable of such a course as garbling and altering Mary's letters : it is evident that Phelipps had the power and the talent to do so ; and we have seen, from the history of the Conspiracy given in the text, that both were anxious to convict her and bring her to punishment. But it may be said, All this is presumption : where is the proof that they added anything to these letters ? In answer to this may be first quoted, the forged postscript endorsed in Phelipps' handwriting, "*Postscript of the Scottish Queen's letter to Babington,*"¹ inquiring the names of the six gentlemen. Hume, following Camden,² asserts that Walsingham added a postscript of this import to one of Mary's letters to Babington. It is singular, however, that it should not have struck this historian, that no such postscript appeared in any of Mary's alleged letters produced at the trial ; and had this charge,

¹ *Supra*, p. 326.

² Hume, p. 453. Edition 1832. In one volume. Camden in Kennet, vol. ii. p. 517.

which involves so grave a delinquency in Walsingham, rested on the single assertion of Camden, one would certainly have hesitated to believe it. But the case is altered by the discovery, (mentioned in the text, p. 326,) of this postscript in cipher, endorsed by Phelipps, and preserved in the State-paper Office. Now, such a postscript was either what it purports to be—an original of Mary's, or a true copy of such an original, or a forgery. If it were an original of Mary's, or a true copy of such, why, it may be asked, was it not produced against her at the trial? It connected her with the six conspirators, who were Babington's associates; and in this light would have been decided evidence against her. But no use was made of it at the trial; and it may be conjectured, from this suppression, that, after having exercised his skill in fabricating it, Phelipps changed his scheme for the conviction of the Scottish Queen, and introduced the sentences connecting her with the six gentlemen who were to assassinate the English Queen into the body of the letters, rather than in a postscript at the end.

In the next place, although there is no direct evidence by which we can detect Phelipps or Walsingham in the act of garbling and altering Mary's letters, yet strong presumptive evidence is furnished by the circumstances of the trial itself; and this even after making allowance for the partiality and disregard of justice which appears in all the judicial proceedings of those times.

It is evident that Mary could only be proved guilty by the production of her own letters; by the production of the minutes, or rough drafts of these in her own hand; by the evidence of her secretaries, Nau and Curle, who wrote the letters; or by the evidence of Phelipps, who deciphered them. The limits to which I must confine these remarks will not permit me to go into detail; but it may be observed, that on each of these modes of proof, the evidence against the Scottish Queen, either totally fails, or is defective.

1. No original of Babington's long letter to her, or of her answer to Babington, was produced. Mary anxiously demanded the production of both, and positively asserted that she had never written the letter of which they produced a copy; but she demanded it in vain, and she was convicted on the evidence of this avowed copy.

2. It was stated by Nau, her secretary, that the greater part of her letter to Babington was *copied* by him from a minute in Mary's own hand, written in French, which, he stated, would be

found amongst her papers,¹ and which, if we are to believe Nau's declaration, Elizabeth and her ministers had really in their hands, and could have produced if they pleased.² Now, these French minutes written in Mary's hand, if they had contained the guilty passages connecting her with the plot against Elizabeth's life, would undoubtedly have proved the case against her. Why then were they not produced? It seems plain, that if found at all, of which there is reason to doubt,³ they did not contain any mention of the plot against Elizabeth's life. Here, again, the proof against the Scottish Queen totally fails.

3. As to Nau and Curle, the manner of dealing with these two secretaries of Mary betrays, in a striking way, the weakness of the proof against her. She anxiously requested to be allowed to examine them; and engaged, if this were permitted, to prove by their testimony, that she was innocent. This was denied: she was shown some depositions to which they had attached their signatures; and other declarations were produced wholly written by them, the contents of which, it was argued, proved her guilty of sending the long letter to Babington. Mary's reply to these depositions has been already stated in the text; but it is here material to attend to an observation of Dr Lingard, who contends, and apparently with perfect justice—that, judging from the only papers which now remain, it does not appear that Nau or Curle were ever

¹ MS. letter, State-paper Office, 7th September, 1586.

WAAD TO PHELIPPS.

“Her Majesty's pleasure is, you should presently repair hither; for that, upon Nau's confession, it should appear we have not performed the search sufficiently; for he doth assure we shall find, amongst the minutes which were in Pasquier's chests, the copies of the letters wanting, both in French and English.” * * *

² Orig. State-paper Office. Nau's first Answer, 3d September, 1586.—“Il luy pleust me bailler une minute de lettre escripte de sa main pour la polir et mettre au net, ainsi qu'il apparoit a vos Honneurs avoir este fait ayant l'une et l'autre entre vos mains.” * * *

³ On the 3d September, Nau, in a paper in the State-paper Office, endorsed by Burghley, “Nau's first Answer,” speaks as if Elizabeth and her ministers had Mary's original minutes, written by herself, in their hands. But next day, September 4th, Walsingham, in a letter to Phelipps, State-paper Office, says, “*the minute of her answer is not extant;*” and on the 7th September, these alleged minutes and letter of Mary's were still wanting; for Waad writes to Phelipps to search anew for them. (State-paper Office, Waad to Phelipps, 7th September, 1586.) I have discovered no proof that they were ever found.

shown the original of Mary's letter in cipher to Babington, or the true deciphered copy of it; but merely an abstract of the principal points in it, so made up as to render it doubtful whether they included the guilty passages which Mary so solemnly affirmed were not dictated or written by her.¹ It is true, indeed, that in the State-paper Office, and in the British Museum also, there are preserved *copies* of Mary's letter to Babington, with the *copy* of an attestation signed by Curle and Nau;—but in what terms is it given? Do they verify, on oath, that this is a true copy of the letter written by them from Mary's dictation, and sent to Babington? Far from it. Nau simply says, he truly thinks, to the best of his recollection, this is the letter; and Curle, that it was either this letter, or one like it, that he put in cipher.² And it was on such an attestation as this that Burghley contended that the Scottish Queen was guilty?

4. There was yet one other way in which the defects of the proof against Mary might have been supplied. If Walsingham and Burghley could not produce the original of her letter to Babington—if they had no minutes of this letter in her own handwriting—they still had Phelipps, who had deciphered it, and who could have attested on oath the accuracy of his own decipher, and its agreement with the copy produced at the trial. Why was this man not produced? Can the motive be doubted?

There are three original papers preserved in the State-paper Office, which appear to me to establish Mary's innocence, on as convincing grounds as the question admits of. It has been already noticed, that when Nau affirmed that the greater part of Mary's letter to Babington was taken by him from an original in the Queen's hand, and that this minute of her answer would be found in her repositories, a strict search was made, which was wholly unsuccessful; and on the 4th September, Walsingham became convinced that "the minute was not extant." This failure of obtain-

¹ Lingard, Hist. of England, vol. viii. pp. 220, 221; and Appendix, pp. 436, 437.

² "Je pense de v'ray que c'est la lettre escripte par sa Majeste a Babington, comme il me souvenit.—Ainsi signè, "NAU."

"Telle ou semblable me semble avoir este la reponse escripte en François par Mons^r Nau, laquelle j'ay traduit, et mis en chiffre, comme j'en fais mention au pied d'une copie de lettre de Mr Babington, laquelle Mons^r Nau a signè le premier.—Ainsi signè, "GILBERT CURLE."

"5th September, 1586."

ing proof against Mary, threw Walsingham into great perplexity, in the midst of which he wrote this letter to Phelipps :

WALSINGHAM TO PHELIPPS.

“This morning I received the enclosed from Francis Milles; and this afternoon he made report unto me of his proceeding with Curle accordingly as is set down in the enclosed; by the which you may perceive that Curle doth both testify the receipt of Babington's letters, as also the Queen his mistress' answer to the same, wherein he chargeth Nau to have been a principal instrument. I took upon me to put him in comfort of favour, in case he would deal plainly, being moved thereto for that the minute of her answer is not extant, and that I saw Nau resolved to confess no more than we were able of ourselves to charge him withal.

“If it might please her Majesty, upon Curle's plain dealing, and in respect of the comfort I have put him in to receive grace for the same, to extend some extraordinary favour towards him, considering that he is a stranger, and that which he did was by his mistress' commandment, I conceive great hope there might be things drawn from him worthy of her Majesty's knowledge; for which purpose I can be content to retain him still prisoner with me, if her Majesty shall allow of it.

“I pray you therefore procure some access unto her Majesty, that you may know her pleasure therein, with as convenient speed as you may. And so God keep you. From Barnelme, the 4th September, 1586.¹

“FR. WALSINGHAM.”

This letter proves that no minutes in Mary's handwriting, connecting her with the letter to Babington, had then (4th September) been found; that Nau had confessed nothing that implicated her; and that all Walsingham's hopes rested on bribing Curle, by some “extraordinary favour,” to make further disclosures.

In these difficulties, it seems to have struck Phelipps, that Curle and Nau might be intimidated into confessing something against Mary, by showing them that they had already, by their written declarations, confessed enough against themselves to involve a charge of treason, as abettors of the plot for the invasion of England, and the escape of the Scottish Queen. The idea of Phelipps was, to say to these secretaries of the Queen of Scots—

¹ MS. Letter, State-paper Office, Papers of Mary Queen of Scots.

“ We have already enough against you to hang you ; but be more explicit : tell us something which may connect your mistress with Babington’s designs against Elizabeth’s life, and you shall receive ‘ some extraordinary favour.’ ” For this purpose, Phelipps, on the 4th September, the very day on which Walsingham wrote the above letter, drew up some remarks, which he sent to Burghley, who has endorsed them “ From Phelipps.” This paper is entitled, “ An Extract of the points contained in the minutes written by Nau and Curle, arguing their privy to the enterprise of the Catholics, and their mistress’ plot.”—4th September, 1586. The reader must pardon its abrupt and unfinished state, remembering that this makes it more authentic. It has been carefully read and marked by Burghley, and is as follows:—

“ Nau and Curle are charged to be privy and partakers of the Conspiracy made by the Papists for the invasion and a rebellion within the realm ; as also of a plot laid by their mistress, and sent by her unto the said Papists, with direction for execution of their enterprise, by the minutes of the letters sent to divers persons following, which they have confessed to be their own hands:—

“ *Nau.* K. The letter K, written from the Scottish Q. to Charles Paget, 27th July, being Nau his hand, hath these express words beginning at the letter K, *Sur le retour de Hallard, &c.* In English thus:—“ Upon the return of Ballard into this country, the principal Catholics which had despatched him unto that side for want of intelligence with me, have imparted unto me their intentions conform to that which you wrote thereof ; but more particularly demanding my directions for the execution of the whole. I have made them a very ample despatch, containing point by point my advice touching all things requisite, as well on this side the sea as on that, to bring to pass their design,” &c.

“ The same written in English by Curle, the letter marked D.

“ *Nau.* L. The letter marked L, written from the Scottish Q. to the B. of Glasgow, 27th July, being Nau his hand, containeth a direction unto the said B. to renew the practices with the King of Spain and the Pope, for reformation (as she terms it) of this Island—an advice to raise some contrary faction in Scotland to that of England, to disturb the quiet of this Isle—she assureth that the principal Catholics of England were never better disposed than at this present, being resolute to set upon the rest. Wills him to know of her cousin the D. of Guise, if, the peace being

made in France, he may not employ himself in this action with the forces, which, without suspicion, he may have in readiness by that mean, &c.

“F. The letter F, written by the Scottish Queen to Mendoza, 27th July, being Nau his hand, containeth, in express terms, that upon intelligence of the K. of Spain’s good intention in these quarters, she hath written very amply to the principal Catholics, touching a design which he hath sent them, with his advice upon every point, to resolve upon the execution thereof. And particularly that she hath sent unto them to despatch one in all diligence unto him, sufficiently instructed to treat with him according to the general offers that had been made him of all things to be required on the behalf of his master. She wills him to give the bearer credit, which shall be sent from the Catholics, as to herself. The said deputy of the Catholics, she saith, shall inform him of the means of her escape, &c.

“*Curle*.¹ O. The letter marked O, written by the Q. of Scots to the L. Pagett, 27th July, with Curle’s hand, argueth an overture made by the Catholics of this realm to the Spanish Ambassador, Mendoza, which she says she thinks his brother hath acquainted him with: she saith she hath written very amply to the principal of the said Catholics, for to have, upon a plot which she hath dressed for them, their common resolution; and for to treat accordingly with the K. of Spain, she hath addressed them unto him; and she prays him to consider deeply of the said plot, and all the particularities for the execution thereof; namely, for the support, both men, armour, munition, and money, which is to be had of the Pope and King of Spain.

“There is a minute of the same in French, under Nau his hand.

“*Curle*.² E. The letter marked E, written by the Scottish Q. to Sir Francis Englefield, 27th July, of Curle’s hand, containeth the same in effect also.” * * *³

In the above summary of proofs against the Queen of Scots and her two secretaries, drawn up by Phelipps, and evidently founded on *all* the original letters which had been then recovered, and with which either Nau or Curle could be connected, there is not, it will be seen, the slightest proof of Mary’s participation in Babington’s plot against Elizabeth’s life: nor does there appear to have been

¹ This word, Curle, on the margin, is in Burghley’s hand.

² The name “*Curle*” is in Burghley’s hand.

³ MS. State-paper Office, Papers of Mary Queen of Scots.

anything in these letters, written by her secretaries, connecting her or them with such a design. The plot related entirely, as is shown by these proofs, to the Spanish invasion of England, and the plans drawn up by Mary for her escape—to which she pleaded guilty.

This defect appears to have struck Burghley, and Phelipps endeavoured to supply it by drawing up for this statesman a second SUMMARY, endorsed by Burghley: "*From Phelipps,*" and dated on the same day as the former, 4th Sept., 1586. This paper appears to me, from its admissions and omissions, to be almost conclusive in establishing the innocence of Mary. It is entitled, "Arguments of Nau and Curle's privity to the whole conspiracy, as well of invasion, as rebellion and murder of the Queen's person;" and is as follows:—

"Their privity to that was written by their mistress touching the two former points both to Mendoza, the L. Paget, Charles Paget, Sir Francis Englefield, and the B. of Glasgow, in the letters of the 27th July, thus marked—F, O, K, D, E, L; which minutes are of their own hands, as themselves confess, *the like trust not unlike to be given for writing those to Babington.*

"The first letter written by that Queen unto Babington, as it seemeth, since his intelligence was renewed, being of the 26th June, is of Curle's hand, (litera B;) and the secret intelligencer Barnaby,¹ is directed by Curle's letter where to find Babington, litera B.

"The second letter, likewise coming from Nau to Babington, touching their assurance of Poley, is of Curle's hand, (litera P;) and it argueth a letter sent in cipher from Babington, which Curle, or the inditer thereof, was to decipher, which was Nau. In the same letter, Curle taketh order that \times shall stand for Babington's name.

"Litera A showeth that there was another letter in cipher sent to Babington by the secret messenger, 27th July, which Babington shall confess to be the bloody letter. The letters to Babington and from Babington, two of them were very long, and all in cipher, fair written, (as Babington will confess;) and therefore it cannot choose but that the Queen's letter was put in cipher by Nau or Curle, and Babington's letter likewise deciphered.

¹ Barnaby is a name for Gilbert Gifford. "Curle's Letter," 19th June; State-paper Office, in which he says, "*f* stands also for Barnaby, or Gilbert Gifford."

“The new alphabet sent to be used in time to come between that Queen and Babington, accompanying the bloody despatch, is of Nau’s hand.

“*The heads of that bloody letter sent to Babington, touching the designment of the Queen’s person, (by this he means the plot to assassinate Elizabeth,) is of Nau’s hand likewise.*

“They cannot any way say it should stand with reason that the Queen did decipher, and put in cipher, her letters herself. For it appeareth that she despatched ordinarily more pacquets every fortnight than it was possible for one body well exercised therein to put in cipher, and decipher those sent ; much less for her, being diseased, a Queen, &c.

“It appeareth all letters were addressed to one of them, Nau or Curle ; for that in the deciphering there is, for the most part, a postscript found to them—excusing sometimes the error or length of the cipher, sometimes of their private occasions, &c.”

Such is this second “Summary.” Now it will be noted that Phelipps argues thus. The letters of Mary to Mendoza, Lord Paget, and others, marked F, O, K, D, E, L, were written from minutes drawn up by Curle and Nau from Mary’s dictation. It is, therefore, to be presumed, that a similar trust would be given them for writing the letters to Babington. Is there not here an express admission by Phelipps, that there was no proof that Mary had given any instructions whatever to her secretaries, which connected her with the alleged letter to Babington, produced on her trial.—He presumes that she may have given instructions for Babington’s letter, because she gave such instructions for the letters to Mendoza, Paget, and the rest.

But there is a still more important fact stated by Phelipps in this second “Summary.” The *heads* of the bloody letter to Babington had, it appears, been found, although the *minutes* of this same letter which Nau affirmed to have been given him by the Queen in her own handwriting, had not been found. And these heads, let it be observed, were in the handwriting of Nau himself, not of Mary.

It is, therefore, evident, that the utmost exertions, and the strictest search on the part of Mary’s enemies, directed by all the skill and vigour of Walsingham, and carried into effect by the unscrupulous artifices and ingenuity of Phelipps, had not been able to find the smallest scrap of evidence under Mary’s hand, which could connect her with the plot against Queen Elizabeth’s life.

Last of all, we have in this "*Summary*," the admission that *all* the letters, (which includes Babington's among the rest,) were addressed *not to Mary, but either to Nau or Curle*—that Mary relied on Nau and Curle to decipher them—and that the Queen's alleged letter to Babington was put in cipher either by Nau or Curle. If, then, (to sum up these proofs,) Babington's alleged letter was not addressed to Mary—if she had nothing to do with deciphering it—if the alleged answer in cipher was not made by her—if there were no minutes in her hand for that answer—if Nau and Curle's declarations do not connect her with the plot against the Queen's life—and if Phelipps, whose evidence, under such a lack of proof, could alone have supplied the deficiency, was not brought forward—it appears difficult to resist the conclusion that Mary was implicated solely in a plot for her escape, that she was entirely ignorant of the project for Elizabeth's assassination, and that she was the victim of forged letters manufactured by her enemies.¹ It would be easy to corroborate this conclusion by some additional arguments, drawn from the successive declarations of Nau, and other letters or papers preserved in the British Museum and State-paper Office ; but enough has been said upon the point, and any reader who wishes to pursue the inquiry, will find ample materials in these two noble repositories of original information. He will there find the lists, notes, and arguments which Lord Burghley drew up previous to the trial of the Scottish Queen ; upon which I cannot enter,—but the whole have been examined and carefully weighed, and the result is a confirmation of the opinion of Mary's innocence.

¹ In the British Museum, Caligula, C. ix. fol. 458, there is a confession of Thomas Harrison, who styles himself Secretary to Sir Francis Walsingham, in which he states that Walsingham, Phelipps, and himself, contrived the conspiracy, and forged the letters, for which Mary suffered death. I have not given this confession, because I know one part of it to be false, and dare not trust the rest.

END OF VOLUME EIGHTH.

EDINBURGH :

Printed by WILLIAM TAIT, Prince's Street.

ERRATA.

Page 324, line 14—for word *read* wind.

Page 327. In Note ¹ dele this last sentence, *The spelling has been modernised.*