ing over miſchief, and multiplying in fancy the triumphs of his wickedneſs, an unexpected turn of affairs preſent­ed himſelf in the light of a criminal, and conducted him to the ſcaffold.

The brother of Mr Hamilton the martyr, to avoid perſecution, had been obliged to go into baniſhment; but, by the interceſſion of his friends, he was permit­ted to return for a ſhort time to his own country, that he might regulate the affairs of his family. He was connected with Sir James Hamilton; and, truſting to the ties of blood, ventured to prolong his ſtay beyond the period allotted to him. This treſpaſs was trivial. Sir James Hamilton, being willing to give a ſignal example oſ ſeverity, and by this means to ingratiate himſelf the more with the prieſthood, took the reſolution to make his own relation the firſt victim of his power. Mr Hamilton, attentive to his perſonal ſecurity, and not unacquainted with the moſt private ma­chinations of this inquiſitor, diſpatched his ſon to the king, who was about to paſs the Forth in a barge, and intreated him to provide for his ſafety, as Sir James Hamilton had conſpired with the horde of Dou­glas to aſſaſſinate him. James V. being at variance with the houſe of Douglas, had reaſons of ſuſpſicion, and was diſpoſed to believe every thing that is moſt flagitious of Sir James Hamilton. He inſtructed the young gentleman to go with expedition to Edinburgh, and to open the matter to the privy-council; and that he might be treated with the greater reſpect, he furniſhed him with the ring which he was accuſtomed to ſend to them upon thoſe important occaſions which re­quired their addreſs and activity. Sir James Hamil­ton was apprehended and impriſoned. An accuſation of having deviſed and attempted the king’s death at different times, was preferred againſt him. His de­fence appeared to be weak and unſatisſactory. A jury, which conſiſted of men of rank and character, pro­nounced him guilty; and, being condemned to ſuffer the death of a traitor, he loſt his head, and the quar­ters of his body were expoſed upon the gates of the city of Edinburgh. The clergy, who could not pre­vent his trial and execution, regretted his death, but did not think of appointing a ſucceſſor to him in their court of inquiſition.

In other reſpects, however, James ſhowed great con­cern for the welfare of his people. Being diſſatisfied with the ordinary adminiſtration of juſtice, he had recourſe to the parliament of Paris for a model of the like inſtitution in Scotland. Great objections lay to juries in civil matters, and to ambulatory courts of ju­ſtice. The authority of the heritable juriſdictions was almoſt excluſive of all law; for though the king might preſide in them, yet he ſeldom did; and appeals before the council were diſagreeable and expenſive. The in­ſtitution of the lords of articles threw too much weight into their ſcale, as no buſineſs could be tranſacted in parliament but what they allowed of and prepared; and it was always in the power of the crown to direct them as the king pleaſed. The true ſource of the pub­lic grievances, in matters of property, lay in the diſregard ſhown to the excellent acts which had paſſed du­ring the reigns of the three firſt James’s, and which had not been ſufficiently ſupported in the late reigns. The evil had gathered ſtrength during the minority of James V.; and he relolved to eſtabliſh a Handing jury

for all matters of law and equity (for, properly speaking, the court of ſeſſion in Scotland is no other), with a preſident, who was to be the mouth of the aſſembly. On the 13th of May, this year, as we find by a curious manuſeript in the Britiſh muſeum, the lords of the ar­ticles laid before the parliament the propoſition for inſtituting this court, in the following words: “Item, anent (concerning) the ſecond artickel concerning the order of juſtice; becauſe our ſovereign lord is maiſt deſirous to have an permanent order of juſtice for the univerſal of all his liege; and therefore tends to inſtitute an college of cunning and wile men for doing and ad­miniſtration of juſtice in all civil actions: and there­fore thinke to be choſen certain perlons maiſt conve­nient and qualified yair (there), to the number of fif­teen. perſons, half ſpiritual, half temporal, with an pre­ſident.”

In the year 1533, hoſtilities were recommenced with England; but after ſome flight incursions on both sides, a trupe again took place. The molt remarkable tranſactions of theſe years, however, next to the religious perſecutions already mentioned, were the negociations for the king’s marriage. Indeed, there is ſcarce any monarch mentioned in hiſtory who ſeems to have had a greater variety of choices, or who was more difficult to be pleaſed. The ſituation of affairs on the continent of Europe, had rendered Scotland a kingdom of great conſequenee, as holding the balance between France, England, and the emperor of Germany; and each of the rival powers endeavoured to gain the favour of James, by giving him a wife.— In 1534, king Francis offered him his daughter; and the match was ſtrongly recommended by the duke of Albany, who was ſtill li­ving in France, and ſerved James with great fidelity. The ſame year the Imperial ambaffador arrived in Scot­land, and preſented, in the name of his maſter, the or­der of the golden fleece to James, who had already been inveſted with that of St Michael by Francis. At the ſame time, he offered him his choice of three princeſſes; Mary of Auſtria, the emperor’s ſiſter, and widow of Lewis king of Hungary; Mary of Portugal, the daughter of his ſiſter Eleonora of Auſtria; or Mary of England, the daughter of Catharine and Henry. An­other condition, however, was annexed to this propoſal, viz. that, to ſuppreſs the hereſies of the time, a council ſhould be held for obviating the calamities which threatened the Chriſtian religion. Thoſe propoſals would have met with a mote ready acceptance from James, had not his clergy, at this time, been diſguſted with Charles, for allowing too great a latitude to the Proteſtants of Germany. James, in his anſwer, returned the emperor his acknowledgments in the moſt polite terms, for the ſplendid alliances he had offered him. He touched the propoſal of the council as being a meaſure rather to be wiſhed for than hoped, becauſe it ought to be free and holy, and upon the model of the firſt councils ; its members conſiſting of the moſt charitable, quiet, and diſintereſted part of the clergy. He ſaid, that if ſuch a council could be obtained, he would willingly ſend ecclcfiaſtics to it; but if not, that every prince ought to reform the errors of doctrine, and the faults of the clergy, within his own dominions. He bewailed the obſtinate conduct of his uncle in his divorce and marriage; and offered his beſt offices for effecting a reconciliation between him and the emperor,