directed. It appears, however, that only the letters di­rected to Babington were ſent to him; and the anſwers which he made to the queen’s ſuppoſed letters were carried directly to Walſingham. A foundation for criminating Mary being thus laid, the conſpirators were quickly diſcovered, as being already known, and differ­ed the death of traitors. The unhappy princeſs, eager­ly watched by Paulet, and unacquainted with the late occurrences, received a viſit from Sir Thomas Gorges. This envoy, as inſtructed by Elizabeth, ſurpriſed her when ſhe had mounted her horſe to take the pleaſure of the chace. His ſalutation was abrupt and uncere­monious; and after informing her of the diſcovery and circumſtances of the conſpiracy of Babington, he rude­ly charged her with a concern in it. Her aſtoniſhment was great, and ſhe deſired to return to her chamber: but this favour was refuſed to her; and after being car­ried from one houſe to another, in an anxious and per­plexing uncertainty, ſhe was committed to Fotheringay caſtle in Northamptonſhire. Naw and Curl, her two ſecretaries, the former a Frenchman, the latter a native of Scotland, were taken into cuſtody. Paulet break­ing open the doors of her private eloſet, poſſeſſed himſelf of her money, which amounted not to more than 7000 crowns. Fier cabinets were carefully ſealed up; and being ſent to London, were examined in the preſence of Elizabeth. They contained many diſpatches from perſons beyond the ſea, copies of letters wſhich had been dictated by her, and about 60 tables of ciphers and characters. There were alſo diſcovered in them many diſpatches to her from Engliſh noblemen, which were full of admiration and reſpect. Theſe Elizabeth concealed; but their authors ſuſpecting that they were knowm, ſought to purchaſe her forgiveneſs by the moſt abject proteſtations of an attachment to her perſon, and by the exerciſe of the moſt inveterate enmity to the queen of Scots. Naw and Curl decla­red, that the copies of her letters were in their hand­writing. They had been dictated by her in the French language to Naw, tranſlated into Engliſh by Curl, and then put into cipher. They contained not, however, any matters with which ſhe could be reproached or cri­minated. It was upon the foundation of the letters which Gifford had communicated to Walſingham that her guilt was to be inferred; and with copies of theſe, and with an atteſted account of the conſpiracy of Babington and his aſſociates, Sir Edward Wotton was now diſpatched into France to accuſe her to Henry III. and to explain to him the dangers to which Elizabeth was expoſed from the machinations and practices of the Engliſh exiles.

The privy counſellors of Elizabeth deliberated upon the moſt proper method of proceeding againſt Mary. To ſome it appeared, that as ſhe was only acceſſory to the plot, and not the deſigner of it, the moſt eligible ſeverity to be exerciſed againſt her was a cloſer and more rigorous confinement; and they endeavoured to fortify this opinion, by obſerving, that ſhe was ſickly, and could not live long. By others who were haunted by the terrors of Popery, it was urged, that ſhe ought to be put inſtantly to death by the formalities of the law. The earl of Leiceſter recommended it as moſt prudent to diſpatch her ſecretly by poiſon. But this counſel was rejected as mean, diſgraceful, and violent. The lawyers were of opinion, that ſhe might be tried upon

the ſtatute of Edward III.; by which it was enacted to be treaſon to imagine the deſtruction of the ſovereign, to make war againſt his kingdom, or to adhere to his enemies. Elizabeth, however, and her miniſters had provided a more plauſible foundation for her trial. This was a parliamentary ſtatute approving the act of aſſociation. As it had been paſſed while Mary was in England, it was argued, that ſhe was bound by it in a local allegiance to Elizabeth. The next point of de­bate was the deſignation under which it was moſt adviſable to arraign her. To employ a foreign name and title as directly deſcriptive of her, was not judged to be conſiſtent with the law of England. It was therefore reſolved to deſign her “Mary, daughter and heir of James V. king of Scotland, and commonly called queen of Scots, and dowager of France.”

This reſolution being once taken, Elizabeth next ap­pointed above 40 peers or privy-counſellors, and five judges, bellowing upon them in a body, or upon the greater part of them, abſolute power and authority to inquire into the matters compaſſed and imagined againſt her by the Scottiſh princeſs, and to paſs ſentence ac­cording to the ſpirit and tenor of the act which had been paſſed. Of theſe commiſſioners a great majority proceeded to the caſtle of Fotheringay; and the day after their arrival, they deputed to Mary, Sir Walter Mildmay, Sir Amias Paulet, and Edward Barker a public notary, to deliver to her a letter from Elizabeth. In this letter the Engliſh queen gratified her unhappy paſſions, and after reproaching Mary with her crimes, informed her that commiſſioners were appointed to take cognizance of them. The Scottiſh princeſs, though ailoniſhed with the project of being brought to a pub­lic trial, was able to preſerve her dignity, and addreſſed them with a compoſed manner and air. “It is a mat­ter (ſaid ſhe) altogether uncommon and ſtrange, that Elizabeth ſhould command me to ſubmit to a trial, as if I were her ſubject. I am an independent ſovereign; and will not tarniſh by any meanneſs my high birth, the princes my predeceſſors, and my ſon. Misfortunes and miſery have not yet ſo involved me in dejection, as that I am to faint and ſink under this new calamity and inſult. I deſire that you will remember what I formerly proteſted to Bromley, who is now lord-chancellor, and to the lord La War. To ſpeak to me of commiſſioners, is a vain mockery of my rank. Kings alone can be my peers. The laws of England are unknown to me; and I have no counſellors to whoſe wiſdom I can apply for inſtruction. My papers and commentaries have been taken from me; and no perſon can have the perilous courage to appear as my advocate. I have indeed re­commended myſelf and my condition to foreign princes; but I am clear of the guilt of having conſpired the de­ſtruction of Ehzabeth, or of having incited any perſon whatſoever to deſtroy her. It is only by my own words and writings that an imputation of this kind can be ſupported; and I am conſcious beyond the poſſibility of a doubt, that theſe evidences cannot be employed againſt me.” The day after ſhe had in. this manner re­fuſed to allow the juriſdiction of the commiſſioners, Paulet and Barker returned to her, and informed her that they had put her ſpeech into writing, and deſired to know if ſhe would abide by it. She heard it read diſtinctly, acknowledged it to be rightly taken, and avowed her readineſs to perſiſt in the ſentiments ſhe had