delivered. But ſhe added, there was a circumſtance to which ſhe had omitted to ſpeak. “Your queen (ſaid ſhe) affects in her letter to obſerve, that I am ſubject to the laws of England, becauſe I have lived under their protection. This ſentiment and mode of thinking are very ſurpriſing to me. I came into England to crave her aſſiſtance and aid; and, ever ſince, I have been con­fined to a priſon. The miſeries of captivity cannot be called a protection, and the treatment I have ſuffered is a violation of all law.”

This afflicted but undaunted princeſs, after having thus ſcorned the competency and repelled the pretexts of the commiſſioners, was induced at laſt, by arguments under the inſidious maſk of candour and friendſhip, to depart from the proper and dignified ground which ſhe had taken, and conſent to that mode of the trial which had been propoſed. It was repreſented to her by Hatton the vice-chamberlain, that by rejecting a trial, ſhe injured her own reputation and intereſts, and deprived herſelf of the only opportunity of ſetting her innocence in a clear light to the preſent and to fu­ture times. Impoſed upon by this artifice, ſhe conſented to make her appearance before the judges; at the ſame time, however, ſhe ſtill proteſted againſt the juriſdiction of the court, and the validity of all their proceedings.

After various formalities, the lord-chancellor opened the cafe; and was followed by Serjeant Gawdry, who proceeded to explain the above ſtatute, and endeavour­ed to demonſtrate that ſhe had offended againſt it. He then entered into a detail of Babington’s conſpiracy; and concluded with affirming, “That Mary knew it, had approved it, had promiſed her aſſiſtance, and had pointed out the means to effect it.” Proofs of this charge were exhibited againſt her, and diſplayed with great art. The letters were read which Sir Francis Walſingham had forged, in concert with Gifford, &c. and her ſecretaries Naw and Curl. The three ſpies had afforded all the neceſſary intelligence about the conſpi­racy, upon which to frame a correſpondence between Mary and Babington, and upon which diſpatches might be fabricated in her name to her foreign friends; and the ciphers were furniſhed by her two ſecretaries. @@But beſide theſe pretended letters, another ſpecies of evidence was held out againſt her. Babington, proud of the diſpatch lent to him in her name by Walſingham and Gif­ford, returned an anſwer to it; and a reply from her by the ſame agency was tranſmitted to him. Deluded, and in toils, he communicated theſe marks of her atten­tion to Savage and Ballard, the moſt confidential of his aſſociates. His confeſſion and theirs became thus of im­portance. Nor were her letters and the confeſſions of theſe conſpirators deemed ſufficient vouchers of her guilt. Her two ſecretaries, therefore, who had lately ſiorſaken her, were engaged to ſubſcribe a declaration, that the diſpatches in her name were written by them at her command, and according to her inſtructions. Theſe branches of evidence, put together with ſkill, and heightened with all the impoſing colours of eloquence, were preſſed upon Mary. Though ſhe had been long accuſtomed to the perfidious inhumanity of her enemies, her amazement was infinite. She loſt not, however, her coinage; and her defence was alike expreſſive of her penetration and magnanimity.

“The accuſation preferred to my prejudice is a moſt deteſtable calumny. I was not engaged with Babing­ton in his conſpiracy; and I am altogether-innocent of having plotted the death of Elizabeth. @@@The copies of Babington’s letters which have been produced, may in­deed be taken from originals which are genuine; but it is impoſſible to prove that I ever received them. Nor did he receive from me the diſpatches addreſſed to him in my name. His confeſſion, and thoſe of his aſſociates, which have been urged to eſtabliſh the authority of my letters to him, are imperfect and vain. If theſe conſpirators could have teſtified any circumſtances to my hurt, they would not ſo ſoon have been deprived of their lives. Tortures, or the fear of the rack, extorted improper confeſſions from them; and then they were executed. Their mouths were opened to utter falſe criminations; and were immediately ſhut for ever, that the truth might be buried in their graves. It was no difficult matter to obtain ciphers which I had employed; and my adverſaries are known to be ſuperior to ſcruples. I am informed, that Sir Francis Walſingham has been earneſt to recommend himſelf to his ſovereign by practices both againſt my life and that of my ſon; and the fabrication of papers, by which to effectuate my ruin, is a buſineſs not unworthy of his ambition. An evidence, the moſt clear and inconteſtable, is neceſſary to overthrow my integrity; but proofs, the moſt feeble and ſuſpicious, are held out againſt me. Let one letter be exhibited, written in my hand, or that bears my ſuperſcription, and I will inſtantly acknowledge that the charge againſt me is ſufficiently ſupported. The declaration of my ſecre­taries is the effect of rewards or of terror. They are ſtrangers; and to overcome their virtue was an ealy atchievement to a queen whoſe power is abſolute, whoſe riches are immenſe, and whoſe miniſters are profound and daring in intrigues and treachery. I have often had occaſion to iuſpect the integrity of Naw; and Curl, whoſe capacity is more limited, was always moſt obſequious to him. They may have written many letters in my name without my knowledge, or participation; and it is not fit that I ſhould bear the blame of their inconſiderate boldneſs. They may have put many things into diſpatches which are prejudicial to Elizabeth; and they may even have ſubſcribed their declaration to my pre­judice, under the prepoſſeſſion that the guilt which would utterly overwhelm them might be pardoned in me. I have never dictated any letter to them which can be made to correſpond with their teſtimony. And what, let me aſk, would become of the grandeur, the virtue, and the ſafety of princes, if they depended upon the writings and declarations of ſecretaries? Nor let it be forgotten, that by acting in hoſtility to the duty and allegiance which they ſolemnly ſwore to obſerve to me, they have utterly incapacitated themſelves from ob­taining any credit. The violation of their oath of fi­delity is an open perjury; and of ſuch men the proteſtations are nothing. But, if they are yet in life, let them be brought before me. The matters they declare are ſo important as to require that they ſhould be ex­amined in my preſence. It argues not the fairneſs of the proceedings againſt me, that this formality is ne­glected. I am alſo without the aſſiſtance of an advocate; and, that I might be defenceleſs and weak in the greateſt degree, I have been robbed of my papers and com-

@@@ [mu] Stuart's History.

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