The skull and portraits of Henry Stewart, Lord Darnley, and their bearing on the tragedy of Mary, Queen of Scots / by Karl Pearson, F.R.S.; with frontispiece, forty-five plates, four figures in the text and six tissues of cranial contours.

THE SKULL AND PORTRAITS
OF
HENRY STEWART, LORD DARNLEY
AND THEIR BEARING ON THE TRAGEDY OF MARY, QUEEN OF SCOTS

BY
KARL PEARSON, F.R.S.

WITH FRONTISPIECE, FORTY-FIVE PLATES, FOUR FIGURES IN THE TEXT AND SIX TISSUES OF CRANIAL CONTOURS

Issued by the Biometric Laboratory, University College, London,
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[From BIOMETRIKA, Volume XX B.]

W.H.M.M.
2/5/32

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Henry Stewart, Lord Darnley, from the Picture at Hardwicke Hall.
By kind permission of His Grace the Duke of Devonshire.

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THE SKULL AND PORTRAITS OF HENRY STEWART, LORD DARNLEY, AND THEIR BEARING ON THE TRAGEDY OF MARY, QUEEN OF SCOTS.

By KARL PEARSON.

In memory of Walter W. Seton,
Formerly Lecturer on Scottish History, University College, London.

For never were more stories artfully contrived and invented to impose upon the World than in this Matter, nor was ever greater Liberty taken boldly to assert and publish many things for Truths without producing Voucher or Proofs or the least Regard to Candor and Sincerity.
Anderson's *Collections*, Vol. I. p. iii.

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(1) *Introductory.*

It may seem to the reader that nothing further can be contributed to that great historical tragedy, which, if hitherto it has lacked its Aeschylus, has still been the theme of innumerable historians, good, bad, and indifferent. Yet the chance discovery of a single document in the muniment room of a Scottish family of birth might even yet revolutionise our whole conceptions of one or all of the *dramatis personae*: the Queen of "stowte courage and lyberalle harte*," her husband that "gentil hutaudeau†," the slim Moray "luiking throw his fingeris thairto‡," the born conspirator Morton with his henchman-assassin Archibald Douglas,

* Characterisation of Lord Scrope and Sir Francis Knollys in their letter to Queen Elizabeth after their first interview with Mary on her arrival in England. H. Ellis: *Original Letters illustrative of English History*, Vol. II. p. 240. London, 1825.

† Characterisation of the Cardinal of Lorraine. Teulet, *Relations*, Vol. II. p. 199.

‡ Maitland's characterisation in Huntley and Argyll's *Protestatioun*; Goodall's *Examination*; Vol. II. p. 320.

"the pockie priest*," James Hamilton, Archbishop of St Andrews, the fanatic Knox "with ecclesiastical assertiveness almost boundless in character†," the over subtle Maitland of Lethington, "the chameleon of politics‡," who could have blackmailed every Scottish factional leader, but must refrain for fear of incriminating himself, the senile Duke of Châtelherault flitting across the scene and typical of nothing but the mental deficiency which then cursed the Hamiltonian stock§, George Buchanan, who might have been the Erasmus of Scotland, but was content to exchange scholarship for well-paid scurrility, and as historian to dance to whatever tune his master for the time might play, and James Hepburn, Earl of Bothwell, seeking like all the others his own advancement, be it by fair or foul means, but scarcely troubling to screen his actions as they did theirs, marching to his ends by force rather than by guile and quite incapable of reducing the removal of foes to a fine art. Behind them, treating them all as pawns in the game of international politics, lurk in the wings the a-moral Catherine de' Medici, the wavering Philip of Spain, and Elizabeth of England alternating between fits of Tudor ruthlessness and of Howard vacillation‖, which were the causes of the infinite worry and the infinite success of the feline Cecil and his policy.

Assassins *de facto* or *de animo* one and all. If poison or the hired dagger were not feasible, then the forged document, the *agent provocateur*, the trial for treason which admitted no counsel who knew the legal mazes, these were the instruments of destruction. Politics was a game of one against all, in which men only united till they had dispatched a common rival, and wherein a man's word or bond was only good as long as it appeared immediately advantageous to that man. There was no moral code such as we understand it today; it is indeed difficult to grasp any standard of morality at all in the political life of the sixteenth century, only factional chiefs with their respective gangs of kinsmen and henchmen, assassins, forgers and mud-scattering propagandists in place of the venal press of later years. Behind the notables a commonalty ignorant and subjected, but gradually rising to the conception that the real prizes of this game of politics were after all the enjoyment of the lion's share of their own handicraft and the produce of the soil they tilled. For a time the pulpit could guide the strength of ignorant popular passion in the direction the

* *Workes of.....Prince James.* Edited by Montague, 1616, p. 301.

† Characterisation of T. F. Henderson in his *Mary Queen of Scots*, Vol. I. p. 135. London, 1905. The Apostles', but not Knox's own statements, might fail to proceed from the Holy Ghost. Knox, *Works*, Edinburgh, 1864, Vol. I. p. 248.

‡ So characterised by George Buchanan in his *Chamaeleon*. See the *Opera Omnia*. Ed. Ruddiman, 1715, Vol. I. Last paper, printed from a MS. in the Cotton Library.

§ James, Earl of Arran, the eldest son, went off his head, and Drury in a letter to Cecil (April 15, 1567) writes: "The Lord David, son to the Duke, is mad and Arbroath [John, the Commendator], his brother, hath already had a show of the same disease."

‖ Typical examples are her treatment of the executions of Norfolk and Mary, Queen of Scots. For example, in the former case she signed and then revoked the warrant four times in the course of a single month. (Thomas Carte: *A General History of England*, Vol. III. pp. 525—6. London, 1752.) As Elizabeth herself said: "Methinkes that I am more beholdinge to the hindar part of my hed than wel dare trust the forwards side of the same." (Holograph letter to Cecil countermanding Norfolk's execution for the fourth time. H. Ellis: *Original Letters*, Vol. II. p. 263.)

politician needed*, but ultimately that passion rose against both the theological and the political systems, and in destroying the Stewart dynasty struck the offending head, if not the vital members of the body of factional politics. The rule by noble factions was to last two centuries longer, but had the Stewarts been other than they were—with more of Tudor and less of Stewart and Hamilton blood—they might have had insight enough to side with the people and reduce by beheading the numbers of the factional politicians. Elizabeth could have done it,—her finger, as Green† expresses it, was always on the popular pulse; it was impossible for a descendant of Darnley who combined imbecility with his tyrannous spirit‡.

It seems necessary here to visualise something of the times in which Darnley's murder occurred, and the reader may ask for some justification of the judgment we have given, but it can only be given in brief, if indisputable outline. That Catherine de' Medici was an assassin in both fact and spirit is demonstrable: the murder of Coligny and the massacre of St Bartholomew were her method of balancing factions§. Walsingham and Cecil, through their *agent provocateur* Dr Gilbert Gifford and their *agent forgeur* Thomas Phillips, staged the Babington conspiracy with the direct aim of bringing Mary Queen of Scots to the scaffold. But their devious methods were not wholly pleasing to Elizabeth; she accordingly directed her secretaries—Walsingham and Davison—to write a letter to Sir Amias Paulet saying that the Queen took as most unkindly that men professing to love her should cast the burden on her of shedding Mary's blood‖. There can be no doubt that the letter was a direct incentive to Paulet to assassinate Mary in one way or another and save Elizabeth from the "judicial" murder. Paulet refused definitely to be concerned in the business, and regretted that he was ordered by his sovereign "to do an act which God and the law forbade." He would "never make so foul a shipwreck of his conscience, or

* The pulpit, it is needless to say, was a powerful instrument in the hands of Moray and Morton. Cecil used it with equal advantage, especially in his handling of the Duke of Norfolk and Mary, Queen of Scots' affairs. See Thomas Wright: *Queen Elizabeth and her Times*, Vol. II. p. 438. London, 1838.

† *Short History*, Edn. 1894, p. 375.

‡ No worse combination could well be imagined than that of Tudor and Lenox blood. Mathew, Earl of Lenox, Darnley's father, was feeble in all his doings, and had nothing of the subtlety requisite for the successful politician of those days. Margaret Douglas had a certain amount of Tudor strength, but what she handed to her elder son was uncontrolled by any native wit.

§ The Admiral himself was certainly *de animo*, if not *de facto*, an assassin, for on the assassination of the Duke of Guise he wrote to Catherine and, after vigorously protesting his own innocence, continued: "Cependant ne pensez pas ce que j'en dis soit pour regret que j'aie à la mort de M. de Guise; car j'estime que ce soit le plus grand bien qui pouvait advenir à ce royaume et à l'église de Dieu, et particulièrement à moi et à toute ma maison." (Lacrotelle: *Histoire de France pendant les Guerres de Religion*, Vol. II. p. 134.)

‖ Details of the whole matter will be found in Sir N. Harris Nicolas: *Life of William Davison, Secretary to Queen Elizabeth*. London, 1823. See pp. 86, 273—6. For Elizabeth, Paulet's want of readiness in disposing of Mary showed "a lack of that care and zeal of her service that she looked for at your hands, in that you have not in all this time, of yourselves, without other provocation, found out some way to shorten the life of that queen, considering the great peril she is subject unto hourly so long as the said queen shall live." (Letter of Walsingham and Davison.) Wotton, undoubtedly working with Elizabeth's approval, contrived a plot for the assassination of James Stewart, Earl of Arran, in 1585, and some of Randolph's schemes—as that for the transfer of Lenox and Darnley back to England, alive or dead—were of a like murderous character.

leave so great a blot on his posterity as to shed blood without law or warrant." Elizabeth expressed to Davison her dislike for such "dainty and precise fellows," and stated that she knew of one Wingfield, who was willing to do what she had required of Paulet*. To Cecil and Walsingham the treason trial seemed the better process. But even here they could not produce Mary's own letters, and would not confront her with her secretaries who were alleged to have confessed against her. Her demands that the notes of her letters in her own handwriting should be produced —they were in the hands of Walsingham—were disregarded. Afterwards when she had been condemned—not being present—the notes were said in the Star Chamber to have been burnt at her command. Those who have studied the State Trials of those days, whether in Scotland or England, know that a state trial for treason was only a process of judicial murder or of official cleansing; witness the trials of Norfolk or Throgmorton, and the "clenging" of Bothwell or Archibald Douglas. They prove nothing as to the real guilt or innocence of anybody. The only fear of those who used them was that by some mischance, such as a want of complete organisation, they should miscarry, and when the accused was in the secret he generally held a means of escape, in case any of the packed court should after all turn on him†.

There is evidence to show that the plot to assassinate Rizzio was known to Bedford and Randolph some time beforehand and that they considered it unnecessary to warn the Queen of Scots. They wrote to Elizabeth (Berwick, March 6, 1566; the murder was on March 9) that "a matter of no small consequence is intended in Scotland," and "We hope by this means my Lord of Moray shall be brought home without your Majesty's further suit or means to the Queen his sovereign, and thereupon we have thought it good to stay the sending of your Majesty's letters in his behalf‡." In other words, Queen Elizabeth's agents knew of the Darnley-Moray-Morton band, that Rizzio was to be murdered, Moray brought back from exile, and the crown matrimonial given to Darnley. In short it is perfectly idle to attempt to clear the monarchs of those days from the charge of adopting either judicial murder or assassination as a foremost weapon of statecraft. In particular, Henry VIII§, Elizabeth's father, was peculiarly adept at it, and from the days of Robert the Bruce it had played a continuous part in Scottish history. The Tudors used this weapon

* Elizabeth also appears to have given her consent to the projected assassination of Esmé Stewart, Earl of Lenox. Hosach, II. pp. 216—217.

† Thus Bothwell said to Ormiston, who stood by him at his trial: "I have one outgait from it, come what may, and that you shall know belyve." *State Trials*, Vol. I. p. 944. Archibald Douglas had in his pocket, and produced at his trial, an order from King James VI to his judges to stop the trial!

‡ *State Papers, Scotland*, March 6, 1566, Vol. II. p. 259.

§ Henry, it is well known, was mixed up in the succession of plots which culminated in the assassination of Cardinal Beaton in 1546. It is, perhaps, unnecessary to remind the reader that the plans of Henry for the assassination of Beaton started before the Cardinal burnt George Wishart on a charge of heresy. Whether it was George Wishart or another member of the Pittarrow family, Sir John Wishart, who planned, in association with Henry VIII the assassination of Beaton, seems obscure. Tytler and Burton identify Henry's Wishart with George, who undoubtedly had been in England and formed English connections. Dr Mackay supposes him to have been Sir John. There is no direct evidence, however, that Sir John was ever in England or that he took any active part in public affairs till 1567.

not only for statecraft, but for satisfying their inordinate appetites. It is not the place to follow Henry VIII into his matrimonial adventures, but one instance does concern us. Failing to get a divorce from Katherine of Arragon from Catholic authorities, he married Anne Boleyn before he was divorced from Katherine; that marriage was therefore illegal by any known code of law; then creating himself Head of the Church in England, he got a *post facto* divorce and legalisation of his marriage from his subservient clerics, having executed judicially Fisher and More to clear the way. There is no wonder that the Catholic world, including François II and Mary of Scots, looked upon Elizabeth as a bastard and Mary Stewart as the rightful heir to the English throne after Mary Tudor. It is not at all certain that Henry himself was not doubtful on the point*. His judicial murder of Anne Boleyn on multiple charges is very clear to any who have studied what is known of Anne's last days†.

* Not only was her mother married before the divorce of Katherine, but Elizabeth was conceived before the "marriage" of Anne. The secret marriage, which was really no marriage, took place "much about St Paul's day" (Jan. 25). Cranmer's divorce was not concluded till the day following Ascension Day, towards the end of May, and Elizabeth was born on September 7, all in the year 1533. Cranmer himself terms it the "matter of devorse betwene my Lady Kateren and the Kyngs Grace." If we admit any legality in Cranmer's judgment that it did not lie in the Pope's power to license Henry and Katherine's marriage, then that marriage was *ab initio* null and void, and Queen Mary Tudor a bastard. If that marriage was legal for its duration, notwithstanding Cranmer's judgment, then the marriage with Anne Boleyn was, being before the divorce, null and void, and Elizabeth a bastard. See Cranmer's letter to Hawkyns. H. Ellis: *Original Letters*, II. p. 3. The Act (28 Henry VIII. 7) distinctly declares that *both* the marriages with Katherine of Arragon and Anne Boleyn were invalid, and that both Mary and Elizabeth were to be considered illegitimate; that the lawful heirs to the throne should be the King's children by Queen Jane, or failing issue by her, such person as Henry might limit the crown to in his last will and testament. Also the penalty of High Treason was to be incurred by any who believed the marriage of his Highness with Lady Katherine or the Lady Anne to be good, or did call the Lady Mary or the Lady Elizabeth legitimate, or used words or actions tending to this purpose. When Henry married Katherine Parr, another Act was passed (35 Henry VIII, January) which proceeded to repeal the above Act! This Act says that if Henry and Edward leave no heirs, that the Lady Mary and the Lady Elizabeth, and the heirs of their bodies lawfully begotten, shall come to the crown. Except that in the case of the Lady Mary, she is to have the crown subject to such conditions as Henry shall declare by his Letters Patent or by his last will. If she does not consent, the crown is to go to Elizabeth as if Mary were dead without heirs. The clause of 28 Henry VIII concerning the declaration in Henry's last will and testament as to who is to have the throne failing all the above persons is maintained. It is hard to conceive how, if Mary were legitimate, it was possible for Elizabeth to be so, or, on the other hand, if Elizabeth were legitimate, how Mary could possibly be. Probably any impartial matrimonial court would have declared Elizabeth illegitimate, and Mary Stewart, for good or evil, Queen of England on Mary Tudor's death! Have any wills of Henry VIII ever been found or published?

† See Anne Boleyn's Letter to Henry VIII from the Tower, and more especially the fragments of Kingston's Letters to Cromwell. (H. Ellis: *loc. cit.* II. pp. 52—65.) Also Bishop Burnet's account of Anne's execution (*History of the Reformation*, Vol. I. p. 205). It is true that Gardiner considers the letter to Henry a forgery. It was, I think, first published in Edward, Lord Herbert of Cherbury's *Life and Reign of Henry VIII*, 1649. (I have used the edition of 1672; see pp. 446—7.) The letter, dated May 6, 1536, appears to me more natural and less like a forgery than the speech she is said to have made from the scaffold, May 19, wherein she does *not* mention her innocence, but leaves the world "to judge the best." It may be said that Herbert, writing a hundred years after the execution, may easily have been deceived. But he worked largely from records, and had before him the full letters of Sir William Kingston, Constable of the Tower, to Cromwell, of which we have only the burnt fragments. Lord Herbert writes: "By other originals also of Kingston's, it appears that he had made some difficulty to carry a Letter from her to Mr Secretary, and that she wished her Bishops were there: For they (she said) would go to the King for her." She little grasped that when a judicial murder was

Like Moray and his henchman Buchanan in the case of Mary Stewart, Henry put himself outside any court of historical inquiry by the extent and blackness of his accusations against his wife.

The student of those times often overlooks the character of Mary Stewart's grandmother, Margaret Tudor*, a worthy sister of Henry VIII. The intervening link, James V, had a full share of the animal appetites of his mother and uncle, and it is needless to remark that Henry Stewart, Lord Darnley, added this marked feature of the Tudors to a corresponding factor in the Stewarts†. While Henry VIII was forced towards protestantism by his philoprogenitiveness, if not indeed by his philogyny, James V laid the seed of disruption of the Catholic Church in Scotland by conferring ecclesiastical appointments and their attached benefices on his

in those days royally settled on, no loophole, moral or legal, was left for escape. Of the letter itself Herbert writes: "After which another Letter in her name, but no Original coming to my hand, from more than one good part, I thought fit to transcribe here, without other Credit yet then it is said to be found amongst the Papers of Cromwell, then Secretary, and for the rest seems antient and consonant to the matter in question" (p. 446). That is where, I think, most readers will place it, "consonant to the matter in question." Anne protested her innocence up to and on the very day of her execution (May 19), sending for Kingston to tell him this again, which he reports in a letter to Cromwell. From the Records, Herbert cites a letter of the Earl of Northumberland to Cromwell (May 13), repudiating any contract or promise of marriage between Anne Boleyn and himself. Of course the fact that Henry was married to Anne before divorce from Katherine of Arragon might be held to make the marriage invalid, but the Act (28 Henry VIII. 7) does not take this ground, nor even that of Anne's adulterous conduct, given as the reason for her execution; it simply says the marriage was invalid on account of "impediments which were till late unknown."

* Margaret Tudor, on the death of James IV at Flodden (1513), married in the following year Archibald Douglas, Earl of Angus. She was compelled thereon to give up the regency to John Stewart, Duke of Albany. She played Albany against Angus, and was accused of over tenderness to the former. She got a divorce from Angus, on the ground that her marriage with him was null and void, because he had a "pre-contract" with Lady Traquaire, with whom he continued to cohabit. According to Alexander Pryngell, this decree rendered Margaret Douglas, later Lady Lenox, a bastard, and therefore we should be forced to admit Henry Stewart, Lord Darnley, had no legitimate claim to the English throne. (See Samuel Haynes: *A Collection of State Papers.....left by Lord Burghley*. London, 1740, pp. 381—2: "My Lady Levenox was openlie taken and reputed a Bastarde in Scotland.") Margaret Tudor then married Henry Stewart, Baron Methven, Albany's kinsman, in 1527, and in 1536 sought, but failed, to obtain a divorce from him. Her well-known portrait shows a face of much beauty combined with marked sensuality.

† James I used judicial murder to get rid of the stock of Albany, and treachery to quiet the Highlands, but was the only Stewart who remained faithful to his wife. James II was not above assassinating the Earl of Douglas with his own hand—after giving him a safe-conduct under the Privy Seal and feeding him royally. James III in 1479 got rid of his brother Mar by foul play; like other Stewarts, he made favourites of men of low degree, and the nobles joining with his son, afterwards James IV, and defeating him in battle, he was murdered by one of Lord Gray's henchmen. James IV later did penance for the death of his father, thus recognising his own part in it. His mistresses were numerous even for a Stewart, and covered a wide range of classes; his frequent acts of piety indicate an inconstant nature, ever fluctuating between sinfulness and penitence. "The morality of James's court was as low as that of the Tudor kings and its coarseness was less veiled" (Dr Mackay). He accelerated the downfall of the Church in Scotland by appointing his illegitimate sons, while still children, to bishopric and archbishopric. James V, Stewart and Tudor, was no less eager than his father for "Venus' chamber," no less ready to promote his bastards to church benefices, and to raise his favourites to power over the old faction-leading nobles. Thus James IV and James V largely created the causes which produced the Reformation and destroyed the life—through heredity and environment—of their offspring Mary, Queen of Scots.

favourites, notably on his illegitimate offspring*. The distribution of ecclesiastical lands and revenues among the "protestant" lords, taken in conjunction with the Scottish law that a sovereign on reaching 25 years of age—"the perfect age"—could recall any grants made during his or her minority, was a potent factor in the course of action those lords took during Mary's reign†. It is perfectly true that, whatever she may have written for diplomatic purposes to Rome, France, or Spain, Mary gave no sign during her days of power of interfering with the protestant religion as established in Scotland. This may have been, as the protestant historians assert, because she lacked power to do so. But her famous discussion with Knox‡, and her proclamations§ will be judged, by those who have no bias in favour of either

* Chief among these for our immediate purposes were: James Stewart, afterwards Earl of Moray, son of Margaret, daughter of the fourth Lord Erskine, and later wife of Robert Douglas, Mary's gaoler at Lochleven Castle. James Stewart was made Prior of St Andrews; Robert Stewart, son of Eupheme Elphinstone, made Abbot of Holyroodhouse; he afterwards exchanged his abbacy for the bishopric of the Orkneys! We may add Lady Jane Stewart, daughter of Elizabeth Betoun, who became Countess of Argyll; she was present at the seizing of Rizzio, raising the fallen candle, and hers is, or rather was, the fifth coffin in the Royal Vault at Holyrood; Lord John Stewart, Prior of Coldingham, who so far exceeded his clerical duties that he emphasised "the desirability of sticking John Knox in his pulpit." Archibald Douglas, "Parson" of Glasgow, was another case of lay impropriation of a scandalous kind; and we may add Robert Pitcairn, one of the Lords of the Articles and a Commissioner against Queen Mary at York, who was made Abbot of Dunfermline in 1561.

† The fact that the impropriators took the major portion, even of the revenues for the parish ministers, was a frequent source of remonstrance in the General Assembly. See, for example, the Articles of Knox to the General Assembly in August, 1572 (Calderwood's *History*, Vol. III. pp. 170 *et seq.* Woodrow Society, 1843). The method of procedure is well illustrated by the case of the Earl of Morton, one of Mary's accusers. The Regent Lenox, Darnley's father, having "judicially" assassinated the Archbishop of St Andrews, the chief counsellor of his hated rivals, the Hamiltons, gave a crown grant to Morton of the revenues of that see; Morton caused a Douglas to be chosen archbishop and granted him a small pension from the income of the see, retaining the bulk for himself. In this procedure he had the support of the "protestant" lords, who proceeded to make similar bargains. The clergy desired the ecclesiastical revenues of the old Church for the new Kirk, but, as Robertson puts it: "it would have been rash in the clergy to have irritated too much noblemen, on whom the very existence of the protestant church in Scotland depended" (*History*, Edn. 1809, Vol. II. p. 358). Such was the nature of the tacit pact between the "protestant" lords and the preachers: the former would down the Mass if the latter did not claim the spoil. See Calderwood (1843), Vol. II. p. 42 etc.; Spottiswoode, *History of the Church of Scotland*, London, 1666, pp. 175, 260, etc. "How many within Scotland," asked Knox, "that have the name of nobility are not unjust possessors of the patrimony of the Kirk?" (*History*, p. 239). Patrick Adamson put the matter well in his sermon in 1572, when John Douglas was made Archbishop of St Andrews. He said there were three sorts of bishops, namely, "My Lord bishop" of "the time of papistrie," "My lord's bishop now when my lord getteth the benefice, and the bishop serveth for a portion out of the benefice to make my lord's title sure," and "the Lord's bishop" who is the true Minister of the Gospel (Calderwood).

‡ She showed herself Knox's superior not only in temper but in argument and in toleration. "I could wish," wrote Maitland to Cecil, "that he (Knox) would deal more gently with her, but surely, in her comporting with him, she doth declare a wisdom far exceeding her age" (18 years!). See Knox's *History*, pp. 311—15, and Tytler's *History*, Vol. V. p. 200.

§ She issued, shortly after her arrival, a proclamation stating that she had no intention of disturbing the existing religion, and sanctioned a scheme for settling a fixed income for the clergy out of what the protestant lords had left of the church revenues. (Tytler's *History*, Vol. V. p. 209.) Again, when the Assembly of the Kirk demanded in 1565 that the "papistical and blasphemous mass should be universally suppressed, not only amongst the subjects, but in the Queen's Majestie's own Person and Family," Mary replied to "her loving subjects that she neither in times past nor yet in time coming

contending religion, to have breathed a true spirit of toleration. She was willing that others should worship as they pleased, if she could retain the like liberty for herself*. How little such liberty was granted to the girl-queen the incident described by Randolph† well illustrates: "Upon Sunday eight days, viz. the 14th of September, 1561, her Grace's devout chaplains, in the Chapel Royal by the good device of her trusty servant Alexander Erskine, would have sung 'a Hye Masse'; Argyll and Lord James (i.e. Moray) so disturbed the quyere, that some, both priests and clerks, left their places with broken heads and bloody ears. It was sport for some that beheld it, other shede a teare or two and made no more of it." On August 12 of the previous year orders were signed by Argyll, Ruthven the assassin‡, and Lord James Stewart (Prior of St Andrews)§ for "purging" the churches, "Purge ye sayd Kyrk o' a' kynds o' monuments of Idolatrie"—i.e. the altars and pictures and images were to be cast down, the missals and books burnt in the churchyard‖. Archbishop Spottiswoode writes¶ of what occurred after the passing of the Act of May, 1561, at the desire of the Assembly of the Kirk:

> Hereupon insued a pitiful vastation of churches and church buildings throughout all the parts of the Realm; for every man made bold to put to his hand,—the mean sort imitating the greater, and those who were in authority. They rifled also churches indifferently making spoil of everything they found. The vessels appointed for service of the Church, and whatever else made for decoration of the same, was taken away and applied to prophane uses. The buildings of the Church defaced, the timber, lead, bells, put to sale and alienated to merchants. The very sepulchres of the dead were not spared, but digged, ript up and sacrilegiously violated. Bibliothecks destroied, the volumes of the Fathers, Councils, and other books of humane learning,

did intend to force the conscience of any person, but to permit everyone to serve God in such manner as they are persuaded to be the best," and hoped in return "that they likewise would not urge her to anything that stood not with the quietness of her mind." (Spottiswoode: *History of the Church of Scotland*, pp. 190—1, Edn. 1666.)

* "I will be plain with you," she said to Throgmorton, before leaving France for Scotland, "the religion which I profess, I take to be most acceptable to God; and indeed, neither do I know, nor desire to know any other. I have been brought up in this religion, and who might credit me in anything, if I might show myself light in this case?...You may perceive that I am none of those that will change my religion every year; and as I told you in the beginning, I mean to constrain none of my subjects, but could wish they were all as I am; and I trust they will have no support to constrain me." Keith: *History*, Vol. II. p. 33.

† Henderson, T. F. (*Mary Queen of Scots*, Vol. I. p. 184) says that the only account of this is the *hearsay* report of Randolph, but the latter's words "it was sport for some that beheld it" seem to indicate that the occurrence was reported to Randolph by an eye-witness. The letter is in *State Papers, Scotland*, Vol. I. p. 555.

‡ The hereditary inclination to assassination which ran in the Ruthven stirp ultimately met its reward in the Parliamentary abolition of the very name of Ruthven (1600).

§ The Priory of St Andrews had been conferred on Moray in 1538 when he was 6 or 7 years old. In 1555, six years only before he began to "purge the churches," the Prior of twenty-four years of age took an oath of fealty to the Pope in order that he might hold *three* benefices!

‖ The rabble which carried out the purging made little distinction between monuments to saints and those to the dead, or between religious books and church records. Nor was it to the impropriators' interest that ecclesiastical buildings should remain habitable or that their charters, showing their original purposes, should be preserved.

¶ Cited by Keith: *History*, Vol. II. p. 37.

with the Registers of the Church, cast into the streets, afterwards gathered in heapes, and consumed with fire. Shortly all was ruined, and what had escaped in the time of the first tumult, did now undergo the common calamitie; which was so the worse, that the violences committed at this time were shadowed with the warrant of publick authority. Some ill advised preachers did likewise animate people in those their barbarous proceedings, crying out that the places where idols had been worshipped ought by the law of God to be destroyed, and that the sparing of them was reserving of things execrable; mistaking the Commandment given to Israel for destroying the places where the Canaanites had worshipped their false gods; which was given upon a special respect to that people, and did not concern all the nations and people of the world.

Perhaps the acme of intolerance was exhibited by the mad Hamilton, the Earl of Arran, who—when the Herald read Mary's proclamation that no one under pain of death should interfere with the protestant worship as established on her arrival, nor, on the other hand, should anyone be allowed to interfere with the worship of her French servants and household,—made the following protest:

Bot sen that God hes said that the idolater shall dye the deyth, we protest solemnedlie, in the presence of God, and in the eares of the hale peple that hears this Proclamatioun, and speciallie in presence of you, Lyoun Herault, and the rest of your colleagues etc, makers of this Proclamatioun that if any of his servands sall comitt idolatrie, speciallie say mess, participat thair with, or tack the defence thairof (quhilks we war laith suld be in hir Grace's cumpany), in that case this Proclamatioun be not extended to thame in that behalf, not be a saveguard nor girth to thame in that behalf, na mair nor if they comitt slaughter or murther, seeing that ane is meikle mair abhominable and odeous in the sicht of God than is the uther; Bot that it may be lefull to inflict upon thame the peins contained in God's Word against idolaters, quhairever they may be apprehendit, bot [without] favour*.

The "peins contained in God's Word against idolaters" were of course murder and assassination. We hear a good deal in the history books about the murder of Rizzio, and not infrequently stress is laid, following the venal Buchanan, on his supposed dubious relations with Mary Stewart, but what stress is ever laid on the assassination on the same night in Holyrood of Father Blacke†? To the protestants Blacke was a man of "evill lief"; to the Catholics he was a scholar of some distinction. Perhaps the most we can say of him with certainty today is that he must have been a man of great courage, to stay on for the religious comfort of Mary's household, after the first attempt to assassinate him. Assassination, which had been wholly political, became religious at the bidding of the preachers. The fate which befell the son of Kish for not slaughtering the king of the Amalekites would fall on the protestant lords, if they did not obey the preachers' behests—the assassina-

* Keith: *History*, Vol. II. p. 42.

† Bedford to Cecil, March 13, 1565/6: "David as I wrote to you in my last letters is slayne, and at the same tyme was also slayne by like order one Frier Blacke, a ranke papiste, and a man of evill lief, whos death was attempted by another before, and he stricken and sore hurte." (*Scottish Papers*, Vol. II. p. 266, Edinburgh, 1900.) The words "by like order," i.e. that of Morton and Ruthven, are very important; they indicate that the assassination scheme was not only to save Darnley's honour, but was given a religious character. Without pretending to judge Father Blacke, it is needless to remark that the "moral" justification for the assassination of Catholics was invariably strengthened by adding to the charge of idolatry that of "evill lief."

tion of Moray was a judgment of God because he had not fulfilled God's will*, which meant, of course, the dictates of Knox.

That Knox considered religious assassination commendable is easily demonstrated. He described the murder of Cardinal Beaton as "the godly act of James Melvine†," nor did he hesitate to accept the post of chaplain to the assassins and their friends in the deceased Cardinal's captured castle of St Andrews. Of another religious murder he wrote, "God...had stricken that bloody tyrant the Duke of Guise, which somewhat broke the fard [violence] of our Queen for a season" (*History of the Reformation*, Edn. 1831, p. 291). For John Knox the public fast of the Kirk devised by him for avoiding the scourge of God had resulted in the assassination of the villain Rizzio, after which manner "the noblemen were relieved of their trouble, and restored to their places and rooms, and likewise the church reformed; and all that professed the evangel within this realm, after fasting and prayer, were delivered and freed from the apparent dangers, which were like to have fallen upon them" (*Ibid.* pp. 340—1, 344). It is needless to say that it was the influence of John Knox which carried the Act against the celebration of mass in 1560. No one was to "say nor yet hear mass, nor be present thereat, under the pain and confiscation of all their goods, and punishing of their bodies at the discretion of the magistrates,...for the first fault; banishing the realm for the second fault; and justifying for the death, for the third fault‡" (*Ibid.* p. 221). It was under this Act that Knox would have punished Jezebel the queen for her "vile filthiness and damnable idolatry," i.e. for hearing the mass (*Ibid.* pp. 293—308). According to Knox, "Idolatry ought not only to be suppressed, but the idolater to die the death unless we will accuse God." It was idle for Lethington to tell him that he reasoned "as though the Queen would become an enemy to our religion, that she should persecute and put innocent men to death which I am assured she never thought nor never will do" (*Ibid.* p. 311). Of a certainty Maitland spoke truly when he said to Knox in

* Cf. Robert Semple's address to the Regent Morton:

Quhairfor put God the powar in your hand?
.....
Spair neuer Agag for na brybe of geir.
Quhat come of Saull, with his fatt oxin thair?
Ga reid the Bybill, it will sone declair.
.....
My Lord of Murray was degradit sone
For not fulfiling of the Lordis desyre.

(Dalyell's *Scottish Poems of the Sixteenth Century*, pp. 297—8, Edinburgh. *Sege of Edinburgh Castel.*)

† This is the marginal note of Knox in his *History*, first published in 1585. It is accepted by Dr Mackay as Knox's own opinion. Some earlier authors have questioned it, but Knox's account of the murder, as if it were a merry jest, especially in regard to the disposal of the corpse, is fully adequate to illustrate Knox's view. His approval of the assassination is as little open to doubt as his approval in the case of Rizzio's, or indeed Beaton's approval in the case of Wishart's judicial murder. Both religious parties were using all available weapons according to the morality of their age. And Wishart appears to have been as anxious to assassinate the Cardinal as the latter was to murder judicially his would-be assassin. The endeavour to "duplicate" Wishart has not so far been successful, and Mackay's arguments do not appear of any real validity against the *State Papers* and the case as put by Burton, *History of Scotland*, Vol. III. pp. 258—261.

‡ This Act was no dead letter.

1563: "Well, you are wise enough; but you will not find that men will bear with you in times to come, as they have done in times bypast" (*Ibid.* p. 295).

Again we may note Knox's views in the letter that John Spottiswoode sent to the Lords on the escape of Queen Mary from Lochleven, namely that God's just judgment would come upon the kingdom because the Lords had not at once executed the Queen, "for if she had suffered according as God's law commandeth murderers and adulterers to dee the death, the wickednesse takin furth from Israel, the plague sould have ceassed*."

(2) *Characterisation of the Chief Actors in the Murder of Darnley and the Deposition of the Queen.*

To grasp fully the evidence regarding the various explanations of Darnley's illness and murder, we have to go back to the assassination of Rizzio, and to state our attitude with regard to the Casket Letters. We have further to note certain facts with regard to syphilis as well as to smallpox, which have been too often disregarded by historical writers. Lastly there is the question of the extent to which we may accept the statements of contemporary writers who have been convicted, or are easily convictible, over and over again of deliberate lying for either religious, political, or venal purposes. When we come to such writers the difficulty is to determine whether they have actually invented facts with the view of befouling their opponents, or whether they are perverting real occurrences with the same end in view. In the latter case it is possible to accept the occurrence without attaching to it the author's interpretation.

Chief among these venal liars, and perhaps, owing to his great literary gifts, the basest hireling scholar of all the ages, stands George Buchanan. Hardly a single statement in the *Actio*, the *Detectio* or the *Historia*, when they deal with Buchanan's own time, or with occurrences of which he must have had direct experience or which were very familiar to his good lords and paymasters, is trustworthy. Yet we find writers like T. F. Henderson (*Mary Queen of Scots*, 1905) and D. Hay Fleming (*Mary Queen of Scots*, 1898), quoting Buchanan as if he were a credible historian! I would refer, for those who need illustration, to such accounts as Buchanan gives of the Alloa expedition, and the Hermitage journey. Mary, some five weeks after her confinement, went by sea to be a guest of the Earl of Mar at Alloa Castle. On her way thither she was accompanied not only by Mar, but by Moray. Now Alloa in Clackmannan is directly approached from Edinburgh by the Firth of Forth, and for a convalescent woman the natural way would be by water, and for a Queen the vessel would necessarily be provided by the Commander of her Navy, in this case Bothwell. There is no evidence at all that Bothwell was one of the party†. Yet this is how Buchanan describes the affair:

Not lang efter hir Delyuerance, on a Day verray airly [confinement June 19, journey to Alloa, July 28] accompanyit with verray few that wer preuie of hir Counsall [at any rate by

* Calderwood's *History of the Kirk of Scotland*, Vol. II. p. 482. Woodrow Edn. 1848.

† Henderson (II. p. 402) says Bothwell was evidently not in her company "though she had found it needful to have recourse to him to provide her a means of escape." But why "escape," and from what?

two who were her privy councillors] scho went doune to the Watersyde at ane Place callit the *Newheuin*, and quhill all merwellit quhider scho went in sic Haist, scho suddanely enterit into ane Schip thair prepairit for hir; quhilk Schip was prouydit be *Williame Blacater*, *Edmond Blacater*, *Leonard Robertson*, and *Thomas Dicson*, *Bothwellis* Servandis, and famous Robberis and Pyrates. With this Trayne of Theifis, all honest Men wondering at it, scho betuik hirself to Sey, taking not ane uther with hir, na not of hir Gentilmen, nor necessarie Attendantis for commoun Honestie. In *Aloe* Castell, quhair the Schip arryuit, how scho behauit herself, I had rather euerie Man suld with himself imagine it, than heir me declair it. This ane Thing I dar affirme, that in all hir Wordis and Doingis, scho neuer keipit any Regard, I will not say of Quenelike Majestie, bot not of Matronelike Modestie. (*Ane Detectioun of the Doingis of Marie Quene of Scottis*, 1572, p. 6.)

Henderson (Vol. II. pp. 401—3) repeats all this, and although there is absolutely no reason, except Buchanan's envenomed words, for supposing the journey either sudden or secret, he says, "of course such a sudden and secret journey to Alloa was bound to give rise to some perplexed comment." In passage after passage he vaguely tries to find excuses for the "too vituperative Buchanan," instead of placing the whole of his narrative on one side as entirely untrustworthy. Hay Fleming in his text (*loc. cit.* p. 135) quotes without comment the words of Buchanan in the *Detectioun* (p. 7) as to her conduct at Alloa: "As for hirself, scho pastymit thair certaine Dayis, gif not in princely Magnificence, zit in mair than princely, or rather unprincely Licentiousness." And this presumably in the presence of Moray and of her host Mar!

Buchanan's account of the Jedburgh assizes and the visit to Hermitage to visit the wounded Bothwell is, perhaps, too well-known to be recited here. I will content myself with a few lines:

Quhen Newis heirof was brocht to *Jedburgh* [*?Borthwick*] to the Quene, scho flingis away in Haist lyke ane mad Woman, be greit Jornayis in Poist in the schaip Tyme of Wynter [October 8], first to *Melros* and than to *Jedburgh*, thair, thocht scho hard sure Newis of the Lyfe, zit hir Affectioun, impatient of Delay, culd not temper it self, but scho must neidis bewray hir outragious Lust [she arrived in Jedburgh on Oct. 10*, held assize and went to Hermitage on Oct. 16] and in ane unconvenient Tyme of the Zeir [October], despysing all Discommodities of the Way and Wedder, and all Dangeris of Theifis, scho betuke hirself heidlang to hir Jornay [after six days], with ane Company [including her brother, Moray!], as na man of ony honest Degre wald have adventurit his Life and his Gudes amang thame (p. 10).

The last sentence at least has an element of truth in it! Is it necessary to go further than to state that with such stuff as Buchanan's narrative the godly of Scotland have been fed for more than three centuries? Nay, are still fed. Thus Henderson (Vol. II. p. 404) writes:

For the actual fact of the first admission of Bothwell into the house by Lady Rires, without the Queen's knowledge, Buchanan's authority is her confession to her brother Moray† and to his mother, the lady of Lochleven; and though we have no corroboration of Buchanan's story, it is at least possible that the confession was made, when, as Nau relates, Mary at the Castle of Lochleven gave birth to stillborn twins.

* On *August 3rd* Bedford had already informed Cecil: "Queen Mary meaneth shortly to.....keep Justice-Court at Jedburgh!" "Abstract of Letters to Cecil in his own handwriting," printed by Keith: *History*, Vol. III. p. 349.

† Moray was dead when Buchanan published the *Detectioun*, and so Buchanan could not be contradicted even had Moray desired to do so.

Now it will be seen that Henderson speaks of the "actual fact," and supports a possible confession by the story of Nau that Mary gave birth to twins at Lochleven, thus suggesting that the twins were the result of the intrigue. Now Buchanan says, "For the Quene hirself confessit the Mater, baith to mony vther, and also namely to the Regent and his Mother," *Detectioun* (p. 7). So comes history to be written! Just as if those words "baith to mony vther," omitted by Henderson, did not render the whole story absurd. What married woman, let alone a queen, if she had an intrigue would tell the story of it to "mony vther"? If we turn to the actual events of Lochleven itself, we find Mary was prisoner there from June 17, 1567 to May 2, 1568. If she gave birth to a child or children there it is reasonable to suppose they were conceived between September 17, 1566 and June 17, 1567. Now any child born after February 15, 1567—8 might be a legitimate child of Bothwell. Assuming Mary had no marital relations with Darnley after the birth of her son (June 3, 1566), which is very difficult to believe*, any child born between June 17, 1567 and February 15, 1567—8 would be under the suspicion of illegitimacy. It is inconceivable that the occurrence of a *full-time* birth during these months correlating with intrigue during September 17, 1566 to May 15, 1567 (and intrigue before Darnley's death if we take September 17, 1566 to February 10, 1566—7) should not have been seized upon by Moray and his associates as the strongest evidence of Mary's guilt and have been used by Buchanan to substantiate his charges of impropriety at the Chekkerhous. Throgmorton, who reached Edinburgh in the middle of July 1567, tried to persuade Mary to a divorce from Bothwell, which she refused as "takynge herself to be *seven weekes* gon with chylde, by renouncynge Bodwell she shoulde acknouledge herselfe to be with chylde of a bastarde, and to have forfayted her honoure†." There is no reason to suppose that Mary was not speaking the truth to Throgmorton, and this is not out of keeping with Nau's statement that when Lord Lindsay went on July 24—three months after Bothwell's ravishment—to force the queen to sign her abdication, "she was lying on her bed in a state of very great weakness—partly in consequence of a great flux, the result of a *miscarriage* of twins, her issue to Bothwell‡." Clearly if this miscarriage occurred about July 24 Mary could hardly have given birth in February 1568 to a daughter, who

* Yet, according to Castelnau, Darnley spent two nights with Mary at Alloa, after he had reconciled them. (Buchanan says that the King was "scarcely sufferit to tary thair a few Houris, quhill his men and Horsis baitit, he was enforcit to get him away in haist agane, in Pane of further Perrel!" *Detectioun*, p. 7.) In the middle of August the King and Queen were together in Megatland hunting. This was followed by a common hunting expedition in Perthshire, and on August 30th both King and Queen were at Drummond Castle near Crieff. They then returned to Stirling, where they remained together for nearly a fortnight, till the Queen went to Edinburgh for business of State. Darnley refused on her return to Stirling to accompany her to Edinburgh, where it was necessary for her to be. It was in the last week of September that Darnley at Stirling told Mons. du Croc and his father that he intended to leave Scotland. It is during these months that Buchanan asserts that Darnley was driven from the Queen's presence and not allowed "to enjoy the mutuall loueing Fellowschip of Marriage," and both Buchanan and Knox assert that he could not "fa mekle as to mantane his daylie necessarie Expensis," although the actual Treasury accounts show large payments to and for Darnley.

† Stevenson's *Selections*, p. 221.

‡ *Life of Mary*, p. 60.

became a nun in the convent of our Lady of Soissons. Nor is it easy to understand how, according to Mr Hay Fleming*, Nau's statement clears the way for the other legend which represents Mary as having borne to George Douglas of Lochleven a son who lived to be the reputed father of a famous covenanter. For the said son would certainly have had to be born either about the very week Mary escaped from Lochleven, or possibly after her arrival in England! It is an interesting study in human nature to note how the foul mud scattered by Buchanan still clings to the pages of modern historians.

Now while Lenox and Morton must have given sanction to the writing of Buchanan's narrative†—even to Buchanan's statement that "not onlie the maist Parte of thame that then wer with the Quene, haue confessit, bot also *George Daglische, Bothwellis* Chalmerlane, a lytill befoir he was executed, planely declarit the same; quhilk his confession zit remanis of Record"—yet it is most singular that in the Commission at Westminster, Moray neither produced any confession of George Dagleish incriminating Mary, nor referred in any way to his sister's confession at Lochleven. It is the more remarkable because in *The Book of Articles* presented by Moray on December 6, 1568 to Queen Elizabeth at Westminster, which states that Bothwell from September 1566 became "so familiar with hir baith nycht and day that at his pleasour he abusit hir body," there is a first reference to the Queen lodging in the "Chekkerhous" in Edinburgh in September 1566, but there it is only to say that when the King thought good "to assay agayne" if she would accept his familiarity, the Queen fled from the "Chekkerhous" to Holyrood, where she openly rebuked the King in the presence of her Privy Council‡. Of course, an absurdly perverted account of what actually took place. Of what actually took place we know exactly, for not only does that "wise aged gentleman," Mons. du Croc, write to the Archbishop of Glasgow about the matter, but we have a letter§ from the Lords of the Privy Council to the

* *Loc. cit.* p. 470.

† Moray was assassinated January 23, 1570. The *Detectioun* appeared in the October or November of the following year, 1571, and, taking account of the time required for translation from the Latin and printing, we may possibly date the writing of the work from the middle of 1570 to the middle of 1571, i.e. during the regency of Lenox. It is true that George Dagleish's confession still remains on record, the only confession of which there is any trace: "This is the trewe copy of the Depositione of the said George Dalglish, maid in the Presence of the Lordis before expremit, concordand and agreeand with the Principall remayning in the Office of Justiciarie, collationat by me Sir *John Bellenden* Knight, Clerk of our Soveraigne Lordis Justiciary." And "the Lordis before expremit" were Morton, Athol, the Provost of Dundee and Grange; the date June 26, 1567. Dagleish was arrested on June 19, and the casket is said to have been discovered on June 20. Yet in the deposition there is not a word of the casket, nor any sentence involving the guilt of Queen Mary herself. It is true that Dagleish was not executed till January, 1567—8, but no further deposition of his has ever been heard of except by Buchanan, and according to the uncontradicted statement of Leslie, "the Testimonie and Confession of diuers Guyltie as they be reported, and executed in *Scotland* for the said Offence, which they openly made at the Time of their Death, doth tende much to the Aduancing and Approbation of her Innocenie" (*A Defence of Queene Marie's Honour*, p. 9).

‡ A second reference to the Chekkerhouse occurs in the second Part of the *Articles*, and looks like an addition by another hand. Here she is accused of gross familiarity there with Bothwell during the same period, September, 1566!

§ Keith, *History*, Vol. II. pp. 453—9.

Queen-mother of France, and among those who authorised the letter were *Moray* himself and its writer, Secretary Maitland. The Earl of Lenox had written to the Queen that his son Darnley proposed "to go beyond the sea." This letter was communicated by the Queen to the Privy Council to advise her Majesty how to comport herself in this connection. On September 29, 1566 the

King came to Edinburgh, but made some difficulty about entering the Palace by reason that three or four Lords were at that time present with the Queen, and peremptorily insisted that they might be gone before he would condescend to come in; which deportment appeared to be abundantly unreasonable, since they were three of the greatest Lords of the Kingdom, and that those Kings who by their own birth were sovereigns of the Realm have never acted in that manner towards the Nobility. The Queen, however, received this behaviour as decently as was possible, and condescended so far as to go meet the King without the Palace, and so conduct him into her own apartment, where he remained all night; and then her Majesty entered calmly with him upon the subject of his going abroad, that she might understand from himself the occasion of such a resolution. But he would by no means give or acknowledge that he had any occasion offered him of discontent. The Lords of the Council being acquainted early next morning that the King was just a-going to return to Stirling, they repaired to the Queen's apartment, and no other person being present except their Lordships and Mons. du Croc, whom they prayed to assist with them, as being here on the part of your Majesty. The occasion of their meeting together was then with all humility and reverence due to their Majesties proposed, namely, to understand from the King whether, according to advice imparted to the Queen by the Earl of Lenox, he had formed a resolution to depart by sea out of the Realm, and upon what ground, and for what end—that if his resolution proceeded from some discontent, they were earnest to know what persons had afforded occasion for the same—that if he would complain of any of the subjects of the Realm, be they of what quality soever, the fault should be immediately repaired to his satisfaction. And here we did remonstrate to him, that his own honour, the Queen's honour, the honour of us all were concerned; for if without just occasion ministered, he would retire from the place where he had received so much honour, and abandon the society of her to whom he is so far obliged, that in order to advance him she has humbled herself, and from being his sovereign, had surrendered herself to be his wife—if he should act in this sort, the whole world would blame him as ingrate, regardless of the friendship the Queen bears him, and utterly unworthy to possess the place to which she had exalted him. On the other hand, that if any just occasion had been given him, it behoved the same to be very important, since it inclined him to relinquish so beautiful a Queen and Noble Realm; and the same must have been afforded him either by the Queen herself, or by us her ministers. As for us we professed ourselves ready to do him all the justice he could demand; and for her Majesty, so far was she from ministering to him occasion for discontent that on the contrary, he had all the reason in the world to thank God for giving him so wise and virtuous a person, as she had showed herself in all her actions. Then her Majesty was pleased to enter into the discourse, and spoke affectionately to him, beseeching him, that seeing he would not open his mind in private to her the last night, according to her most earnest request, he would at least be pleased to declare before these Lords, where she had offended him in anything. She likewise said that she had a clear conscience that in all her life she had done no action which could anywise prejudice either his or her own honour*; but

* This statement was made by the Queen immediately after she had "purposelie fled out of the chekkerhous and past to the palace of halyrudehous" to avoid Darnley (*Book of Articles*), and on the morrow of her sending Dame Rires to fetch Bothwell by night to her chamber (*Book of Articles* and *Detectioun*, pp. 8—9)! In face of her "unprincely Licentiousness," apparent "in all Mennis Sicht, and continewis imprentit in all Mennis Memorie," how could Mary make such a statement, or Moray listen to it and still condemn Darnley? What, however, is clear is that Darnley at the end of September, 1566, made no charge, as he had done in the case of Rizzio, that Mary was unfaithful to him, or even refused his "familiarity." It was really impossible for him to do so. What Darnley did complain of in

nevertheless, that as she might, perhaps, have given him offence without design, she was willing to make amends as far as he should require, and therefore prayed him not to dissemble the occasion of his displeasure, if any he had, nor to spare her in the least matter. But though the Queen and all others that were present, together with Mons. du Croc used all the interest they were able to persuade him to open his mind, yet he would not at all own that he intended any voyage, or had any discontent, and declared freely that the Queen had given him no occasion for any. Whereupon he took leave of her Majesty, and went his way.....

The account of this meeting of the Privy Council is entirely confirmed by the letter* of Du Croc of October 15, 1566, except that he tells us:

"When he [Darnley] and the Queen were a-bed together, her Majesty took occasion to talk to him about the contents of his father's letter, and besought him to declare to her the ground of his designed voyage; but in this he would by no means satisfy her." Further, Du Croc writes that after the Queen, the Lords and he himself had appealed to Darnley, "the King at last declared that he had no ground at all given him for such a deliberation; and thereupon he went out of the chamber of presence, saying to the Queen—'Adieu, Madam, you shall not see my face for a long space'; after which he likewise bad me farewell, and next turning himself to the Lords in general, said—'Gentlemen Adieu'..... It is in vain to imagine that he shall be able to raise any disturbance, for there is not one person in all this kingdom, from the highest to the lowest, that regards him any farther than is agreeable to the Queen. And I never saw her Majesty so much beloved, esteemed, and honoured; nor so great a harmony amongst all her subjects, as at present is by her wise conduct, for I cannot perceive the smallest difference or division."

his letter to the Queen consisted in two points: (i) that she does not "trust him with so much authority nor is at such pains to advance him, and make him honoured in the nation as she at first did," and (ii) that "nobody attends him, and that the Nobility desert his company." To these two points, the letter of the Privy Council (Keith, *History*, Vol. II. p. 458) says the Queen has made answer:

(i) "If the case be so he ought to blame himself, not her, for that in the beginning she had conferred so much honour upon him as came afterwards to render herself very uneasy, the credit and reputation wherein she had placed him having served as a shadow to those who have most hainously offended her Majesty; but, howsoever, that she has notwithstanding this, continued to show him such respect, that although they who did perpetrate the murder of her faithful servant, had entered her chamber with his knowledge, having followed him close at the back, and had named him as the chief of their enterprize, yet would she never accuse him thereof, but did always excuse him, and was willing to appear as if she believed it not." And (ii) "for the Nobility, they come to Court, and pay deference and respect according as they have any matter to do, and as they receive a kindly countenance, but that he is at no pains to gain them and make himself beloved by them, having gone so far as to prohibit these Noblemen to enter his room, whom she had first appointed to be about his person. If the Nobility abandon him, his own deportment towards them is the cause thereof; for if he desire to be followed and attended by them, he must in the first place make them to love him, and to this purpose must render himself amiable to them, without which it will prove a most difficult task for her Majesty to regulate this point, especially to make the Nobility consent that he shall have the management of affairs put into his hands, because she finds them utterly averse to any such matter." Thus wrote the ministers of Mary, namely, Moray, Maitland and others of Darnley to the Queen-mother of France. And Moray, to emphasise Mary's loss of affection for Darnley, to prepare for her imputed intrigue with Bothwell, tells the Commissioners of Queen Elizabeth of Mary that "continewing in hir disdayn [of Darnley] she determinat to seclude him fra all knawledge of the publict effaires" (*Book of Articles*, Hosach, Vol. I. p. 523). Hosach indeed (*ibid.* p. 447) makes a very good point from the *Articles* presented by Moray and the other Lords against Queen Mary. He asks: "If the letters were genuine, where was the necessity for the elaborate slanders in the *Book of Articles* and afterwards transferred to the *Detectio*? Why did they make innumerable accusations which they knew to be false, if they had in their possession abundant evidence which they knew to be true?"

* Keith, *loc. cit.* Vol. II. p. 450.

I have not cited these letters to prove how impossible it was that a person like Darnley should fill a great state office; that is admitted alike by friends and foes of Mary. I have cited them as demonstrations of two facts. The first and lesser fact is that any statements made about Mary Queen of Scots' conduct by either Buchanan or Knox are certain to be slanderous untruths. The second and more important fact is that Moray is convicted of being as calumnious a liar as Buchanan. It may even be said that he was a worse liar; for while Buchanan said the things he was paid to say on material provided by others*, Moray had lived through the events he describes in company with the Queen, and knew the truth. Now we have the letter of Du Croc to the Archbishop of Glasgow, and the letter of the Privy Council to the Queen-mother of France; we know that Darnley and the Queen went hunting together in August, and yet Moray asserts in *The Book of Articles* that the Queen would not suffer Darnley to remain in her company, that when he came to Edinburgh she would not "accept him to familiaritie" [she took him to her own apartment] and that "he was rejected and rebuked openlie in presence of diuerse lordes then of hir previe counsale, quhill he was constrenit to returne to streuiling [Stirling]." Now Moray was one of those "diuerse lordes" present at that "previe counsale," one of those lords, who asked Darnley, why he could treat in such an ingrate manner "so wise and *virtuous* a Queen," one of those lords who had stated that the Queen had received Darnley's outrageous behaviour "as decently as was possible." Moray must have been perfectly conscious that *The Book of Articles* was a tissue of lies. We have to remember that *The Book of Articles* was not the special pleading of a lawyer for the prosecution. It was presented by the Earl of Moray to Elizabeth's Commissioners, to account for driving their Queen out of her kingdom, and he as well as Mary's Commissioners had taken a solemn oath: that he would in all Treaties and Conferences with Queen Elizabeth's Commissioners "proceed sincerely and uprightly" and "not for any Affection, Malice or anie other worldlie Respect furder, avance or prefer any thinge

* "The Booke itself [i.e. the *Detectioun*] with the Oration of Evidence, is written in *Latine* by a Learned Man of *Scotland*, M. *George Buchanan*, one privie to the procedynges of the Lordes of the Kynges Secret Counsell there, well able to understand and disclose the Truth, hauyng easie accesse also to the Recordes of that Countrey that might helpe hym. Besides that the Booke was written by hym, not as of hymselfe, nor in hys owne Name; but accordynge to the Instructions to hym given by common conference of the Lordes of the Priuie Counsel of *Scotland*, by hym onely for hys Learnyng penned, but by them the Mater ministred, the Booke ouerseen and allowed, and exhibited by them as Mater that they have offered and do continue in offeryng to stand to and justifie before our Soveraigne Ladie, or her Highnesses Commissioners in that behalfe apointed." From THE COPIE OF A LETTER written by one in London to his Friend, concernyng the credit of the late published DETECTION of the Doynges of the Ladie Mary of Scotland. Anderson's *Collections*, Vol. II. pp. 262—3. There is no reason to doubt the facts stated by the writer of this letter, nor to question Thomas Bishop's statement that the *Detection* was *written* in both Latin and English when Buchanan was in England with Moray, although the book was only published after Moray's death, and the words as to Moray's decease then inserted in parentheses. The statements sanctioned by Moray in the *Book of Articles* which he presented December 6, 1568, to the Commissioners at Westminster fall little short of the lurid colouring of Buchanan's charges. The anonymous *Letter written by one in London to his Friend* is said by Goodall (*Examination*, Vol. II. p. 375) to have been written and published by Cecil. It was undoubtedly issued to strengthen the Lords' position and weaken Mary's, and may well have been at Cecil's suggestion, but Goodall does not give his evidence that the Letter was *written* by Cecil.

or Matters before the said Commissioners in the Treatie otherwise than your own Consciences shall bear you wittnes afore Gode, to be honest, godlie, reasonable, just, and true. Nor yet shall ye withdraw, hide or conceale anie Thing or Matter from the said Commissioners, which is mete and requisite to be opened and declared for the better knowledge of the Troth of the saide Causes of Controversie. So help you God, etc."*

I do not know that it is really necessary to demonstrate further Moray's falsehoods to the English Commissioners, but one other sample out of many may be given. When Darnley entered into a band with the Earl of Morton, Ruthven and others for the assassination of Rizzio, it was part of the scheme that Moray and his friends, banished from Scotland, should return that night, although the Queen's marriage with Darnley had only been rendered possible by Mary's driving Moray and his rebels out of Scotland. Moray and Morton were heads of the conspiracy to place Darnley in the position which Mary, after testing his wisdom, had refused to give him. That was to be the price Moray paid for permission to return to Scotland. Rizzio was murdered, Moray returned, and but for Darnley's turning "effeminate," as Ruthven put it, the brutal proceedings would have been wholly successful. Darnley confessed to having brought Moray back without the Queen's leave, but denied his band with Morton and Ruthven to murder Rizzio and seize the Queen's person. Owing to Mary's strategy she escaped and summoned her friends; Morton, Ruthven and their associates fled the country, were proclaimed rebels and deprived of their offices and lands. Actually Darnley spent a considerable part of the autumn of 1566 enjoying himself in Morton's castle of Dalkeith. Thus Morton looked upon Darnley as a betrayer, and one of the reasons given for the retreat of Darnley from the court was the prospective pardon of Morton. At any rate Morton and Darnley were foes from the time of the murder of Rizzio. Now let us see how Moray describes these relations to Elizabeth and her Commissioners:

Throw this hir [Mary's] disdayn continewit† aganis the king hir husband not onely schew she this speciall and extraordinar fauour to his knawin enemy [Châtelherault] bot begouth to

* Anderson's *Collections*, Vol. IV. p. 39. Probably the "godly" Regent thought he avoided this oath by "being content privatlie to shew us such Matteir as they have to condempne the Quene of Scottes of the Murder of her Husband, to the intent they wold know of us, how your Majestie understanding the same, wolde judge of the sufficiencie of the Matter; and whether in your Majesties Opinion the same will extend to condempne the Quene of *Scottes* of the said Murder. And so they sent unto us the Lord of *Lethington*, James *Makgill*, and Mr *George Boqwannan*, and an other being a Lord of the Session, which in private and secret Conference with us, not as Commyssioners as they protested, bot for our better Instruction after Declaration of such circumstances as led and induced to vehement Presumptions to judge her giltie of the said Murder." (Letter of Norfolk, Sussex and Sadler to Queen Elizabeth, October xi, 1568, in the Cotton Collection, British Museum.) That is to say, the evidence against Mary was not given openly, and when it could be contradicted by Mary's Commissioners, but in "private and secret conference" with Queen Elizabeth's Commissioners, "not as Commyssioners," by Maitland, Macgill and Buchanan, two of whom were hirelings of Moray and the third was known by Moray to have been active in the proposals to put away Darnley, and so in bondage to Moray. Suspicion as to the preparation of the Casket Letters has always and will always lie with those three "private and secret conferers."

† The "continuation of disdain" appears to have been after the pardoning of the Duke of Châtelherault (January, 1565—6) referred to in the previous paragraph.

be rigorous and extreme to his freindis and kinsmen namelie to the erle of Mortoun chancellar of the realme fra quhome she causit the greit seill be takin, the keiping quhairof propirlie belangeth to his office: and put the same seill in the custody of vtheris aganis the lovable ardour and custume of the cuntre he haif and the office of chancellary and keeping of the greit seill for his liftyme and having committit na offence that culd be impute to him. (*The Book of Articles*, Hossack, Vol. I. p. 524.)

The murder of Rizzio and the conspiracy to give Darnley the *de facto* sceptre of Scotland were "na offence" in the eyes of Morton's fellow conspirator Moray, and no doubt he had every desire to whitewash Morton in the eyes of Elizabeth. The English protestants were fully prepared to see in the murder of Rizzio the hand of their particular deity*, while the Scottish Lords themselves, whenever they were exiled for murder and conspiracy, did not fail to proclaim that they had been "banished for the Word of God."

It may be asked why were not the lies of *The Book of Articles* recognised at once? We may, perhaps, put on one side the fact that they largely concerned doings in Scotland of which the English had no clear knowledge, and remark that the proceedings of Elizabeth's Commission were not those of a Court of Law. Witnesses were not brought and examined by Counsel for the defence, and the chief support for Moray's accusations was provided by the Casket Letters. These documents, as at York, were not only shown to Elizabeth's Commissioners at Westminster without the presence of Queen Mary's Commissioners, but no demands on the part of the latter for a sight of the letters or for copies of the letters were complied with. La Mothe Fénélon, the French Ambassador, on January 20 had an interview with Queen Elizabeth and urged that the letters and documents shown by Moray should be communicated to the Commissioners of Queen Mary. Elizabeth promised that they should be sent next day, but Fénélon had to remind her on January 30 that her promise had not been fulfilled; whereupon Elizabeth became excessively angry and said that Mary had been writing to Scotland that she, Elizabeth, was not impartial, and—on the basis of this asserted and of course intercepted letter—dismissed Fénélon. In this manner any sight of the letters was finally denied to Mary.

Did Elizabeth and her Commissioners really believe in the genuineness of the letters and documents? Had they done so they would hardly have hesitated to show them to Mary's Commissioners. But if they were forgeries and Mary had proved them forgeries, it would have involved the downfall of the protestant Lords and the whole of Cecil's policy of keeping Scotland a nation divided against itself and so incapable of any definite European policy. Most characteristic is the manner in which Elizabeth closed the Commission. At the meeting at Hampton Court on January 11, 1568, Queen Mary's Commissioners asserted in the presence of Moray and his colleagues, that their Queen did directly charge Earl Moray and

* Knox considered that "God had raised up" the assassin to end Rizzio, and that the murder reformed the Church, "and all that professed the Evangel within this Realm, after fasting and prayer, were delivered and freed from the apparent dangers which were like to have fallen upon them" (Knox's *Historie*, Edn. 1732, pp. 348, 392—394).

his adherents with being the principal authors, inventors and doers of the King's murder. Further they said that they would defend the Queen's innocence against the calumnies alleged or produced against her

swa being that scho micht have the copies of the pretendit writtingis geven in, publicklie or privatlie againis the Quene thair Maistres; quhilkis they have diverse tymes requirit of the Quene's Majestie and hir counsal, suppois they have not as zit obtenit the samin; And how sone that thay ressavit the copies thairof, scho wald answer thairto, in defence of hir innocencie, and alswa particularlie nominat and accuse such personnis being present of thair cumpanie as wer guiltie of that murthour; and wald verifie and pruif the samin sufficientlie (Goodall, p. 308).

Had Elizabeth been desirous of ascertaining the truth, she would have ordered copies of the documents (i.e. the Casket Letters) to be shown to Mary; there is small doubt that she, like the Duke of Norfolk*, suspected them to be forgeries, and not even the application of the French Ambassador could bring about this most reasonably demanded production. What Elizabeth did was to dismiss Moray and his colleagues to Scotland. Mary, she said, had proved nothing against them, nor they against the Queen their sovereign, "quhairby the Quene of Ingland could conceave or tak ony evil opinioun of the Quene her guid sister for ony thing zit sene." Those words, coupled with the fact that Elizabeth refused to allow Mary to see copies of the letters, sufficiently indicate what Elizabeth really thought of them.

Perhaps the most suggestive document is that of January 18, a week later, wherein Moray acknowledges having received of John Thomworth, Esq., one of the Privy Chamber of the English Queen, "for and in the name of the said excellent Princes, the sum of fyve thousand pundis *sterling*, current money of the realme of *England*, lent to ws in our gryit necessité and maist necesair service for the meyntenance of peaice betwix the realmes of England and Scotland, and to appease and withstand the attemptis and interpryses of the commoun ennymeis and disturberis of the common quiet of both the said realmes†." In other words, the proceedings against Mary in England being brought to an abrupt end by the reasonable demand for the production of documents, Moray is dismissed to Scotland with the Casket and funds to assist him in breaking up Mary's party there‡.

It is, as I have already said, characteristic of Moray's underhand way of proceeding that the letters shown at York were not put forward by Moray and Morton as Chief Commissioners, but that they sent Maitland of Lethington, James Macgill, George Buchanan and John Wood—all men against whom grave suspicion lies—to show the documents to Elizabeth's Commissioners "in private and secret con-

* He had no hesitation later in endeavouring to marry the supposed poisoner and murderess!

† Rymer's *Foedera*, T. 15, p. 677.

‡ Moray was continually in receipt of Elizabeth's pay. Thus in the very skilful letter of Mary to Sir Robert Melvill from Edinburgh, Feb. 17, 1565, explaining the Queen's reasons for ejecting Randolph, we learn that the latter was paying money to Moray at the very time the latter was in arms against her to stop the Darnley marriage. *Maitland Club Miscellany*, Vol. III. pp. 179—183. Edinburgh, 1843. Even at the moment when, by the treachery of Darnley, Moray had got back to Scotland, branded by Elizabeth as "an unworthy traitor to his sovereign," he received from the same guileful queen £3000 as a bribe to bind him in the English interest. *Calendar of State Papers* (*Foreign*), 1566—1568, No. 193.

ference with us, not as commyssioners as they protested, but for our better instruction, after declaration of such circumstances as led and induced to vehement presumptions to judge her giltie of the said murder." That is to say, Mary was to be judged guilty of the murder on documents that she had not seen and had no knowledge had been presented! When Mary—already during the York Conference—heard of this presentation of letters (it is said through Lethington!) she at once proclaimed them forgeries*. But no opportunity was then or later given her to demonstrate that they were such. Moray later excused himself for this manner of proceeding on the ground that he did not wish to damage his sister's reputation. As the Confederate Lords had already proclaimed Mary a murderess, the sophistry of the excuse is apparent. It is as well to note here a few dates in the year 1567. On June 15 Mary was taken prisoner at Carberry Hill and then transferred to Lochleven. Five days *later*, June 20, the Casket Letters were said to have been found in their hiding place by confession of George Dagleish. He was hanged before any statement as to the origin of the letters was made and, as in the case of Paris, this vital witness to the Lords' assertions was removed. Not till July 25 does Throgmorton write to Elizabeth that the Lords intended to charge Mary with the murder of Darnley. On December 4 there is an Act of the Lords in Council by which Mary is charged not only with the murder of her husband but with intent to murder her child. In this same Act they state "that the cause and occasion of the taking of the Queen's person upon the 15th day of June last was in the said Queen's own default, in as far as by divers her privie letters written and subscrivit with her awin hand, and sent by her to James Earl of Bothwell, chief executor of the said horrible murder, it is most certain that she was privie, art and part and of the actual devise and deed, of the forementioned murder of the king her lawful husband." That is to say, the Lords later justify their imprisonment of the Queen on the ground of evidence which they did not on their own showing possess at the time of the imprisonment. They also assert that the letters were subscribed with her own hand, while to the Casket Letters as afterwards produced there were no signatures at all. Moray had been installed as Regent on August 22, and was thus the originator of the Act which proclaimed the Queen herself as "privie art and part of the actual devise and deed of the murder of the King." There was indeed no limit to the adroit duplicity of Moray; he was the most unscrupulous, and yet the most crafty of all the Scottish Tuchuns of that date. Flying from Scotland owing to the failure of the rebellion he raised against Mary's marriage with the "young proud fool," he yet enters into direct treaty with that fool, to place the royal power in his hands and practically depose his own sister. He was fully conscious that Darnley's kingship could only end or be made to end in disaster. Yet to such a man as Darnley was, Moray and his fellow rebels promised the "crown matrimonial" and furtherance of all his aims!

* It must be remembered that the forging of letters was a common political instrument of those days. Thus William Wharton, a paid agent of Elizabeth's ministers, offers to 'counterfeate' the Queen of Scots' hand, and those of Lord Herres, the Laird of Lochenvar, and others of her secret friends, and also to get her letters to her friends. See Boyd's *Calendar of Scottish Papers*, Vol. IV. pp. 655, 659.

The "band" of which the murder of Rizzio and the seizure of Mary was the outcome has been published in *The Miscellany of the Maitland Club*, Edinburgh, 1842, Vol. III. Part I. pp. 188—191. It is entitled: "Ane Band maid be my Lord of Murray and certaine uthir Noble men with him befoir the slauchtir of Davie. At New Castle 2 Mar. 1565*." The document is the original "band" with the signatures of Moray, Argyll and others attached. The banished lords were to be forgiven for their crimes, to return from exile, to be restored to their estates, the parliament that was to meet for their forfeiture was to be dismissed, and the protestant religion to be maintained; for as usual in all these murder and treachery bands religion was dragged in as a cloak. As requital the Lords promised: (i) to be faithful servants to Prince Henry as their natural sovereign, King of Scotland, and take part in all his quarrels, (ii) to give him at the first parliament after their return the crown matrimonial, and to work with all their power to this end, (iii) to fortify Prince Henry in his title to the throne of Scotland failing succession to Mary, and to slay or expel any usurpers—this was intended to exclude the Hamiltons, (iv) to maintain the religion established by the Queen since her arrival in the realm—this was intended for use in England with Elizabeth, in Scotland it meant the retention of the Church lands these lords had appropriated, (v) "as they ar becuming trew and faythfull subjectes men and servandis to the said noble prince and sall be leall and trew to his majestie as becumes trew subjectis to ther naturall prence...and sall nouther spayr lyf nor dead insetting fordwart all thyngis that may be to the advancement of the said noble prence." As "faythfull subjectes"—they proceeded to slay Darnley's enemy Rizzio and take prisoner his wife.

It is clear that neither Moray nor Darnley nor any of their "complices" could make Darnley their natural sovereign nor settle the succession without Mary's consent. Thus Moray betrayed his Queen and sister, thus Darnley betrayed his Sovereign and wife. Moray, while disclaiming all knowledge of the Rizzio conspiracy, yet got Bedford and Randolph to write to Cecil as follows: "My Lord Moray, by a special servant sent untò us desireth your Honour's favour of these noblemen as his dear friends, and such as for his sake hath given this adventure," and then follow the names of Morton, Ruthven, Lindsay, etc.†. In other words, Moray here directly speaks of the murder of Rizzio as "an adventure" of his friends for his sake, for that was the reason why they had fled to England.

On March 10, the day after the assassination, two proclamations were issued in the name of King Henry *alone*. The first discharges the parliament summoned for the 12th to consider the forfeiture of Moray and Morton. The second states: That with the advice of some noblemen and others who had associated together, it was found necessary for the good government of the Kingdom, to remove some dangerous persons and bad counsellors from the Queen, particularly Rizzio, the Italian, and to punish them according to their deserving where they shall be found,

* Seven days afterwards, March 9, Rizzio was assassinated in the presence of the Queen, and Moray, without pardon, appeared before her next day.

† See Sir H. Ellis: *Letters on English History*, Vol. II. p. 221.

though it were in the very Palace and in the presence of the Queen. The King takes the blame of this upon himself and promises none shall suffer for anything that may happen upon this engagement.

These proclamations were probably drawn up with Darnley's consent before the murder, and issued the day after by the conspirators without appealing to him. After he had become, in Ruthven's words, "effeminate," a proclamation was issued by King Henry only (March 20) whereby he declared himself innocent of the murder of Rizzio and of detaining the Queen's person in captivity. He states that he never counselled, advised or encouraged any of the murderers of Rizzio to that murder. He owns that in this he was to be blamed that at the persuasion of the conspirators, without the Queen's knowledge, he consented to the bringing back of the banished lords as Moray, Glencairn, Rothes and others. A further proclamation was issued by both King and Queen calling on the murderers of Rizzio to come and stand their trial.

Is it to be wondered at that when the Queen later knew of the actual "bands," she would have little further to do with Darnley? Is it to be wondered at that his fellow conspirators within a few months entered into another band for Darnley's destruction?

That Moray's banishment and proposed forfeiture were justified is amply demonstrated by the letters of Randolph. On July 2, 1565, Randolph writes to Cecil: "The question has been asked me, whether if they (Darnley and his father Lenox) were delivered to us at Berwick we would receive them? I answered: We would receive our own, in what sort soever they came unto us." This was four weeks before the actual marriage. As late as September 3, after Moray had been put to the horn, Randolph writes that "If her Majesty [Queen Elizabeth] will now help them [i.e. Moray and Argyll], they doubt not that but one country will receive both the Queens." In other words, Moray was then, as earlier, plotting to drive Mary out of Scotland into Elizabeth's keeping. With such illustrations of Moray's unscrupulousness* it is unnecessary to do more than refer to his treachery towards the Duke of Norfolk†.

After Moray, we reach Morton, a man equally unscrupulous, equally greedy of power, but without the subtle adroitness of Moray. We have already indicated

* Even such a biased writer as Henderson has to admit of Moray that "though himself indirectly involved in the Darnley murder, he did not scruple, in order to silence popular clamour and prevent inconvenient revelations, to do his utmost to secure the conviction and death of the mere tools of the conspiracy, while the principals were allowed to go scot free." *Dict. Nat. Biog.* Vol. LIV. pp. 405—6.

† Perhaps the most extraordinary action in which Moray was concerned appears in the Duke of Norfolk's Confession when on his trial. It appears from this that already at the time of the York Conference, Moray and Maitland, who were charging the Queen with murder, suggested to the Duke of Norfolk a marriage with her! Whether this was done as a bribe to the Duke to be favourable to them, in case the Queen of Scots was not declared guilty, or as a means of ruining Norfolk and discrediting the Commission, if its conclusions were unfavourable to them, must be left to the discretion of the reader. Norfolk would have been wise to stick to his first judgment that "he ment never to marry with such a Person wher he cold not be sure of his Pillow." See Samuel Haynes, *A Collection of State Papers of the Reign of Queen Elizabeth.* London, 1740, pp. 573—5.

Morton's treachery towards the Queen in the Rizzio murder. That he was cognizant of the scheme to murder Darnley he himself confessed before his execution, but besides this admitted "foreknowledge" there is little doubt that he had "art and part" through his kinsman Archibald Douglas. Morton indeed confessed that he knew what Bothwell and Archibald Douglas were about*. Yet when it came to the trial of Bothwell—his cleansing—Morton accompanied him to the court and stood "impanelled with him" while the Earl of Argyll as Lord Justice General, Lord Lyndsay, the Abbot of Dunfermline (Robert Pitcairn), James Macgill, Henry Balnares, all friends and confidants of Moray, assisted in *acquitting* Bothwell. The band for the destruction of Darnley was drawn up by Sir James Balfour, who occupied the Provost's house at Kirk o' Field, and his brother "lent" the Prebendaries' Lodgings for the reception of Darnley; both were many years afterwards put to the horn for their share in Darnley's murder. Yet it was Sir James Balfour's evidence at the trial of Morton which led to the latter's execution. Of Sir James it is idle to speak here, even the most biased of Scottish historians admit that he was the most unscrupulous and most untrustworthy of all the Scottish politicians of that period. "He had served with all parties, had deserted all, yet had profited by all†," as Tytler puts it; or again in the words of John Knox he was scion of a family of which men should beware, "for if in them be either fear of God or love of virtue farther than the present commodity persuaded them, men of judgment are deceived‡." Morton on his own confession at least knew of the conspiracy to murder Darnley; he knew that Bothwell and Douglas were the chief actors therein, yet he is the man who not only assisted in acquitting Bothwell, but with Huntly, Argyll and many others signed the famous Ainslie's Supper Band§ by which they agreed to assist Bothwell by every means in their power to a marriage with the Queen! That is to say that fully acquainted with the details of Darnley's murder, Morton joined with the rest in supporting the murderer's marriage with his sovereign. The supper at Ainslie's was on April 19‖. On April 24 the Queen was seized by Bothwell and ravished, a circumstance which would have justified the recommendation of the marriage with Bothwell, but the Ainslie band preceded and did not follow this occurrence.

Now let us see exactly what Morton put his signature to:

Thairfore oblies us, and ilk ane of us, upon our Faith and Honors and Treuth in our Bodies as we are Nobillmen, and will answer to God, that in caice heirefter anie maner of Person or Persones, in quhatsumever manner sall happin to insist farder to the sklander and calumniation of the said Erle of Bothwell as participant airt or pairt of the said hyneous murther, quhairof

* Among the few true statements in the document presented by Bothwell to the King of Denmark is the one that the denial by Darnley of any responsibility for Rizzio's murder, i.e. his desertion of his fellow conspirators—Morton and the Douglases, Lyndsay and Ruthven—was one of the factors which led to the murder of Darnley himself.

† Tytler: *An Account of the Life and Writings of Sir Thomas Craig.* Edinburgh, 1823, p. 105.

‡ Knox: *History of the Reformation*, Edn. 1831, p. 70.

§ Drawn up by Sir James Balfour with a copy certified and signed by him in the Scots College at Paris.

‖ Some doubt exists as to the date of the Cotton copy of the band. Keith says it is April 20 and Tytler April 19. Perhaps the band was not signed at the supper.

ordinaire Justice has acquite him, and for the quhilk he hes offerit to do his Devoire be the Law of Armes in manner above rehersit; we and every ane of us be our selffes, our Kyn, Friendis, Assistaris, Partakeris, and all that will doe for us, sall tak trew effauld [honest] plane, and upricht Pairt with him, to the defence and mantenance of his Quarrell with our Bodies, Heretage and Guids, againis his privie or publick Calumnyatoris bypart or to come, or onie utheris presumeand onie Thing in word or deid to his Reproach, Dishonour or Infamie.

Then follows the approval of the marriage of Bothwell with Mary.

Yet within a few weeks of the signature of the Ainslie's Supper Band, we find at Kircaldy's suggestion five of these men—Morton, Argyll*, Glencairn, Cassilis and Caithness, who had signed that band, entering into a new band to destroy Bothwell as the "horribill and cruell murtherer," and to *deliver* the Queen and Infant Prince from him. This new band ends with imprecations if the signatories do not maintain its conditions, imprecations similar to those which accompanied the Bothwell band.

Gif we failzie in ony point we are content to sustein the spott of perjurie, infamie and perpetuall untrewth, and to be comptit culpabill of the above namit crymes [i.e. murdering Darnley, ravishing the Queen, and endeavouring to kill her son], and enemeis and betrayeris of oure native cuntrie for evir†.

Yet again this is the same Morton who could present *The Book of Articles* at the Conferences accusing Bothwell of "vngodlie and filthye vsaig." What conceptions could he possibly hold of the "Honor and Treuth of a Nobillman" and of "Answer to God"?

It is strangely characteristic of Morton's nature that when as Regent he felt his power tottering, he turned round to look for somebody with whom to form an alliance, and he pitched on—Mary, Queen of Scots! Lord Ogilvy had a conversation with him in April, 1577, and in a letter to Archbishop Beatoun he writes of Morton: "He spak very reverently and with gryt honour of the Queen, protesting befor his God he wald not do her evil nor consent thairto for all the geir of the world..." [he had in 1572 asserted to Killigrew that the Queen's death would be "as a sufferayn salue for all their sores" and stated that if Elizabeth would send a sufficient convoy, Mary should be put to death within three hours of her arrival in Scotland: Killigrew to Burleigh, see *Hosack*, Vol, II. p. 569].

What trust can we place in the truth of what such men as Moray‡, Morton, Maitland, Macgill and Buchanan stated with regard to Queen Mary at York or Westminster? One and all were in Elizabeth's pay, and having rid themselves of Bothwell, were now seeking to rid themselves of Mary by charging her with organising the murder of Darnley.

* The Campbell is said to have informed the Queen next day of this new band!

† Keith, Vol. II. p. 651.

‡ Moray, who undoubtedly knew all the circumstances of Darnley's murder, and who afterwards accused his sister of being "the perswader and commandar" of the said murder, made a will when he left on April 3, 1567, for France—in order to be out of the way while Bothwell twisted enough rope to hang himself—and nominated this murderess "overswoman to see all things be handled and ruled for the well-being of my daughter." A few weeks previously he had given a dinner to Elizabeth's representative, Killigrew, and asked Huntly, Argyll, Maitland and Bothwell, all concerned in the Darnley murder, to meet him!

Who really organised that murder? There is little doubt that what Queen Mary said in her first interview with Lord Scrope and Sir Francis Knollys after her arrival in England represented the substantial truth. In their letter from Carlisle on May 29, 1568, to Queen Elizabeth they say:

> And withall she affyrmed that both Lyddington and the Lord Morton were assentyng to the murder of her husband, as it could well be proved, althoe nowe they wold seme to persequate the same.

Thus Mary charged them at once as she charged them at the Hampton Court Conference with assenting to the murder. Morton confessed only to his foreknowledge, although Maitland accused him of knowing "in his conscience I was as innocent as himself," to which Morton replied that he could not affirm the innocence of Maitland "considering what I understood of that matter of his own confession to myself." Morton was executed in 1581 for the murder, and Maitland died—probably by his own hand—in Leith gaol in 1573 charged with the murder. As Burton remarks, the handle of Moray over Maitland and Morton was his knowledge of their complicity in the Darnley crime*, and the same may be said of the handle which Maitland had over Morton during the latter's life. Let us be quite frank, the elimination of Darnley was a first necessity of state, and this all the Scottish Tuchuns recognised, if not for national reasons, at least for their own personal convenience and interests. It is, perhaps, not to be wondered at that Scottish historians writing of that day have tried to find one Tuchun with a decent degree of morality, a small sense of patriotism, or a modicum of real religious feeling. This one has endeavoured to whitewash Moray, that one to make Morton† a wise statesman, the third to show that Maitland of Lethington was a patriot; there have even been those who would have Bothwell not so brutal as he has been painted. In vain! These Scottish leaders were all unscrupulous, they were all unfaithful to their fellow conspirators, they were all endeavouring to grab land, power and money, whether from the state, the church or their neighbours. There is no romance about the epoch, all is sordid, immoral, ruffianly. How does it differ from the state of affairs in England? Not in the least, if we judge by the characters of sovereign, statesmen, or nobles, except in so far as relative to the nobles the sovereign was more powerful, and could crush their plots and rebellions. Cecil and Walsingham were no whit more scrupulous than Moray or Maitland, but they played a national game, even if they did so with loaded dice, and unclean hands. We have been told that we must judge an epoch by its own standard of morals; if such were the case we could never condemn an epoch, however low its morality might be. And in most epochs there have been men with at least as high a standard of morals as our own. Shall we judge the reign of Henry VIII by the morality of that sovereign or of Cardinal Wolsey, rather than by the morality of Dean Colet, Sir Thomas More or Bishop Fisher? Shall we judge the reign of

* *History of Scotland*, Vol. v. p. 7.

† Mr T. F. Henderson says that Morton "with all his private blemishes was one of Scotland's greatest rulers." *Mary, Queen of Scots*, Vol. II. p. 570. Poor Scotland, if its historians in the nineteenth century can write thus!

Louis XV of France by the morality of that King, of the Pompadour and of Cardinal Tencin, rather than by that of Turgot or Condorcet? If we are to judge the age of Moray, Morton, Argyll, Maitland, Lyndsay, Ruthven, Balfour, Bothwell* by their standard of morality, we shall have difficulty indeed in assessing their relative grades of virtue! There has been a false glamour cast over this period by the tragedy of Mary Stewart. It was an age of unshamed treachery, of cruel murder, and of unbridled selfishness, screened under "the interests of the true religion." Whatever the protestant faith meant to the commonalty, for the political lordlings it meant large appropriation of church revenues, and not a higher but a lower moral standard.

A very remarkable document was issued at Westminster on November 26, 1568, in which the Confederate Lords state that they are unwilling to spot the Queen's "honestie with the society of that detestibill murder†," but that they are forced to do it in self-defence. An "Eik" follows in which it is said that Queen Mary was

of the foirknowledge, counsal, devise, perswader and commandar of the said murder to be done, mantenar and fortefiar of the executoris thairof, be impeding and stopping of the inquisitioun and punishment due for the same, according to the lawis of the realme, and consequentlie, be marriage with the said James, sumtime Erle Bothwile delatit and universally estemit chief auther of the abovenamit murdir.

Besides Moray the following signatories to this document are found:

Morton: he signed the band at Ainslie's supper, in favour of Bothwell and his marriage to the queen; he actually stood by him at his mock trial, i.e. "the stopping of the inquisition."

Maitland: he signed the Ainslie's Supper Band, rode with Bothwell for his trial from Holyrood to the courthouse, and was one of the witnesses to the contract of marriage between Mary and Bothwell.

Patrick, Lord Sempill: he also signed the Ainslie's Supper Band.

Lord Lyndsey‡: he was actually a witness to the contract of marriage of Mary and Bothwell.

Adam Bothwell, Bishop of Orkney: he signed the Ainslie's Supper Band for the support of Bothwell and for bringing about his marriage with Mary, and he actually performed the marriage service.

Robert Pitcairn, Abbot of Dunfermline: he was one of the assessors at the

* Sir Thomas Craig, Deputy Chief Justice (b. 1538—d. 1608) is the sole person of position whom my limited acquaintance with the Scottish history of this period allows me to consider honest to the extent of his knowledge—the highest moral praise we can give any man. I do not judge him by our standards.

† They had already done so publicly in December 1567 in Scotland, and privily to the English Commissioners at York.

‡ It was this Lyndsey who, by threats, forced Mary at Lochleven to sign documents announcing her resignation, and having her signature "subscrivit with our hand and given under our Privie seill at Lochlevin the xxiv day of Julij, and our regne the twentie fyve yeir," then went later to Thomas Sinclair, the keeper of the privy seal, and *vi majori* forced him to attach the seal above the signature!

mock trial of Bothwell, yet he was one of the Commissioners at York who accused Mary of organising the murder.

It may be safely asserted that all these lords knew the facts of Darnley's murder as well before as after they had approved Mary's marriage with Bothwell.

They are the very men who actually took part in marrying Mary to Bothwell and they then turned round and charged her, by marrying and supporting him, of screening a murderer! They can only have believed that their actions in Scotland would be unknown in England, or, if known to Cecil, would not be allowed to appear. On the other hand does not their conduct, their low moral sense, force us to distrust any statements and any documents they might produce to incriminate their Queen? Indeed we know that they did abuse documents.

Moray, in July, 1567, passing through London, told the Spanish Ambassador Guzman da Silva that he had heard of a letter, which the Queen had written in her own hand to Bothwell and which bore her signature. In this letter Mary says that she will herself go (to Glasgow) and bring Darnley, poisoning him on the way if she is able; but if this fails she will put him into the house where an explosion is to be arranged on the night of her servant's marriage*. Further Bothwell is to get rid of his wife by putting her away or poisoning her. Moray said he had heard of this letter from a man, 'Jhone à Forret' (? John Wood), who had read it. Now this description does not tally with the Casket Letter of like tendency for that was written *after* Mary went to Glasgow. It might be thought at first sight that Moray was reporting badly what he had heard, but in the Lenox papers there is a description of a letter almost identical with this one, with the same suggestion to Bothwell to poison his wife. Wood as an adviser of Lenox apparently wrote letters for him and was seeking evidence to confirm Lenox's view of the murder. Why did the Lords drop this first letter? Why did they replace it by the Casket Letter I? There is little doubt that—specially after the confessions of Bothwell's servants—it was seen not to be in accordance with known facts; that it was indeed a clumsy forgery. Is there any evidence to show that Letter I, which replaced this earlier production, was any less a forgery, even if it be slightly more in accordance with facts†? What is clear is that either Lenox's retainer Crawford lied when he swore that his evidence was based on what Darnley reported to him that Mary and he had said to each other, and which he reported later to Lenox, or Letter I was a forgery. If indeed Crawford had been *present* when Mary and Darnley talked together—which is not what he claims,—even then Crawford could not have reported to Lenox, and Mary to Bothwell, a conversation in words so closely alike. Either Letter I was based on Crawford's statement, in which case it was forged, or Crawford based his statement on Letter I, in which case he perjured himself. I have said so "closely alike," because if we are to believe Moray and Morton, Mary's letter to

* When Mary left Glasgow she thought she was taking Darnley to Craigmiller!

† The whole question of the Lenox papers has been recently investigated by Major-General R. H. Mahon and the documents, now in the University Library, Cambridge, published; see his two works: *The Indictment of Mary, Queen of Scots*, Cambridge, 1923, and *Mary, Queen of Scots, a Study of the Lennox Narrative*, Cambridge, 1924.

Bothwell was in *French*. How then came the translators of it into Scottish to use almost the same words as Crawford—before Mary's letter had been written, or translated—adopted to report Darnley and Mary's conversation to Lenox?

How does it come about that in the draft Crawford made of his evidence for the English Commissioners, which has been found among the Lenox papers at Cambridge, he strikes out certain words and phrases, which actually appear in the *translation* from the French of the First Casket letter, and replaces them by other words slightly different? Crawford in preparing his draft of evidence must have had the translation of the Casket Letter before him, and endeavoured to make his own account of the conversation somewhat different; that would be impossible had Crawford written down the conversation for Lenox at the time—which was five months at least before the Casket Letters were said to have been found. It will be remembered that Mary in Letter I reports her interview with Crawford, who had met her four miles out of Glasgow to apologise for his master, Lenox, not appearing. According to the Letter Mary says "I answerit to him that *thair was na receipt culd serve aganis feir*."

The Lenox MS. has "She aunswerd y^{t} there was no recepte against feare." There would be nothing remarkable in two such descriptions of the same speech. But what is remarkable is that this manuscript has the words "could serve" *struck out*. Or again, take these two sentences: Letter I, "I inquyrit him of his letteris quhairintil he plenyeit of the crueltie of sum," "She demaunded of him of hys lettris wherein he complayned of the crueltye of som" (Crawford MS.). Is it to be believed that Darnley could report to Crawford, and Crawford reproduce later as a declaration, the exact words of the Scottish translation of Mary's Letter I, to Bothwell, said to be in French: "He plenyeit of the crueltie of sum"! Again compare these passages:

Scottish Translation of Casket Letter I.

God knawis how I am punisshit for making my god of zow, and for hauing na uther thocht bot on zow; and gif at any tyme I offend zow, ze ar the caus *becaus*, quhen ony offendis me, gif, for my refuge I micht playne unto zow, I wald speik it unto na uther body.

Crawford's supposed independent Report.

God knowethe how I am punished for makinge mye god of yow and for havinge no other thowght but on yow, and if at any time I offend yow ye are the cause, *for yt* when anie offendethe me if for my refuge I might disclose my harte to yow, I would speake it to no other.

Now let us think what this means, remembering that the conversation to judge by the Casket Letter was of considerable duration. Darnley says something to Mary about his own failings and he repeats what he has said for Crawford to tell Lenox. Is it probable that a young man, and a young man of Darnley's nature, whatever he might confess to Mary his wife, would repeat it to his servant to report to his father? Well, it seems he does so, and Crawford after a number of months' interval remembers these words and writes them down as his 'Declaration.' Mary is supposed to hear the same speech of Darnley and reports it in a letter in French to Bothwell. Some unknown translator (probably Macgill or Wood) comes along and renders the French letter into Scottish. And then, *mirabile dictu*, the two versions come out almost identical! I have italicised the words *for yt* in Crawford's declaration

because they replace the word *becaus* in the letter, but that word in the manuscript of Crawford is actually there as *because* and has a line drawn through it and *for yt* written above it!

Mary is made to write "He fand greit fault that I was pensive." Crawford's 'Declaration' runs "She was very pensive; whereat he found fawlte." Now that might be the way an onlooker and overhearer would report what happened; but it is distinctly not the way Darnley would report the speech to Crawford. Nowhere do we read what Darnley, had he reported to Crawford, must have said: "The *Queen* said to me so and so" and "*I* replied." Only when Crawford comes to what is not in the Letter do we find the anticipated words "The King asked me, etc." Everywhere else it is the "he" of the Letter retained and the "I" of the Letter turned into "she." It is almost impossible to accept Crawford's 'Declaration' as a real statement of what Darnley and the Queen said to each other. If it were real, there would be nothing in it to convict Mary directly of treachery. What was the purpose of it then?

It was Moray's attempt to prove that the Casket Letter I was genuine, by providing an independent witness confirming the conversation which Mary is asserted to have had with Darnley. No one was present at the interview between Darnley and Mary, but if the statements with regard to this conversation were accurate, the other statements in the Letter were likely also to be really Mary's. Crawford's 'Declaration' is, however, a doctored statement largely based on the Scottish version of the Casket Letter itself, and if the Lords were willing to produce a sworn declaration of this character, what confidence can we possibly have in the undoctored character of the Casket Letter itself? Morton also knew how to doctor letters.

Lenox during his short regency sent Thomas Buchanan to Denmark to induce the King to surrender Bothwell. The messenger carrying the reply to Lenox passed through London, and Morton, who was at that time on a mission to Queen Elizabeth, opened the letter. That Queen, hearing of it, asked to see the contents; Morton wrote to Lenox that he had shown her a copy of it, *after omitting parts of it which he thought it better she should not see.* It is probable that Friedrich knew from Bothwell more about the Darnley conspiracy, and Morton's relation to it than it was desirable should be known in London; whether it was not also desirable that Lenox should not know of them is another question. Morton professed to have sent Lenox the original as well as the doctored version he showed to Elizabeth. These two letters, if the originals could be discovered, would be of much value for the study of Morton*.

At York also Lethington, MacGill and Buchanan, to excuse the Lords for the band they gave to Bothwell at the Ainslie Supper, showed in *secret* to Norfolk a warrant signed by the Queen bearing the same date (April 19, 1567) as that band. In this warrant she gave them license to agree to the band. The Lords affirmed that before they had this warrant there was none of them did or would

* Cotton MSS. British Museum; Goodall: Vol. II. p. 382.

agree to set their hands to the band, saving only the Earl of Huntly*. This all-important document has never been seen from that day to this, although it would have been the trump card could Moray have played it at Hampton Court. There is very little doubt that what the egregious three exhibited privately to Norfolk was a version of the Queen's pardon to those who had signed the band; this was issued on May 14, the day before her marriage with Bothwell, and *after* the ravishment of April 25. This document runs:

> The Queene's Majestie haveing sene and considderit the Band above writtine promittis in the Word of a Princess that she, nor her Successoris sall nevir impute as Cryme or Offence to any of the Personis Subscryveris thairof, thaire Consent and Subscriptioun to the Matter above written thairin contenit; nor that thai, nor thair Heires, sall nevir be callit nor accusit thairfor, nor zit sall the said Consent or Subscryving be onie Derogatioun or Spott to thair Honor, or thai esteemit undewtifull Subjects for doing thairof, notwithstanding quhatsomevir Thing can tend or be allegeit in the contrarye†.

It is clear that this pardon would apply equally well, and antedate the Ainslie's Supper Band, if the month of May were changed to April. All that Elizabeth's Commissioners say is that the Lords excused their conduct by presenting a Warrant of April 19 and a Pardon of May 14 "the one did license to doe, and the other seemed to discharge and pardone that was done‡." But if they had signed the band on a warrant to do so, the granting of a pardon seems unnecessary. Anyhow the warrant—the words of which are not cited—has never been seen since October, 1568, in York, although it would have been a most invaluable piece of evidence in Moray's favour. There is little doubt that it was a doctored document, which could not be exhibited in the presence of Mary's Commissioners.

A somewhat similar juggle took place with regard to the contract of marriage with Bothwell. There are *three* such contracts. One of these, let us call it No. A, is undoubtedly genuine; it is given by Goodall§ as from an original in the "Royal Archives." It is dated May 14, 1567. It is a perfectly straightforward legal document and has the names of 16 witnesses, besides the signatures of Marie R. and James Duke of Orkney. Among the witnesses who were present at the royal signing are Lord Lyndsay and Maitland of Lethington, both of whom within a few weeks turned first against Bothwell and then against Mary. This document is not the one that Moray produced. It would not have served his purpose to have a contract made on the day before the marriage, May 15.

Moray first produced a contract No. B in French; this is without witnesses or date and is now in the Cotton Library, but the signature is distinctly not that of Mary, Queen of Scots, although it resembles it. There is nothing whatever to object to here, the Queen says "*Et puis que Dieu a pris mon feu mary Henry Stuart dit Darnley,* & que par ce moien je sois libre, n'estant sous obeissance de pere, ni

* Anderson: *Collections relating to the History of Mary, Queen of Scotland*, Vol. IV. Part 2, p. 59. Letters of Norfolk, Sussex and Sadler to Queen Elizabeth.

† Anderson's *Collections*, Vol. I. p. 111.

‡ *Ibid.* Vol. IV, Part 2, p. 59.

§ *An Examination of the Letters, etc. of Mary, Queen of Scots*, Edinburgh, 1754, Vol. II. p. 57.

des mayntenant je proteste que *lui** *estant en mesme liberté*, je seray preste d'accomplir les ceremonies requises en mariage." The above words show that both Bothwell and Mary were free at the time of this contract, i.e. it must have been made after the divorce, April 26 or 27. Why it was made in French and why no witnesses, or why with Bothwell's signature failing it is called a 'contract' is not clear. It may have been merely a document sent by Mary to Bothwell. Anyhow although the Lords' Commissioners tried to interpret it as really made before the divorces, and Buchanan asserts that it was given before Darnley's death†, the document itself distinctly states the contrary. However, Moray was ready with a third contract. This contract No. C is dated April 5, is in Scottish, is said by Buchanan to be in the handwriting of Huntly, and to have been made at Seton. It is signed Marie R. and James Erle Bothwell; the sole witnesses are given as "George Erle of Huntley" and "Maister Thomas Hepburne, Personn of Auldhamstock." This document met Moray's need; it is dated a week before Bothwell's trial, and before the divorce cases had been started.

According to Moray and Buchanan this contract was in the Casket and it was published by the latter in the *Detectioun*‡. Like the Casket Letters, it does not exist in the original, nor have I come across notices of the existence of any copy save that presented by Moray. We have to trust to Moray and internal evidence for its authenticity *particularly as to date*; it is thus under the same suspicion as the Casket Letters. That it would be of service to Moray is clear, for it would place the contract at a date (April 5) earlier than the ravishment (April 25), and strengthen the opinion that the latter was with the Queen's sanction. Adopting this view it would be necessary to suppose that the project of Dame Jane Gordon's divorce was already planned. But one of the terms of the contract is not that Bothwell shall *seek* a divorce, but that "he sall prosecute and set fordwart the said Proces of Diuorce alreddy begunne and intentit betwixt him and the said Dame Jane Gordoun." The divorce may have been 'intentit' but it can hardly have been said to have been 'begunne' on April 5. Another trouble is that Bothwell's wife is spoken of as "now his pretensit spous." But a "pretensit spous" could clearly not bring an action for adultery against a man, if she were not his real wife. The use of such a term would at once destroy Lady Jane Gordon's chance in a Protestant Court of getting a divorce from her husband on the ground of his adultery. Again would not the statement of consent even in those days have barred an action for divorce in the Protestant Court? In other words would it be reasonable in a document of this kind to hazard such a statement as "yet his said pretensit spous hes thairunto consentit."

If this document be genuine, I think we must conclude that on April 5 the only idea was to bring an action in the Catholic Court on the ground of the invalidity of the marriage, owing to Bothwell and Lady Jane Gordon being within

* Jaques Hepburn, Conte de Boduel.

† Ed. Anderson, *Collections*, Vol. II. p. 93.

‡ Reprinted: Anderson's *Collections*, Vol. II. pp. 92—96.

the prescribed degrees of kinship and having married without the requisite ecclesiastical dispensation*. In such a case Bothwell's wife was a "pretensit spouse" and could consent to the declaration of the nullity of the marriage. But while Bothwell was an undoubted libertine, he was also fanatically protestant. He refused to be present at mass, he was married to Lady Jane Gordon by a protestant service, and he insisted on being married to Mary by the same ceremony. What is meant in this document by both parties promising to "compleit the Band of Matrimonie in Face of holy Kirk"? I cannot find that the term "in Face of Holy Church" was ever used by the Scottish protestants. In their acts and documents it is always "*The* Kirk†," and "the true religion." It seems therefore as if Bothwell in this document were promising to be married by the ceremony of the Catholic Church, a proceeding he had the strongest objection to. To sign such a document seems inconsistent with all we know of Bothwell. He would not attend mass at the conferring of the Order of the Cockle on Darnley (Feb. 10, 1566); nor would he be married to Lady Jane Gordon by any but a Reformed minister, and a protestant ceremony must be used even against Mary's strongest feelings in May, 1567. It cannot be overlooked that if Bothwell was a ruffian, he was also a bigot.

Buchanan in his desire to prove the deceit of Mary overrides his goal in commenting on this supposed contract of April 5. After pointing out that it preceded Bothwell's acquittal, he is so desirous of showing up Mary's guilt in pledging herself to a married man that he writes‡:

Alswa it appeiris be the Wordis of the Contract itself, that it was maid befoir Sentence of Diuorce betwix Bothwell and his former Wyfe, and alswa in verray Treuth was maid befoir ony Sute of Diuorce intentit or begune betwene him and his former Wyfe, thocht sum Wordis in this Contract seme to say utherwyse. Quhilk is thus prouit; for this Contract is daitit ye v of *Apryll* and it planely appeiris, be the judiciall Actis befoir the twa seuerall Ecclesiasticall ordinarie Judges, quhairin is contenit the haill Proces of the Diuorce betweene the said Erle and Dame *Jane Gordon* his Wyfe, that the ane of the same Processis was intentit and begune the XXVI Day of Apryll and the uther the XXVII§.

The word "begune" is certainly remarkable, but not the word "intentit" unless it had a legal meaning in Scotland in those days. Mary, Huntly and Bothwell may have "intentit" and even arranged with Lady Jane Gordon a divorce as early as

* A dispensation has since been found in the Sutherland muniment room (see John Stuart: *A Lost Chapter in the History of Mary Queen of Scots recovered.* Edinburgh, 1874) but its authenticity has been recently disputed.

† It is the "Judgment of the Kirk" and "the Kirk which is slaundered." Occasionally I find "the Kirk of God."

‡ *Detectio, loc. cit.*, p. 96. Here Buchanan is only following Moray who, in exhibiting the document at the Conference at Westminster, Dec. 7, 1568, made precisely the same comment. The minutes of this meeting are in the State Paper Office [State Papers (Mary Queen of Scots), Vol. II. p. 805, Nos. 60—61], and have been published by Hosack: *Mary Queen of Scots and her Accusers.* Edinburgh, 1869, pp. 551—552.

§ The suits begun on these days were ended, that in the Consistorial Court for adultery on May 3, and that in the Archbishop's Court for nullity on May 7. If this document were genuine, May 5, and not April 5, would be a reasonable date for it. Huntly who, Buchanan states, drew up the Contract was a Catholic, and for him, as for Mary, only the decision of May 7 would be valid.

April 5 by the Catholic ecclesiastical court, but Buchanan does not see that the use of the term "begune" is a strong argument for at least the date being a forgery. We have further to notice that the witness Thomas Hepburn, Parson of Auldhamstock, was a henchman, and a very questionable henchman of Bothwell*. The document may have been prepared by Bothwell and Huntly in order to influence the Lords at the Ainslie Supper; it is not a fully witnessed and registered legal document—these brothers-in-law were probably quite as capable of this sort of thing as Morton and Maitland—but the contract is inconsistent with the later ravishment, which is inexplicable, if Bothwell had this document in his pocket. As I have pointed out there are internal difficulties with regard to its acceptance, and Moray has only himself to blame, if after showing his documents in private to the English Commissioners, he spirited them away, when he was challenged to produce them by Mary's Commissioners†, and left their publication to Buchanan! Moray for his own reputation—and he was an astute man—ought to have courted the fullest examination for his documents, for if genuine they could only demonstrate the truth of his assertions; if doctored or forged his conduct is explicable.

Perhaps the most characteristic and true description of the battle of the Tuchuns

* There is no great reason for differentiating Huntly from any of the other Scottish Tuchuns. He was playing for his own hand, and the honour of his sister—who may well have desired to be free of Bothwell—was only a pawn in the game. Huntly was paid by the proceedings in Parliament of April 19, when his father's estates were restored to him. He was also a bitter enemy of Moray, to whom was due his father's death, the sacking of Straithbogie, and an attempt to get himself disposed of. He not unnaturally supported Bothwell through thick and thin.

† At the risk of reproducing what should be well known, I print here the 'Principal Heads' of Mary's Letter to her Commissioners challenging the Lords to allow her to see the documents they produced at Hampton Court. It is needless to say that in any civilised country a trial for crime—and that was really what Elizabeth's Commission amounted to—in which the prosecutor produced documents not shown to the accused, and the Judges refused to order them to be so shown, would be an impossibility! Yet this is actually what occurred. Moray went off with his documents—which were never again to come to public view—and Elizabeth and Cecil saved the political situation by the remarkable statement by which they wound up the Commission (see p. 20 above).

Extract of the Principal Heids contenit in the last Letter that came fra the Quenis Hienes, our Maistres, direct frome Bowton, the 19th December 1568 (Keith: *History*, Vol. III. pp. 309—310).

We haif resavit the Eik gevin in be the Erle of Murray and his complices: And quair thai haif said thairintill, or at ony tyme, that we knew, counsallit, devysit, persuadit, or commandit the murthour of our husband, thai haif falslie, tratouruslie, and mischantlie leid, imputeing unto us malitiouslie the cryme quhairof thai thameselffis ar authoris, inventoris, doeris, and sum of thame proper executoris. And quhair thai allege we stoppit inquisitionis and dew punischment to be maid on the said murtheroris, and siclyke of the sequele of the mariage with the Erle Bothwell; it is sufficientlie anserit in the replie gevin in at Yorke to thais twa pointis, and diverse utheris thair allegences, gif thai be weill considerit.

And quhair thai charge us with unnaturall kyndnes towart our sone, allegeing we intendit to haif causit him follow his fader haistellie. Howbeit the naturall luif the moder hes to the barnes is sufficient to confound thame, and misters ne uther anser; zit, considering thair proceidingis bypast, quha did him wrang in our womb, intending to haif slane him and us baith, thair is nane of gude jugement bot thai may easilie persaif thair hypocrasie, how thai wald fortifie thameselffis in our sonis name, till the tyrannie war better establissit.

And to the effect our gude sister may understand we ar not willing to lett thair fals inventit allegeances pas owr with silence, adhering to zour former protestationis, ze sall desyr the inspectioun and doublis of all thai haif producit aganis us.

And that we may see the allegeit principall writtingis, gif thai haif anye, producit; and with Godis grace we sall mak sic anser thairto, that our innocencie salbe knawin to our gude sister, and all utheris Princes; and siclyke, sall charge thame as aucthoris, inventoris, and doeris of the said cryme thai wald imput to us, and prove the samin sufficientlie, swa that we may haif our gude sisteris presence as our adversaris hes had, and ressonabill space and tyme to get sic verificatioun as appertenis thairto, and to add, as tyme, place, and neid sall requeir.

in York and afterwards at Hampton Court occurs in a letter of the Duke of Norfolk to Cecil, dated York, Oct. 15, 1568; speaking of the Lords' Commissioners, he writes:

> You schall fynde in the ende that as ther be sume fewe in thys Companye that mynde playnlye and trulye, so ther be others that seke hollye to sarve ther oun partycular Turnes, the wyche beyng done they care not what becumes nether of Quene nor Kynge. And thus good Mr Secretarye beyng more weryyd with the Inconstancys of thes Menes Doyngs, than with anye other Travel I bede zou most hartelye farewell.

To this letter Norfolk adds as P.S. "The Quene of Scotes in respect of herselfe I thynke hath better Frynds of the Regent's Side than of heare owne." This can only mean that Maitland was already playing false to his fellow conspirators. One of them at least, Norfolk was to learn at his own expense, was capable of the lowest form of treachery.

It must we think be frankly admitted that if Moray, Morton, and Maitland assisted by their henchmen Buchanan, Macgill and John Wood had real evidence of the guilt of Mary, Queen of Scots, in the matter of her husband's murder, then they went the best way about not only to leave grave doubts in the minds of posterity, but also to raise strong suspicions as to their own culpability for Darnley's death. Unfortunately their personal characters in various other respects are so open to question, that we cannot accept their verbal statements, and need reliable documented evidence. There is nothing impossible in history, it needs rewriting every century. As the Lenox papers at Cambridge throw new light on one phase of the charge against Mary, so still more weighty evidence may any day come to hand. The state records, royal archives, the Vatican files, or what is still more probable the muniment chest of some Scottish family may revolutionise our views. May not the Casket documents be still somewhere in hiding? Where are Moray's, where are Morton's papers? May not Bothwell's "Testament" be still in existence? Where above all is the band for the destruction of Darnley of which our sole real inkling is what Ormiston tells us? It is hard to believe that what we now possess is all that will ever be rescued from oblivion!

Meanwhile as to the organiser and 'perswader' of the murder of Darnley we know about as little as Lenox knew, for, as we shall see later, it is difficult to admit that Bothwell's gunpowder was the cause of Darnley's death. What we do find is a crowd of treacherous Tuchuns plotting against their Queen, deceiving each other, and grasping at the sceptre of power which was elusive, for their fellows tore it with blood-stained hands from blood-stained hands. The names of Stewart, Hamilton, Douglas, Gordon, Campbell, to those who really study the history of Scotland, do not suggest romance or noble self-sacrifice; they bring to mind treachery, bloodshed, and foul play, Norman self-seeking, not Highland chivalry. We find ourselves among barbarian chiefs, without a sense of patriotism. For the "commone people inconstant,"—that is, for the nation at large—they toiled as little, as they bore them little in mind; the common people were good for labour and good for fighting. That was the Norman's view of his serfs, or the Tuchun's view of his fellow countrymen today.

If we want to understand the state of Scotland in the 16th century we can study it on a larger scale in China at present. It matters not if the same type of character be called James Stewart, James Douglas, Ching-Wei, or Chen Chiau. It is the same self-seeking for power with a suitable catchword—"the true religion," "nationalism," "communism," whichever fits the fashion of the day,—to deceive "the commone people inconstant." It is, one might hope, a passing phase of civilisation; but the catchwords and the 'commone people inconstant' are still with us, and the professional politician of Western civilisation may after all be as dangerous as the Tuchun, when he stirs an emotional and uneducated commonalty to his purpose. Times and methods change, but the dominating motives and passions of mankind are deep rooted in the species, and each period of history can tell us something as to the essential factors of our own epoch, utterly different as it appears to the superficial observer, who judges every century but his own as dark and every country but his own as unenlightened. Unfortunately every historic period is a dark age, every nation savage from the standard of what more highly evolved human beings might be, who could calmly judge their own as they judge others' motives, and possessed the power to bridle their inborn passions.

(3) *The History of Darnley's Skull and Thighbone.*

Darnley is said to have been murdered at 2 a.m. on Monday, February 10, for that was the time of the explosion, and his body was carried to the house noted on Plate XXXIX as the house where the King's corpse was kept after his murder*. The body was in charge of one Alexander Durham. Bothwell desired Melvil to go up and see the body for there was not a hurt nor a mark on it. Melvil went up, but could not get a sight of the body (Melvil's *Memoirs*, p. 185). The like absence of injury is said to have been reported by the surgeons, who were sent to inspect the corpse. Nau states that the Privy Council examined the body to ascertain *how* Darnley came by his death†. The fact that there was little if any injury to the body must have been common knowledge, for the judges pressed the minor assassins who were brought to trial‡ to admit that Darnley had been suffocated, and not killed by the explosion. The drawing of the scene, the fact that Darnley's night clothes appear to have been uninjured and the report of Melvil§ that Darnley "was brought down to a stable, where a napkin was stopped in his mouth and he therewith suffocated," point to the uninjured condition of the body.

* This house was at the north-west corner of the collegiate quadrangle attached to the Prefecture of St Maria in Campis (Kirk o' Field). The Provost's House was on the south, and the Prebendaries' Lodgings, which were blown up, on the west side. See Plate XL.

† *History of Mary Stewart* by Claude Nau. Edinburgh, 1883.

‡ John Hepburn (Pitcairn's *Criminal Trials in Scotland*, Vol. I. p. 500) says some nine were at the deed doing, and that he saw no more and knew of no other companies. "He knowis nat other but that, that he was blowin in the ayre, for he was handilit with na mens' handes, as he saw; and if he was, it was with others and not with them." Similarly Ormiston was asked if the King was handled otherwise by his hands "for it is commonlie spoken he was brought furth and wirryit." Answered that he knew nothing but that he was blown up. And that he had himself inquired the same of Hepburn and Hay, and they swore he was blown up.

§ *Loc. cit.* p. 155.

Darnley, as I have said, died in the early morning* of Monday, February 10, 1566. On the Wednesday a precept in the handwriting of the Earl of Huntly was issued by order of the Queen to Robert Richardson, Treasurer of Scotland, to pay £40 for perfuming the king's body†:

My Lord thesaurar, Forsamekle as the Quenis Majestie and Counsell has direckitt ane pottinger and schirurgens to caus perfume the Kingis body, and in respect that ther is syndri thingis requirit to the samyn quhilkis thay hadde nocht, Heirfore, the Quenis Majestie hes ordanit me to advestis yow that ye caus delyver fourte pundis for performance of sik necessars as appertenis thairtill, quhilkis salbe allouit to yow, and delyver the same to the pottinger, and tak his vritting thairon; and for my awin part, I vald pray yow effectusly that the said soume war perfurnist with diligence and delyverit in all haist, in respect the same Rynis to the Quenis Majesteis honour, and the hale cuntrey, at the palyce of halirudhous the xij of februar 1566.

Your L. guid freind

To My Lord Tresaurer. HUNTLYE.

On the back of this document we read:

Je, Martin Picauet, appore. [apothicaire?] de la Royne de Scosse, Douairiere de France, confesse auoir Receu de Mr Robert Richarson, tresorier des finances de la diste dame, la soume de quatre vintz liures Tourn.‡ pour la fourniture des drogues pour lambaumement de Roy, de la quelle soume prometz en tenir compt au dist tresorier, et a tous auttres. Tesmointz mon seing manuel cy mis le xije jour de februier mil cinq cent soixante et six, auant pasques.

E. PICAUET.

In the Treasurer's Accounts two further references to this matter are found§:

Item, the xij day of februar, be the Quenis grace speciall command to Martine Pitcauet, ypothegar, to mak furnesing of droggis spicis and utheris necessaris for oppinyng and perfuming of the Kingis grace Majesteis umquhile bodie, as his acquittance schawin upoun compt beris, *xl. li.*

Item, for colis, tubbis, hardis, barrellis, and utheris necessaris preparit for bowaling of the Kingis grace, *xlvi. s.*

It will be clear from these extracts that Darnley's body was not buried precipitately, but was first embalmed in the manner of earlier Scottish Kings. It is necessary to emphasise this, because in *The Book of Articles* (Hosack's Reprint, *Mary Queen of Scots and her Accusers,* Vol. I. p. 439) it is asserted that the "corps without any decent ordour wes cast in the erth on the nycht without any ceremony or cumpany of honest men‖." Buchanan¶ with his customary mendacity alleges that Darnley

* If, as seems probable, he was suffocated, it would be most likely between 10 and 12 p.m. on the preceding Sunday. A knowledge of this may account for the supposed wrong date (Feb. 9) in the indictment of Bothwell.

† *Archaeologia Scotica*, Vol. III. pp. 80—81. Edinburgh, 1831.

‡ The "livre tournois" was an old French money of account, divided into 20 sols or sous and so about the value of the later franc.

§ There are also Treasurer's payments for the various materials for the Queen's mourning dresses.

‖ A similar and obviously untrue account is given by Calderwood, *History of the Kirk of Scotland*, Vol. II. p. 346.

¶ Buchanan's *Detectioun*, reprinted Anderson: *Collections*, Vol. II. p. 27. The whole account is worth reading by any who wish to understand Buchanan's character. In his *History* (*Opera omnia*, 1715, p. 346) he charges Mary with burying her asserted paramour (Rizzio) in the Royal Vault, where he was *not* buried. In the *Detectioun* he charges the Queen with burying Darnley to disgrace him beside Rizzio, where he was *not* buried. He admits that Darnley's corpse was brought to the Chapel Royal—

was buried alongside Rizzio "be commoun caryeris of deid bodyis upon ane vyle Beir." In *The Book of Articles* it is further stated that it had been *proposed* in Council that "his cors suld be takin and brocht to the chapell within the palace of halyrudehus (this appears to have been done) and thair remane quhill preparatioun mycht be maid for his buriall and honorable intertenement quhilk suld not haif bene accomplesit quhill the end of fourty dayis" (*loc. cit.* p. 538). The *proposal* may have been made, but there is no evidence for it, and considering that Mary and Darnley were Catholics, and the majority of the Lords protestant, any great ceremony must have failed. As Bishop Leslie writes (*A Defence of Queen Mary's Honour* (Anderson's *Collections*, Vol. I. p. 23 of Reprint)):

Was not his Body enbalmed, inseared and interred bysides the Queenes Father, the late King James, accompanied with Justice Clerke, the Lord of Traquarre, and with diuers other Gentlemen? The Ceremonies indeede were the fewer, bycause that the greatest Parte of the Counsaile were Protestantes, and had before enterred their owne Parentes, without accustomed Solennities of Ceremonies. Neither is there any suche Order or Custome, as ye pretende and make your Reckning of, for the Reseruation of the Corps Forty Dayes, nor any such Obseruation was kept and vsed about the Corps of the very Father of the Prince*: Neither yet was there any such Order taken, or appointed by the Counsaile, for the Enterring of the said Lord Darley's Bodie in such sorte as ye notifie, but even directly to the contrary.

Yet even with regard to the Forty Days before the funeral service the good Bishop of Ross forgot to note that on the 23rd of March, just forty days after Darnley's death:

ther wes ane solemne saule mass with a dergie soung after noone, and done in the Chapell Royal of Holyroudhous, for the said Henrey Stewart and hes saule by the Papists at her Majesties command. (Birrel's *Diary*, p. 7.)

Thus was Darnley deposited in the Royal Vault with the usual Catholic rites, and there in peace his bones rested for a century. Perhaps the word peace is hardly appropriate. After the flight of Bothwell and the imprisonment of the Queen, the process of arresting minor participators in the King's murder began. Probably some of these were far more innocent than the Lords of the Privy Council, who ordered their trial and torture. Thus we read in the Record for 27 (?17) June 1567:

Sederunt. Earl of Morton, Earl of Athole, Earl of Glencairn, Earl of Mar, Lord Hume, Lord Ruthven, Lord Sempil, Lord Sanquhair, Lord Ochiltrie. **Forsamskill** as William Blackater, James Edmondstown, Johne Blackater, and Mynart Fraser, all suspectit of the King's murthour, are takin and apprehendit, the Lordis of Secreit Counsall thairfoir ordanis the saidis personis to be put in the irins and tormentis, for furthering of the tryall of the veritie; providing that this cause, being for the trying of a Prince's murthour, induce na preparative to utheris personis suspectit of utheris crymes.

it lay certain days there before being transferred to the Royal Vault—but this was only that the Queen might "lang behold, not only without Greif, bot alswa with gredy Eyis, his deid Corps, the gudlyest Corps of ony Gentilman that euer leuit in this Age." It is extremely unlikely that Buchanan would have an opportunity of seeing the greedy eyes of the Queen gazing on Darnley's body. But if he had, then the burial could hardly have been conducted privately and secretly by night, as some of the Lords party afterwards asserted! If, as we may reasonably suppose, Darnley's face was still disfigured by his disease, there might be very good reasons indeed for no public viewing of the body.

* I think this refers to James V, father of the ruling "Prince," i.e. Queen Mary.

Birrel records in his *Diary* (pp. 10—11):

The 24 day of Junii, Capitane William Blacketer wes drawin backward in ane cairt from the Tolbuith to the Crosse, and there was hangit and quarterit for being on the King's murther.

He declared "as he waid answer to the eternall God on the day of judgement" that he had taken no part in Darnley's death. But a packed jury, "for the maist pairt vassals and servandis" of the Earl of Lenox, gave him no chance to escape. It is not improbable, as indicated by the last words of the above precept, that Blackater knew too much of some other doings of these Lordis of Secreit Counsall, and it was desirable to be rid of him by hook or crook. According to Calderwood* (*Historie of the Kirk of Scotland*, Vol. II. p. 366), the other three were executed, but Mynart Fraser at least appears in later documents and was probably a distant kinsman of the Fraser of Lovat, who afterwards owned the skull of Darnley!

But the Edinburgh folk, who flocked to see the first sacrifice to the Manes of Darnley, were to be provided with additional excitement on the same day. The Earl of Glencairn and his servants, without obtaining the sanction of his fellow "Lordis of Secreit Counsall," went to Holyroodhouse and ravaged the interior of the Chapel Royal, destroying the altars, tearing down the pictures and images and destroying all ornaments. Knox and the other reforming preachers much commended Glencairn for this "act of pietie and zeale†." There is no evidence, however, that the Royal Vault was desecrated as on later occasions. It would have been too inconsistent even for a fanatic of Glencairn's type to have ordered the torture of the supposed murderers of the King and broken open the coffin of the "innocent lamb‡" in the same week.

All that need be said about Darnley's burial is said by the writer of the *Diurnal of Occurrents* (Printed by the Bannatyne Club, Vol. 45, Edinburgh, 1833).

Vpoun the fourtene day of Februar foirsaid, the corpis of the said vmquhile king of Scottis, and spous to our souverene ladie, wes burijt in Halyrudhous besyed king James the fyft, in his sepulture quietlie (pp. 105—6).

The position of the Royal Vault in the south-east corner of the Abbey Church will be clear to the reader from the plan on our Plate XXXVI. The vault was inside the building, and, until the Church roof fell, well protected from weather and vege-

* Calderwood is as unreliable an historian as John Knox and George Buchanan themselves.

† Knox's *Historie*, p. 410, Edn. 1732; Lord Herries' *Historie*, p. 97.

‡ This very incongruous description of Henry Stewart first appears in a doggerel rhyme, which must have been issued to the populace just before the trial of Bothwell. It has been preserved in Calderwood, *Historie*, Vol. II. p. 350, and is reprinted in Parker's notes to Keith's *History*, Vol. II. p. 625.

I hold it best ye give him assize
Of them that wrought the interprize,
And consented to that foule band,
And did subscrive it with their hand;
And other sillie semple Lords,
Who feare their hanging into cords.
God is not glee'd thogh ye him clenge;
Believe me, weill He will revenge
The slaughter of that innocent lamb,
Metu vindictam, et ego retribuam, etc., etc.

The "innocent lamb" is the man who drew up the band for the assassination of Rizzio, and planned on more than one occasion the dethronement of his wife. But the interest of the expression lies in the fact that Lenox uses the same description of his son in the *Lennox Narrative* in the Cambridge University Library (Major-General R. H. Mahon's *Mary Queen of Scots*, p. 127. Cambridge, 1924):

As he [Darnley] was writing a letter the Queen his wife came unto him and seeing the contents thereof seemed to be so well pleased withall that she took him about the neck and kissed him as Judas did the Lord his Master. This tyrant having brought her faithful and most loving husband, that

tation. The bodies that we know to have been in this vault were those of James V*, his wife Queen Magdalen, the two infant sons of James and Mary of Guise †,

innocent lamb, from his careful and loving father to the place of execution, where he was a sure sacrifice to Almighty God.

Note further the words of the pasquil:

The farther in filth ye stamp but doubt,
The fouler sall your shoes come out.
Ye being chieftain of that tryst,
Ye braid of him that speired at Christ,
"*An sum ego, Jesu Christi?*"
Who answered, "*Juda, tu dixisti.*"

It is hardly to be doubted that the *Lennox Narrative* came later from the same source as the poem, only Mary was now given the Judas character formerly assigned to Bothwell. The poem ends:

Here I advice yow in time,
If that ye clenge him of that crime,
Ather for love, or yitt for terrour,
I sall protest for wilful error.

The protesting "for wilful error" against a jury was a process of the Scottish Law by which the jury might incur pains and penalties, and the threat of the Lenox faction is to bring such a protestation if the trial "clenges" Bothwell. But, as at the trial of Archibald Douglas for the same murder, the jury at Bothwell's trial could assert in this case that there could be no pains "for wilful error," as neither Queen's advocate, pursuer nor informers had sworn to the indictment. The trial was skilfully arranged so that there was no support for the indictment, and an acquital must follow. The "Erle of Caithnes, Chanceler of the said assyses, in his and thair names askit instrumentis, that nouther the said Aduocatis, nor the said Robert Cuninghame, as hauand commissioun of my Lord of Lennox nor na utheris" brought any writing or verification of other sort by which the "dittay" or charge might be fortified, nor was the "dittay" sworn to, and therefore they protested "that they suld incur na wilfull error in ony wise heirefter" (Keith, *History*, Vol. II. pp. 546—7). Lenox was better at popular propagandism than at legal procedure, and by pressing for an immediate trial—before he had made a party and collected his evidence—he lost his chance.

* There is no doubt about James V, as we shall show, but the following passage seems to indicate that he was not at first placed in the south-east vault:

After this Prince had some years rested in a Tomb, not only it, but the most part of the Church was made equal to the ground by the Armies of his Uncle King *Henry* the Eighth, whose malice left him not even when he was dead, proving as horrible an Uncle as Nero was a Son. A while after he was transported to another Vault by the piety of his matchless Grandchild *James* King of Great Britain; when he was embalmed again, enshrined and his coffin adorned with the Arms of the Kingdom, Cognoscances and a Crown. With which honours I leave him, till some famous pen, encouraged by the favours of his Royal Successors, raise his fame from the dust of obscure Papers to Eternity. William Drummond of Hawthornden, *History of Scotland*, pp. 349—50, 1682.

Drummond died in 1649, hence well before the next sacking of the Abbey Church. It is quite possible that James VI re-embalmed his ancestry, but the transference of the body of James V at that time from his tomb to another vault seems very improbable, when Bishop Leslie says Darnley's body was placed beside that of James V, and there it was observed again in 1688.

† Various absurd popular rumours as to the contents of the small coffins have been spread about. One that the real body of the child of Mary and Darnley was in one of them, James VI being a changeling. The tale is as idle as the statement that James VI was really the son of Rizzio. It is a pity that such an idle scandal should be given even the credit implied by Sir Herbert Maxwell in his far from impartial *Historical Sketch* attached to the *Official Guide to Holyroodhouse* (p. 137). Were the infant really the son of Rizzio, there would be little historical interest in Darnley as a progenitor of the present reigning family. But the evidence is far too strong on the side of James' legitimacy. We have first the ring of truth in Mary's own statement:

The King came to visit the Queen and was desirous to see the child. "My Lord," said the Queen, "God has given you and me a son, begotten by none but you." At which words the King blushed, and kissed the child. Then she took the child in her arms, and discovering his face, said "My Lord, here I protest to God, and as I shall answer to Him at the great day of judgment, this is your son, and no other man's son! And I am desirous that all here, with ladies and others, bear witness; for he is so much your own son, that I fear it will be the worse for him hereafter." Herries: *Historie of the Reigne of Marie Queen of Scots* (Abbotsford Club), p. 79.

The subtlety of the last sentence only too truly indicates Mary's appreciation of the weakness, as the former sentences indicate her appreciation of the suspiciousness, of Darnley's nature.

In the second place the reader has only to compare the chinless face, broad-bridged nose and feeble

the Countess of Argyll*, and Henry Stewart, Lord Darnley. Sir John Lauder of Fountainhall writes (*Historical Observes of Memorable Occurrents in Church and State, from October 1680 to April 1686*. Bannatyne Club, Edinburgh, 1840, p. 89) as follows:

In the moneth of Januar 1683 was discovered accidentally by the removing some seats in the Church of Halirudhouse, the vault on the South-east end of the Church, wheir the body of King James the 5$^{t.}$ lyes buried. Skeen and others in ther Chronologies of the Scots Kings tell us, he was buried at Halirudhouse, but the length of tyme and negligence had worne the particular place out of the memory of men. It was knowen to be him by the inscription on his leaden coffin. I had the curiositie to goe and view the relicts of that gallant Prince. In the pend or cell ther are six lead coffins. The first is King James the 5$^{t.}$ who dyed in the year 1542; but Drummond of Hawthorndene, in the very end of his life, tells us, this is not the place where he was first interred, but that King Henry the 8$^{t.}$ of England's army having defaced his tomb and monument, he was transported into this vault by King James the 6$^{t.}$ and reimbalmed; which appears by the freschnesse of his body and the liquor about him†. The second is his first Queen, Magdalen, daughter to Francis the 1st, King of France, who dyed in 1537. The third is Henry, Lord Darnley, father to King James the 6$^{t.}$, and Quean Marie's husband, who was strangled in 1567; by his body he appears to have been a very tall proper man; others [who doubtless were better acquainted with Buchanan than Leslie!] call this bodie Seigneur David Rizio's, the Italian musitian's. The 4$^{t.}$ is Ladie Jean Stewart, bastard daughter to King James the 5$^{t.}$ and Countesse of Argile who dyed 1587. The other 2 are some of their children.

We shall discuss these statements more at length somewhat later.

During the Regencies and the Commonwealth periods the Abbey Church was used as the parish kirk of the Canongate, but on the Restoration Charles II not only renovated Holyroodhouse (1674—1679), but caused the Abbey Church to be completely repaired and set apart "for all time" as a Chapel Royal (1672)‡, thus stopping its use as the parish kirk of the Canongate. James VII (and II) who as Lord High Commissioner and Duke of York had established a Roman Catholic Chapel in the Palace itself, gave orders as King in December 1687 that the

features of the portrait of James when seven years old in the National Portrait Gallery with that of Henry Stewart (see our Plates VII and X) to see his paternity. The feebleness of Lenox with the profligacy of the Stewarts combined to extinguish the family as a ruling race. While the full face picture of the boy of seven hardly shows Darnley's retreating Lenox forehead, it is quite manifest in the adult portraits of James (see Plate IX), nor has that Lenox forehead wholly disappeared from our Royal Line.

Lastly, the child was born on June 19, 1566; hence we may reasonably hold that it was conceived in the middle of September, 1565. Mary was at that time in the midst of the "Chase-about Raid"; Darnley and she were at the head of the army driving Moray and his confederates out of Scotland. They were still on the best of terms and fully occupied. It is inconceivable that Mary at this time was carrying on an intrigue with Rizzio.

* Jane Stewart, an illegitimate daughter of James V, a favourite of Queen Mary. It was she who picked up and held the candle, after the supper-table had been overturned by the assassins of Rizzio. She was deputy-godmother for Queen Elizabeth at the baptism of James VI, and, although she acted by request of the protestant Queen, she was ordered by the General Assembly to make public repentance in the Chapel Royal at Stirling "upon ane Sunday in time of preaching" for being present at a baptism performed in a papistical manner! *Book of the Universal Kirk of Scotland*, Part I. p. 117.

† See p. 40, ftn.*.

‡ The Lords of Privy Council, finding it "necessary and suteing to his Majesty's pious and religious disposition that some convenient place be designed and sett apairt, wherein his Majesty and those of his family at his Palace at Halirudhous may worship God," ordered the Abbey Church to be converted into a Chapel Royal.

Chapel Royal should be arranged as the chapel of the Knights of the Thistle, an order which he had himself re-established. There was accordingly a throne built for the sovereign himself, and twelve stalls for the Knights of the Order. (See our Plate XXXIV). With true Lenox foolishness James introduced an organ and had mass celebrated according to the Roman ritual. He was incapable of profiting by the experiences of his father, and had nothing of his great-grandmother's tolerance. The Tudor wisdom of Elizabeth—who had at least a shrewd appreciation of her people's opinions, wise or foolish—was entirely lacking in James. He could not have been more wanting in insight had he been Darnley himself, and Mary Stewart, had she been a still closer student of heredity, might have feared not only for Darnley's son, but for his posterity. James understood nothing of the psychology of a people, least of all had he sounded the depths and the shallows of Scottish psychology. Like many a politician, he had not understood that momentum in a given direction can only be checked by a gradual application of the brakes, and that their sudden application leads to a catastrophe. The catastrophe came when William of Orange was known to have disembarked at Torbay, and in November 1688 Holyroodhouse was sacked and the Chapel Royal gutted by the mob.

Father Richard Augustin Hay gave probably the last Catholic service in the Chapel Royal; he certainly at a funeral on January 22, 1688, celebrated the first mass for the dead since that for Darnley. Father Hay*, enumerating the burials in the Abbey Chapel, mentions those of David II, James II† and Rizzio, further those of James V, Queen Magdalen and the two sons of Mary of Guise, with that of Darnley. Sir R. Sibbald, on January 24, 1683, saw in the vault at the south-east corner of the church the coffins entire and undisturbed‡. But we have a fuller account of the contents of the vault (*Regalia Sepultura*) in a MS. Note in the Advocates' Library, printed by Charles Mackie§. It runs:

Upon ye XXIV of Jan. MDCLXXXIII by procurement of ye Bishop of Dumblayne, I went into ane vault in ye southeast corner of ye Abbey Church of Halyrudehouse, and yr were present, ye Lord Strathnaver, and E. Forfare, Mr Robert Scott, minister of ye Abbey, the Bishop of Dumblayn, and some uthers. We viewed ye body of King James ye Fyft of Scotland. It lyeth withine ane wodden coffin, and is coveret with ane lead coffin. There seemed to be haire upon ye head still. The body was two lengths of my staff, with twae inches mare, that is twae inches and mare above twae Scots elnes, for I measured the staff with ane eldwand afterward. The body was coloured black with ye balsom that preserved it, which was lyke melted pitch. The Earl of Forfare took the measure with his staf lykewayes. There was plates of lead, in several long pieces, louse upon and about the coffin, which carried the following inscription, as I took it from before the bishop and noblemen in ye isle of ye church:—

ILLVSTRIS SCOTORVM REX JACOBVS EJVS NOMINIS V. AETATIS SUAE ANNO XXXI REGNI VERO XXX: MORTEM OBIIT IN PALACIO DE FALKLAND 14 DECEMBRIS, ANNO DNI MDXLII, CVJVS CORPVS HIC TRADITVM EST SEPVLTVRE.

* *Descriptio Scotiae Historiographica*, 1696, MS. Scottish National Library.

† In "suburbio extremo ad orientem verso in aede Sanctae Crucis." See *Liber Cartarum Sancte Crucis*, Edinburgh, 1840, Bannatyne Club, p. xlix, ftn.

‡ Dalyell's *Scottish Poems*, p. 26, note.

§ *Original Historical Description of the Monastery, Chapel Royal and Palace of Holyroodhouse.* Edinburgh, 1832 (9th Edn.), p. 34.

Next ye south wall in a smaller arch lay a shorter coffin with ye teeth in the skull. To the little coffin in the narrow arch, seemeth to belong this inscription made out of long pieces of lead in the Saxon character:

MAGDENA FRANCISCI REGIS FRANCIAE PRIMOGENITA REGINA SCOTIAE,
SPOUSA JACOBI V REGIS. A.D. MDXXXVIII OBIIT.

There was ane piece of a lead crown, upon the syde of whilk I saw two floor-de-leuces gilded; and upon ye northside of ye coffin lay two children, none of the coffins a full elne lang, and ane of them lying within ane wod chest, the other only the lead coffin.

Upon the south syde, next the Kyng's body, lay ane grete coffin of lead with the body in it. The muscles of the thigh seemed to be entire; ye body not so long as Kyng James the Fyfth, and ye balsam stagnating in some quantity at ye foote of ye coffin; there appeared no inscription upon ye coffin.

And at ye east syde of the vault which was at ye feet of the other coffins, lay a coffin with the skull sawen in two, and an inscription in small letters, gilded upon a square of ye lead coffin, making it to be ye bodye of Dame Jane Stewart, Countess of Argyle, MDLXXXV, or thereby, for I do not well remember ye yeare. The largest coffin I suld suppose to be that of Lord Darnley*, and the short coffin, Queen Magdalen's.

There can be little doubt from this description that the five coffins were *in situ* and undisturbed in 1683. Glencairn's "purging"† of the monuments of idolatry had not extended to the rifling of the *Regalia sepultura*. When the 1688 "purging" came, the thrones or stalls of the Knights of the Thistle were torn down, the mob set fire to the ornamental part of the building and left only the bare walls. The populace

violated the sacred habitations of the dead, and profaned the sepulchre of their Kings. They outraged its sanctity by tearing open the coffins that held the mouldering ashes of James V, of Magdalene of France, his first Queen, of the Earl of Darnley (sic!) once their monarch, and of others who had held the Scottish sceptre. Avarice maintained divided empire with religion over their minds. They sold the lead of which the coffins were made, and left the bodies an unseemly, and a degrading memorial of popular frenzy. (*Border Antiquities*, No. VII. p. 78.)

This is the fine writing of the historian—and not very good history after all—moved by the "fanatical fury of the mob." The philosopher will question, perhaps, the sufficiency of social institutions—which left the mass of the people then, as now, ignorant and therefore regardless of national history, ready to believe that a destruction of the symbols of a dead past would in itself modify the difficulties—generally economic—of its own present. Enrage the mob, and it will show you how far civilisation has failed to breed out the passions of the ancestral ape-man. The ascent of man has left too many still struggling at the foothills, it has produced great men, but failed to make man great.

* The lying statement spreading from the protestant party that Rizzio was buried in the Royal Vault led to some doubt in 1683 whether the occupant of this fifth coffin, "a very tall proper man," was Darnley or Rizzio. If it was Rizzio, where was Darnley? There is no evidence whatever that Rizzio was embalmed; we know Darnley was. Further, the Italian was not a "tall proper man," but Darnley was described by Elizabeth to James Melvil as "yonder long lad," and by Mary herself as "the properest and best proportionit lang man" that ever she had seen, a description almost the same as that used by one of the visitors to the vault in 1683. Melvil says he was of a "heich stature, lang and small, even and brent up." *Memoirs*, p. 134.

† Order of Argyll, James Stewart (Moray) and the assassin Ruthven of August 12, 1560, for the "purging" of churches: "purge ye sayd Kirk o' a' kynds o' monuments of Idolatrie," which was often accompanied by the desecration of the tombs of Scotland's heroic dead.

I have said "not very good history after all," for it confuses what happened in the "purging" of 1688 with the ransacking of 1768. The mob in 1688 did break into the Royal Vault, they broke open the coffins and carried off their lids, but *they left their contents**. They may have been more superstitious, they may have had less antiquarian acquisitiveness than the ransackers of 1768†. Bishop Keith, writing before 1735, says that in the same vault with the body of James V, are

to be likewise seen the bodies of Queen Magdalene, of the Lord Darnley, husband of Queen Mary the King's daughter; of the Countess of Argyll his natural daughter etc., all which bodies are lying open to the view within the vault, the coffins having been broken open by a disorderly mob in the month of December, 1688.

In the eighteenth century, however, the Abbey Church had fallen badly into disrepair, and proposals were made in 1758 for the restoration of the roof. The architect appointed did not take adequate account of the condition of the masonry, six hundred years old, which had to support the new roof and chose flagstones instead of slates for its construction. The new roof injured the entire fabric and in 1766 a report to the Barons of the Exchequer by another architect stated that the church would speedily become ruinous, unless the new roof were removed, as the masonry had never been designed for such a load. Nothing was done, however, and the church collapsed on December 2, 1768‡.

When we lately visited it, we saw in the middle of the chapel the broken shafts of the columns which had been borne down by the weight of the roof. Upon looking into the vaults, the doors of which were open, we found that what had escaped the fury of the mob at the Revolution became a prey to the rapacity of the mob who ransacked the church after it fell. In A.D. 1776 we had seen the body of James V and some others in their lead coffins. The coffins were now stolen. The head of Queen Magdalene, which was then entire, and even beautiful, and the skull of Lord Darnley, were also stolen. His thigh bones, however, still remain and are proofs of the vastness of his stature§.

Thus we see that the theft of the skulls‖ took place between 1776 and 1778, but the femora were stolen later. If we try to follow the fragments of the royal skeletons further we find that, according to Keith's editor:

In 1844 all the bones in the Royal Vault which is carefully secured, appeared as huddled together in a promiscuous heap (Keith's *History*, Edn. 1844, Vol. I. p. 55).

From this ignominious position they were rescued by command of Queen Victoria. No attempt to sort the bones was made—which would have been, with our knowledge of the persons and sexes, fairly easy to a competent anatomist—but

* H. Arnot: *Monastery of the Holy Cross or Holyrood House*, pp. 252—55. London, 1779.

† If Arnot's date, 1776, be not a slip for 1766, then the bones remained in the vault for eight years after the fall of the roof, and were not taken by the mob when the roof fell, but much later.

‡ It is essential to bear in mind this date, for till then the Royal Vault, which is inside the church, was absolutely protected from the weather. Even when the church roof fell, the roof of the vault remained intact.

§ *Loc. cit.* p. 255. Hugh Arnot is writing in 1778 probably.

‖ I have made inquiries, but so far in vain, as to Queen Magdalen's head, which is probably still somewhere in existence, perhaps in a more or less mummified state. If any one still holds it, shame for the original rape should not prevent them from coming forward and acknowledging its possession for it has great historical interest.

they were all placed in one large coffin on an upper shelf of the vault before 1848*. In the latter year the remains of Mary of Gueldres were removed from the church she had erected to the memory of her husband James II and placed in a "decorated coffin" below that containing the fragments of the Stewarts.

The next reference to Darnley's skull that I have been able to find occurs in a very unexpected place, namely in Alexander Campbell's *An Introduction to the History of Poetry in Scotland*, Edinburgh, 1798. Of this work only ninety copies were printed. The preface is dated September 26, 1798, and the book must have been printed in that year, and probably written in 1797. Campbell must have seen the skull before 1793. The reference is in a footnote on p. 66, where Darnley's value as a poet is discussed and condemned. Campbell writes:

> The skull of this debauchee is preserved among the curiosities of the Antiquarian Society of Scotland,—it exhibits a melancholy proof of the effects of his incontinence.

Thus as early as 1793 (when James Cummyng died: see below) the markings on the skull appear to have been attributed to venereal disease. Now the Society of Antiquaries was founded in 1780 and received a charter in 1783. Vol. I. p. xii, 1792, of the *Archaeologia Scotica* gives an account of the Society and says that 16,000 objects had been presented to it. No account has been preserved of any one presenting Darnley's skull to the Society: yet before 1793 it is clear from Campbell's note that it was one of the curiosities in the Rooms of the Society. It occurs in no catalogue and is no longer there. To understand this we must refer to James Cummyng, a most ardent collector, and, like some other very ardent collectors, not over scrupulous. He was the first Secretary of the Society, and a member of the Council in 1792. He died in January 1793. Cummyng had a very large collection of antiquities and he seems to have kept and exhibited many of these in the Rooms of the Society. At his death considerable confusion appears to have prevailed as to what belonged to the Society and what to Cummyng. The Executors of Cummyng sold his collections, and there appears to have been grave doubts as to whether portions of the Society's property were not also sold†. At any rate there is no doubt they sold Darnley's skull as belonging to Cummyng. Mr James Cummyng, Clerk in the Lyon Herald Office, was, according to Sir Daniel Wilson‡, an eccentric and unmethodical official, a collector of miscellaneous curiosities, objects of antiquity and of natural history. Wilson continues:

> As to the reputed skull of Darnley, the retention of it, after the rifling of the Royal Vault, especially by a Government Official, was a grave infraction of the Law, and had he been inclined, it was scarcely possible for him to have transferred the historical relic to the Society's museum. Even as it was that unscrupulous functionary did not wholly escape retribution for the sacrilegious deed. His acquisition of the relic came to the ears of a rival custodian; and his life was said to have been rendered miserable for the persecution of the shrewish cicerone of the Abbey, who haunted him like the ghost of the murdered Darnley, and levied blackmail by trading on his fears, under threat of exposing him to the Barons of the Exchequer. After Cummyng's death

* Probably in 1842, when the Queen and Prince Consort first came to Edinburgh, they saw the heap of bones on the floor of the vault.

† David Laing: *Archaeologia Scotica*, Vol. III. p. xii, 1831.

‡ *Proceedings of the Society of Antiquaries of Scotland*: Vol. XXIV. pp. 422—23.

the skull was traced to the studios of an Edinburgh sculptor*; and on my noting this in my *Memorials*, with the remark that all further clue to it had been lost, I learned from the late Charles Kirkpatrick Sharpe that it had been subsequently secured by one of the Frasers of Lovat.

On Thursday, March 2, 1865, there was a sale at Sotheby's. The title of the Catalogue for that day's sale is: *Catalogue of a Collection of Fossils and Minerals formed during Last Century by the Hon. Archd. Fraser of Lovat.* [British Museum C. S. S. 555.] On p. 11 we read:

Lot No. 164: SKULL AND THIGH BONE OF LORD DARNLEY, AND CAST FROM LIFE OF OLIVER CROMWELL preserved in the Family of Noel†.

They were sold for six shillings to "Grimshaw." There are no other human bones in the *Catalogue*.

The Hon. Archd. Fraser of Lovat appears to be the same as Archibald Campbell Fraser of Lovat, born 1736, died 1815‡, who in 1749—1750 had laid claim to and obtained the estates of Lovat. When Sir Daniel Wilson informs us that the skull of Darnley had passed into the possession of a Fraser of Lovat, and when we find in a sale catalogue of Archibald Fraser of Lovat's collection the skull of Lord Darnley, we may be quite confident that the skull sold at Sotheby's was the skull which Alexander Campbell saw in the Rooms of the Society of Antiquaries in Edinburgh.

From Grimshaw in 1865 the cranium passed into the possession of Mr J. W. Belt, who presented it in 1869 to the Museum of the Royal College of Surgeons. It was accompanied by a femur, which evidently was *not* the femur of Darnley. It was clearly the femur of a woman. I do not know whether it was confused by Grimshaw with some other femur, or not. It is obvious, however, that Archibald Fraser of Lovat possessed a thighbone as well as the cranium of Darnley. When and how he obtained the thighbone I cannot say. Nor can I say whether it was an error on the part of Archibald Fraser, or an interchange by Grimshaw. But what is certain is this that in 1880 a Mr T. M. Grimshaw offered to the Curator of the Royal College of Surgeon's Museum a second femur, which he asserted had been bought at a sale of Sotheby's, and which bears a manuscript label with the description: "Thighbone of Lord Darnley, husband of Mary Queen of Scots, murdered and blown up February 10th, 1567." This the Curator purchased and I think wisely purchased, *for it bears the same dark brown stained surface as the reputed cranium of Darnley.* I think there is very little doubt that this was the actual femur§ from Archibald Fraser's collection, and that it was somehow confused by Grimshaw with

* "After his [Cummyng's] death, the skull was traced to the collection of a statuary in Edinburgh, but all clue to it now seems lost." *Memorials of Edinburgh in the Olden Time*, Vol. II. p. 189, Edinburgh, 1848.

† The Noel Collection of casts was presented by the Countess of Lovelace to the Galton Laboratory and contains this mask of Oliver Cromwell. The item referred to can therefore only have been a replica of the Noel mask.

‡ See *Dictionary of National Biography*; also John Anderson's *Historical Account of the Family of Frisel or Fraser, particularly Fraser of Lovat*, 1825.

§ A singular statement is made by Mr James Caw in his *Scottish Portraits*, 1902, Portfolio I, Plate IX, p. 28:

It is known that James VI had his father's remains re-interred in Westminster, and Lord Hailes

other bones of most absurd attribution*, which he appears also to have purchased on another occasion from Sotheby. The writer of the craniological section of the new Catalogue of the Royal College of Surgeons Collection,—being unacquainted with the three and a half centuries' history of the bones, found it impossible to accept these relics as those of Lord Darnley and lays stress on the point that the condition of the specimens is such as usually obtains in bones that have lain long in a peat-bed. The colouring is just what we might expect from the embalming process, so well depicted in the "stagnating balsam" observed in 1683 in the coffin of Darnley in the Royal Vault. The portraiture confirms the fairly well authenticated history of the bones, and the personal descriptions of the "lanky lad" are also in keeping with the appearance of the femur. Absolute certainty might have been reached had it been permitted to compare these bones with the mingled remains in the upper coffin in the Royal Vault; there indeed they should best rest again, repairing the dishonour so far as is now feasible of that ruffianism of a mob, which, having neither the study of portraiture, nor historical research in its crass mentality, rifled the royal tomb and converted anything it could into cash.

(4) *The Skull of Darnley.*

Having given some account of the history of the skull since the murder on February 10, 1567, we may now turn to examine how it differs from the type of the 17th century inhabitants of Great Britain. The table on p. 48 gives the detailed measurements.

We shall compare Darnley's skull with the mean Londoner's of the 17th century†, because Darnley was not pure Scottish, and because the Lowland Scots have a cranium practically identical with the English. In the first column of the table the index letter used in the craniometric papers in *Biometrika* is given, and in the second column the name of the character. The third column gives the value for Darnley's skull and the fourth the average value for 17th century Englishmen. The last column gives the divergence of Darnley from the English average divided by the standard deviation of the latter. This column enables us at once to determine in what respects Darnley's skull, and therefore to a considerable extent the features formed to it, possesses individuality.

When the ratio in the fifth column reaches: 1, then one person out of six would have the character more emphasised; 1·5, then one person out of 14 to 15 would

tells how, in his day, Darnley's thigh-bone was shown for money there, and that a philosopher [?] calculated that he must have been eight feet in height.

James VI (and I) did actually bring his *mother's* body from Peterborough Cathedral to Westminster Abbey. I can find no trace of the least suggestion that Darnley's bones were brought there, nor can I find, after much searching, the statement of Lord Hailes in any of his works. One femur of Darnley may have been procured, and exhibited by an attendant at the Abbey, or possibly a femur found there may have been passed off as Darnley's. In neither case would it touch the evidence for another femur being sold with the collection of Archibald Fraser of Lovat, who, there is no doubt, possessed the skull. Mr Caw himself, although I have twice applied to him, can give no references for his statements.

* The thighbone of Robin Hood's "Little John" and the shinbone of Humphrey, Duke of Gloucester !!

† *Biometrika*, Vol. XVIII. pp. 28—9 and 40.

TABLE I. *Measurements of Darnley's Skull.*

Index Letter	Cranial Character	Darnley	Average English	Darnley – English / $\sigma_{Eng.}$
C	Capacity	1336	1481	−1·13
F	Ophryo-Occipital Length ...	181·6	186·1	− ·70
L	Maximum Length	186·3	188·8	− ·39
B	Parietal Breadth	144·2	142·4	+ ·31
B'	Minimum Frontal Breadth ...	106·9	96·8	+2·21
H	Basio-Vertical Height	119·2	130·4	−2·10
H'	Basio-Bregmatic Height ...	119·2	129·7	−2·08
OH	Auricular Height	103·3	110·0	−1·30
LB	Skull Base	99·7	100·1	− ·89
Q	Transverse Apical Arc ...	300·0	309·0	− ·70
S	Sagittal Arc	365·5	378·8	− ·94
S_1	Arc, Nasion to Bregma ...	127·0	129·3	− ·36
S_2	Arc, Bregma to Lambda ...	108·5	128·1	−2·45
S_3	Arc, Lambda to Opisthion ...	128·0	120·6	+ ·94
S_3'	Chord, Lambda to Opisthion ...	99·0	97·3	+ ·33
U	Horizontal Circumference ...	537·0	530·0	+ ·44
PH	Alveolar Point to Nasal Spine	24·0 (?)	19·2	+1·72
$G'H$	Facial Height (Upper)	79·4	70·5	+2·00
GB	Facial Breadth	98·0	91·4	+1·07
J	Bizygomatic Breadth	134·0	131·0	+ ·62
NH, $R.$	Nasal Height, Right	56·4	51·8	+1·59
NH, $L.$	Nasal Height, Left	56·2	51·7	+1·44
NB	Nasal Breadth	23·3	24·6	− ·65
DS	Dacryal Subtense	11·5	12·8	− ·73
DC	Dacryal Chord	22·6	22·2	+ ·19
DA	Dacryal Arc	33·4	36·1	− ·76
SS	Simotic Subtense	5·4	4·6	+ ·73
SC	Simotic Chord	10·9	9·2	+ ·89
O_1, $R.$	Breadth, Right Orbit	44·5	42·3	+1·41
O_1, $L.$	Breadth, Left Orbit	46·5	42·4	+2·77
O_2, $R.$	Height, Right Orbit	38·8	34·3	+1·91
O_2, $L.$	Height, Left Orbit	38·6	34·3	+1·87
EH	Palate Height	15·3	11·1	+1·60
G_2	Palate Breadth	41·8	39·3	+ ·82
G_1	Palate Length to Base of Spine	50·1	46·0	+1·47
GL	Profile Length	97·1	94·4	+ ·51
fml	Foramen Magnum, Length ...	35·7	36·8	− ·37
fmb	Foramen Magnum, Breadth ...	30·8	30·6	+ ·09
$\angle P$	Profile Angle	85°·7	85°·9	− ·06
$\angle N$	Angle at Nasion	64°·3	64°·2	+ ·03
$\angle B$	Angle at Basion	47°·4	42°·5	+1·34
$\angle A$	Angle at Alveolar Point ...	68°·3	73°·3	−1·38
$100B/L$	1st Cephalic Index	77·4	75·4	+ ·57
$100H/L$	2nd Cephalic Index	64·0	69·3	−1·65
$100B/H$	3rd Cephalic Index	121·0	109·1	+2·66
$100(B-H)/L$	Compound Cephalic Index ...	13·4	6·7	+1·87
$100G'H/GB$	Upper Face Index	81·0	77·1	+ ·63
$100NB/NH$, $R.$	Nasal Index, Right	41·3	47·5	−1·44
$100NB/NH$, $L.$	Nasal Index, Left	41·5	47·5	−1·37
$100fmb/fml$	Foraminal Index	86·3	83·4	+ ·49
$100DS/DC$	Dacryal Index	50·9	58·1	− ·77
$100SS/SC$	Simotic Index	49·5	50·7	− ·09
$100G_2/G_1$	1st Palate Index	81·8	85·4	− ·65
$100EH/G_1$	2nd Palate Index	37·0	28·5	+1·24
$OCGI$	Occipital Index	55·4	58·0	− ·96
$100O_2/O_1$, $R.$	Orbital Index, Right	87·2	81·0	+1·03
$100O_2/O_1$, $L.$	Orbital Index, Left	93·0	80·9	+ ·56
EOW	External Orbital Width ...	108·2	98·1	+2·60

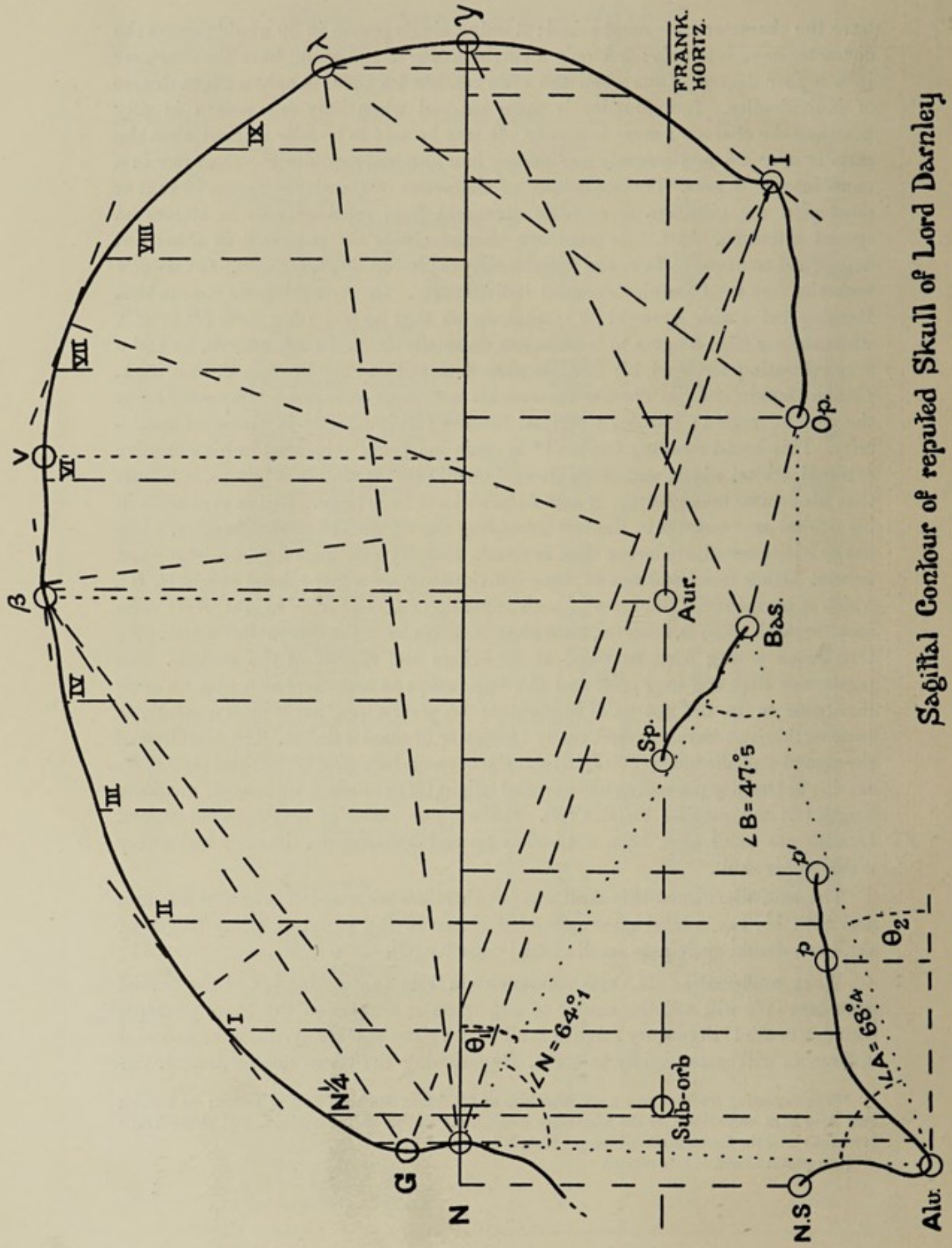
have the character more emphasised; 2, only a single person in 50 would possess the character more intensely; 2·5, only a single person in 100 would have the character in a higher degree. Thus when the ratio reaches 1·5 there is only a slight degree of individuality. Individuality is more marked when only one person in fifty possesses the character more intensely. It may be said to be fully marked when the ratio is over 2·5, and scarcely one person in a hundred exhibits the character in a more intense degree. The great bulk of characters in Darnley's case, as in that of most men, are mediocre or so little divergent from mediocrity as to attract no special attention. As a rule some few characteristics are possessed in a marked degree and combine to form the individuality expressed by portraiture. Let us now seek the factors of Darnley's cranial individuality. The first thing we note is that Darnley had a wide forehead (B'); next we see that he had a low skull (H or H'), while the arc from bregma to lambda was unusually short. In other words, he had a very retreating forehead, his frontals were flattened and the bregma thrown back. Unlike Darwin and Sir Thomas Browne, his low brows were not compensated for in the parietal region; Darnley's parietal breadth (B) is scarcely in excess of mediocrity. This broad receding forehead* is again markedly evidenced in his excessive external orbital width, and as his dacryal chord (DC) is almost mediocre, it follows that his orbital breadths (O_1, R and L) must have been large. This is evidenced in his orbital measurements, the left exceeding the right. The orbital heights, while not so exaggerated, are larger than is usual. Darnley was, accordingly, a large-eyed person. Other facial features of some individuality are a great facial height ($G'H$), which is compounded of excess in both upper lip (PH) and nasal height (NH). The nasal breadth (NB) is, however, somewhat in defect as is the dacryal index also. We thus reach a long nose, flattened at its bridge and narrow at the nostrils. The palate was high and long (EH and G_1), but, except as expressed as a long distance from nose to lip, will not be of importance for portraiture, nor is such a palate, as some authorities have asserted, really indicative of mental defect. The smallness of the second cephalic index ($100\,H/L$) and the extreme largeness of the third ($100\,B/H$) are due to Darnley possessing a low cranial height (H) combined with nearly mediocre length (L) and parietal breadth (B). Skulls whose ratios of height to length and breadth are small have been not unfitly termed disharmonic. Darnley had a very disharmonic skull.

The man who owned this skull was not therefore possessed of beautiful features, and with his low frontal uncompensated either in the parietals or by length of skull, we should anticipate small cranial capacity (C).

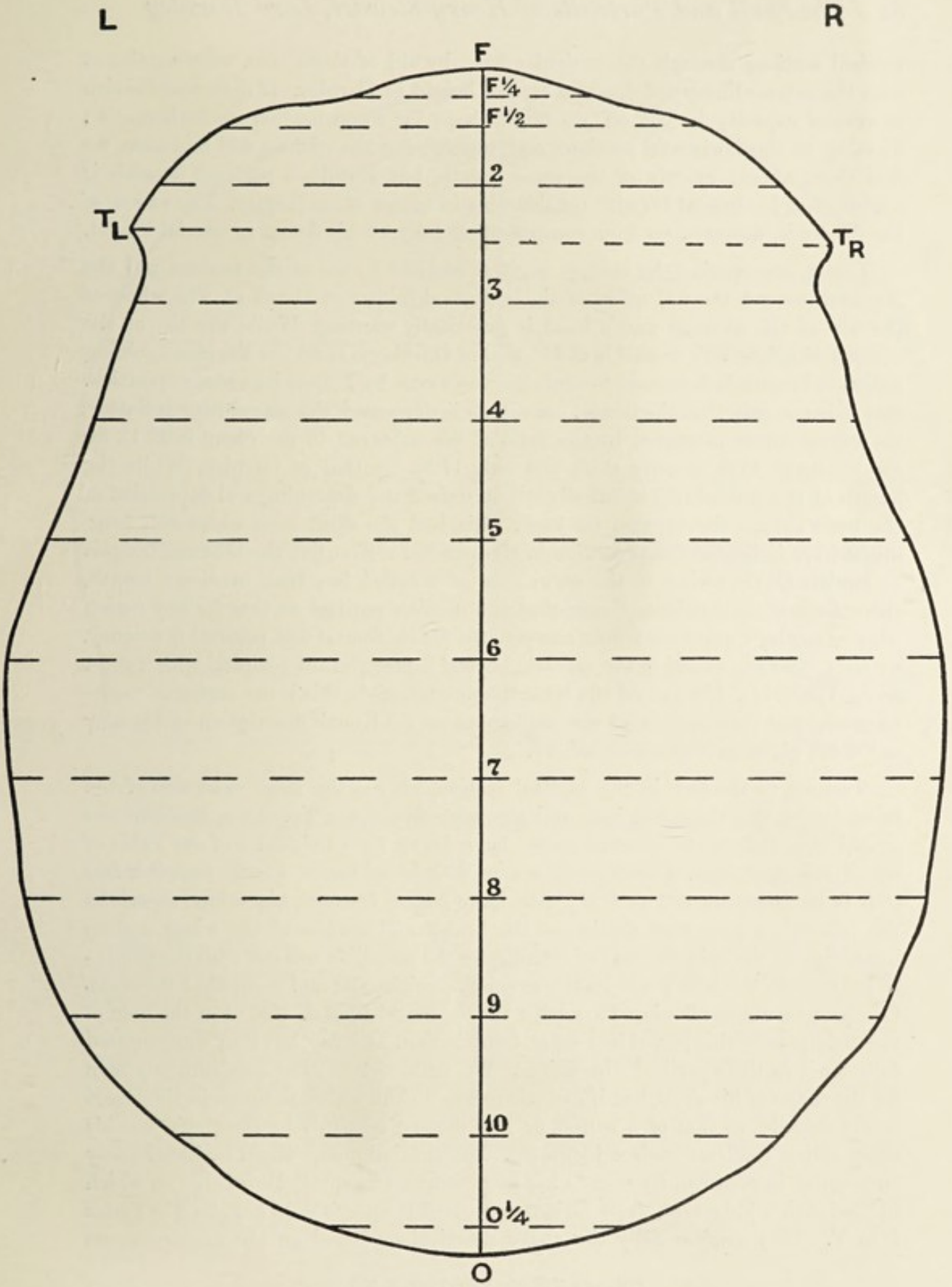
What confirmation do these results obtain from an examination of the cranial contours? We will ask the reader to superpose in succession the three principal contours of the 17th century English skull† upon those of Darnley, when the essential differences will come rapidly to sight. Superposing the transverse sections, or the

* The retreating forehead was a characteristic of his father, Mathew, Earl of Lenox; its breadth may have been emphasised by the admixture through his mother of Tudor blood. (Cf. Henry VIII's forehead.) For the Lenox forehead see our Plate XV.

† In pocket at end of this volume.



Sagittal Contour of reputed Skull of Lord Darnley



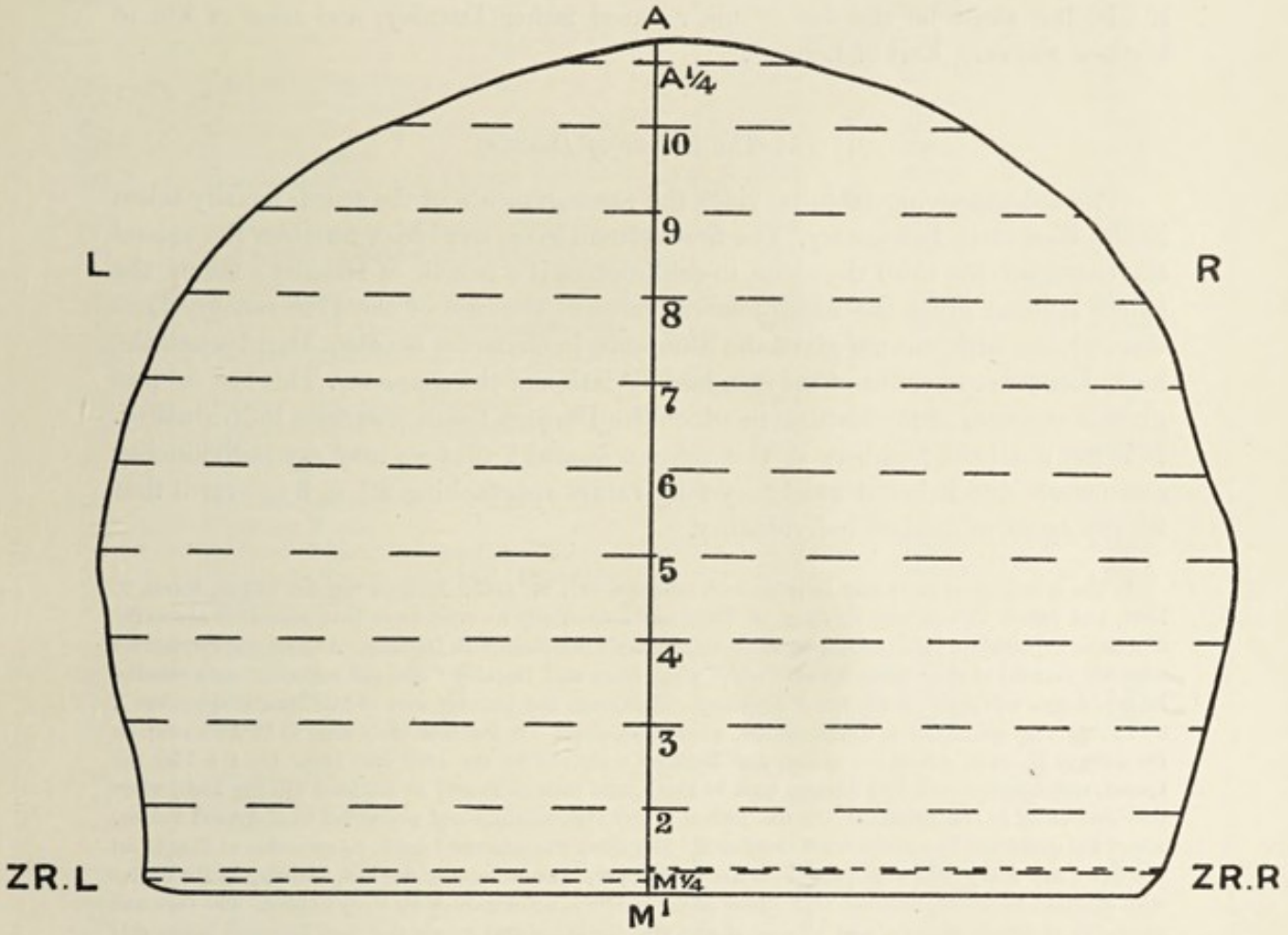
Horizontal Contour of reputed Skull of Lord Darnley

vertical sections through the auricular axes, by aid of those axes, we recognise at once the extraordinary deficiency of cranial height in Darnley. If that contribution to cranial capacity be cut off, we might hope for compensation somewhere else. Turning to the horizontal sections, and superposing the nasions and mid-axes, we find them almost exactly of the same length, but Darnley's parietal breadth is slightly and his frontal breadth considerably in excess of mediocrity. The excess of the former is, however, far from compensating fully for his defect in cranial height.

Lastly, superposing the median sagittal sections by aid of the nasions and the $N\gamma$ lines, we get the full effect of the depressed frontal of Darnley! The whole of the top of the average man's head is practically wanting. While the tilt of the average Englishman's frontal is at 45°, that of Darnley is at 38°, or the chord joining nasion to bregma is depressed towards the horizontal by 7° from its average position. But it is not only that the frontal bone itself is depressed, the actual bone is flatter; the curvature as measured by the ratio of the subtense to the chord is 22·12 for the mediocre 17th century skull and only 17·32 for that of Darnley. While the length of the frontal (S_1) is but slightly in defect, the flattening and depression of the bone throws the bregma far back. This, had the skull been adequately long, might have indicated compensation in the parietal region, but the arc from bregma to lambda (S_2) is, owing to the occurrence of a rather less than mediocre length, characteristically deficient. Examining the median sagittal section for any region where Darnley's cranium might compensate for its frontal and parietal deficiency, we fail to find any excess in the calvaria beyond a protuberant occipital with a most marked inion (I). If we could but trust the phrenologists, this is the region of "amativeness," and its exaggerated size would account for Knox's description of Darnley as "much given to Venus's chamber*."

Turning to the face in the sagittal section, we see the large extension of the facial bones, the elongated nose and the extensive upper lip. Thus the contours graphically confirm the conclusions we have drawn from Column 5 of our Table of actual measurements. Darnley was a man with broad brows, a large roundish face (GB is in excess as well as $G'H$) with large coarse features, big orbits, especially the left one, a long nose flattish at the bridge and narrow at the wings, a deep upper lip; of the chin we can say nothing, for the mandible was not with the skull—to judge from the best portraits it was small, semicircular and somewhat recedent. Conspicuous above all must have been the depressed frontal. Not even the men of the early palaeolithic period had worse frontals than Darnley, but they compensated fully for it in their parietal dimensions. We must not offhand condemn any man for the shape of his skull, but if ever there was a skull which the man in the street would describe as that of a moron, or fool, it must certainly be Darnley's, and his every action confirms such a judgment. But the judgment would be based solely on popular impression, for science has at present no adequate knowledge on which to base such a judgment. The various aspects of Darnley's skull are given in Plates I to V. They confirm fully the above descriptions based on the measurements

* Knox's *Historie*, Edn. 1732, p. 352.



Transverse Contour of reputed Skull of Lord Darnley.

and contours. To the remarkable pittings clearly seen on the photographs of the skull we shall return later.

Thinking over the characterisation I had formed based on Darnley's skull, I tried to realise his features in the flesh, to form a mental image of what a face thus described would look like, and after a while there came to my mind the portrait of a boy with a hawk on his hand in the National Portrait Gallery. There you see the broad forehead, the large orbits, the long nose with broad bridge and small nostrils, the facial breadth and the deep upper lip. And—why, of course—that is the portrait of James VI and I, the son of Darnley (see Plate VII), and if the full face of Zuccaro's portrait of the boy does not show the emphatically receding forehead, you will find it fully represented in Daniel Mytens' portrait of the adult king in the same gallery (see our Plate IX). The large orbits and the characteristic nose are there as well (see Plate VII). It is strange that—neglecting as he does the historical evidence—Sir Herbert Maxwell did not at least examine the evidence of portraiture, he would then have recognised that James I could not be the son of

Rizzio, but must be the son of his reputed father Darnley, and near of kin to Mathew Stewart, Earl of Lenox*.

(5) *The Femur of Darnley.*

The accompanying table provides the measurements of the femur usually taken in the Biometric Laboratory. The first column gives our index number, the second the character, the third the value, in millimetres if a length, of Darnley's femur, the fourth column gives the mean femoral value in the case of the 17th century Londoners†, the fifth column gives the difference in character between Darnley and the mean Londoner in terms of the standard deviation of the character. This last column gives a measure of the features in which the Darnley femur possesses individuality. It is not until the numbers in this column exceed 2 that we may say individuality commences, and it is not until they take values approaching 2·5 to 3 or over 3 that we can speak of marked individuality.

* The marriage of Mary and Darnley took place on July 29, 1565. Rizzio's murder was on March 9, 1566, and James VI was born on June 19, 1566, and accordingly he must have been conceived about the middle of September, 1565, within *seven weeks* of Mary's marriage with Darnley. August and September were the months of the "Roundabout Raid," when Mary and Darnley "in a gilt corselet" were chasing Moray, Argyle and their friends out of Scotland. The Queen and Darnley were at Stirling on September 7, on the 8th they proceeded to Dunfermline, where they slept. On the 10th they went to St Andrews; on the 12th to Dundee, where the Queen and Darnley remained on the 13th and 14th. On the 15th the Queen, accompanied still by Darnley, went to Perth, and resided chiefly at Ruthven till the 18th, when both proceeded to Dunfermline. On the 19th they left Dunfermline and proceeded to Holyrood Palace, where the court was in residence till October 8. The army was convened again to assemble at Biggar on October 9 and Mary rode with "pistols at her saddle bow," Lenox leading the van, Darnley in the centre with Morton, Bothwell, Ruthven and others of the nobility, accompanied by Mary herself. The rear was in charge of Atholl, Huntly, and others. Moray and his associated rebels fled into England before this force, and Mary and Darnley returned to Edinburgh on October 18. During this period, James I was conceived. Is it likely in such a state of turmoil, with Darnley always at her side, Mary would desire or find it feasible to carry on an intrigue with Rizzio? There is no evidence of unfriendliness existing during this period between Mary and Darnley, and even as late as Dec. 1, 1565, at the session of the Privy Council, the summons to the rebel lords to appear and answer for their treason is recorded as in the presence of the "King and Queene's Majesties and Lordis of secret Counsall," the King's name standing before the Queen's in the document. It is not till the end of this year or the beginning of the next (1565/6) that Darnley's scandalous habits and vulgar carousals made Mary sick of him. His whole behaviour must have disgusted any wife four to five months advanced in pregnancy. See Sir William Drury's Letter to Cecil (February 16, 1565/6) printed by Keith, Vol. II. p. 403, and the notes thereon. According to the account of Ruthven ("A Discourse of the late Troubles, etc." Keith, *History*, Vol. III, Appendix III. p. 268), Darnley in his talk with Mary on the night of Rizzio's murder (March 9) accused her of being for *six* months more familiar with Rizzio than himself, but in the Cotton MS. the words are *two* months, which, had Darnley's statement even been true, would only take us to January 1565/6. It is almost a scandal that in the *Official Guide... to Holyroodhouse*, published by the Stationery Office, Sir Herbert Maxwell should have been allowed to write: "Darnley accused his wife of infidelity with Rizzio since the previous September. If that were true, then was the child, the future James VI and I, with which she was five months pregnant, no son of his," and these words are given without reference to any authority or with any qualification. The writer thus raises an unwarranted suspicion that members of the present Royal line have no claim to be considered legitimate descendants of Stuarts and Tudors.

† These measurements, together with their standard deviations, are taken from *A Monograph on the Long Bones of the English Skeleton*, Part I. "The Femur," by Karl Pearson and Julia Bell, Cambridge University Press.

TABLE II. *Measurements of Darnley's Femur.*

Index Letter	Femoral Character	Darnley	Average 17th century English	Darnley – English / $\sigma_{Eng.}$
(a)	Maximum Length	536·0	447·70	+3·96
(b)	Trochanteric Length	508·9	425·55	+3·73
(c)	Maximum Trochanteric Length	515·0	434·11	+3·68
(d)	Oblique Length	536·0	445·48	+4·09
(e)	Trochanteric Oblique Length	510·4	423·46	+4·05
(f)	Vertical Diameter of Head...	51·4	46·77	+1·66
(g)	Horizontal Diameter of Head	52·6	46·38	+2·39
(h)	Platymeric Ant.-post. Diameter	30·2	26·65	+1·78
(i)	Platymeric Transverse Diameter	36·0	31·52	+1·62
(j)	Platymeric Index	83·9	85·11	−0·13
(k)	Pilastric Ant.-post. Diameter	32·4	28·67	+1·55
(l)	Pilastric Transverse Diameter	31·2	27·95	+1·58
(m)	Pilastric Index	103·8	103·13	+0·08
(n)	Popliteal Length	214·3 (?)	122·35	+5·94 (?)
(o)	Popliteal Width	50·2	39·48	+2·74
(p)	Popliteal Direct Ant.-post. Diameter ...	33·5	27·87	+2·15
(q)	Popliteal Oblique Ant.-post. Diameter ...	33·1	30·62	+0·97
(r)	Popliteal Index	66·7	70·99	−0·67
(s)	Bicondylar Width	83·9	79·40	+1·10
(t)	Capito-collar Length	82·2	77·21	+0·72
(u)	Length of Shaft	464·6	376·20	+4·21
(v)	Capito-trochlear Length	516·1	432·14	+3·88
(w)	Cervical Angle	125°·2	137°·47	−0·96
(x)	Torsional Angle	14°·95	14°·98	−0·00
(y)	Obliquity of Shaft	4°·4	11°·59	−3·81
(z)	Robusticity of Femur	11·87	12·84	−1·33
(aa)	Bicondylar Ratio (s/a)	15·65	17·73	−2·39
(bb)	Soffit Index (o/s)	59·83	50·08	+2·23
(cc)	Popliteal Pyramidal Index (o/n)	23·42	32·70	−2·16
(dd)	Ellipticity of Head (g/f)	102·33	98·90	+1·78
(ee)	Head Bust Ratio (f/t)	62·53	61·19	+0·25
(hh)	Upper Index of Gracility (l/i)	86·7	88·87	−0·41
(ii)	Lower Index of Gracility (l/o)	62·2	71·34	−1·42
(jj)	Index of Transverse Slenderness (h/u) ...	6·50	7·43	−1·48
(kk)	Index of Sagittal Slenderness (k/u) ...	6·97	7·60	−1·03
(ff)	Bust-Shaft Ratio (t/u)	17·69	20·58	−1·33
(gg)	Epiphysial Ratio (t/s)	97·97	97·66	+0·04
(ll)	Index of Popliteal Skewness (p/q) ...	101·21	91·01	+2·68
(mm)	Oblique Direct Lengths Index (d/a) ...	100·0	99·39	+1·46
(nn)	Oblique Direct Trochanteric Index (e/b) ...	101·2	99·49	+4·16
$(oo$	Capital Ratio (f/a)	9·58	10·48	−1·62
(pp)	Primary Bust Ratio (t/a)	15·34	17·26	−1·17
(qq)	Bicondylar Trochanteric Index (s/b) ...	16·50	18·72	−2·35
(ww)	Capito-Bicondylar Ratio (f/s)	61·30	59·23	+0·87
σ_1	Maximum Length, External Condyle ...	67·3	62·44	+1·57
σ_1'	Height, External Condyle	64·0	61·45	+0·82
σ_2	Maximum Length, Internal Condyle ...	62·7	62·06	+0·19
σ_2'	Height, Internal Condyle	61·8	56·12	+1·64
β_1	External Condyle, Horizontal Band Radius	23·0	18·90	+2·26
β_2	External Condyle, Vertical Band Radius	25·6	20·82	+2·78
$100\beta_2/\beta_1$	Band Radial Index	111·30	111·94	−0·06
n_h	Horizontal Diameter of Neck	31·0 (?)	25·61	+2·64
n_v	Vertical Diameter of Neck...	32·7	34·24	−0·59
$100n_h/n_v$	Index of Neck	94·8 (?)	75·00	+4·04
—	Length of Neck	56·5	53·7	—

Now the reader will recognise at once that it is in the major femoral lengths that Darnley's bone is outstanding. It is the maximum, oblique, shaft, and popliteal lengths in which Darnley much exceeded the average. When we turn to the epiphyses, we see that their dimensions are small compared to the great length of the femur. The Bicondylar Ratio, the Bust Shaft Ratio, the Capital Ratio, the Primary Bust Ratio, and the Bicondylar Trochanteric Ratio all show *negative* values in the last column. The Indices of Gracility and Slenderness are also negative, and the Index of Robusticity is likewise negative. In other words, while Darnley's epiphyses were those of the average man, his femur was rendered disharmonic by its great length. The femur corresponds exactly to the picture of his legs on our Plate XII*, and again to Elizabeth's description of Darnley to Melvil as "yonder long lad†." Beyond its great length the femur is not noteworthy; the gluteal ridge, the linea aspera, and the trochanters are not well marked; there are no signs of great muscular development. There is, however, a considerable *fossa hypertrochanterica*, some 75 mm. long and 7 mm. broad. The popliteal surface is Eiffel Tower in shape, and reaches almost to the pilastric section, its length being much exaggerated. In regard to what we have to say of the skull later we may remark that there is nothing of the nature of syphilitic periostitis about the bone, and such injuries to its surface as there are, are almost certainly *post mortem*. The bone is stained to the same dark colour as the skull, and this was probably due to the "stagnating balsam" in the lead coffin.

The femur corresponds to a male of stature 182·07 cm., or 71·7 inches, that is to a man just over six feet in his boots. Plate VI provides anterior and posterior views of the Darnley femur.

The three factors with which we have been able to deal, namely: personal description, portraiture of Darnley and condition of reputed femur, all, as far as they go, confirm the legend that this really is the femur of Darnley. Its history, however, is not the same, nor quite so well authenticated as that of the skull. Its coloration, so far from being against its genuineness, is distinctly in its favour, and there is small reason to question the authenticity till after the sale of Archibald Fraser's belongings at Sotheby's. Then comes in the mysterious "Grimshaw" and we cannot be certain why he sold two dissimilar femora as Darnley's, or when he recognised his mistake. On the whole the balance of evidence seems certainly in favour of genuineness.

(6) *The Portraits of Darnley and their Fitting to his Skull.*

(*a*) *List of the Portraits.*

The following is a list of the portraits of Darnley, which I have come across:

* No artist would have given Darnley these legs had he not possessed them, but a copyist might well desire to remove them. Both the Holyrood and Hampton Court portraits (see our Plates XI and XII) show these legs, but the former even more emphatically.

† Melvil's *Memoirs*, p. 48. Melvil in another place in his *Memoirs*, p. 56, when reporting on the first interview of Mary and Darnley, writes:

"Her Majesty took very well with him, and said, that he was the properest and best proportioned long Man that ever she had seen for (adds Melvil) he was of a high stature, long and small, even and straight."

(*a*) Lady Seaforth's portrait of Darnley as a boy. At Braham Castle. See Plate XVIII*.

(*b*) Lord Bolton's portrait of Darnley as a boy. At Bolton Hall†. See Plate X, left.

(*c*) What is believed to be a poor replica of either (*a*) or (*b*) is in the possession of Mr Michael Wemyss at the Red House, Wemyss Castle.

(*d*) Darnley, aged 17, with his brother Charles Stewart. In the possession of H.M. the King at Windsor Castle. See Plate XII. It bears the date 1563.

(*e*) Darnley, aged 17, with his brother Charles Stewart. At Holyrood Palace. See Plate XI. It bears the date 1562. This picture was formerly at Hampton Court and was moved to Holyrood in 1864. It bears the signature H.E., i.e. Hans Eworth.

(*f*) Darnley, aged about 18—19. In the possession of Lord Bolton at Bolton Hall. See Plate X, right.

(*g*) Darnley, aged about 19—20. In the possession of the Duke of Devonshire at Hardwicke Hall. See Frontispiece.

(*h*) Darnley, aged about 20, with Mary, Queen of Scots. In the possession of the Duke of Devonshire at Hardwicke Hall. See Plate XIII.

(*i*) Miniatures of Darnley and Mary, Queen of Scots, in the Rijksmuseum at Amsterdam. See Plate XIV, below. There is a close relationship between this miniature of Darnley and the Hardwicke Hall portrait (*h*). On the other hand, the portrait of Queen Mary in (*h*) is not related to either of the miniatures of that Queen at Amsterdam, one of which, appearing to be little known, is reproduced also on Plate XIV, above. The portrait of Mary in Hardwicke Hall (*h*) seems more nearly allied to the Uffizi miniature of Mary‡.

(*j*) Darnley, aged about 17. Original said to be at St James' Palace. I know this only through the engraving by G. Vertue, on which the painting is attributed to Lucas de Heere, who did not come to England till 1568. There appears to be

* In the Seaforth picture Darnley's eyes are blue, in the Duke of Devonshire's (*g*) grey. There is an engraving by H. Robinson of the former in Lodge's *Portraits*, Vol. II. No. 14.

† Both Lord Bolton's pictures are said to be branded "C" with the Crown mark of Charles I. Three portraits of Darnley are mentioned in Chaffinch's Catalogue of James I's pictures: No. 1019, "Henry Stewart, Lord Darnley when he was young to the waste," this one and another probably came to Lord Bolton *via* the Poulett family through the third wife of the second Duke of Bolton who was a daughter of the Duke of Monmouth, see G. G. Foster, *The Stuarts*, Vol. I. p. 48, 1902. But were not Charles I's pictures sold at the time of the Commonwealth?

‡ The associated miniature in the Uffizi is certainly not of Darnley, but most probably of François II, her first husband. A similar remark applies to the profiles in the onyx cameo ascribed to Valerio Vincentius in the Buccleugh Collection of Miniatures, No. 2043. In the South Kensington 1862 Catalogue they are described as Queen Mary and Lord Darnley. Mr Lionel Cust says and probably correctly that they are Mary and François. I am not able to account for the presence of the miniatures in Amsterdam, unless they came *via* Antwerp. It is worthy of note that there is in Hoorn, Holland, a house where not only James VI and Anne of Denmark are carved on the front, but also Henry Stewart and Mary Queen of Scots—the last two clearly after the print by Elstracke (see our Plate XXI). Details will be found in the *Burlington Magazine*, Vol. X. pp. 43—47, in a paper by Miss Kathleen Marten.

no such painting at St James' now, and the engraving seems to be merely a copy of the bust of Darnley from the Holyrood painting by Hans Eworth of the two Stewart brothers. Cf. our Plates XVII and XI.

(*k*) Darnley, in the possession of Lord Petre at Thorndon Hall, Essex. I first got a reference to this from Brayley and Britton's: *The Beauties of England and Wales*, Vol. v. Essex, p. 488, 1803, where under "Thorndon Hall, the seat of Lord Petre," is mentioned among the pictures "The Earl of Darnley, whole length." I have not been able to see or photograph this picture. The present Lord Petre is a minor, and the only information I have been able to obtain is from Mr C. Rasch, one of his trustees, who says that there is only a head and shoulders* portrait of Lord Darnley by Zuccaro at Ingatestone Hall, Essex, and that Darnley is "dressed in a ruff with a dress evidently of some black material."

(*l*) Darnley, in the possession of Earl Spencer at Althorp House. Originally said to be by Zuccaro. Lord Spencer kindly gave me the following information (July 9, 1924): "In reply to your letter about my portrait of Lord Darnley, I am more and more convinced that it is a fake. He is dressed in a plain black silk coat with a large white ruff and no robes or orders†. He has a dark beard." (!)

It would have been of much interest to obtain photographs of (*k*) or (*l*) to determine once for all that they are not Darnley, or, if Darnley, to which type of painting they are allied. But I did not feel justified in troubling further their owners. The Althorp picture was purchased at the Stowe sale and is described as a forgery in H. R. Forster's *Catalogue of Stowe*, 1848.

(*m*) Figure of Darnley, kneeling beside the tomb of Margaret Douglas, Countess of Lenox, in Westminster Abbey. It is difficult to believe that this was based on any portrait of Darnley. Electrotype in National Portrait Gallery‡. Pinkerton says that a gilded crown was originally suspended over Darnley's head.

(*n*) *The Cenotaph Portrait.* This picture was painted by Levinus Vogelnarius to commemorate the murder of Lord Darnley and to rouse public feeling against his murderers. It emphasises the ideas and presentations of the Lords' Banner and the surrender of Carberry Hill. The exact date of the painting appears to be 1577, but the portrait of James VI shows that he was still an infant when thus painted and not ten years old. The portrait and those of the Earl and Countess of Lenox are most probably from life and truthful. That of Darnley on the tomb had to be given in profile, and, as far as we are aware, no portrait in profile—other than the medals—was taken of Darnley in life. The result—clearly the medals were not used—is wholly untruthful, and not untruthful only—it is anatomically impossible; the orbit is represented as of circular form on the profile, while the ear is placed on the parietal at least. (See Plate XVI.)

* Has the full length portrait of 1803 been cut down, or were there two portraits of Darnley in the Petre family?

† This last remark is in reference to a question on my part; I have always been seeking for an original painting of Darnley with the collar and robes of the Order of St Michael.

‡ There is a line engraving from this figure of Darnley in J. Pinkerton's *Iconographia Scotica*, 1797, p. 3.

The picture itself hangs in the West Drawing-Room at Holyrood Palace, being fixed into the overmantel, and over 15 feet from the floor. The head of Darnley in the original is about 2·75 inches in length, and, owing to the darkness of the room, photography was very difficult. Considering the circumstances of the environment, Mr Caird Inglis' photograph—for which a scaffolding had to be erected and an arc light used—is far better than those who have seen the original could have anticipated.

The picture was originally in the possession of the Dukes of Lenox at Cobham Hall; then by marriage it passed to the Earl of Pomfret, who in 1738 presented it to George II. It hung at Windsor Castle till 1900, when it was transferred to Holyrood. There is a copy at Goodwood, of which I have not seen the original* but a reproduction in Vertue's engraving (see our Plate XV) indicates its close similarity with the Holyrood original. Skelton has reproduced the Holyrood picture in his *Mary Stuart*, Vol. I. p. 80, 1893. Plate XXXIII provides the best fit we were able to make with the skull, adjusting from the base: nasal bridge to auricular passage. It is very difficult to determine from the picture the exact back of the head, but if we put the mastoid approximately right with regard to the ear of the painting the skull must project considerably beyond the occiput of the portrait. If we bring the occiput of the skull approximately to that of the portrait the mastoid comes onto the ramus of the mandible! In any case the nasal bones will not fit the nose of the portrait, and, as usual, Darnley's retreating forehead has been reared into highbrowedness. The contour of the cranial orbit indicates how absurd is the painter's representation of orbit and eye; but this is a failure he shares with many better craftsmen. We may, I think, conclude that the Darnley of the Cenotaph picture is a lay figure, and not based on any profile portrait which has descended to us.

A reproduction of Vertue's engraving of the Goodwood picture was issued by the Society of Antiquaries, to whose courtesy I am indebted for permission to use their issue in Plate XV.

I will now briefly refer to a number of portraits reported at one time or another to be of Darnley, but which are either of mistaken identity or are now lost.

(*o*) Portrait said to be of Darnley in the possession of Miss Catherine Ashburnham, at Ashburnham Place, Battle. This and its companion picture, Mary, Queen of Scots, are remarkably fine portraits, but I certainly doubt at least the ascription to Lord Darnley. The names Lord Darnley and Mary, Queen of Scots, at the right bottom corners are in modern characters and only evidence of a tradition. The older inscription on the "Darnley" picture runs "Anno Dñi 1565, Aetatis Suae 23." Darnley in 1565 would have been 19 years old. The costume is circa 1580—1590, and a ruff like that on the man, or his "peascod-bellied" doublet, could hardly be found before 1580†. It seems probable therefore that the date on

* *Catalogue of Manchester Exhibition*, 1857, No. 29.

† I consulted the late Mr James D. Milner with regard to these portraits. He agreed with me that they could not be Darnley and Mary, and fixed the date of the former by the costume. He also considered that the cartellino on the lady's portrait had had an earlier inscription erased.

the picture has originally been 1585, the upstroke of a 1565 six would hardly reach so much above the other figures. The two pictures are of such great interest that reproductions of them ought to be published with a view to the identification of their subjects.

(*p*) Picture in the Earl of Home's possession in 1866 and exhibited as "Lord Darnley" in the National Portraits Exhibition of that year. Certainly not Henry Stewart, Lord Darnley. It represents a man with a narrow face and gigantic nose in costume of the seventeenth century.

(*p'*) Portrait once supposed to be Darnley, at Hampton Court. No. 363 in the 1927 catalogue, and recorded now as: "Portrait of James I when young(?)." "When lined by Buttery in 1877, it was found to have been cut down. On the right of the head above was '| . . . . . ex Scotorum |'; evidently part of an inscription." (Mr Redgrave in the Royal Catalogue.) The face (see our Plate VIII) is more like that of a woman than a man and would seem to correspond to the Cardinal of Lorraine's description of Darnley as a "gentil hutaudeau," or to Melvil's answer to Elizabeth when she asked him how he liked "yonder long lad"—namely "that no woman of spirit would make choice of such a man, who more resembled a woman than a man. For he was handsome, beardless and lady-faced" (*Memoirs of Sir James Melvil*, Edn. 1752, p. 94 *et seq.*).

Unfortunately the dress is of a period 20 years later than Darnley's death, and the physiognomy is not his. Is it James VI? If so, the portrait is markedly idealised by the artist, and yet strangely congruous with the *verbal* accounts of his father's appearance! It may be James, aged 19—20, but the individual features differ considerably from those of James as a child in our Plate VII. Probably the description of the 1927 catalogue—i.e. James I?—is the best that can at present be given.

(*q*) Miniature of Lord Darnley, once part of the collection of the Hon. R. Baillie Hamilton. The miniature is said to be after G. S. Harvey and was exhibited in the New Gallery Stuart Exhibition. The Earl of Haddington kindly informs me that he has no record of the miniature in question, and that it may have passed into the Breadalbane family, as his uncle (the Hon. R. Baillie Hamilton) married a member of that family. The miniature cannot up to the present be traced, but might be of much interest, if really of Darnley.

(*r*) Miniature of Lord Darnley, said in 1889 to be in the possession of the Earl of Galloway. *Catalogue of the New Gallery Stuart Exhibition*, 1889, No. 752, p. 127. The present Lord Galloway in a letter of June 11, 1924, kindly informed me that he had no miniature of Lord Darnley, but he did possess his comfit box. He did not think his family had ever possessed such a miniature, but he had one of the Duke of Monmouth, and it might have been this miniature which was shown in the Stuart Exhibition of 1889.

(*s*) Clouet (?) crayon drawing of Darnley. In a letter of Mr H. Wellesley dated Oxford, March 12, 1859, and preserved in a volume of Way's letters, etc., concerning Mary, Queen of Scots, in the National Portrait Gallery, there is a reference to

two portraits, one of Mary and one of Darnley, in "coloured crayons," which Mr Wellesley had purchased at a sale thirty years previously and which he offered to the National Portrait Gallery. He says in the letter that the Darnley of his drawing agrees with the Elstracke engraving (see below (*u*)), but this is as much as saying that his drawing did not represent Darnley! These crayon drawings of Mr Wellesley were exhibited at a meeting of the Archaeological Institute, held in Edinburgh in 1856—57 (Catalogue published by Constable, 1859), and the Darnley one was described as "Henry Stuart, Earl of Darnley by Lucas d'Holland"—Lucas van Leyden!—a photograph of it is preserved in the Scottish National Portrait Gallery: see our Plate XIX. The drawing is a fine one, but—it certainly does not represent Darnley. I am unaware of what has become of the original*. I do not see in Mr Wellesley's drawing any definite relationship to the Elstracke engraving, except that the subject is a man about 30 with a beard.

(*t*) Silver Plate by Van der Passe with full length figure of Darnley on the obverse and Lenox arms on the reverse. In the possession of Earl Beauchamp at Madresfield Court. The Darnley medallion is one of a set of nine silver plates of very great interest representing the family and relatives of James I. They must have been engraved after 1638. The Darnley plate is unfortunately only 27 mm. in diameter and so of small service for iconography. The figure of Darnley appears to be based on the Elstracke print. See our Plates XXI and XX bottom left-hand corner.

(*u*) Lord Darnley and Mary, Queen of Scots. Engraving by Elstracke, 1618, 27×23 cms. See our Plate XXI, which is reproduced from the fine copy in the Department of Prints, British Museum. The dresses are a wonderful bit of craftsmanship but the legs and head are not those of Darnley! This man does not in any way represent the stripling who died at 21 years. A comparison with the couple in the Hardwicke picture will bring out the difference between the real Darnley and this Elstracke conception of him. Darnley is here seen wearing the collar of the Order of St Michael†. This Order was conferred on Darnley in Edinburgh on February 10, 1565/66 and the ceremony is referred to by Randolph as follows:

> Ramboyliet is daylie looked for with the Order. Whether he cometh to any other intente or purpose that unto the good amytie that is to be desyred betweene the two countries may be hurtefull, your Honor knoweth better than I, and assure wylt provide for it in tyme, if any such be. (R. to Cecil, Jan. 16, 1565/66.)
>
> Upon Sunday the Order is given; great means made by many to be present that daye at the masse. (R. to Cecil, Feb. 7, 1565/66.)

* Mr Wellesley's drawings, of which he had an amazing collection, were sold by auction in 1866 or 1867.

† "The mantle of the Order was of white damask, bordered round with embroidery in gold and colours, representing the collar of the Order, and lined with ermine; the chaperon was o crimson velvet, embroidered like the mantle, under which the knights wore a short coat of crimson velvet. The badge of the Order was a medallion of gold, representing St Michael trampling on a dragon, enamelled in proper colours, and worn pendent to a collar, composed of escallop-shells, and chains of gold interwoven like knots. The knights usually wore this badge pendent to a broad black watered ribbon." *Rees' Cyclopaedia*, Vol. XXIII. 'Michael, Order of St.'

John Knox refers to the matter in his *History*, Edn. Glasgow, 1831, p. 341, and says that the King received the Order

> at the mass in the chapel of the palace of Holyrood House. There assisted the Earls of Lenox, Athol and Eglinton with divers such other papists as would please the queen....Huntley, Ergyle and Anguss was lykweis maid Knyghtis of the Cockill.

Darnley as Knight of the Cockle seems to have been a popular theme after his son became King of England, as we shall indicate below.

A wholly absurd picture of Darnley, said to be based on "portraits by Lucas de Heere and an old engraving by Elstracke," was issued by the Arundel Society in its Tudor Series of Portraits. It represents Darnley in the attitude of the Elstracke engraving with the legs just as crooked but even more solid, and with the cockle shells of the collar of the Order converted into meaningless ornaments, and the man himself, here 35 to 40 years old, adorned with a beard and moustache! The least knowledge of history would have prevented such an absurdity being labelled Lord Darnley!

(*v*) Darnley, bust in an oval frame inscribed on border *HENRICVS DOMINVS DE ARNLEY REX SCOTORVM*, and, below the square border, Henrick Heere Van Arnley, Coninck van Schotlant. Engraving on wood. Reversed from Elstracke's cut (*u*). Copy in Department of Prints, British Museum. Must be later than 1618. See Plate XXII. This engraving corresponds completely with the type of those in Meteren's *Histoire des Pays-Bas*, 1618, but it is not in that edition. The Flemish edition of 1599 is not in the British Museum, but engravings of the Darnley type do not appear before the edition of 1603. Mr H. M. Hake, of the British Museum, most kindly examined J. F. van Someren's *Beschrijvende Catalogus van gegraveerde Portretten van Nederlanders*, Amsterdam, 1888, in which the many editions of Meteren are noted with lists of the portraits they contain. Mary, Queen of Scots, and other British portraits appear, but there is no Darnley. The Darnley engraving may have been made for, but not published in Meteren's work.

The whole matter wants clearing up*, and I have a feeling that the solution may lie with the elusive plates of the 1618 *Baziliwlogia* of H. Holland. Some copies of this work have a portrait by Elstracke of Mary, Queen of Scots (e.g. those at Windsor, Paris, etc.). Others, such as the Delahue copy sold by auction at Christie's in 1811, appear to have included one of Darnley with legend "Prince Henry, Lord Darnley," "Are to be sold by George Humble at the White Horse, Pope's Head Alley." It would thus appear that Elstracke engraved, or was thought to have engraved, not only Darnley and Mary on a single plate, but separate plates of each of them. I have not seen either of these, and I do not think that they are in the British Museum. They are probably closely akin to the figures of the joint plate, and it is difficult to believe that an Elstracke print of Darnley solo could, however interesting in itself, add anything of value to our knowledge of Darnley's features.

* I have consulted the Directors of the Print Rooms in Antwerp, Brussels and Amsterdam, but they are unable to throw light on this engraving.

(*w*) Print of Darnley in an oval with legend: *ILLUST : PRIN : HEN : STEWARD* · DOMIN DARNLEY *DUX* ALBANIÆ · OBIIT 1566*. Underneath the oval there are the following words: *The Pourtraicture of the right Excellent Prince.* HENRY *Lo: Darnley. Duke of Albany. Father to our Soueraigne lord James of Greate Brittaine, France and Ireland King. Knight of the noble order of St Michael.*

The figure has a cap with the feathers in front and not behind as in the Elstracke. The subject wears a linen collar with lace border instead of the Elstracke ruff. The "collar of all the beasts†" is there with its cockle shells and pendant. The vest and lining of the mantle are ornamented with fleurs de lis while the left hand carrying a glove rests on the oval border‡. The picture if based on the Elstracke, or possibly on (*v*), departs widely from both, and there may have been an earlier common source. I have sought diligently for a painting of Darnley with the Collar and Robes of the Order of St Michael. It would be of great interest as portraying Darnley shortly after his marriage with Mary§. It occurred to me that such a picture might have been sent by Mary as a complimentary present to the French King, but MM. d'Estournelle de Constant, Guiffrey and Moreau Nelaton believe that no such portrait exists in France. Nor have I succeeded so far in obtaining any clue to such a picture in this country‖. As in the case of the Elstracke engraving, the face has no relation to other portraits or indeed to the skull of Darnley. This engraving is reproduced in Horace Walpole's *Catalogue of Royal and Noble Authors*, Vol. v. p. 26, 1806. It is said to be from a rare print in the collection of Alexander Hendras Sutherland, Esq., and the reproduction is by Rivers, who has added a moustache, and removed the oval, etc.

(*x*) *Pedigree Figures.* When James VI of Scotland became James I of England a number of pedigrees of the royal descent were issued, presumably to convince the populace of the rightful claims of James to the throne. These pedigrees are usually adorned with portraits of the various monarchs and of their ancestors in the direct line. Darnley occurs in a number of these. One, which belongs to a rather later date, for it carries us to Charles I, gives Darnley with the Order of St Michael. The Elstracke (1603) and the Wright pedigrees have very fanciful portraits of Darnley. They have been facsimiled by H. C. Levis in his *Notes on British Engraved Portraits*, 1917, pp. 82 and 84. Nothing whatever as to the features of Darnley is to be learnt from this source.

* This date is 1566/67.

† "Le collier à toutes bêtes," owing to Charles IX making it too common.

‡ According to Evans' Catalogue, it was issued by G. Humble, but I do not find this on the copy in the Print Room, British Museum.

§ If the painting ever existed it must have been made after the conferment of the Order on Feb. 10, 1565/66 and before Darnley's death on February 10, 1566/67.

‖ I tried to follow up a number of little-known pictures, said to be of Darnley, without much profit. Thus the article in the *Dictionary of National Biography* mentions pictures at Wemyss Castle and at Newbattle. For the former see (*c*) above. The Curator Bonis on the Marquis of Lothian's estates informs me that there is no picture of Lord Darnley at Newbattle Abbey or elsewhere in the Marquis' possession. The late Mr J. D. Milner informed me in a letter of March 18, 1924, that the Marquis of Lothian's Darnley, he had heard, was wrongly named.

(*y*) *Armorials.* As usual, the armorials help us little, even less than the pedigrees, in matters of portraiture. The Seton Armorial in the possession of the Ogilvy family, which I have already used in the monograph on the skull of Robert Bruce, is one of the finest of the type, but it contains little of value in its portrait of Darnley. He is in armour with helmet on and his vizor opened so that but little of his face is seen. He wears over his breastplate the collar with pendant of the Order of St Michael. 'Marie Queen of Scotland,' who stands beside him, might with equal plausibility be any other court lady of 1566. See our Plate XXIV.

(*z*) *Coins and Medals.* Here we are on much safer ground, as both in size and artistic workmanship there had been a great advance, probably owing to Queen Mary's artistic sense educated in France. There are three coins or medals struck or stated to have been struck to commemorate the marriage of Mary and Darnley and each bears the date 1565. All three alike carry on the reverse the shield of Scotland with a thistle on either side and a crown surmounting the shield. The legend is again the same: QVOS · DEVS · COIVNXIT · HOMO NON SEPARET*. See our Plate XXV.

An examination of the reverses, however, shows slight differences, other than those arising from the fact that 2^b is a photograph from the medal itself and 1^b and 3^b from casts. There is a full stop between HOMO and NON in 1^b, and possibly but not certainly between NON and SEPARET. 2^b and 3^b have no such stops. The thistles in 1^b differ from those in 2^b and 3^b, which closely resemble each other.

If we turn to the obverses the distinctions between the three medals are clear and of great historical interest. The legends are as follows:

1^a HENRICVS · & · MARIA · D : GRA · R · & · R · SCOTORVM
2^a MARIA & HENRIC · D · G · REGI & (· ?) REX · SCOTORVM
3^a MARIA & HENRIC · D · G · REGI & · REX · SCOTORVM

It is again obvious that 2^a and 3^a are more closely related than either to 1^a. If 2 be a fake, it was based on 3 and not on 1.

The subjects on the obverses are in all three cases Darnley to the left facing Mary to the right. But there are great differences. In 1^a Darnley and Mary are uncrowned and they are dressed quite differently from the figures in 2^a and 3^a which agree even in minute details, Darnley in armour (?) and Mary in embroidered bodice. In 2^a, however, both figures are crowned, while in 3^a Darnley is uncrowned and Mary wears a flat cap with a double row of pearls (?) and a tassel or feather at the back. In both 2^a and 3^a Darnley's hair comes down in front of his ear, which it does not appear to do in 1^a. In both 1^a and 3^a, their only common point, Mary's hair does not fall, as in 2^a, in curls below her collar. In 2^a and 3^a she has a pendant from her ear which is absent in 1^a. Finally in 2^a and 3^a the ears of both Darnley and Mary are drawn in the same fashion; a fashion quite unlike those of 1^a, and suggesting a different artist's work. If we assume 2^a to be a fake, copied

* A sad commentary on what was to happen within eighteen months of the marriage thus commemorated!

in most minute detail from 3^a*, why was Mary's hair alone rendered differently? The insertion of the crowns might be made to suit a later generation, which added *Rex Scotorum* to Darnley's pictures—a title he never legally possessed—or they may have been inserted to add individual value to a faked medal. But again we ask why put the curls over Mary's collar, when the dress details are so exactly alike? The layman speaking without wide technical experience of medal work might reasonably accept 2^a as authentic. If it is a fake, it seems to have imposed on certain expert numismatists. Thus R. W. Cochran-Patrick describes the crown-medal of Mary and Darnley on p. 12 and reproduces it on Pl. I, Fig. 8, of his *Catalogue of the Medals of Scotland from the Earliest Period to the Present Time*, Edinburgh, 1884. He writes:

This medal must not be confounded with the equally rare silver ryal of the same year which is figured in Anderson (Pl. CLXIV, fig. 18) and also in the *Vetusta Monumenta* (Vol. I. Pl. LV). The coin has both its busts uncrowned [?our 1^a], and the King's name takes precedence of the Queen's—a circumstance remarked by Randolph to Cecil [see below]....The silver ryal was in the Sutherland Cabinet but has been lost. It was also in the collection of the Earl of Orford, and is in the British Museum. This medal [i.e. our 2^a] is very rare, I have never seen a struck specimen. There is a variety in the British Museum and also in the Cabinet des Médailles at Paris, which shows Henry without a crown. All are cast and tooled.

The letter of Randolph to Cecil is dated Dec. 25, 1565, and will be found in the *Calendar of State Papers relating to Scotland and Mary Queen of Scots*, 1547—1603, edited by Joseph Bain, Vol. II. p. 248, Edinburgh, 1900. The portion which concerns us runs:

Awhile there was nothing but "Kynge and Quene, his Majestie and hers"; now the "Quene's howsbonde" is most common. He was wont to be first named in all writings, but now is placed second. Certain pieces of money lately coined with bothe their faces "Hen. et Maria" are called in and others framed, as here I send you[r H.] one wayinge v testons of ours [or, in sū] and currant for vj†.

This letter of Randolph serves to throw light on the difference of the legend of 1^a and 3^a; but fails to throw light on 2^a, which gives both figures crowns but places Maria before Henricus. It is not clear from Cochran-Patrick's description whether in his last line he is referring to a variety of the medal in which Darnley only is uncrowned or to our 3^a in which both are uncrowned.

Another authoritative work is: *Medallic Illustrations of the History of Great Britain and Ireland to the Death of George II*, compiled by the late Edward Hawkins, edited by A. W. Franks and H. A. Grueber, British Museum, London, 1885. These medals are discussed in Vol. I. p. 114, and again no question is raised of the authenticity of our 2^a. Thus under No. 43 Mary and Darnley's marriage, 1565:

Busts of Mary and Darnley, face to face, both crowned. He is in armour with medal, she wears embroidered bodice, hair long, beneath 1565.

* Could this minute detail have been reached without the help of the original stamp or of modern methods of reproduction?

† Bain has taken considerable liberties with Randolph's spelling and even with his words, if one may judge from the same letter quoted by Cochran-Patrick. The teston or testoon is the same word as our tester now used for sixpence. According to Cochran-Patrick (*Records of the Coinage of Scotland*, Vol. I. p. cxli) the large silver pieces known as "Ryalls" were first coined in 1565 and were to pass for thirty shillings, weighing one ounce troy (French standard). The teston would accordingly be five to six shillings of those days.

The authors speak of an electrotype in the British Museum, and a bronze in possession of Cochran-Patrick and the Bibl. Paris. The copy we have seen was *silver*. The authors continue:

Extremely rare. This medal was struck to commemorate the marriage of Mary with Darnley, which took place 29 July, 1565. Without waiting for the consent of her Parliament she conferred on him the title of King and ordered that all writs should run in their joint names.

Then follows, as in Cochran-Patrick's book, the statement that it is not to be confounded with the silver ryal, which here, by the remark that the King's name precedes the Queen's, seems identified with 1^a.

No. 44 of the Medallic Illustrations is certainly our 3^a. The authors write:

Busts of Mary and Darnley face to face. He is in armour, head bare, she wears embroidered bodice and bonnet with feather, hair short, beneath 1565....Cast and chased. Issued on same occasion as preceding from which it only differs in the portraits.

To judge from the space allotted, our authors consider 2^a as the more important work*.

I consulted Dr Wm. Angus of the Historical Department of the General Register House, Edinburgh, and at his suggestion obtained the aid of Mr H. M. Paton who searched for me the Records of the Scottish Mint and certain other records in the hope of finding some reference to, or order for, the crowned medallion, but all in vain†. At the same time it must be stated that no reference was found to either 1^a or 3^a!

Burns in his *Coinage of Scotland*, Vol. II. p. 338, refers to the comparatively modern appearance of 2^a. Dr George Macdonald, a high authority on the coinage of Scotland, informed Dr Angus, who had consulted him on my account, that he had seen only one specimen of the crowned ryall and that he was quite convinced that it was not authentic. Mr Callander of the Scottish National Museum of Antiquities, was also doubtful of this medal's originality. He did not like the features of the faces. He made what he said was a small but he considered a good point, namely as to the second "5" of the date "1565." The first "5" has the open loop as we should expect, but the second shows the tail of the loop curving in far too abruptly. Unfortunately this argument would, I think, demonstrate that the accepted 3^a was not authentic as well as 2^a, for the tails of the final "5's" in both appear exactly alike. If 2^a was "faked" then there is little doubt, I think, that a good deal of it

* L. Forrer in his *Die Porträts der Königin Maria Stuart von Schottland auf Münzen und Medaillen*, Frankfurt am M., 1906, also accepts 2^a, but his work has no independence; it is based on those we have cited.

† The following MS. records for the period 1564—67 were searched: (*a*) Despences de la Maison Royale, 1 March 1564/5—30 September 1565, containing the accounts of the purse bearer (l'argentier), which have many references to jewellery, etc.; (*b*) Compts of the Comptroller; (*c*) Compts of the Treasurer; (*d*) Privy Seal Register, Register of the Privy Council; (*e*) Exchequer Rolls. Also a number of printed records by way of check on the research. Nothing found beyond what Cochran-Patrick has noted concerning the Mary Riall which appears in Register of Privy Council, 22 December, 1565. [Also to be found in Keith's *History*, Vol. III. pp. 257—58.] Unfortunately the record of the Expenses of the Royal House is wanting from October, 1565. There are no records of the Mint covering the requisite date.

was reproduced mechanically from 3^a, or the changes made upon an old die*. In the latter case it may be difficult to determine the period at which the changes were made. They may have been for pecuniary advantage, or to emphasise the conception of Darnley as *Rex Scotorum*.

Mr George F. Hill, of the Department of Coins and Medals of the British Museum, most kindly gave me his views, and I reproduce them practically in his own words, only in terms of our 2^a and 3^a.

2^a is, as I think Cochran-Patrick says, cast and chased. And I do not think anybody familiar with the medallic work of the time would accept it as contemporary chasing. What is more, if you compare it with the piece on which Darnley is not crowned [3^a], you will I think agree that the crown is an afterthought. That is shown by the awkward way in which it impinges on the engrailed circle†. It seems clear to me that in the first design Darnley was never meant to have a crown and Mary's headdress was to be low, as in 3^a, i.e. a mere bonnet with feather.

I ought to add that a die of an obverse corresponding closely to the Cochran-Patrick piece was shown at the Museum in 1911. The die was in a very bad rusted condition. The character of the lettering was much better than in the Cochran-Patrick piece, where it has been ruined by chasing. We were very doubtful about the antiquity of the die, I mean whether it was as early as 1565. I do not remember any lettering in that style of that date, though, as I say, it is less impossible than that the man who chased the Cochran-Patrick specimen made it. I should imagine that at some considerably later period—but I am not going to particularize!—some one cut dies based upon 3^a and put crowns on both heads. The obverse has been preserved. From this a trial piece may have been struck (it has not to my knowledge, survived), and from this casts were made and chased; the Cochran-Patrick piece is one of them. This method of multiplying by casting medals of which the originals were die-struck was in common use.

However, this is all speculation, and only my personal speculation. But the point which I feel pretty clear about is that the uncrowned head preceded the crowned one!

These questions of authenticity are so difficult that I don't want to set up as an infallible judge. All I would say is that I should not like to base any arguments on so doubtful a basis as the crowned head. But I would put both sides as fairly as I could.

This I have endeavoured to do. I may add that there were forces at work historically pressing that Darnley should be given both the title and reality of king. These are testified not only by the withdrawn "Henricus et Maria" medal 1^a, but by the Rex Scotorum on the 3^a (as well as on the 2^a), where "Maria" was given precedence to "Henricus." It is not therefore unlikely that Darnley might press for the symbol as a step towards the reality of the crown matrimonial, which he never legally obtained. The possibility of the symbol being granted could only exist in the first six months of the marriage.

After Darnley's murder the Lenox party used all their influence to establish the tradition that Darnley had been *Rex Scotorum*, which he never in fact was‡.

The importance of the medals for our purpose is that they provide practically

* I am not certain how far the greater fineness of the lettering of 2^a as compared with 3^a may not be due to the fact that one is photographed from the actual medal and the other from a cast.

† In 1^a the figures impinge, not on the engrailment, but on the inner bordering.

‡ Note the use of the words "King" or "Rex" on the Cenotaph picture with the Royal Crown on the tomb, and on the plan in the Record Office of the murder. This plan, as well as the placards in the same office (see our Plates XV and XXXIX), were all parts of the Lenox propagandism.

the only profile portraits of Darnley, our only chance indeed of seeing something of the retreating frontal of the skull. The Cenotaph picture does give a profile but it was taken after Darnley's death, and, as far as we know, it could only be painted from memory or from the medals themselves, as no profile portrait, if one ever existed, has survived. Anyhow the Cenotaph profile exhibits no relationship with known portraits of Darnley. Under the circumstances detailed above I have not felt justified in using 2^a. The portrait there differs chiefly from that of 3^a by softening the extraordinarily sensual aspect of the latter. There is not much accordance between 1^a and 3^a and it is somewhat difficult to believe that the same artist produced both.

(*b*) *Fitting of the Skull to the Portraits.*

We shall start first with the coins. The general method adopted was to form a lantern slide of the portrait, and throw the latter on the screen upon which a pencil drawing was made. The most receding point of the nasal bridge to the lip-line was taken as a measure and as far as feasible the corresponding length on the skull taken. The photograph of the skull from the same aspect was then enlarged by a Coradi pantograph so that these two lengths agreed, and the one drawing superposed on the other. If this first attempt was approximately successful a second or third trial might be made with the skull outlines on a slightly different scale.

Thus Plate XXXI shows the skull outline fitted to the drawing from the medal 1^a of Plate XXV. We see at once that the auricular point of the skull is right in front of the meatus, and that any modification of the ratio of facial lengths which would bring the auricular points together would throw the cranial occipital outside the head. The mastoid is in an impossible position, and the glabella too far forward. One can lay no stress on the forehead projecting so much above the skull at the hair border, for no artist would have ventured to give Darnley's retreating frontal truly.

The last remark applies still more emphatically to the skull fitted to the medal 3^a: see Plate XXXII. But apart from this the skull fits the portrait wonderfully well; the mastoid is in the correct position, the occipital also; the auricular point absolutely fits to the meatus, the nasion is where it should be, and only the nasal bones show Darnley had a more tilted nose; the maxillary bone shapes reasonably to the lip. On the whole quite a satisfactory result. The skull may be said to agree with the portrait on this medal, which accordingly throws light on Darnley's features and indirectly on his character*.

We shall now consider the paintings of Darnley in relation to his skull. It will be sufficient to take five or six paintings which are illustrative of the various types at different ages of the subject.

(i) The Seaforth portrait. This is practically identical with that of Lord Bolton: see our Plates X and XVIII. Darnley's age is about twelve years. We notice the broad forehead, the large orbits, the broad flattened nasal bridge, with a nose rather

* Assuming this to be a good portrait of Darnley, i.e. by a reasonably truthful artist, it increases the value of the medal as a portrait of Mary, Queen of Scots.

distorted towards the left cheek, and the deep upper lip. The pyriform aperture of the skull is markedly distorted to the left, but this is the only portrait where the artist has allowed himself to indicate even slightly this irregularity. If the reader examines our Plate VII he will see how much in some of these features Darnley resembled as a boy his son.

Now we have to remember that man is a vain animal and has grown vainer with the centuries; the artist has to lie to gain a livelihood, and he naturally smoothes out asymmetries and supplies deficiencies, we must not therefore lay too great stress on enlarged frontals or symmetrical noses! Portraits are too often a question of relative untruthfulness. Above all, a low brow suggested from early times an ape-like appearance, and few artists—unless they were painting beggars or peasants—dared in this respect to be truthful. Hence we must not pay too much attention to foreheads in fitting our skulls.

Plate XXVI shows the best fit we have been able to obtain of Darnley's skull to the Seaforth painting. When we remember that the skull would to some extent change its shape as well as slightly its size in the course of ten years, I think we must hold that for this sort of comparison the fit is a reasonable one. The right frontal has been somewhat extended by the artist, but if we endeavour to raise the skull, the left orbit would come too high, although it would somewhat improve the position of the alveolar margin. A tilt of the skull raising the right orbit, while reducing the skewness of the pyriform aperture, places the cheek-bone outside the face and distorts the mouth. I doubt if any further adjustment will better the fit.

(ii) We shall now consider the head of Darnley from the Holyrood painting of the two brothers. This is Darnley at the age of 17: see our Plate XI. Here the big orbits, the large flat nasal bridge and long upper lip repeat themselves, but when the skull is superposed the fit is better: see Plate XXVIII. The orbits are in truer position, so is the alveolar margin and the broad flat nasal bridge; the right frontal of the painting is still in excess, and the nose shows less distortion than in the Seaforth picture, but I think the fit may be considered really good.

(iii) Lord Bolton's painting of Queen Elizabeth's "yonder long lad," provides all the characteristic features with which the reader will now be familiar, the broad forehead, the large orbits, the flat nasal bridge and long nose and upper lip; we may almost add the vacant stare of ineptitude. There can be little doubt that this picture was painted from the life, probably when Darnley was 18 years old, and the tablet terming him *Rex Scotorum*, and giving the date of his death, added at a later period. The skull is again in most respects a reasonably good fit, only the artist has once more elevated the frontal, which shows badly on the right: see Plates X and XXVII.

(iv) The Duke of Devonshire's picture of Darnley solo. This is Darnley as he went a-wooing, Darnley in his 19th to 20th year. See the Frontispiece and Plate XXX. Here are, as before, the large orbits, the broad nasal bridge, long nose and long upper lip, but the nasal alae are more distended, and give something of

the sensual look that we see on the Marriage Medal, 3[a]: see Plate XXV. Further, the artist has indicated something of the retreating forehead. When the skull outlines are superposed we find that, except for the distorted pyriform aperture, the fit is excellent. There is hardly any excess of the right frontal, for an examination of the Frontispiece shows that what the rough drawing appears to indicate is really cap and hair. This picture is undoubtedly the truest of Darnley, and it appears to me to demonstrate beyond question that the skull is authentic.

(v) The Duke of Devonshire's picture of Darnley and Mary. This portrait of Darnley, of the same type as the miniature in the Rijksmuseum at Amsterdam, is the only painting that I know of Darnley after his marriage. The large orbits, the broad nasal bridge, the broad and retreating forehead are all suggested, but the face looks swollen and coarser than in the picture of the last paragraph. See Plates XIII and XXIX.

The superposition of the skull is not as satisfactory as in the previous case. There is more exaggeration of the right frontal, and the left ear is too far back. But the deviations between skull and painting are not greater than those between the two Hardwicke portraits themselves. I have not tried fitting the Amsterdam miniature—which I think was the source of this portrait—with the skull, but from mere inspection it appears to me to be more in harmony with the proportions of the skull, than the large picture.

Taking the five pictures as a whole, and bearing in mind the varied methods of expression which different artists adopt, I think we may say that the skull passes the test as satisfactorily as we could hope for. The historical evidence in favour of the skull is confirmed by portraits known to be genuine.

The reader may ask whether measurement tests could not be applied to skulls and portraits. The difficulty lies actually in the fact that the artist rarely provides a head in a definite *norma*, he does not care for a true profile—here coins and medals are advantageous—or for a true full face. He generally chooses a mixture of the two—a two-thirds face, or he may give the head a tilt—in either case the determination of facial measurements leaves a good deal of room for personal equation, especially when the estimates have again to be based upon photographs from the original paintings. I find that the best estimates on the full or as near full face as we can get are to be obtained from: (*a*) the external orbital width (E.O.W.), (*b*) the distance between (i) a point P on the forehead, which is in the mesial sagittal plane, where the line tangential to the upper borders of the eyebrows meets that plane; this point on the skull is towards the ophryon on the upper limit of the glabella area, and may be termed the supra-glabellar point; and (ii) the subnasal point, Q, which is close to the tip of the nasal spine in the case of the skull. (*c*) The distance from this same supra-glabellar point P to I, the point of the join of the lips in the mesial sagittal plane.

The point P has been taken because the nasion, a very definite point on the skull, cannot be satisfactorily determined on the nasal bridge of the living nor on portraits of the living. The ratios of PQ and PI to E.O.W., the external orbital

width, may be termed the first and second mid-facial portrait indices, the multiplier being as usual = 100.

I obtained the following results for the Duke of Devonshire's portraits:

Mid-Facial Indices.

	On the skull reputed to be Darnley's	Duke of Devonshire's portraits	
		Darnley solo	Darnley with Mary
1st Facial Index	69·1	68·5	70·0
2nd Facial Index	90·3	89·2	89·3

It may, perhaps, be asked how any artist can reproduce with the degree of accuracy needful to these correspondences. Frankly, I do not know. But I recently observed a sculptor at work not with clay, but actually cutting the marble. What astonished me most was the extraordinary concordance between the caliper readings on bust and subject when they were tested after chiselling from time to time, subject "and hand and eye were one."

Now I am not going to emphasise over much these results; they were based on the mean of several determinations of each length, no two of which were in absolute accord; but they do indicate that allowing for the artists' and for my own personal equation, measurements on the portraits are not likely to disprove the authenticity of the skull.

(7) *Darnley's Glasgow Illness and the Markings on Darnley's Skull.*

Having satisfied ourselves that the skull is with the highest probability Darnley's, we turn now to the question of what is the explanation of the markings or pittings on the skull. We have seen how Campbell before 1798 interpreted these markings, he had no hesitation in saying that they were due to the incontinence of the debauchee, i.e. to venereal disease. It is clear therefore that these pittings are not due to any treatment after the skull had passed into the hands of Archibald Fraser. They existed when the skull was in the possession of Cummyng, and thus we may hold with practical certainty when it left the Royal Vault. If so the markings must have arisen (*a*) while the skull was in the vault, (*b*) at Darnley's death, or (*c*) have existed *ante mortem*. Let us consider these possibilities in succession.

(*a*) They arose *post mortem*, i.e. when the body was in the Royal Vault. In this case they could only have arisen from (i) insect action or (ii) action of vegetation, as from the roots of trees. Now it has been noticed that in Egypt some small species of beetle does bore into and often through the bones of skulls, marking them with small holes. But even in Egypt skulls thus marked must be very few in number or very local because, while we have in the Biometric Laboratory more than four thousand Egyptian crania from the predynastic period onwards, we have not found instances of this, and, what is more to the point, there is no trace of it in the

several thousand British skulls we possess. Further in Darnley's case the pittings are never complete perforations. I have also seen large numbers of skulls dug up from beneath the floors of London churches, or stacked in the vaults of English and continental churches, and failed to notice such insect action. It may occasionally occur in Western Europe, but must be extremely rare.

We next note that up to 1768, Darnley's body was in a closed vault* in a *roofed* church and that the skull had disappeared from the vault in 1778. According to Arnot the head of Darnley was still there in 1776. Bishop Keith saw it in 1735, and it was also seen in 1683 by Sir John Lauder. They speak of the embalmed bodies in lead coffins with stagnating balsam. The burrowing of insects might have escaped them, but it is impossible to believe that if the roots of trees or other vegetation had been enwrapping the skulls, it would have escaped their notice and remark. The vault was a dark chamber under the floor of the church and, according to Lauder, was only rediscovered in 1683 on the removal of some seats in the church. If there were roots in the vault they must have penetrated from the *outside* of the building. If there had been vegetation in the vault in the 17th or 18th centuries while the Abbey Church was roofed, there would seem to be greater reason for its existence now. Yet Dr John Ross, whose association with Holyrood goes back 45 years, has no recollection of ever seeing any vegetation in the Royal Vault. Mr Inglis most kindly searched for me in the Library in the Society of Antiquaries a number of books and portfolios, Billings, Penant's Tour, Sleazer, Cardonnell, Arnot, two large scrap books of Sir Daniel Wilson, etc. Ephinstone's view of the exterior from the north with the roof on, an early print from the same point published by Lothian, a print by Billings and another by Steele both with the roof off, none of these showed vegetation in the neighhourhood of the vault. One or two prints in existence show ivy or trees within about 20 feet of the vault, but it may well be doubted if the roots when the roof was on could penetrate so far, or if they had penetrated would enter the lead coffin and develop round Darnley's skull. The door of the vault faces north, it is very damp and cold, and it seems impossible that vegetation could have originated there. Our Plates XXXV and XXXVI show the absence of vegetation in the south-east corner after the roof fell, but it is really the state of affairs before the roof fell that we have to consider†. The prints showing the roof on indicate no adjacent trees, and even the trees in the Earl of Hertford's plan of 1543 are at a considerable distance from the east end. It seems highly improbable that roots could have reached Darnley's skull before the coffins were opened by the mob in 1688. As in the following eighty years we know of visits to the tomb, in which no mention is made of the roots of vegetation round the skulls, I think we may conclude that such a source for the

* It is strange to find a Scotsman, writing of the flight of Mary and Darnley from Holyrood, saying that: "Mary preferred [to ropes from the window] the passage through the basement into the royal tombs," Andrew Lang, *The Mystery of Mary Stewart*, p. 59. How getting into the Royal Vault from the Abbey Church would assist their escape is by no means clear! Probably Lang was accepting Buchanan's idle story that Rizzio was buried in the Royal Vault, and confusing it with the fact that in escaping through the Abbey Church into the churchyard by the south door, adjacent to the vault, Mary and Darnley crossed in the yard the newly-made grave of the Italian.

† Even after the roof of the Abbey fell, the roof of the vault, and the vaulting of the south aisle in which it is situated, remained intact.

markings is as improbable as insect action. Through the kindness of Sir Arthur Keith I am able to show the photograph of a skull, where the pittings are attributed to root action. The curious nearly circular markings of the Darnley skull almost entirely fail here, the pits being of irregular shape. When the circular burrows of incipient syphilitic attacks join up together and form a more or less serpentine cavity at various levels, this can be mimicked by root action, but I doubt if the latter can provide anything like the initial workings of syphilis: see Plates XLI and XLIII and compare with Plates I—III and V of Darnley's skull.

(*b*) The markings on Darnley's skull were produced by the manner of his death; they were neither *ante mortem*, nor *post mortem*, but *ad mortem*. Now the manner of Darnley's death requires some consideration. It is usually assumed that he was killed by Bothwell and his henchmen placing gunpowder under his apartment in the Prebendaries' Lodgings and blowing the whole into the air. Darnley's body with that of his valet William Taylour were found not among the ruins with the dead bodies of the four servants*, two of whom were sleeping in the gallery outside Darnley's chamber and two on the ground floor†, but under a tree in a garden. This garden was not adjacent to the Prebendaries' Lodgings, but outside the city wall, across the Thieves' Raw, and across the wall of the garden itself. Neither wall was blown down, but the bodies lifted entire over both walls and deposited in the garden at a spot reported to be eighty yards from the house! According to the Record Office plan of the scene of the murder, certain articles of furniture and cloaks must

* Thomas Nelson, the Earl of Lenox's henchman, sent as a spy on Mary, alone escaped destruction; he was sleeping in the gallery, and picked himself up out of the ruins.

† I have spent much time, but to little purpose in trying to piece together the various fragmentary accounts from the depositions and other sources of information as to the plan of the Prebendaries' Lodgings. It is usually supposed that the foundation of a building shown in Gordon's survey of Edinburgh 1647, close to the college buildings on the site of the Kirk o' Field, represents what was left after the explosion of these Lodgings. Here we see the City Wall, the Thieves' Raw in front of it, and

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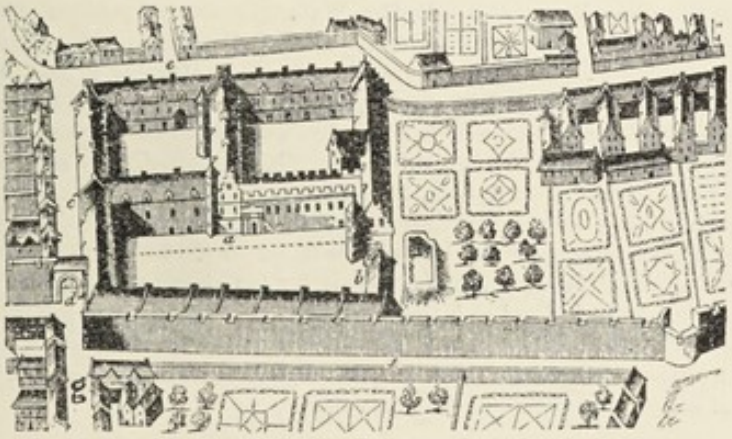
NOTE. The accompanying plan, from Gordon's survey of Edinburgh 1647, may serve not only to illustrate the earlier drawing of 1567, but also to show the plan of the College, as it was divided into an Upper and a Lower Court.



(From *Registrum Domus de Soltre*)
Bannatyne Club, 1861, p. xli.

also have been carried over. Now it seems inconceivable that an explosion sufficiently violent to throw a house stone from stone, and carry two men over the city wall, a

the garden across the Raw in which the bodies of Darnley and Taylour were found. But unfortunately this places the Lodgings too far from the Wall, for we are told not only that there was a gallery in the house running south with a gable window in or on the wall, but a postern underneath leading to the ground floor rooms; through this postern the gunpowder was brought in. Hence Gordon's plan either misplaced the foundations, or it is erroneous to suppose these foundations to be those of the ruined Prebendaries' Lodgings *. When we come to the Record Office Plan it is equally impossible to reconcile it with what we know of the position of the Potter Raw Port, and the lines of the Flodden Wall.

I have examined a very large number of early drawings, plans and engravings of Edinburgh, with a view to gaining an adequate idea of the buildings of the Kirk o' Field, both when it stood outside the Old Wall, and after the Flodden Wall was constructed. None of these appear to me to throw any *real* light on the distribution and orientation of this religious settlement. We seem forced to derive any knowledge we can from the Record Office Plan (see Plate XXXIX). Unfortunately this Plan was not drawn (*a*) by an artist representing what he saw from a single standpoint, (*b*) by any one with the least conception of perspective. On the contrary, it is a badly drawn panoramic representation of the various scenes of the tragedy enacted at the Kirk o' Field. Probably the buildings are rendered with rough accuracy, but their mutual orientation, their relation to the Thieves' Raw, to the gardens outside the Wall, and to the Wall itself are quite impossible. An excellent map has been recently published of the original alignment of the Flodden Wall (see Moir-Bryce's Plan of that Wall: *Book of Old Edinburgh Club*, Vol. II. pp. 61—79). I have endeavoured to bring the Record Office Plan into accord with this map. In order to do so, it is needful to abolish entirely the rectangular bend in the Wall. There is no trace of such a bend in the Flodden Wall either in the above map, or in any engravings of Edinburgh. The draughtsman of the Record Office Plan could sketch buildings on his horizon, but being ignorant of any laws of perspective, when he came to a row of buildings at *right angles* to his horizon, he was unable to surmount the difficulty, and placed them along the line of his horizon, which compelled him to make an abrupt, but really non-existent rectangular bend in the Flodden Wall. On the basis of this assumption I have reconstructed the Record Office Plan and it is reproduced in Plate XL. The reader must, however, bear in mind in making comparisons, that the spectator is not as with an ordinary map, facing north at the top, or as in Gordon's plan, outside the Wall, facing north; he must imagine himself *inside the wall facing south*. Thus right and left, top and bottom have to be interchanged when comparing with a modern plan of Edinburgh, while the Castle lies to the spectator's right and Holyrood to his left. This must be remembered, if we wish to trace the route by which Mary returned to Holyrood House from the Kirk o' Field on the fatal night. One of the difficulties of some of the early plans of Edinburgh is that they are taken facing the city from the north (cf. the Earl of Hertford's plan, British Museum, Cott. Aug. I. ii. 56), and thus the buildings of the Kirk o' Field are almost entirely obscured by others in the foreground.

Studying the modified Record Office Plan we see that it is now more or less comparable with Gordon's and with Moir-Bryce's map of the Flodden Wall. We note the position of Sir James Balfour's House—the Provost's House—and that of the Duke of Châtelherault and the Hamilton House on the site of the former hospital of St Mary's foundation, where the "pockie priest" kept watch till the explosion. We can imagine the decoyed Darnley slipping out of the postern and across the Thieves' Raw, thus escaping one form of destruction only to meet with a second in the form of Archibald Douglas in his 'moulis' stealthily falling upon him, while the women in the Potter's Raw heard his cry for mercy.

The postern is there in the Flodden Wall, the gate into the garden and the garden houses, there is no sign of the gable window in the wall, but the ruins of the house extend up to the postern. If "Rudera templi S. Mariae in campis" marked *b* in the figure on p. 73 refer to the ruins of the church itself, then the 'foundation' in Gordon's Plan seems far too close to the church to fit our revised Record Office drawing. The 'Rudera' at *b* would correspond more nearly to the row of houses east of the church at one of which the King's body was kept after the murder. I should anticipate that the actual Kirk stood more nearly in the centre of the quadrangle in front of the two courts of the University, somewhat south of the point marked *a* on Gordon's plan.

* I have been through all the plans in the British Museum, Print and Manuscript Rooms, seeing most of the maps and charts recorded by W. Cowan, *Book of Old Edinburgh Club*, Vol. XII. pp. 209—245 without getting real light on the relation of the Prebendaries' Lodgings to the Wall.

road and a second wall, should not have rent the bodies of those men to fragments, or at least, if it did not dismember them, have broken most of their bones*. Yet there are no signs of such violence at all on the femur, and only the pittings on the skull, if indeed these could have been produced by such explosive action. Indeed the bodies of Darnley and his valet appear to have been wholly uninjured. It is not merely that they are represented as such on the Record Office Plan and Lenox's poster (see our Plate XXXVII), but reports at the time refer to Darnley and his page being suffocated. Thus in the *Diurnal of Occurrents* we read:

Upon the tenth day of Februar, at twa hours before none in the morning there come certain traitors to the said Provost's house†, wherein was our Sovereign's husband Henrie and ane servant of his callit William Taylour, lying in their nakit beds, and there privily with wrang keys opnit the doors, and come in upon the said prince, and there without mercy wyrriet him and his said servant in their beds, and thereafter took him and his servant furth of the house and cast him nakit in ane yard beyond the thief raw, and syne come to the house again and blew the house up in the air so that there remainit not ane stane upon aneuther undestroyit‡.

I give this account not because it is correct, but because it shows the generally widespread opinion of those days that Darnley was strangled and the bodies placed in the garden before the house was blown up§. There seems absolutely no reason, if Darnley was in the house and strangled there, for carrying his body out of it before blowing the house up! Nor, further, is it easy to understand how the "traitors" could have avoided waking the servants sleeping in the gallery‖ either in entering and suffocating the two men or in the useless task of carrying out the bodies. Again Sir James Melvil writes¶:

* The Record Office Plan shows what appears to be a severed head among the stones of the wholly disrupted house.

† Should of course be the Prebendaries' Lodgings, not the Provost's House.

‡ Knox writes: "Shortly afterwards Bothwell came from the Abbey with a company of men of war, and caused the body of the king to be carried into the next house; when after a little the chirurgeons being convened at the queen's command, to view and consider the manner of his death, most part gave out, to please the queen, that he was blown in the air, albeit he had no mark of fire; and truly he was strangled. Soon after he was carried to the Abbey and buried there," *History*, Ed. 1831, p. 352.

§ In Lord Herries' *Historie of the Reigne of Marie Queen of Scots* (Abbotsford Club, 1836, p. 84) we read that Bothwell

went straight to the Kirk of Field, up Roblock's wynd, where he mett with William Pariss and John Hammiltoune (a servant to the Archbischop of St Androes), whoe had stollen the kyes of the gates. They entred softlie the King's chamber, and found him asleep, where they both strangled him and his man, William Tayleor, that lay by him on a pallet-bed. Those assassinats that are named to be with Bothwell, and actors, were those two above named, Pariss and Hammiltoune, John Hay of Fala, John Hepburne of Boltoune, George Dagleish, and one Pierrie, Bothwell's men all; James Ormistoune of that Ilk, called Black Ormistoune, Hob Ormistoune and Patrick Urlson. After they had strangled the King and his man dead, they carried them both out at a back gate of the toune wall, which opened at the back of the hous, and laid them both doune careleslie one from another, and then fyred some barrells of powder, which they had put in the roume below the King's chamber; which with great noyse, blew up the hous. They imagined the people would conceave the hous to be blowen up by accident, and the corps of the King and his man to be blowen over the wall by the force of the powder. But neither were there shirts singed, nor there clothes burnt (which were lykwayes laid by them), nor there skins any thing toucht with fiyre; which gave easie satisfaction to all that lookt upon them.

Clearly as little was known to onlookers of that day as to us, but the passage emphasises that the bodies were uninjured by the explosion.

‖ These servants "lay in the litill gaylery, that went derrict to south oute of the Kingis schalmir, havand ane windo in the gauill throw the Toun-wall, and besyde thame lay William Tailyeurs boy; quhells nevir knew of any thing quhill the house quherin they lay wes fallin about thame," *Nelson's Deposition* in Pitcairn: *Criminal Trials*, Vol. I. 2, p. 502.

¶ *The Memoirs of Sir James Melvil*, edited by George Scott, Edn. 1683, p. 78.

He [Bothwell] had before laid a train of Powder under the House where the King did lodge, and in the night did blow up the said House with Powder; but it was spoken that the King was taken forth and brought down to a Stable where a Napkin was stopped in his mouth, and he therewith suffocated.

Further, when Melvil went to enquire at the Queen's Chamber of her welfare, he saw Bothwell who told him that:

the strangest accident had fallen out which ever was heard of, for Thunder had come out of the sky and had burnt the King's House, and himself was found dead lying a little distance from the House under a Tree. He desired me to go up and see him, how that there was not a hurt nor a mark on all his Body. But when I went up to see him, he had been taken into a Chamber, and kept by one Alexander Durham, but I could not get a sight of him*.

The plan in the Record Office† shows us (i) that in the garden there was a stable or gardenhouse, (ii) that Darnley's body was lying under a tree. The latter fact is confirmed by the placard‡ in the Record Office, where Darnley is represented lying under a tree in a walled garden and the infant James on his knees prays "Judge and revenge my caus o lord," while the symbol for Jesus Christ, IHS, appears framed in the sky above, see our Plates XXXIX and XXXVII. Placards posted in the streets of Edinburgh were not only the sole manner in which Bothwell and Mary could be attacked, but were a means of indicating what was known or suspected about the death. Thus one was posted with Bothwell's initials with a mallet painted above—"an obscure allusion to the only wound found upon the unhappy Prince, which appeared to have been given by a blunt instrument§."

Count Moretta, ambassador of the Duke of Savoy, then in Edinburgh, reported that women living near the spot where the King's body was found declared that they overheard his cries for mercy while in the hands of his murderers: "Eb! fratelli miei, habiate pietà di me per amor di Colui che hebbe misericordia di tutto il mondo‖." Rather a long speech for one in the hands of assassins, but probably picturesque Italian for: 'Mercy in God's name!' Drury in a letter to Cecil of

* Melvil, *loc. cit.* p. 78. "Sande Duram" appears to have been a servant of Darnley, see Paris' Confession.

† The plan also indicates the house where Alexander Durham had charge of the King's body.

‡ Some say it is a copy of the banner placed before Mary's window when she was carried a prisoner to Edinburgh by the Lords after Carberry Hill:

The Lordies quha vnreverently broght hir in to Edinburgh, about seven houres at evin, and keept hir straitly within the prouest's ludging on the hie street. And on the morne fixt a quhytt baner in hir siyght quhairin was paintid the effigie of King Harie her husband, lyand dead at the roote of a green tree, and the effigie of the young prince with this inscription:

Judge and revenge my caus, O Lord!

The Historie of King James the Sext (written at end of 16th century), Edinburgh, 1804.

§ Letter of Drury to Cecil, Feb. 28, 1566/7, printed in Tytler's *History of Scotland*, Vol. v. pp. 515–17. In the placard figured on Plate XXXVIII, which I think is later than Carberry Hill, Mary is represented as a siren holding in her right hand what is suspiciously like a branch of the tree under which Darnley's body was found, see Plate XXXVII. Probably it is a product of the same artist. I cannot identify what is in her left hand, nor the meaning, if any, of the bench below her. The letters M.R. identify her. Below is a frame, surrounded by daggers, probably indicating assassination, and inside a hare scampering away, with the initials I.H., Ian Hepburn, i.e. Bothwell.

‖ Labanoff, *Lettres de Marie Stuart*, T. VII. p. 109.

April 24, 1567, says that "the king was long of dying, and to his strength made debate for life." (Tytler's *History*, Vol. v. p. 520.)

Turning now to the trial and confessions of Bothwell's satellites, I must differ from some of the historians who have dealt with the statements made. I think the statements of these men ring absolutely true *to the extent of their knowledge**. Among those in whose presence these confessions or depositions were made was the Regent Moray, who at least knew of the proposed murder before its commission, and the Earl of Morton, whose kinsman Archibald Douglas had kept him informed of the proceedings, up to the time of their completion†. These councillors pressed the prisoners to say exactly how Darnley met his death, as it was reported that he had been strangled. Thus John Hepburn, after giving the names of the nine who were present at the "deide doing," and saying that he saw no more and knew of no other companies, continued:

He knowis nat other but that, that he was blowin in the ayre, for he was handilit with na mens' handes as he saw; and if he was, it was with others, and not with tham‡.

Again Ormistoun, asked if the King was handled otherwise by his hands, "for it is commonly spokin he was brought furth and wirryit," answered that "he knew nothing but that he was blawin up, and that he had inquired the same of John Hepburne and John Hay, and all that tarried after him who swore to him that they knew nothing but what he was bloun up§."

These men knew they were going to be hanged, and that their kinsman Bothwell had escaped, so they might and did give him away. They had in fact no reason for not speaking the truth, and their accounts are in quite close accordance. Hepburn says:

Hinmest, he confessit, he was ane of the principall doers of the daith, and thairfour is justly worthy of daith; but he was assurit (!) of the mercy of God, qwho callit him to repentance.

I think we must conclude from this that the Bothwell conspirators only knew of themselves at work and believed that Darnley was "blowin in the ayre." On the

* I except Paris' confessions, at any rate his second one, which has been justly called into question, for reasons which do not for the moment concern us. All I would now note is that Paris' two depositions are stated to have been made on August 9 and 10, 1569, many months after he had been surrendered, and that Moray executed him on August 16, 1569. Why? His evidence was all important, and as soon as Elizabeth received notice of Paris' presence, she wrote on August 22 personally to Moray: "Since the return of your servant Hume, we are informed that one Pariss, who fled to Denmark with Bothwell, and is thought most privy to his worst actions, has by policy been brought into Scotland. Instead of executing him speedily, we think it reasonable that after diligent examination had of him, regarding the manner of the murder of Lord Darnley, his death may be deferred, whereby the truth may more plainly appear by his testimony living, than otherwise seem to have credit after his death—and require you to forbear his execution till we may hear from you and reply thereto."

Why did Moray, to whom Paris would have been an invaluable asset, cause him to be executed? Why is there no record of his trial, and only the most improperly attested copies of his supposed depositions?

† Morton's own confession, just before his execution for having "art and part, foreknowledge and concealing" of Darnley's murder.

‡ R. Pitcairn, *Criminal Trials in Scotland*, Vol. I. Part 1, p. 500, Edinburgh, 1833.

§ *Ibid.* p. 511.

other hand, the Lords of Secret Council who had examined Darnley's body, and the people who had seen it before its removal to Alexander Durham's house, must have had strong reasons for believing that Darnley was not killed by the explosion, but had been strangled, for the body was uninjured*. It thus appears quite clear that other conspirators were at work, unbeknown to Bothwell's confederates, if not, perhaps, to Bothwell himself. The Earl of Morton, in his talk with protestant ministers just before his execution, admitted that he had known of the plot to kill Darnley, and that his kinsman, Archibald Douglas, had been the link between Bothwell and himself. Now Bothwell's henchmen when brought to trial show no knowledge whatever of Archibald Douglas and his satellites, and yet Douglas' servant, John Binning, was executed in June, 1581, for being a participant in the murder of Darnley, and Archibald himself was later brought to trial. But let us go back a little. A few days before the murder Lord Robert Stewart†, half brother of the Queen, had warned Darnley of his danger, and advised him to quit the Kirk o' Field at once. Darnley, who could never keep anything to himself, told the Queen, who summoned Lord Robert and asked him to explain the matter. Lord Robert denied saying anything at all, and Darnley in his anger gave him the lie, whereon both men took to their swords, and only Mary's calling in the help of Moray, who happened to be in the house, prevented a catastrophe. Did Lord Robert really mean to befriend Darnley, or to get him into the open where his foes might slaughter him, or was his aim to pick a quarrel with Darnley and kill him in the conflict? If we really could trust Paris' second deposition, it was connected with a scheme of the Queen to rid herself of Darnley. Thus we read:

> And in the evening, the Queen being at the Abbey, she sends the said Paris to M. de Bothwell commanding him to say to him: Go and say to M. de Bothwell, that it seems to me it would be best for M. de St Croix [i.e. the Abbot of Holyroodhouse, Lord Robert] and William Blackader‡ to go to the King's room, to do what the said Bothwell knows of, and that he speak to M. de St Croix concerning this plan for it would be better this way than any other, and so he would only be a short time prisoner in the Castle [i.e. for killing the King in an angry fight].

But why should Mary have called Moray in to stop her own scheme—certainly a more fitting method than Bothwell's of disposing of the impossible Darnley§? We need not, however, lay any weight on Paris' second deposition, it was produced when the Lords were in a critical position, just as the Casket Letters were, and in neither case were Mary's Commissioners allowed to see these evidences against her.

* See the citation from Knox, *History of the Reformation of Religion in Scotland*, Glasgow, 1831, p. 352, in the footnote on our p. 75.

† Illegitimate son of James V, by Euphemia, daughter of Lord Elphinstone. He was made Abbot of Holyrood House, but appears to have taken part in very unecclesiastical proceedings. See Randolph's letter to Cecil, December 7, 1561. It is worthy of note that Bothwell in his so-called confession at death (see F. Schiern, *Life of James Hepburn, Earl of Bothwell*, Edinburgh, 1880) named Lord Robert in conjunction with Moray, Morton, Argyll, Glencairn, Grange, Huntly, Maitland, and Crawford as consenting to Darnley's death, though not present at the "deide doing."

‡ Presumably the Captain William Blackater, who was the first to be hanged, drawn and quartered for the murder of Darnley. He died protesting his entire innocence.

§ "A more cleanely conveyance to kill the king," Letter of Elizabeth's Commissioners at York, see footnote, p. 79.

In both cases the men who could have demonstrated the facts, Paris and Dagleish, were not kept as witnesses to demonstrate the Lords' assertions, but removed by execution at once from the scene. Perhaps the most convincing remark that has been made with regard to these charges still remains that of Bishop Leslie, who says with regard to the letters to Bothwell from Mary:

> For as for him that ye surmise was the bearer of them, and whome you have executed of late for the said Murther, he at the Time of his said Execution took it upon his Death, as he would answer before God, that he neuer carried any such letters, nor that the Queene was participant nor of Counsayle in the Cause (*A Defence of Queene Marie's Honour*, p. 19).

With regard to other henchmen of Bothwell executed for the murder, our Bishop writes:

> We can tel you [the Lords], that John Haye of Galoway, that Powry, that Dowglish, and last of al that Paris, al being put to Death for this Crime, toke God to recorde at the Time of their Death that this Murther was by your Counsayle, Invention and Drift committed; who also declared, that they neuer knew the Queene to be participant or ware thereof *.

Bishop Leslie's statements remained uncontradicted, although there must at the time of their publication have been many alive who could have contradicted them, having been present at the executions. They are, however, in keeping with all the depositions of the criminals themselves, except the second suspicious deposition of Paris.

What, however, comes clearly out of this matter is that Lord Robert Stewart knew of the plot and warned Darnley †, and that Darnley's suspicions being aroused he may well have determined to spend the night outside the Prebendaries' Lodgings. Whether this was a scheme to get Darnley disposed of, or merely a friendly warning, we cannot say. But it is far more probable that Darnley himself left the house, than that he was really suffocated in his bedroom (notwithstanding the presence of servants in the gallery outside his chamber), and then carried into the garden across the Thieves' Raw, while finally the house was blown up. If it was thought necessary to strangle him as a precaution against the explosion failing to kill him, why remove Darnley's and his valet's bodies to the garden ‡? The conclusion, I think, must be that Darnley was killed in the garden, but that probably

* *A Defence of Queene Marie's Honour* (p. 76). A ballad by "Tom Trowth," referred to by Bain, *Scottish Papers* II. p. 573 states that Hepburne, Daglace, Powory and John Hey at the scaffold said that Moray and Morton were guilty. "Tom Trowth" says that some may think he spoke for affection, but that 3000 who heard could bear true witness. In the Crawford *Memoirs* we further read: "The Regent [Moray] proceeded from Stirling to St Andrews, where Nicknairn for sorcery was burnt; and Paris, a Frenchman, was hanged for the murder of the late King though he denied the fact" (p. 127). This confirms Leslie, and discredits not only the second but the first of Paris' confessions.

† The incident is referred to in a letter of Queen Elizabeth's Commissioners (Norfolk, Sussex and Sadler) at York to that Queen (Cotton MS. Caligula C. i. fo. 198) and often elsewhere.

‡ The same tale of strangling Darnley in his bed and then carrying his body into the garden before blowing up the house occurs in *The Historie of King James the Sext* (written during end of 16th century), Edinburgh, 1804, p. 9. But if the servants in the gallery were not aroused by the assassins (although Darnley's cries for mercy are said to have been heard by women outside the house!) when they got in, why risk disturbing them by carrying the bodies out? What purpose could be served by not leaving them, if the house was to be blown up? The discovery of the bodies of Darnley and his valet in the garden—apparently strangled—seems to indicate two discordant plans of assassination made by conspirators not working in unison.

Bothwell's men and just possibly Bothwell, believed they had killed Darnley with their gunpowder, and knew of no others at work. If this be correct, Bothwell was not Darnley's murderer, although he tried to be, and actually succeeded in killing four of Darnley's servants. Among the articles found in the garden was a pair of velvet shoes, these apparently were supposed at first to be the King's, but at the trial of Binning, Archibald Douglas' servant, for the murder of Darnley, they were asserted to have belonged to Archibald Douglas.

Archibald Douglas, cousin and henchman of the Earl of Morton, was one of those uncanny characters who flit vaguely across the background of history—spy, conspirator, forger and probably assassin*. He was concerned in the Rizzio murder and fled to England with Morton, to be pardoned by Mary at Stirling after the baptism of her son James. At the time of Darnley's murder he was, according to Morton's confession, in the service of Bothwell, probably rather as a spy for Morton than as a friend to Bothwell. Morton, when Regent, appointed him in 1578 a Lord of Session, but on the fall of Morton he was dismissed the office. Summoned with Morton to take his trial for the death of Darnley he escaped to England, and a decree of forfeiture was issued against him. In 1581 he was undoubtedly in the pay of Elizabeth's government, and he then forged letters alleged to be written by the Archbishop of Glasgow and Bishop Leslie to Lenox, in order to save Morton, and ruin James' favourite; these letters were produced by Randolph, and being demonstrated forgeries† the tricky Randolph had to make a second rapid retreat from Scotland. Thus definitely stamped as a forger, it is of interest to note that it was Archibald Douglas who is said to have obtained the Casket of Letters from Bothwell's henchman, Dagleish, and carried them to his cousin Morton. Not a word occurs in the deposition of Dagleish as to this casket being taken from him; Dagleish was in fact hanged before the Lords made any statement as to the existence of the Casket Letters which passed from Archibald Douglas to Morton and from Morton to Moray.

However, to return to Archibald Douglas. He having escaped to England, his servant, John Binning, was seized and finally hanged for complicity in Darnley's murder. Unfortunately the confession or deposition of Binning appears to have perished, or been purposely destroyed. Yet he positively asserted "on the scaffold, and at a moment when there could be no temptation to deny or disguise the truth" that his master had been present at the "deide doing" (see Tytler, Vol. VI. p. 464). We can gather, moreover, a good deal of information from the trial of "Mr Archibald Douglas, Parson of Glasgow, for the Treasonable Murder of Henry,

* "Externally all was polish and amenity; truly and at heart the man was a sanguinary, fierce, crafty and unscrupulous villain," Tytler, Vol. VI. p. 462. Besides his conduct in regard to Darnley's murder, as Courcellos reported to the French King it was Douglas and Gray who may be called the actual murderers of the Queen of Scots. They purchased James' consent to the death of his mother, by pension and promise of the English succession. In return James got Douglas 'clenged.' This view is amply confirmed by the recent publication: R. S. Rait and A. I. Cameron, *King James's Secret*, 1927. The authors demonstrate the treachery of Douglas and the selfishness and cowardice of James VI.

† See Tytler's *History*, Vol. VI. pp. 289, 489 *et seq.* and also the Letter of Lord Ogilvy to Archbishop Beaton (MS. of the Scots College, Paris), printed by Hosack, *Mary Queen of Scots*, Vol. II. p. 550.

King of Scots*." From this it appears, and Morton's deposition confirms it, that Archibald Douglas was on the scene, and with his two henchmen, John Binning and Thomas Garner, "passed to the deed doing," that Archibald Douglas was in secret armour, i.e. armour under his coat, and steel bonnet, and that he lost in the hurry and confusion his slipper or slippers which were afterwards found on the spot and acknowledged to be his. Douglas objected that the road between his lodgings and the place of the murder was in nowise fit for an armed man "to pass with velvet slippers ('moulis') to such a deed," and he declared that he had absented himself from the country, not from a consciousness of guilt, but in fear that he would not be fairly tried. He further cited the depositions of Bothwell's servants to show that they never mentioned the presence of himself and his servants at the blowing up of the house, and that Binning had contradicted himself by saying that he had gone to his own house where he heard the crack of the explosion, and that he then rose and came to his master's chamber, where he found him lying on his bed reading a book. This is, of course, incompatible with Douglas having been on the scene at the time of the explosion; it is not at all incompatible with his having strangled Darnley at an earlier hour, unknown to and independently of Bothwell's men. The velvet slippers would be precisely the footwear that a man who desired to creep up to and assassinate another might employ or even slip over his boots. The jury withdrew and all with one voice found the prisoner clean and acquit of being in company with Bothwell, Ormeston, Hay, Hepburn and their accomplices in committing the crime as libelled. Clearly he was not in company with Bothwell and his men, and had nothing to do with the gunpowder explosion!† The whole tale is in accordance with Darnley being driven by fear or direct warning out of the house, before Bothwell blew it up, taking refuge in the garden house or stable outside the city wall, and then being strangled, not without a struggle, by Archibald Douglas and his servants. If this be, as I think, the true account of the murder, it was not really Bothwell, but the Morton faction who actually killed Darnley; how far Moray was concerned in it through the warning given by his brother, Lord Robert, it is hard to say, but we have to remember that Lord Herries, the Bishop of Ross and Queen Mary herself always attributed the chief share in the crime to Moray and Morton. Thus it seems reasonable to suppose that while Bothwell and his men

* H. Arnot, *Collection of Celebrated Criminal Trials in Scotland*, Edinburgh, 1785, pp. 7—20. Arnot clearly thinks that the volume containing the records of Binning's trial had been deliberately destroyed. Probably James VI (as well as Elizabeth) had good reasons for not allowing the condemnation of Archibald Douglas; he knew too much of the inner workings of both Scottish and English politics!

† The prisoner produced a warrant from the king commanding the justices to admit his lawful defence and claimed his Majesty's pardon. Arnot holds that the trial was a collusive one and the jury packed. Douglas was acquitted although his servant had been hanged for the same offence! But Archibald Douglas meanwhile had had a private interview with James VI, who agreed to get him cleansed although recognising that he knew beforehand of his father's murder; Douglas indeed had got James a pension and succession rights from Elizabeth, and had been a principal, if secret, agent in the signing of the League between Scotland and England. See *Calendar of State Papers, Scotland*, Vol. I. p. 519, and Tytler: Vol. VI. p. 463.

intended to kill Darnley and thought they had done so, they were anticipated*, and the actual murder must be attributed to the too often blood-stained hands of the Douglases. Darnley had broken faith to both Moray and Morton, and vengeance as well as ambition demanded his removal; it was only ambition in the case of Bothwell for whom Darnley was a fool to be pushed roughly out of the path.

If the above account of the murder of Darnley be correct†, and it fits well with the various reports of the time and with the at first sight apparently conflicting depositions at the trials, then the pittings on Darnley's skull could not have been produced by the explosion. An explosion which could thus mark the skull, would certainly have deeply wounded the flesh of the head, and all the reports tend to show that the body had no severe wounds. The placard with the mallet‡ might suggest injury to the head, but it would have had to be a studded mallet to injure the bone in this manner. There is some appearance in the pittings of the frontal of markings equal in size and at an equal distance from each other, but the pittings

* In view of this the statement at Bothwell's trial that the murder occurred on Feb. 9 was true, and not a mere misstatement intended if need be to invalidate the indictment; it was rather a warning to the other conspirators.

† There is a little-regarded account given by George Conn, a Catholic Scot, who published a *Vita Mariae Scotiae Reginae* in 1624. Conn was educated at Douay and at the Scots' College, Paris, where he may quite possibly have come in contact with James Beaton (d. 1603) or seen his documents after his death. At the time of writing his book Conn appears to have been secretary to Cardinal Montalto. He was papal agent to Queen Henrietta Maria, and he died at Rome in 1640. He may also have had special information in Rome, inaccessible to other historians. The account runs:

Bothuellus itaque, assumptis parricidii consciis, ad Kirkofoldii domum nocte intempesta progreditur ac vbi singula lustrando armatos opportunis locis ad omnem introitum fugamque prohibendam disposuisset, Darlaeo ex composito nunciari jussit, esse in horto quosdam ex nobilitate ipsum conueniendi ob grauissima negotia, percupidos, quique non poenitenda ferrent, hos orare, vt priusquam dies claresceret, sui copiam facere dignaretur, idque sine arbitris cum à nullo nisi ipsomet agnosci cuperent, qui venerant. Prorupit ex lecto juuenili temeritate, nil vltra percontatus, Darlaeus nec sumpta ad vestes rite aptandas mora, in hortum descendit; venienti obuiam progressus Bothuellus salutem precatur; cui ille reddita vice, *Solusne*, inquit, *mi comes, huc venis?* mox quaedam secreto mussitantes obambulant. Bothuellius interim dictis suis intentum Darlaeum, nec simile quidquam metuentem, collo apprehendit, ac iniecto gutturi fascia serica quam miser humero gerebat, ex vicino arboris ramo suspensum enecauit; cadauer, vt erat, in lectum referri curat, & quo scelus facilius lateret, totam Domum, suppositis tormentario puluere, qui eum in finem erat dispositus, candentibus prunis, funditus euertit. Haec ex ipsius Bothuelli confessione, dum in carcere postea apud Daniae Regem detineretur, & mortem expectaret innotuere.

(See S. Jebb, *De Vita & rebus gestis Mariae Scotorum Reginae*, T. II. p. 29.) The disappearance of Bothwell's so-called "Testament," except in brief and doubtful abstract, as well as the evidence at Binning's trial (see our p. 81) suggest that others were concerned in the actual murder, whom those then in authority wished to screen. The above account is quite probably untrue as regards Bothwell, but it supports the idea that Darnley was *decoyed* out of the Prebendaries' Lodgings before the house was blown up.

‡ The details of this mallet placard are given in a letter of Drury to Cecil (Berwick, Feb. 28, 1566/7). His informant

saw a bill, having been set up the night before [Feb. 27] where were these letters written in Roman hand, very great, M. R. with a sword in a hand near the letters; then an L. B. with a mallet near them, which mallet, they in their writing, called a mell.

A "mell" is either a heavy hammer, used by a mason, or in farming to break up clods, or it may stand for a mace, in which case it would be spiked. The loss of this mallet placard, which Drury possibly received ["These are even now brought to me," which may refer to the placards or to the reports of them], is regrettable, as it might possibly have thrown light on the present inquiry.

on the parietals are so diverse in size and so irregular, that we must either suppose the origin of the frontal and parietal pittings different, or give up the notion that they could have been produced by a spiked or studded mallet. Against any such source we have also to remember that the body was said to be uninjured, for this was the reason that strangulation was so persistently asserted as the cause of death. On a survey of the whole evidence we must conclude that there is no valid reason for attributing the markings on Darnley's skull to have arisen *apud mortem*.

(*c*) If the skull did not obtain its injuries *post mortem* or *apud mortem* we must infer that they were caused *ante mortem*. But how and when? Here we have to remember that Darnley, when he reached the Kirk o' Field, was supposed to be suffering from an infectious illness, and to be undergoing some form of treatment for its cure. What was this illness and when did he incur it? It is desirable here to note a fact occasionally disregarded. James VI was christened with great ceremony at Stirling on Dec. 17, 1566. At that ceremony and at the banquet which followed Darnley declined to be present although in Stirling. On Dec. 24 the Queen, at the instance of Moray, Bothwell and Maitland, together with the advice of Elizabeth expressed through the Earl of Bedford, signed the pardon of Morton and others for the murder of Rizzio. On that day Darnley left Stirling without bidding farewell and proceeded to Glasgow. On January 9, 1566/7, the Earl of Bedford wrote to Cecil from Berwick: "The King is nowe at Glasco with his Father and there lyeth full of the small pockes*." Drury in Berwick had also written to Cecil that "the small pox spreadeth from Glasgow†." The generally accepted view is that the smallpox was raging in Glasgow and that Darnley caught it on arriving there‡. Now Darnley hardly reached Glasgow before the 25th or 26th of December, and Bedford, writing on the 9th of January at Berwick, three days after he left Edinburgh, could only have news of what was happening in Glasgow on the 7th or 8th of that month. The period of incubation of smallpox being about 12 days and there being about 14 days to the appearance of the rash, it is hard to believe that Bedford in Berwick on January 9 could have heard that Darnley was *full* of the smallpox, had he acquired it in Glasgow. On the basis of Bedford's letter to Cecil, Keith's Editor states that "no doubt exists of the smallpox having seized him" [Darnley]§. I venture to think there is considerable doubt, for reasons which I shall now enter into. Widespread popular rumours are usually in error, but there is generally some overlooked source for their origin, and there undoubtedly was a widespread rumour that Darnley "had gotten poison" at Stirling. It would not be surprising if the numerous foes of Darnley had attempted to poison him, but it is probable that he had got another form of poison into his system!

* T. Bain: *Calendar of Scottish Papers*. Vol. II. pp. 309—10.

† Probably in Drury's Letter to Cecil of Jan. 33, 1566/7, not printed by Bain. See Keith: Vol. II. p. 497.

‡ "Darnley's disease shewed itself to be the small-pox, which then prevailed in Glasgow, and he was seized with it as soon as he arrived" (Keith's Editor: *History*, Vol. II. p. 497), but this entirely disregards any incubation period.

§ Keith: *History*, Vol. II. p. 497. Edinburgh, 1845. Edited by John Parker Lawson.

Knox writes in his *History**:

The king who remained in Stirling all that time [i.e. during the christening festivities]—never being present—kept his chamber; his father hearing how he was used, wrote to him to repair unto him; who soon after went—without good night—towards Glasgow, to his father. He was hardly a mile out of Stirling, when the poison—which had been given him—wrought so upon him, that he had very great pain and dolour in every part of his body. At length being arrived in Glasgow the blisters broke out, of a bluish colour, so that the physicians presently knew the disease to come by poison. He was brought so low, that nothing but death was expected, yet the strength of his youth at last surmounted the poison.

On nearly all his main statements we can demonstrate that Buchanan lies, but in certain of the minor facts—always perverted—there may occasionally be elements of truth, and it seems worth while here to give his account of Darnley's disease in the Scottish version of his *Detectioun*†.

The rest that followis ar euident Argumentis of outragious Crueltie, and unappeisabill Haitrent. Or he was past ane Myle from *Striviling*, all ye Partis of his Body wer takin with sic ane sair Zuik, as it micht esilie appeir that the same proceidit not of ye Force of ony Seiknes, bot be plane Trecherie. The Takinis of qwhilk Trecherie certaine blak Pimples, sa sone as he was cum to *Glasgow*, brak out over all his haill Body, with so great Zuik, and sic Pane throwout all his Lymmis, that he lingerit out his Lyfe with verray small Hope of Eschaip. And zit all this quhyle the Quene wald not suffer sa mekle as ane Phisitionns anis to cum at him‡....First, that he was poysonit, it is certainly knawin. For thocht the Schamelesnes of Men wald not stick to deny a Thing sa manifest, zit the Kynde of Diseis, strange unknawin to the Pepill, unacquentit to Phisitiones, specially sic as had not bene in *Italie* and *Spanze*, blak Pimples, breking out ouer all his Body, greuous Zuik in all his Lymmis and intollerabill Stinch disclosis it.

It is necessary therefore to believe that both Knox and Buchanan were liars, or that there is some foundation for the suggestion that Darnley was not suffering from smallpox§, but from some disease appearing first to the public when he left his seclusion in Stirling and took his way to Glasgow. Buchanan's association of this strange unknown disease with Italy and Spain—both supposed to be the places by one or other authority where syphilis first appeared—is most singular if not suspicious. Indeed his whole account reads as if it were based on a study of the second and third pages of Caput I of Ulrich von Hutten's tractate: *De admiranda Guaiaci Medicina et Morbi gallici Curatione.* Actually Buchanan's description of the effects of the "poison," is, if brief, closely akin to those of the acute inflammatory character of syphilis when it first became epidemic‖.

If Darnley's disease had really become manifest in Stirling, reaching a crisis later in Glasgow, it would fully account for his seclusion and for his refraining from

* Edn. Glasgow, 1831, p. 349.

† Anderson, *Collections relating to the History of Mary, Queen of Scotland* (sic!), Vol. II. Edinburgh, 1727, pp. 15—16, 48—50.

‡ It is difficult to see how she could prevent it, seeing that Darnley in Glasgow was with his own father! Further Knox says the physicians knew the disease to arise from poison, and Bedford in his letter to Cecil (Jan. 9, 1566/7) says the Queen sent her own physician to attend Darnley.

§ It may be stated once for all that it is hard to believe that any poison could in a few weeks, if not days, produce caries of the skull. That smallpox never affects the bones may be taken as a dictum of the best authorities on the subject.

‖ For the change in the character of syphilis, see H. Haeser: *Lehrbuch der Geschichte der Medicin*, 3rd Edn. 1882, Bd. III. pp. 260—304 *passim*.

attending the ceremonies*. It would also explain what De Croc reports, namely that Darnley kept close to his own apartment in Stirling Castle although he had given out that he would depart two days before the christening. "His bad deportment is incurable, nor can there be any good expected from him for several reasons, which I might tell you, was I present with you." (Letter to Archbishop Beaton, see Keith's *History*, Vol. II. p. 489, footnote.) What were the facts which could only be conveyed by word of mouth? Probably the same as those Mary, Queen of Scots, said, when begging for an interview with Queen Elizabeth, that she could not write, only speak about†. While our age as a whole is less coarse than the second half of the 16th century, it has now grown—luckily for us—less squeamish in speaking directly of sexual matters.

There are four persons, who certainly should have known the nature of Darnley's illness, namely Darnley himself, Queen Mary, Bothwell and Bishop Leslie, Mary's commissioner and ambassador. To throw light on this matter we have indeed to turn to the Casket Letters, and although it is impossible to discuss on the present occasion more in detail than we have already done their authenticity, it is necessary before citing them to state the present writer's view of them based upon careful study. They are not forgeries in the sense that much of them was not written by Mary herself. They are forgeries in the sense that they were based on letters written by Mary to Bothwell or to Darnley, which were added to, compounded together and perverted in sense. It seems highly probable that this was done by Archibald Douglas, with the aid of John Wood, Macgill and Buchanan, and possibly but less demonstrably with the assistance of Lethington and Lenox. The last was trying to make out a case against the Queen, who he probably believed had devised the assassination of his "innocent lamb‡." Lethington and Morton (the latter acting through his cousin) had to screen their foreknowledge of the murder of Darnley, for their lives depended on that fact not coming to light. Buchanan had the necessary linguistic knowledge and was purchasable. Thus the Queen must be made the scape-goat to keep Moray, who knew all the facts, in power. It seems to me therefore reasonable to suppose that any facts which are stated in the letters and do not directly incriminate the Queen are substantially true whether they are really in the words Queen Mary herself wrote or are based on Thomas Crawford's§ report to Lenox of what passed between Darnley and Mary at Glasgow.

* Even after Mary joined Darnley at Glasgow, he was unwilling to see anybody, and on his journey wore a piece of taffeta close tied round his face.

† See Mary's letters to Elizabeth. Labanoff: Vol. II. p. 96 *et seq.*

‡ It is of some importance from this aspect to remember that before the execution of Mary, the Countess of Lenox had fully acquitted Mary of any complicity in the murder of her son Darnley: "Fear not, but trust in God that all shall be well, the treachery of your traitors is known better than before." Letter of the Countess of Lenox found by Miss Strickland in Cecil's papers, who had probably intercepted it. See *Lives of the Queens of Scotland*, Vol. V. p. 374.

§ As we have seen, either Crawford committed perjury when he said he made a report to Lenox in January 1566/7 of what Mary and Darnley had said to each other, or else the long Casket Letter I is a forgery. Crawford was a tool of Mathew, Earl of Lenox, in precisely the same manner as Archibald Douglas was of Morton, or Macgill and Buchanan of Moray. He was always ready with a deposition, as for example when the Confessions of John Hepburn and John Hay showed nothing against

The words of Darnley quoted in the first Casket Letter run as follows in the three versions known:

He declarit unto me his seiknes, and that he wald mak na testament, bot only leif all thing to me; and that I was the caus of his maladie, becaus of the regrait that he had that I was so strange unto him.

Suum mihi morbum explicavit, seque nullum testamentum facturum, nisi id unum, quod omnia mihi relinqueret; me autem sui morbi causam fuisse, quod moleste tulisset me tam alieno erga se animo fuisse.

Il me declara son mal, adjoustant, qu'il ne vouloit point faire le testament, sinon cestuy seul, c'est qu'il me laisseroit tout, & que j'avoye esté la cause de sa maladie, pour l'ennuy qu'il avoit porté que j'eusse l'affection tant esloignée de luy*.

These three versions have not wholly the same sense, but what is clear is that Darnley excused his illness to Mary on the ground that she had been "strange" to him, and that he said further "I craif na uther thing, bot yat we may be at bed and buird togidder as husband and wyfe." To this point of cohabitation Darnley refers again in his talk and it would appear that Mary had refused it previously as she refused it now until he had taken a course of medicine and was "purgeit" by a treatment with baths†. If the disease were smallpox, what explanation did his sickness need, and how could Mary be the cause of it? If Mary had refused Darnley cohabitation, then seeking satisfaction elsewhere for his appetites, he might consider her the cause of his illness. Nay, if the disease had been smallpox, would Mary (even if she had had the smallpox) and her courtiers have foregathered to play dice round Darnley's bed‡?

Another phrase in the first Casket Letter also deserves comment as being indicative of Mary's own views. She uses the words "this pockish man." In what sense did Mary use the word "pockish"? It is curious that we know of another occasion on which she applied it, and one which throws much light on the present use. It is, or at least was, customary in the baptismal service of the Roman Catholic Church for the officiating priest to anoint the lips of the infant with spittle from his own mouth. Archbishop Hamilton of St Andrews was to christen Mary's son, James VI, and Mary gave orders that this part of the ceremony should be omitted

Mary, he produced certain answers which he said had been made to him by these men on the scaffold just before their execution. Again, he it was whom Moray and Lenox got to make a deposition that Maitland of Lethington was of "the counseil, foreknowledge and device" of the murder of Darnley.

* [William Tytler] *An Historical and Critical Enquiry into the Evidence produced by the Earls of Murray and Morton against Mary, Queen of Scots.* Appendix, pp. 4, 5. Edinburgh, 1760.

† While the bath now comes at a definite time in smallpox, a treatment by baths sounds far more like treatment for syphilis in the sixteenth century. A bath was prepared in the Prebendaries' Lodgings, and placed with a door over it beside Darnley's bed. According to the precious narrative of Lenox (R. H. Mahon, *Mary Queen of Scots*, p. 127), Darnley refused to be handled in this bath by anyone but Mary herself.

‡ He is not over meikle deformit, zit he hes ressavit verray meikle. He hes almaist slane me with his breath.....and zit I cum na neirer unto him, bot in ane chyre at the bedfeit, and he being at the uther end thairof (First Casket Letter, Tytler, as above, p. 13).

Here again we have the strong smell reported by Buchanan and noted by the early writers on syphilis.

as she would have no "pockie priest" thus mishandling her son*. Now Hamilton was certainly not suffering from smallpox at the time of James' christening, and Mary's use of the word might have remained inexplicable, had not a curious chance preserved for us a remarkable document, namely the regimen prescribed by the famous Italian physician and mathematician, Cardan, for Hamilton, whom Cardan had been summoned to treat for—*syphilis*†! And of this Mary was clearly aware, and aware also of the danger of infection. We thus see that there is nothing we know of Darnley and Mary's own views on the Glasgow illness which indicates smallpox, but on the contrary much which suggests venereal disease. There would be a good reason for Darnley's seclusion at Stirling if he were suffering from an acute syphilitic inflammation, there would also be an excellent reason for Mary's refusal of bed and board. But for political and personal reasons the Glasgow illness would be likely to be screened under the term smallpox‡, and when the existence of the disease was suddenly made manifest on Darnley leaving his seclusion at Stirling, the idea of poisoning might easily be noised abroad§.

* "Yet was she [Mary, James' mother] so farre from being superstitious or *Jesuited*, therein, that at my Baptisme (although I was baptized by a Popish Archbishop) she sent him word to forbear to vse the spettle in my Baptisme; which was obeyed, being indeed a filthy and an apish tricke, rather in scorn than imitation of Christ. And her own very words were: *That she would not haue a pockie priest to spet in her childs mouth.*" *The Workes of James I*, 1616, p. 301.

† Cardan's *Opera*, Tom. IX. p. 135. The surprising thing is not that a Papal legate should suffer from venereal disease. Popes and cardinals have been known to suffer from it, and it was rather a fashion to dedicate an early treatise on syphilis to an archbishop. One of the charges in the indictment of Cardinal Wolsey was that, suffering from syphilis, he had associated with King Henry VIII to the great risk of the latter. See Lord Herbert of Cherbury's *Life of Henry VIII*, 1572, p. 295. Polydore Vergil in his *Angliae Historiae, Libri xxvii*. Leyden, 1651, p. 633, speaks of orgies at Cardinal Wolsey's Palace at which the youthful Henry was present. Thus it came about that Scotland and England were united! The astonishing point is that Cardan's prescription should have been preserved to throw light on the sense of words used in the Casket Letter.

‡ Precisely as Charles VIII of France, having most probably acquired syphilis from "les folles amours de aucunes grossières lyonnoises," the "grosse vérole" was publicly announced as "petite vérole." See Creighton, *History of Epidemics*, p. 433 *et seq*. And again, in the case of the Duke of Buckingham in 1616, "The suggestion of smallpox appears to be the same euphemism which was resorted to in the case of other exalted personages." (*Ibid*. p. 464.)

§ It must be remembered that others besides Buchanan mention the report that Darnley had been poisoned. Melvil (*Memoirs*, p. 154) and Birrell (*Diary*, p. 6) both mention the rumour, so does the *Diurnal of Occurrents* and the *Historie of James Sextus*, all presumably dating before Buchanan. Calderwood (*History of the Kirk of Scotland*, Vol. II. p. 328), who wrote only in or about 1648, did not accept the smallpox theory; but perhaps he was too narrow-minded a theologian to criticise Knox or Buchanan. He says that Darnley had not ridden a mile from Stirling when he was tormented with great pains throughout his body, and that when he came to Glasgow his body broke out in foul spots. "James Abernethie, physician, being sent for and demanded what was his judgement, said plainlie he had gotten poysoun." Such a judgment would be quite compatible with a syphilitic poisoning, and would not necessarily involve the administration of a drug by a bribed servant. I do not know whether Abernethie was the Court physician whom Bedford reports to Cecil that Mary sent to Darnley. There is a curious statement made by Andrew Lang in his *Mystery of Mary Stuart*, Edn. 1901, p. 13 (repeated in Edn. 1912, p. 13), that: "A satirist called Darnley 'the leper'; leprosy being confounded with 'la grosse vérole.' Mary, who had fainting fits, was said to be epileptic." Unfortunately Lang does not give any reference to this "satirist," who, if he were a contemporary—as the wording seems to denote—may have been speaking truth, not satire. The *Diurnal of Occurrents* states (p. 105) that Darnley had the "polkis," i.e. the pox, which I should say would *not* be used of *small* pox in 1567; I am inclined to doubt whether genuine instances of pox for smallpox can be found before the 17th century.

What, I think, is quite clear from the records is that Mary, when she became a prospective mother, avoided Darnley's importunities. This is not an unnatural feeling in many women who are prospective mothers; it was unintelligible to a creature such as Darnley with strong appetites, and its unintelligibility probably led him to suspect any man, whose duties, like those of Rizzio, brought him into close contact with his wife. The whole brutality at that time of Darnley's feelings with regard to Mary's condition and the unborn child is evidenced by Ruthven's brutal but frank account of what Darnley demanded of Mary on the very night of Rizzio's assassination. Whether she escaped by the natural heavy sleepiness of the sot, or by the timely administration of a soporific draught, we cannot say*. We have again Darnley's words as reported by Nau† on the memorable night when the King and Queen escaped from Holyrood and the hands of Rizzio's assassins. Darnley flogged Mary's horse till she could stand the strain no longer, and had to remind him of her condition. "Come on, in God's name come on," shouted Darnley. "If this babe dies we can have more." And then when she would or could not bear it longer, he deserted her, to fly alone from their supposed pursuers. Surely for such cowardice that man deserved to die the most miserable death‡.

The following further references may be given to Mary's desire to avoid the importunities of Darnley.

Sir James Melvil tells us§ that he tried to excuse Darnley for his part in the murder of Rizzio on account of his youth and bad counsellors, praying her Majesty for many necessary considerations to remove out of her mind any prejudice against him, seeing that she had chosen him herself against the opinion of many of her subjects. "But I could perceive nothing from that day forth but great grudges that she entertained in her heart."..."Her majesty was now far gone with child, and went to Stirling intending to ly in there. Thither the King followed her, and from that to Alloa. At length she came back to the Castle of Edinburgh. It was thought that she fled from the King's company. I travelled earnestly to help matters betwixt them, and was therein so importunate, that I was thought troublesome; so that her Majesty desired my Lord of Moray to reprove me and charge me not to be any more friendly with the King; who went up and down alone, seeing few durst bear him

* According to Ruthven (*A Discourse of the late Troubles*, Berwick, April, 1566) Darnley said:

Or what disdain have you of me? Or what offences have I done you that you should coy me at all times alike, seeing that I am willing to do all things that becometh a good husband? Suppose I be of mean degree, yet am I your husband, and you promised me obedience at the day of your marriage, and that I should be participant and equal with you in all things; but you have used me otherwise by the perswasion of David. The Queen answered, My Lord all the offence that is done me, you have the wite thereof, for the which I shall be your wife no longer, nor ly with you any more, and shall never like well till I cause you to have as sorrowful a heart as I have at this present. (Keith, Vol. III. p. 268.)

† *History of Mary Stewart.* Edited by J. Stevenson. 1883, p. 17.

‡ It may not be amiss to remind the reader of the oath Darnley had taken when he was knighted a few months earlier:

"I shall be leel and true to my Princess my soveraign lady, Queen of Scotland, and her successors... I shall use and exercise myself in the Office of Chivalry....I shall never fly from my Princess, Master or Fellow with dishonour, in time of need...." *Letter of Sir Nicholas Throgmorton to Cecil*, 21st May, 1665 (printed by Keith, Vol. II. p. 288).

Comment is needless.

§ *Memoirs of Sir James Melvil.* Edited by George Scott. 3rd Edn. 1752, pp. 131, 133, 154.

company. He was misliked by the Queen." Again, when Mary after her confinement visits the Scottish frontier to see Berwick, Melvil writes: "The King followed her about whithersoever she rode, but got no good countenance, so that, finding himself slighted, he went to Glasgow."

Bishop Leslie published his *Defence of the Honour of the Right Highe, Mightye and Noble Princesse Marie, Queen of Scotland and Dowager of France...* in 1569. This edition was stated to be printed in "Flete Strete at the signe of Justice Royall against the Blacke Bull." I have not succeeded in seeing a copy of this first edition (which is said to differ considerably from the second). The second edition was issued under the name of Morgan Philippes at Liége in 1571. The copy in the British Museum and the reprint in Vol. I of Anderson's *Collections*, have both been examined in order to ascertain what Leslie says of Darnley's illness. I have also examined the papers in Jebb's *Collections*, some of which have been asserted to be by Leslie, and finally a considerable amount of the Leslie manuscripts* in the British Museum. Leslie's principal work *De Origine, Moribus et Rebus Gestis Scotorum...* unfortunately ends with 1562. A continuation from 1562—1571, I only know in W. Forbes-Leith's *Narratives of Scottish Catholics under Mary Stuart and James VI*, Edinburgh, 1885, which on pp. 85—126 gives a translation of this brief draft for the continuation. Leslie writes after stating that Darnley had gone to Glasgow: "He was there attacked by an illness which confined him to his bed. The Queen went from Edinburgh to him, and through her kind words and attendance, he so far rallied as to be able to return to the capital along with her in obedience to the advice of the nobility and his physicians." The only remark to be made here is that if Leslie thought it smallpox, there was not the slightest reason why he should not have said so. On the other hand, on Mary's account he might well refrain from mentioning the great pox. Thus my own personal search for reference to Darnley's disease in Leslie's writings has been fruitless. Nevertheless Bishop Keith in his *History* (Vol. II. p. 497) distinctly states that Bishop Leslie asserted without any qualification that Darnley was suffering from the great and not the small pox. Unfortunately he does not supply the reference†. In reading Keith I have been struck by his just appreciation of historical evidence—a statement which cannot be made with the same confidence of his editor. Keith's *History* was first published in 1735, but I have found another instance of Leslie's statement being cited, namely in a footnote, pp. 109—110 of *The Life of Queen Mary of Scotland and France.* Translated by James Freebairn, Edinburgh, 1725. He writes:

> Bishop Leslie, who is the reputed Author of the Vindication of Queen Mary, under the name of Morgan Philips [*sic!*], Printed in London 1570 [? Liége, 1571] affirms that the Disease was the French Pox. He was intimately acquainted with the King [? Darnley], present at his Baptism [? James VI's] and his Book was published in three different Languages, Latin, French and English, eleven years before Buchanan's Death, and never answered by him or any of his party.

As I have said, I cannot find the statement in the 1571 edition of the *Defence* which was the one issued under the name of Morgan Philippes, but unless Keith

* A most important historical thesis might be based on these little-studied papers.

† The original MS. of Keith's *History* is at Abbotsford, but a search there adds nothing to the published version.

took, which is unlike him, his statement from Freebairn, the latter tends to confirm Keith. It is curious that Freebairn uses the word "Vindication," not "Defence," which suggests he was using a Latin version of Leslie's book*. Altogether there is some evidence that Leslie stated that the disease was "la grosse vérole," and none to show that he thought it "la petite vérole†."

We turn now to Bothwell. Of his letters to contemporaries nothing has survived; we know him only from the pages of history written mostly by the henchmen of rival Tuchuns. Bothwell's letters to Mary have all perished, and had any survived they would probably have suffered under the suspicion of forgery. All we are certain about are his two statements to the King of Denmark after his flight to that country, and his supposed confession just before death, which has been discredited owing to doubts as to the existence at the date it bears of some of the magistrates before whom it professes to have been made.

Bothwell's statements for Frederick II, the King of Denmark, will be found in *Les Affaires du Conte de Boduel. L'An MDLXVIII*, published by the Bannatyne Club in 1829. In the first of these documents Bothwell writes:

> Quelque temps apres, le Roy tumba malade de la petite roniole, et se coucha en ung logis nommé Kirkefild (de paour de nuyre à la santé de la Royne, et de l'enfant); jusques à tant qu'il fust guari, et ce par le commun consentement de la Royne et de Messieurs de son conseil, qui vouloyent conserver la santé de l'un et de l'aultre (*l.c.* p. 12).

Now it is noteworthy that Bothwell, having first used the term "la petite vérole," drew his pen through "vérole" (and probably also meant to cancel "petite") and replaced it by "roniole." It is clear that whatever Bothwell meant by "roniole" he considered smallpox was not the correct term to use for Darnley's disease. It is known that Ulrich von Hutten acquired syphilis, and, visiting Erasmus (to the latter's disgust) in an advanced stage of the disease, he was perhaps justly but none the less cruelly caricatured by Erasmus in his colloquy *Gamos et Agamos*. "Qualis eques," writes Erasmus, "cui per Scabiem vix in sella sedere liceat." This use of *Scabies* for syphilis should be borne in mind when one comes to consider Bothwell's "roniole" equivalent to "rognole‡." Elsewhere Erasmus speaks of the French or Spanish pox, that leprosy which one calls the Spanish scab, the *Superbissima scabies*. In France syphilis was in the 16th century termed: "le gros mal," "la grande gorre," "la grosse vérole," "le gros scabies" and "la grosse rognuel." I have not met with the term "la petite rognuel" for smallpox, and "la rognuel" simply, I personally should translate by syphilis. It seems to me that Bothwell, when he

* It is not without importance to remember that in modern French "la vérole" without adjective signifies syphilis not smallpox; vérolé=syphilitic. In Antonio de Herrera's *Historia del reyno de Escocia*, Madrid, 1589, p. 81, Darnley's disease is spoken of as "malo de virrulas," but without a knowledge of the colloquial Spanish of those days, I cannot say whether this refers to the Great or Small Pox, although, to judge from other nations' usage in the 16th century, it more probably refers to the former.

† I have also examined, without success, Adam Blackwood's *Martyre de la Royne d'Escosse, Douairière de France*, 1588, which has sometimes been attributed to Leslie.

‡ *Scabidus=roingneux*, says Du Cange. Ulrich von Hutten uses *scabis* also in his account of the disease. In 17th-century French, besides "la vairolle" and "la gorre," syphilis was termed "la galle." Hatzfeld and Darmesteter in their French Dictionary, 17th century onwards, give *Rogne*="*gale invétérée*."

found that he had written "la petite vérole," i.e. the smallpox, and scratched out "vérole," was rejecting the idea of smallpox and simply wrote "roniole" above, indicating that it was syphilis.

We must here remember also that in the present day and still more in the 16th century syphilis is or was liable to be confounded with smallpox*, just as earlier it appears to have been confused with leprosy. Thus Milton tells us that:

From Mr Lee we learn that the outbreak of syphilis at Rivalto was accompanied by an eruption of so-called pustules, as a result of which it was in some instances confounded with smallpox, and that the same thing happened when the disease appeared in Europe at the close of the fifteenth century....The occurrence is probable enough. Secondary pustular eruptions, when copious and occurring at an early date, accompanied by feverishness, have been rather frequently than otherwise mistaken for smallpox. I have myself seen two instances of this error, which indeed has occurred often enough to need no particulars in the way of proof†.

Keith, after referring to Leslie's statement that Darnley's disease was the French Pox, adds "it is certain he dealt enough in the way to obtain them," and it is well to document the proof of Darnley's licentiousness. We must in the first place remember that Darnley entered Scotland on the 10th of February, 1564/5 and met Mary at Wemyss on February 17th; he was married to the Queen on July 29, 1565. It can hardly be supposed that in these five months of courtship Darnley would exhibit profligate habits; they would have ruined his chances of making the great marriage he was seeking. Hence what Knox tells us of Darnley would only be based on what occurred during the eighteen months that followed his marriage and preceded the breakdown of his health at Stirling. It is thus likely that what Knox reports of Darnley was based upon his conduct *after* his marriage—he was "much given to hawking and hunting, and running of horses, and likewise playing on the lute, and also to Venus' chamber...he was somewhat given to wine and much feeding, and likewise to inconstancy‡." This was Buchanan's "innocent youth," who Knox and he asserted had come to his unfortunate end by his royal consort's "procurement and consent." Claude Nau tells us that:

While the Queen was a resident in the Castle [awaiting the birth of James] and during the period of her confinement, the King, her husband, led a very disorderly life. He vagabondised every night...§.

* During the last big outbreak 1901—2 a number of cases of syphilis were sent in as smallpox, and photographs of a good many of them will be found in Ricketts and Byles: *The Diagnosis of Smallpox*, 1908. The *Metrop. Asylums Board Reports* for those two years give 17,420 total cases, of which 47 were sent in as smallpox, but were really syphilis. Information kindly given by Dr F. M. Turner of the South-Eastern Hospital.

† *A History of Syphilis*, London, 1880, p. 52.

‡ *History of the Reformation of Religion in Scotland*, 1831, p. 352.

§ *History of Mary Stewart*. Edited by J. Stevenson, 1883, p. 28. It has been questioned whether Nau could have known well of occurrences as early as this, but according to Leslie a "Maister Naw" was with the Queen at Jedburgh in October, 1566, although he appears to have been a physician; there was also a "Nawe" with Mary, said to be secretary when she was at Carlisle in September, 1568. (Bain, Vol. II. p. 514.) Her secretary Raullet died in September, 1574, and Claude Nau had not reached her in February of 1574/5. (Labanoff, Vol. IV. pp. 216, 268.) I am not clear what was the relationship of these various Nau's. Henderson says that Claude Nau had been secretary to the Cardinal of Lorraine (*Mary, Queen of Scots*, Vol. II. p. 552), but gives no reference. The account of Mary, Queen of Scots, in the British Museum is only associated with Claude Nau by similarity of handwriting. It has been suggested that Arnault was the first Nau and really wrote this account.

The habits which Knox describes in the words "somewhat given to wine," may be better appreciated by a letter written by Sir William Drury to Cecil from Berwick, February 16, 1565, when Mary was nearly five months gone with child:

M. de la Roc Paussay and his brother arrived here yesterday. He is sick, my Lord Darnley having made him drunk of *aqua composita* [whisky!]. All people say that Darnley is too much addicted to drinking. It is certainly reported, there was some jar betwixt the Queen and him at an entertainment in a merchant's house in Edinburgh, she only disswading him from drinking too much himself, and enticing others; in both which he proceeded, and gave her such words, that she left the place with tears, which they that are known to their proceedings, say is not strange to be seen....His government is very much blamed, for he is thought to be wilful and haughty, and some say vicious; whereof too many were witnesses the other day at Inchkeith with the Lord Robert, Fleming and such like grave personages. I will not rehearse to your Honour what of certainty is said of him at his being there*.

No one had a good word to say for the morals of Lenox's "innocent lamb"! Equally bad with Darnley's morals was the coarseness not only of his manners, but of his mental attitude.

Moray described Darnley as "a young proud fool," and this description is echoed by the words Ormiston cites as occurring in the "Band" to get rid of Darnley: "it was thought expedient and maist profitable for the commoun wealth, be the haill Nobilitie and Lords undersubscryvit, that sic ane young fool and proud tirrane sould not reign nor bear reull over thame†." Yet hardly more than a year before, several of the undersigned had agreed to accept Darnley as their natural sovereign if they got their lands back.

In the Melvil *Memoirs* we read: "It appeared to be fatal to him to like better of flatterers and ill companions than plain speakers and good men‡." Again Randolph writes to Leicester§ that, except to his drinking comrades, Darnley's pride was intolerable and "his words not to be borne except where no man dare speak again." After experience of such a man, how could Mary believe it safe to grant him the "crown matrimonial"?

Lastly, I will cite once more from Nau whose *History of Marie Stewart* seems to me to deserve more credit than many are inclined to grant it. It has undoubtedly erroneous statements in matters beyond his knowledge, but in the smaller anecdotes of events when he may have been present, or when he may have heard them mentioned by the Queen or her ladies, I believe he may be relied upon. He tells us that: During this excursion into Meggatland, the Queen paid a visit to the house of the Laird of Traquair. While the party was at supper, the King, her

* Cited by Keith, Vol. II. p. 403: Lord Robert Stewart, the Abbot of Holyrood, and Lord Flemming were boon drinking companions of Darnley. The "Abbot" is described by Randolph as a man "vain and nothing worth, a man full of all evil, the whole guider and ruler of my Lord Darnley" (Letter to Cecil, March 20, 1564/5). It was he who with good or evil intent warned Darnley at the Kirk o' Field of his danger—possibly the contribution of the illegitimate Stewarts, as the suffocation was probably that of the Douglases, to the ultimate disposal of Darnley. "It was said that mony greit men wes consentaris to this treassonable died quhilk the lyke wes neuer hard nor sene in this realme." *The Diurnal of Occurrents*, Bannatyne Club, Vol. 45, p. 105, Edinburgh, 1833.

† Pitcairn, *Criminal Trials in Scotland*, Vol. I. Part I. p. 512, Edinburgh, 1833.

‡ Edn. G. Scott, p. 132.

§ *Calendar of State Papers* (Foreign), 1564—65, No. 1221.

husband, asked the Queen to attend a stag hunt. Knowing that it she did so, she would be required to gallop her horse at a great pace, she whispered in his ear that she suspected she was *enceinte*. The King answered aloud, "Never mind, if we lose this one, we will make another." Whereupon the Laird of Traquair rebuked him sharply, and told him that he did not speak like a Christian. He answered, "What! ought we not to work a mare well when she is with foal* ?"

The tale is of importance for two reasons, it indicates not only the brutal mentality of Darnley, but shows that the Queen, notwithstanding the assertions of Buchanan and Lenox, had not driven Darnley wholly from bed and board.

It is unnecessary to illustrate further the coarse sensuality of Darnley; what we have said is sufficient to indicate that if Mary could or would not give him the satisfaction his grosser appetites demanded he would and did seek it elsewhere. By the christening in December the Queen had probably very good reason for avoiding him altogether.

It is hard not to look at the skull and judge the man by it! It is doubtless unscientific, but we have at least Sir Daniel Wilson on our side:

> Smooth low forehead sloping down to the eye with no superciliary ridge, unintellectual, effeminate and with an overmastering predominance of the animal passions. With these stimulated by unrestrained indulgence in later years, we seem to look upon the capricious, heartless, dissolute fool whom Queen Mary wedded on the 29th July 1565. He was at that date still a raw youth, three years her junior†.

When we recollect the confusion in the 16th century between even "mezils," smallpox and great pox, when we realise how for Mary's sake it was desirable to screen the true nature of Darnley's disease, and finally when we analyse the accounts of the King's illness by those who knew best, and find in them no definite statement of smallpox, I think we may conclude with a high degree of probability that the poison of which he had got "meikle," was syphilitic.

If we accept this view of Darnley's disease‡ can the skull throw light on it?

(8) *The Pittings on the Skull.*

I have already noted that both Alexander Campbell and Sir Daniel Wilson, doubtless with the pathological advice of their days, accepted the pittings as due to syphilis. I have indicated above that I cannot hold them to be the result of anything happening *apud* or *post mortem*. If they are *ante mortem*, then: what can they possibly arise from?

The man who *ante mortem* acquired these pittings on the outer table of his skull must have had some fairly serious illness. The only other illness that the

* Edn. Stevenson, p. 30.

† "Queen Mary and the Legend of the Black Turnpike," *Proc. Soc. of Antiquaries of Scotland*, Vol. XII. New Series, pp. 424—5, 1890.

‡ Bain: *Calendar of State Papers relating to Scotland*, Vol. II. p. xvii, after referring to the smallpox as mentioned by Bedford adds a footnote: "Good authorities say a more disgraceful complaint." But neither Bain nor these authorities draw the terrible inference which follows from its acceptance: a young, beautiful and joy-loving queen bound, by chains which her religion did not permit her to rupture, to a diseased sot without a touch of manly, to say nothing of kingly, feeling.

usual histories report Darnley as suffering from is that mentioned by Randolph in a letter to Bedford of April, 1565. He writes*:

> My Lord Darnley for 5 or 6 days has been very evil at ease—many took it for "the colde," and intending to "sweete" to drive that away, the "mesels" came out on him marvellous thick. He was past danger at my coming away yesterday.

This attack of the measles, if such it was, seems to have been somewhat protracted, for we hear again on April 23†, in a letter of Randolph to Leicester:

> Darnley remains doubtfully sick, sometimes well, other times taken with sharp "panges," his pains holding him in his stomack and head. His father lately wrote hither of his good hope of amendment—he lacks no attendance or comfort, oft visited by the greatest, and by the fairest, if that may help his malady.

Later on, May 3‡, Randolph reports to Cecil that "My young lord being sick in bed, has already bosted the Duke [Châtelherault] to knocke his pate when he is hole"—a fairly strong, if not to say foolish, remark to make to one of the chief men at the Court of his future Queen!

Chalmers§ states that this attack was followed by an "ague," but he does not give his authority, and I have been unable to trace it. This illness, if it really were the measles, could not have pitted Darnley's skull. On the other hand, Creighton‖ tells us that there is no definite use of the term measles in Great Britain before the 17th century and that it was generally named in association with the smallpox. It is clear that a distinction between the two diseases had yet to be made. It may have been that these "measles" were really an inflammatory syphilitic attack, similar to but less violent than that which I suppose to have occurred in the following year¶. However this may be, the illness of April and May 1565 does not really throw further light on the pittings.

Another illness of Darnley is, however, recorded by the writer of the *Historie of the Reigne of Marie Queen of Scots* (Abbotsford Club, 1836, p. 81), the importance of which, if the statement be correct, seems to have escaped writers on this subject. This history, if its earlier part were not written by Lord Herries, Queen Mary's Commissioner and supporter, was at least based on his papers, and so may be considered of some authenticity. After describing Queen Mary's dangerous illness at Jedburgh in October 1566, the writer continues:

> When the Queen recovered she went to Kelso and Bothwell in her companie; from thence to Coldinghame and back to Craigmiller, where the King repeared to her again, and was again

* Bain: *Calendar of State Papers relating to Scotland*, Vol. II. p. 141.

† *Ibid.* Vol. II. p. 144, and again: "Darnley was not fully recovered" on April 29.

‡ *Ibid.* Vol. II. p. 154.

§ G. Chalmers: *Life of Mary Queen of Scots*, Vol. II. p. 474, 2nd Edn. 1822.

‖ *History of Epidemics in Great Britain*, pp. 439 *et seq.* Creighton holds that in England Kellwaye in 1593 was among the first to attempt the differentiation of measles and smallpox.

¶ If so, Darnley had the poison in his system before he married Mary, and it would throw some further light on her remark about their son James: see p. 40, ftn.† above. The descriptions we have of James VI as a child and youth are by no means out of keeping with such a possibility. See Fontenay's letter to Nau (Stevenson, *loc. cit.* p. lix) and Sir Antony Weldon: *The Court and Character of King James*, 1650, Reprint, 1817, p. 55, "The Character of King James." It is not wholly impossible that "hereditary" syphilis may have been the end of the Stewart stirp as of that of the Tudors.

commanded to return to Stirlin. From thence he went to Glasgow to visitt his father, and by the way was taken with a grievous sicknes, which kept him long in danger of his lyffe. The Queen's unfriends gave out that he was poysend, for his hair fell off, and some other symptoms that were observed. Yet at length he recovered, but not untill after his sone was baptized.

We have here an account of an illness of Darnley's in November before the baptism of James VI on December 17, and confirming the view I have expressed that he did not appear at the baptism, because he was unpresentable. The falling off of the hair may well have been alopecia syphillitica following on an inflammatory condition of the cranial bones. If the account be correct the illness after the Craigmiller visit was so similar to that which followed the baptism of James, that we may suspect a continuous illness, and one which provided the best of all possible reasons for Mary's asserted coldness to Darnley at Jedburgh and Craigmiller; it also gives additional weight to the conference at Craigmiller. We must note also Lord Herries' words: the King was *commanded* to return to Stirling; this suggests that there was a reason which Darnley could not gainsay for his obedience to the Queen's order for departure.

In discussing, however, whether these cranial markings are due to syphilis, we have to bear two points in mind:

(*a*) That very few *incipient* cases of syphilitic caries of the skull are available for comparison in our pathological museums. In nearly all cases the disease is much further advanced. Indeed, if the bones have been preserved because the individual was known to have died of syphilis, this must be so. If a syphilitic subject in an incipient stage of the disease died of some other complaint, his skeleton is much less likely to have been preserved. Yet in examining a very large number of skeletons of 17th century Londoners, while undoubtedly syphilitic long bones may be fairly easily found, and some advanced cases of syphilitic crania, the latter are fewer in number and the incipient cases still fewer*.

(*b*) That it is highly probable from the reports of the earlier writers on this disease that an acute inflammatory condition arose much sooner than it did, or was allowed to do later on: see our p. 84. If this be so, comparison with syphilitic crania of today may be somewhat misleading.

The stages in the cranial caries of syphilis, which usually attacks the frontals and parietals, appear to be of the following character:

(i) The development of "pits" with a circular boundary from 1 to 3 mm. in diameter.

(ii) The joining up of these pits to form irregular areas; in many cases a chain of pits is formed, giving a serpentine channel of erosion, the bottom of this channel being at irregular depths, according to the extent of working into the bone in the individual pits before they were linked together.

(iii) Round these areas there is ultimately a growth of bony matter or hyperostosis.

* It is conceivable that even as late as the 17th century the syphilitic individuals who showed cephalic sores were segregated in hospitals, and thus segregated in their burials.

Of the third stage there is little sign in Darnley's skull, the first two are amply represented.

I asked for the opinion of three anatomical authorities on Darnley's skull*.

The first, a leading anatomist, held that the markings were *post mortem* and due to root-action. For the reasons given above, I think this an impossibility. Even if roots could have got into the Royal Vault, and we have to remember the skull was in its coffin, till very shortly before it was stolen, then root-action does not seem to produce the small circular pits which are so characteristic of the condition of Darnley's skull.

My second authority was a leading American pathologist. He said that he should have no hesitation in attributing the markings to acute inflammation of some kind, but that it was not possible to assert it was syphilitic, because it had not developed far enough to show the discriminating features of syphilitic caries. He could not say that this was syphilis, but he was equally certain we were not justified in saying it was not.

My third authority, the director of the pathological department of a large hospital, a man with wide knowledge of bone disease, after examining the specimens in his own and the hospital collection, stated that they confirmed his opinion that the condition of Darnley's skull is compatible with inflammation and has features in favour of a syphilitic inflammation.

He further stated that in cases where the manifestations of syphilis are delayed for years, an inflammation that would give rise to changes resembling those on Darnley's skull would be most unlikely. He should expect an inflammation of this kind to appear relatively early. Now-a-days six or seven months would be exceptionally short periods for the development of severe periostitis, though he thought that examples occurring within seven months could be found even now. It is of course impossible, if Darnley really had syphilis, to say when he actually acquired it. It may have been due to the nightly "vagabondising" during his wife's confinement, or to such proceedings as those at Inchkeith five months earlier during his wife's pregnancy, or indeed, if the "measles" were a precursory indication, to Darnley's conduct before he reached Scotland. In any of these cases the time could not amount to much more than eighteen months before the outbreak of the severe inflammatory condition.

If the pathologists can give us no absolutely certain judgment in this matter, all I can do is to leave the reader to form his own judgment on the basis first of the historical evidence, and secondly on a comparison of the markings on Darnley's skull and on those of individuals who certainly suffered from syphilis. See our Plates XLII—XLV. If the markings are not due to this disease, then it by no means follows that Darnley did not acquire it. It would only mean that it had not reached the stage—which of course it might never reach—of producing the characteristic erosion of the cranial bones. In this case we must leave it to those

* I give no names (although I am very grateful for the opinions given) because in no case was a lengthy study feasible.

who assert these markings are not due to syphilitic caries to provide a more probable explanation of them. But the hypothesis that Darnley had acquired syphilis in the first year of his married life, not only explains the markings on his skull, but throws a flood of light on many points of those dark pages of Scottish history from Darnley's marriage to his murder.

Let us picture to ourselves the state of affairs; a set of faction leaders, who were in perpetual struggle with each other or with the crown to increase their possessions and their power, who were in the pay of a foreign power and without any truly national spirit. The state of Scotland was, on a small scale, that of China today, rival Tuchuns seeking their own profit, and utterly regardless of the means by which they reach it. A young Queen as yet only 25 years of age, with no disinterested adviser, yet with the most arduous duties of state that can be conceived resting upon her; she is linked to a consort incapable of giving any safe political counsel; a beautiful woman, not without the sensual passions of the Tudors, mated with a diseased sot constantly pressing for a restitution to bed and board. The Catholic religion provided, as Mary's great-uncle Henry VIII had found, no escape from marriage except the declaration that it was on some ground invalid *ab initio*, which meant that Mary's infant son would be declared a bastard. Yet the most urgent necessities of the state demanded the disappearance of Darnley. Her officers of state realised this also, if not in her interests, at least in their own. Each of the Scottish Tuchuns determined to get rid of Darnley in a manner profitable to himself; Bothwell in order to seize Mary and power; Moray to get rid, if possible, of both Mary and Bothwell; Morton and the Douglases to return from banishment, and the Hamiltons to bring themselves, if possible, nearer to the heirship of the Scottish throne. None of them had the real interests of Mary at heart. The Balfours provided the environment, the Douglases probably did the actual killing, the Hamiltons* saw to it that there should be no escape, and Moray, with foreknowledge

* Lights were seen in the adjacent house of the Hamiltons, built on the site of the old Spital, and these were only extinguished on the explosion taking place. Archbishop Hamilton was afterwards hanged for taking part in the murder. Here we find the most extraordinary instance of Buchanan's time-serving. When he wrote his *Detectio*, Moray was Regent of Scotland, and in order to support him Buchanan did everything in his power to accuse Mary of organising the murder of her husband—"bending hersilf to the slauchter of hir Husband." It was she who gave the keys and arranged with Bothwell the place and hour of the murder, and the cause was her unchaste passion for Bothwell. The *Detectio* must have been written when Buchanan was in England with Moray and Morton (1568), although not published till the death of the former. Buchanan's *Historia* was written later than the *Detectio*, when the portion about Lenox's regency was written it is not easy to say, but Buchanan tells us the Regent most earnestly wished to put the Archbishop of St Andrews to death. Therefore the latter being "clearly convicted" (!) of the murder of the King and the last Regent—Buchanan's patron Moray—he was hanged at Stirling.

On this occasion these discoveries were brought to light, being generally new, as the greatest part of them had been unknown till that very day. The Archbishop of St Andrews who lodged in the next house [to the Prebendaries' Lodgings—but that is not really true], having the proposal made him that he should slay the King, willingly undertook the employment, both on account of old feuds, and out of the near expectation of transferring the royal dignity into his own family. Therefore, when he had picked out six or eight of the most flagitious among his servants, he gave them the keys of the King's lodging, and entrusted the business to them. Those men having entered with the greatest quietness, stifled the King to death, while he was asleep, and carried out his body into a garden hard by without the walls. Then, upon giving the signal, fire was put under the lodging. Edn. 1715, *Opera*, I. pp. 396—7.

Was it Bothwell or Mary or Hamilton? Which Buchanan is to be believed, or does he lie on all occasions?

and concealing, "luiked through his fingers thereat." Bothwell and his men really thought they themselves had done the business. Moray and Morton seized power by accusing Mary of having instigated the plot. That Mary wished as Queen and Woman to be quit of the unspeakable Darnley may be accepted without fear of contradiction. That she sanctioned the brutal methods of Bothwell or the underground proceedings of the Douglases seems exceedingly improbable—she had too fine a judgment as a queen and too much feeling as a woman. Her words to her counsellors, considering how to get rid of Darnley, demonstrate this:

I will that ye do nothing quhairto any spot may be layit to my honor or conscience; and thairfor, I pray you, rather let the matter be in the estait as it is, abyding till God of His goodness put remid thairto; that ye beliefing to do me service, may possibill turne to my hurt and displeaser*.

The whole of her brief reign consisted of plots of the Scottish Tuchuns to get her into their individual control, plots invariably followed by pardons on her part. What Mary actually stood in need of, in order to crush these Tuchuns, was that very Tudor ruthlessness by aid of which Henry and Elizabeth had crushed the conspiring Tuchuns of England. The absence of that ruthlessness† is to my mind good ground for assuming that Mary was unaware both of the strangling and the gunpowder plots. Those with even the least eugenic sense, those who can appreciate at all the difficulties of the statecraft of the time, will agree that Darnley had rendered himself so impossible that he must be disposed of, however much they may question the final procedure. From the legal standpoint I do not think that any evidence whatever which would carry weight in a modern criminal court was openly produced to show that the Queen of Scots was an accessory to the crime, that she had "art and part, foreknowledge and concealing of the treasonable and unnatural murder of the king."

(9) *The Ravishment.*

The reader, if he be only acquainted with the legendary history of Scotland—the history based upon Buchanan and Knox—will assert that it is "well known" that she was infatuated with Bothwell, that this it was that led her to approve the murder of Darnley, to procure the divorce of Lady Jane Gordon and finally to marry Bothwell.

If we ask the reader to trace the "knowing well," it will be found probably to consist in statements made by protestant historians, and their sources are Buchanan, Knox or rumours sent to Cecil by Randolph. That Mary was inclined to accept Bothwell as a chief counsellor after the murder of Darnley goes without saying. Mary needed a strong man to support her tottering throne and she thought, if

* 'Protestation of the Erles of Huntley and Argyll.' This protestation has been called in question, but it is clear that Cecil accepted it and asked for a reply from Moray, which Cecil caused to be pasted on the back. Whether it can be considered as a real reply we leave to the reader, who can consult the complete documents in Keith's *History*, Vol. III. pp. 290—5 or in Hosack's *Mary, Queen of Scots*, Vol. I. pp. 568—73.

† This ruthlessness has sometimes been attributed to her, owing to her allowing Chatelar to perish on the scaffold; but it was impossible for the Queen after once granting him his life when he was found concealed in her bedchamber, to pardon a repetition of so gross an offence.

mistakenly, that she had found him in Bothwell. But many a queen has relied on a strong man—witness Elizabeth and Cecil—without raising any suspicion of an intrigue. The moment Mary married Bothwell, it was easy, in Buchanan's manner, to scatter filth right back to the time of the Jedburgh assize and the visit to the Hermitage*. But why did Mary consent to marry Bothwell, if she was not infatuated with him? It was as inevitable as the need to get rid of Darnley. The basis of that necessity was that Bothwell had committed an actual rape on the Queen. I see on this point no reason to doubt the accuracy of Sir James Melvil's *Memoires*†:

Shortly after her Majesty went to *Sterling* and in her back-coming betwixt *Lithgow* and *Edinburgh*, the Earl of *Bothwel* rancountered her with a great Company, and took her Majesties Horse by the Bridle, his men took the Earl of *Huntly*, the Secretary *Lidingtoun* and me, and carried us Captives to *Dumbar*; all the rest were permitted to go free. There the Earl of *Bothwel* boasted he would marry the Queen, who would or would not; yea, whether she would her self or not. Captain *Blakater* who had taken me, alledged it was with the Queens own consent‡. The next day in *Dumbar* I obtained permission to go home. Afterwards the Court came to *Edinburgh*, and there a number of Noblemen were drawn together in a Chamber within the Palace, where they all subscribed a paper§, declaring that they judged it was much the Queens interest to marry *Bothwel*, he having many friends in *Louthian* and upon the Borders, which would cause good order to be kept. And then the Queen could not but marry him, seeing he had ravished her and lain with her against her will.

If the reader will turn to the "Instructionis to oure trusty Counsallor the Bischope of Dumblane [Chisholm]‖," who was sent to announce the Bothwell marriage to the French Court, he will realise the true state of affairs, Mary in absolute despair without any faithful friend:

This Realme being devidit in factionis as it is, cannot be contenit in ordour, onles our autoritie be assistit and furthset be the fortificatioun of a man quha man tak pane upoun his persoun in the executioun of justice, and suppressing of thair insolence that wald rebell, the travell quhairof we may na langar sustene in oure awin persoun, being alreddie weryit and almaist brokin with the frequent uprores and rebellionis rasit aganis ws sen we come in Scotland.

* Bothwell's violence and impetuosity were not real strength, much less political sagacity. Apart from this, no Scottish faction leader was strong enough to dominate the remainder if, with their usual habit, they signed and fulfilled, for a time, a "band" against him.

† Edition, George Scott. London, 1683, pp. 79—80.

‡ Naturally Bothwell's men would spread the rumour, and of course those who believe in the genuineness of the Casket Letters, will find ample confirmation in Letters 6, 7 and 8. Those who recognise the inconsistencies not only of these, but of the earlier Casket Letters, will naturally suspend their judgments.

§ Melvil here confirms the reality of the band to support the Bothwell marriage being signed at Holyrood on April 20, and not at Ainslie's supper under the compulsion of Bothwell's armed henchmen. It runs:

And in case any will presume, directly or indirectly, to hinder or disturb the said marriage, we shall, notwithstanding, take part and fortify the said earl [i.e. Bothwell] to the said marriage, so far as it may please our said sovereign lady to allow, and therein shall spend and bestow our lives and goods, against all that live or die may, as we shall answer to God, and on our fidelity and conscience; and in case we do in the contrary, never to have reputation or credit in no time hereafter, but to be accounted unworthy and faithless traitors. (From the copy in the Scots' College at Paris, with the date April 30 attested by Sir James Balfour.)

The subscribers to this band were the Archbishop of St Andrews, the Bishop of Dumblane, the Bishop of Ross, and five other bishops, the Earls of Huntly, Argyll, Morton, Cassilis, Crawford, and four other earls, Lords Ruthven, Ogilvy, Herries, Fleming, etc. Why in the face of this document did Bothwell, unless the Queen was unwilling to consent, need to ravish her four days later?

‖ Keith, II. pp. 592—601. Labanoff: Vol. II. pp. 39 and 41.

Poor Queen, how she sought in vain for the strong man even in her ravisher!

And quhen he saw ws lyke to reject all his sute and offeris, in the end he schowed ws how far he was procedit with our haill Nobilitie and principallis of our Estaittis*, and quhat thai had promeist him undir thair handwrittis. Gif we had cause yan to be astoneist, we remit ws to the jugement of the King, the Quene, oure uncle, and utheris oure friendis. Seing oure self *in his puissance*, sequestrat from the cumpany of all oure servandis and utheris quhome of we mycht ask counsale†; zea seing thame upoun quhais counsale and fidelitie we had befoir dependit, quhais force aucht and mon manteine oure authoritie, without quhome in a maner we ar nathing (forquhat is a Prince without a peopill?) *befoirhand alreddie zealded to his apetyte*, and swa we left allane as it wer a pray to him. Mony thingis we revolved with oure self, but nevir could find ane outgait...bot as be a bravade in the begynning he had win the fyrst point, sa ceased he nevir till be persuasionis and importune sute, *accumpaneit not the less with force*, he has finalie drevin us to end the work begun at sic tyme and in sic forme as he thocht mycht best serve his turne quhairin we cannot dissembill that he has usit us utherwayis, than we wald have wyssit, or zit have deservit at his hand. [Italics not in original.]

If we can accept the Casket Sonnets as any evidence—and there seems no reason for a forger introducing a statement which *confirms* Mary's account of the ravishment in the Instructions to the Bishop of Dumblane—then Mary only felt drawn to Bothwell after that event and when he had attempted some real or pretended form of suicide. A like frame of mind is reported in the case of certain white women on whom a native has committed a rape, and who have then sought to live with their ravisher.

The following lines would be of little sense or profit to a forger:

Pour luy aussi j'ay jetté mainte larmes,
Premier quand il se fust de ce Corps Possesseur,
Duquel alors il n'auoit pas le Cœur.
Puis me donna un autre dur Alarme,
Quand il versa de son Sang mainte Dragme,
Dont de Grief me vint laisser Douleur,
Qui m'en pensa oster la Vie & Frayeur,
De perdre, las! le seul Rampart que m'arme‡.

Poor poetry, but it lets us into some secrets of Mary's emotions and conduct.

She never grasped Helvétius' theory that self-interest dominates the actions of men, and that you must always treat your friends as if they might some day become foes. These lines at any rate confirm the view that she at least did not plan the ravishment.

Why should Mary have done so? If she was infatuated with Bothwell, the band signed by the chief lords in Scotland would have justified the marriage without the abduction, and if she had been carrying on an intrigue with Bothwell, as is suggested by the henchmen of Moray, for months even before the Darnley murder, it is not obvious how her abduction would assist that state of affairs. Her whole letter is that of a broken woman forced to a decision as the only course open to her. Had

* The abduction followed five days after the signing of the band.

† The servants and others were dismissed at Almond Bridge, the scene of the capture; Huntly, Maitland and Melvil, next day.

‡ Goodall: Vol. II. p. 51.

she escaped from Bothwell and been able to charge him with treason and execute him, what would have been the position of a ravished queen, possibly giving birth to his offspring* ?

The Lords in their first Declaration of June 11, 1567, speak of "the Ravishing and Detentioune of the Queen's Majestie's Persoune." It was also current opinion that a rape had occurred. Thus Mr John Craig refused to publish the banns on the ground of the prevailing rumour that Bothwell "had both ravished her and kept her in captivitie"—a statement that the unfortunate Queen was bound to deny.

That the marriage with Bothwell was considered by Mary as obtained by force is illustrated by several documents. Thus, in her directions to Bishop Leslie to be transmitted to the Pope in 1570, we read†:

Cura diligenter ut Sanctissimus Pater aperte declaret illud praetensum matrimonium, quod inter me et Bothvelem nullo jure sed simulata ratione sanctiebatur, nullius. Nam etsi multis de causis, quas nosti, satis illud per se sit plane irritum, tamen res erit multo clarior, si Sanctitatis Suae sententia, tanquam Ecclesiae lex certissima, ad illud dirimendum accesserit. Ac ne quid in hac causa desiderari videatur paternitas tua in omnibus his rebus, quae in foro et processu rectissime instruendo requiruntur, causam vel proponendo vel prosequendo meam vicem obibit, ea tamen adhibita cautione ut res tota quam occultissime geratur, ne, si efferatur in vulgus, magnas mihi molestias et angores conficiat.

What were the circumstances known to Leslie owing to which the marriage with Bothwell was invalid, and why was the utmost secrecy to be observed ?

The matter is rendered somewhat clearer in Mary's instructions in March of the following year (1571) to Ridolfe‡:

Item, dichiarerete à Sua Santita il gran dolore che noi abbiamo de quello che noi fummo fatta prigioniera da uno de' nostri soggetti il conte di Boduell, et menata come prigioniera, con il conte di Unteley nostro cancelliere, et il signor Levinston nostro segretario insieme con noi al castello di Dombar, et di poi al castello di Edimborgh, dove noi fummo ritenuta contra nostra volunta in le mani di detto conte insino al tempo che lui ebbe procurato uno pretenso divortio fra lui et la sorella di monsignor di Unteley sua moglie, nostra prossima parente, et noi ancora costringere di prestare nostro consenso, ancora che contro nostra voglia, a lui. Per il che supplico Sua Santita di prendere tale ordine sopra questo che possiamo essere quietata di tale indegnita per via di processo a Roma, o per commissione mandata in Scotia alli vescovi, e altri giudici cattolici, secondo che a Sua Santita parra bene, come particularmente intendera a lungo per la memoria che glie ne dara il vescovo di Rosche§.

The matter is put still more plainly‖ in the answer of the Lords of Scotland to Sir Nicholas Throgmorton dated July 11, 1567, in *Calendar of State Papers*, Scotland, Vol. II. p. 253, printed by Keith, Vol. II. pp. 679, which I cite finally:

How shamefully the Queen our sovereign was led captive, and by fear, force, and as by many conjectures may be well suspected, other extraordinary and more Unlawful means, com-

* Cf. the miscarriage of twins at Lochleven; see our p. 13.

† Labanoff: *Lettres de Marie Stuart*, Vol. III. p. 59.

‡ Labanoff: *Ibid.* Vol. III. p. 231.

§ I have read, but I cannot at present rediscover the *locus* of it, a report to Cecil or Elizabeth of the English agent in Rome saying that Mary was seeking a divorce from Bothwell on the ground of *raptus*, which, according to the Canon Law, rendered a marriage null.

‖ As far as I am aware, the view of an actual ravishing against Mary's will as an explanation of what followed was first taken by Dr Hurry. See *Archaeologia Scotica*, Vol. I. 1792, pp. 528—51.

pelled to become bed-fellow to another wife's husband, and to him who not three months before had in his bed most cruelly murdered her husband, as is manifest to the world, to the great dishonour of her Majesty, us all and the whole nation.

The unlawful means was probably "dope" of some sort. At this stage the "Lords" were bringing no charges against Mary of conniving either at the rape or at the murder of Darnley. A fortnight later Throgmorton writes, July 25, 1567, to Elizabeth that the Lords intend to charge the Queen of Scots with (*a*) *Tyranny* or "breaking the laws and decrees of the realm; (*b*) *Incontinency* as well with the Earl Bothwell as with others, having (as they say) sufficient proof against her for this crime and (*c*) *Murder* of her husband, whereof (they say) they have as apparent proof against her as may be, as well by the testimony of her own handwriting, which they have recovered, as also by sufficient witnesses. The "Lords" had in that fortnight determined that although their plot to destroy Bothwell had been eminently successful, they must for their own safety get rid of the Queen. Yet those very Lords, according to their own account, had been in possession of the Casket Letters since June 20, and the only deposition touching the Queen's knowledge of the murder was not made until August 10. Use was not made of either the letters or the deposition until the "sufficient witnesses" had been all hanged. But what is quite clear is that in that fortnight the "compulsion by fear, force and unlawful means to become bedfellow to another wife's husband" was replaced by "inordinat affectioun borne to James sumtyme erle Boithwile in the liftyme of the king hir husband baith before and eftir his murthure." If the view be correct that Mary was compelled to marry Bothwell owing to the rape committed at Dumbarton, then her intense misery in the few months of that marriage becomes intelligible. Le Croc writes:

I perceived a strange formality between her and her husband [on the evening of their marriage] which she begged me to excuse, saying that if I saw her sad, it was because she did not wish to be happy, as she said she never could be, wishing only for death. Yesterday being all alone in a closet with the Earl of Bothwell, she called aloud for them to give her a knife to kill herself with. Those who were in the room adjoining the closet heard her.

Melvil talks about seeing the Queen in tears and that she was so disdainfully handled that in presence of Arthur Aroskine Erskine "I heard her ask for a knife to stab herself, or else, said she, I shall drown myself*."

The state thus described is far more like that of a tortured and ravished woman than one moved by "inordinat affectioun." I think we may conclude then that although Mary rightly and properly wished to be free of Darnley, the reason was not, as her enemies asserted, an infatuation for Bothwell accompanied by an intrigue during the life of Darnley. What failed then, as they largely fail now, were eugenic views of marriage and a rational divorce law. The tragedy of Mary is threefold; her first marriage to a sickly boy; her second marriage to a foolish hobble-de-hoy who was or soon developed into a dissolute sot; her third marriage with a ruthless Tuchun seeking only to extend his political power, and wholly regardless of the procedure by which he gained his ends. In the first and third marriages Mary had no choice; in the second she was partially free and made a choice which was not

* *Memoires*, Edn. 1683, p. 81.

superficially unwise, had Mary's judgment of Darnley's mentality not been obscured by ambition* and possibly but not certainly by passion.

(10) *Concluding Remarks.*

When we study the history of Europe in the 16th century we must be struck at once with the extent to which the course of national life was modified by the sexual licence of its sovereigns. The epidemic of venereal disease at the end of the 15th century, spreading widely during the 16th century, owing to the general decay of morals, reached not only the people but the heads of the Church, and the rulers of nations. Royal lines lost their lustihood and petered out under the influence of the disease; such probably was the fate of the House of Tudor and that of Valois-Angoulême. Had François survived, Mary might have lived to be Queen of France, England and Scotland. As it turned out, it was she who united the latter two crowns, but in a house which inherited to the full the folly and incapacity of Darnley with the uncontrollable passions of Tudor and Stewart. Of all the Stewarts Mary was the most generous, the most cultivated and the most liberal in religion, but she lacked the requisite ruthlessness to destroy or tame the Tuchuns of her country, not one of whom to my knowledge had the least fragment of moral sense, or the least desire to curb in the national interest his personal greed for power. They bled their country, destroyed its ancient monuments, blasted the life of their Queen and ultimately almost all perished by fitting deaths†. In the language which Knox used of one of them, they had neither fear of God nor love of virtue further than the present commodity persuaded them‡.

* Failing offspring to Elizabeth, Mary might well fear that Darnley, and not she, might be treated as next heir to the English throne, at any rate on the death of the Countess of Lenox. The claims of the Countess of Lenox to the English throne in certain eventualities, especially her legitimacy, were considered by the English lawyers at this time. Her legitimacy appears to have been of the same order of doubt as that of Elizabeth herself. See our pp. 5 and 6. If Darnley and Mary had offspring, the two cousins could have no rival claims. Mary's view is well expressed in her words to Moray, when, on asking him to subscribe his approval of the Darnley marriage, she begged him "to be so much a Stewart as to consent to the keeping of the crown in the family and the surname according to their father's will and desire." As to James V's wish to retain the crown in the name and family of Stewart, see Knox's *History*, Edn. 1831, p. 322.

† Moray was assassinated; Archbishop Hamilton was hanged in his episcopal robes at Stirling; Bothwell died in jail in Denmark, by some reported mad; Lenox was mortally stabbed in the back by Captain Calder, just as he was being rescued; Morton was executed by the "maiden," a crude guillotine he had himself introduced, for foreknowledge of Darnley's death; Maitland poisoned himself to avoid trial for the same offence; Athol was probably poisoned by Morton at a banquet given at Stirling; Huntly was struck down suddenly at a game of football and died amid mysterious and ghostlike apparitions (!); Argyll died at the early age of 43 of stone, immediately after making a compact with Morton that there should be no further inquiries after the murderers of Darnley; Cassilis, whose brutality exceeded the conceivable, was thrown from his horse at the age of 35 and died thereof; Kirkcaldy of Grange was executed at the gibbet by the Mercat Cross, Edinburgh, to appease the spirit of Knox; Patrick, Lord Ruthven, the assassin of Rizzio, after several months' sickness at Newcastle, made a "Christian end" (!); his son William, another of Rizzio's assassins, afterwards Earl of Gowrie, was beheaded at Stirling for high treason in 1584; almost alone of these Scottish Tuchuns, Sir James Balfour—"the most corrupt man of a corrupt age"—after forfeiture of his lands, and a flight into exile to escape trial for the murder of Darnley, seems to have died peacefully in his bed, a man who served all parties, deserted all parties, and profited by all of them. (Tytler's *Life of Craig*, p. 105.)

‡ Used of the Balfours. See Knox's *History of the Reformation*, Edn. 1831, p. 70.

When we remember that all these factional leaders were in the pay of Elizabeth*, whose sole aim was to keep Scotland impotent, in case she was attacked by France or Spain, we see how the personal tragedy of Queen Mary was outstripped by a greater tragedy, the strangling of the growth of a national culture and a national spirit by the insatiable greed of rival Tuchuns.

* The famous paper in the British Museum (*Caligula*, c. v. fol. 119) entitled: "The Names of such as are to be entertained in Scotland by Pencions out of England," is certainly only a single instance of what went on for years; it must have been prepared in Moray's regency. The curious part is that several of the Queen of Scots' friends appear on the list; also the Scottish women were bribed as well as the men. It runs:

The Regent, £500; Thearle of Angus, £100; Thearle of Atholl, £200; Thearle of Argyle, 200; Thearle of Montrosse, £100; Thearle of Rothosse, £100; Thearle of Clinham (Glencairn, the despoiler of churches), £100; The Countesse of Marre (Governess of James VI), £200; Master of Askyn (Erskine), £150; Lords Glamis, Ruthin (Ruthven), Lindsay, Boyd, Harris (Herries), Maxwell, £100 each; Lords Loughleuin (Lochleven), Boldukell (?), Ormeston, £50 each; L. of Domwrassell (Drumwhassel), £150; James M'gell (Macgill), £100; Buckannon, £100; Alexander Hay, £40; Peter Younge, scholem^{r} (Tutor to James VI), £30; Carmichell. Morton also appears on this list, although he said in his confession at death: "As I sall answere to God, I had never pensioun of the Queen of England in my life."

Of the women we find the sisters of Fleming (Grand Prieur), Ruthven, Tullibardine, Hume, "Mefen" (? Methuen), Lochleven and Angus; the daughters of Rothes, the Earl Marshall, Drummond and Cawden; and the wife of "Mefen."

The Tuchuns we might expect to find in such a list, but that scholars like George Buchanan and Peter Young should be included is only too suggestive of the miserable condition of Scottish culture in the 16th century. The one thing which was satisfactory was that, having taken their monies, they laughed their paymasters to scorn and sided with the other side—for a time—as Maitland told Throgmorton. (See Tytler: Vol. vi. p. 19.)

Skull of Henry Stewart, Lord Darnley.
Norma facialis.

Skull of Henry Stewart, Lord Darnley.
Norma lateralis (Right profile).

Skull of Henry Stewart, Lord Darnley.
Norma verticalis.

Skull of Henry Stewart, Lord Darnley.
Norma basalis.

Skull of Henry Stewart, Lord Darnley.
Norma occipitalis.

Posterior and anterior Aspects of the left Femur of Lord Darnley.

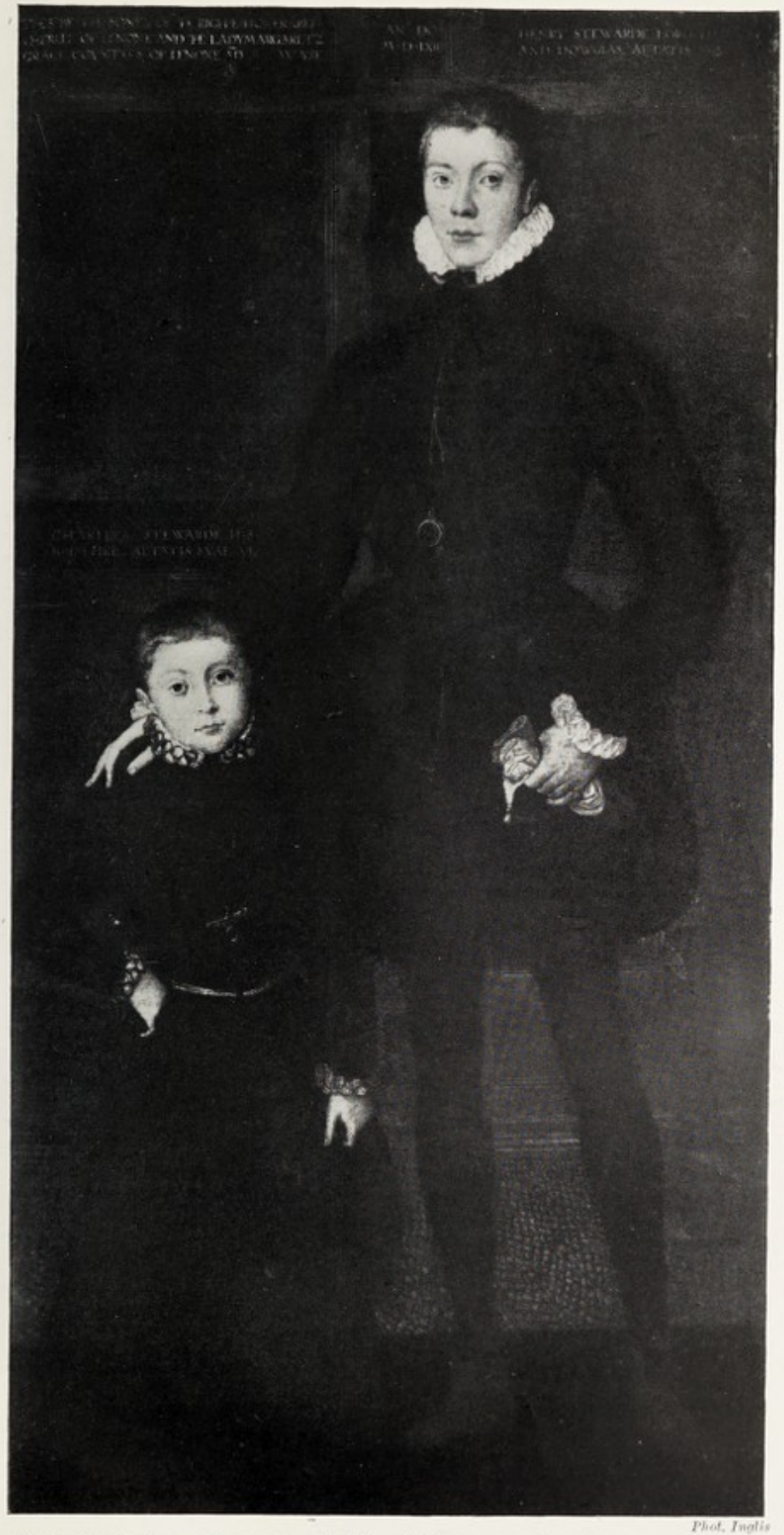
James VI of Scotland as a boy, from the portrait by F. Zuccaro in the National Portrait Gallery, London.

Phot. W. Bourke

Portrait at Hampton Court Palace, originally supposed to be of Lord Darnley,
now ascribed to James VI (?).
By gracious permission of His Majesty the King.

James I of England (James VI of Scotland) in 1621, from the portrait by Daniel Mytens in the National Portrait Gallery.

The two portraits of Lord Darnley, as boy and as stripling, at Bolton Hall, Leyburn.
By kind permission of Lord Bolton.



Phot. Inglis

Portraits of Henry Stewart (aged 17) and his brother Charles Stewart (aged 6) painted in 1562 by Hans Eworth. From the picture at Holyrood Palace. By gracious permission of His Majesty the King.

Portraits of Henry Stewart (aged 17) and his brother Charles Stewart (aged 6), painted in 1563 by Hans Eworth. From the picture at Windsor Castle. By gracious permission of His Majesty the King.

Lord Darnley and Mary, Queen of Scots, from the Picture at Hardwicke Hall.
By kind permission of His Grace the Duke of Devonshire.

The three miniatures in the Rijksmuseum, Amsterdam. Above, a little-known miniature of Mary, Queen of Scots; below, Mary and Darnley.
By kind permission of the Director.

Plate XV

Vertue's engraving of the Replica of the Cenotaph Picture in possession of the Duke of Richmond. From the reproduction issued by the Society of Antiquaries. By kind permission.

Phot. Teglia

Photograph of the bust of Darnley from the Lenox Cenotaph Picture by Levinus Vogelnarius over the mantelpiece in the West Drawing Room at Holyrood Palace.
By gracious permission of His Majesty the King.

Vertue's engraving of Henry Stewart (aged 17), said to be from an original at St James's Palace. It may have been taken from the picture now at Windsor (see our Plate XII), but possibly there may once have existed at St James's a portrait *solus* akin to Lord Bolton's (see Plate X, right).

Absurd idealisation of Darnley and Mary, professing to be a reproduction of the Coronation Medal (see Plate XXV 1a). From Chalmer's *Life of Queen Mary*, 1822.

Portrait of Henry Stewart as a boy, at Braham Castle. Closely related to Lord Bolton's picture: see Plate X, left.
By kind permission of Lady Seaforth.

The Wellesley drawing of a head, probably by Clouet, supposed by the late Dr Wellesley to be Lord Darnley and attributed to Lucas d'Holland (!). A photograph of it, erroneously ascribed to Darnley, is in the Scottish National Portrait Gallery.

The Stewarts, from silver plaques at Madresfield Court, probably engraved by Simon Passe. Lord Darnley, in the left-hand bottom corner, follows the Elstracke engraving: see Plate XXI. By kind permission of Earl Beauchamp.

The Elstracke engraving of Lord Darnley and Mary, Queen of Scots, related to the engravings on Plates XXII and XXIII. Like those engravings, it bears no resemblance to Darnley. From a copy of this rare print in the British Museum.

Print (circa 1600) of Henry Stewart, Lord Darnley; origin uncertain, possibly prepared for, but not issued, in one of the editions of Meteren's *Histoire des Pays-Bas.* From a copy in the Department of Prints, British Museum.

Rare Print, early 17th century; engraver unknown. Lord Darnley, as in Plate XXII, is in robes of the Order of St Michael. Related to the Elstracke engraving. From a copy in the Department of Prints, British Museum.

Phot. Inglis

Mary, Queen of Scots, and Lord Darnley, from the Seton Armorial.
By kind permission of Gilbert Ogilvy, Esq.

1 a

1 b

2 a

2 b

3 a

3 b

Coins and Medals commemorating the Marriage of Mary, Queen of Scots, with Lord Darnley, 1565.
1 a, 1 b, 3 a, 3 b from casts, 2 a, 2 b from the medal itself.

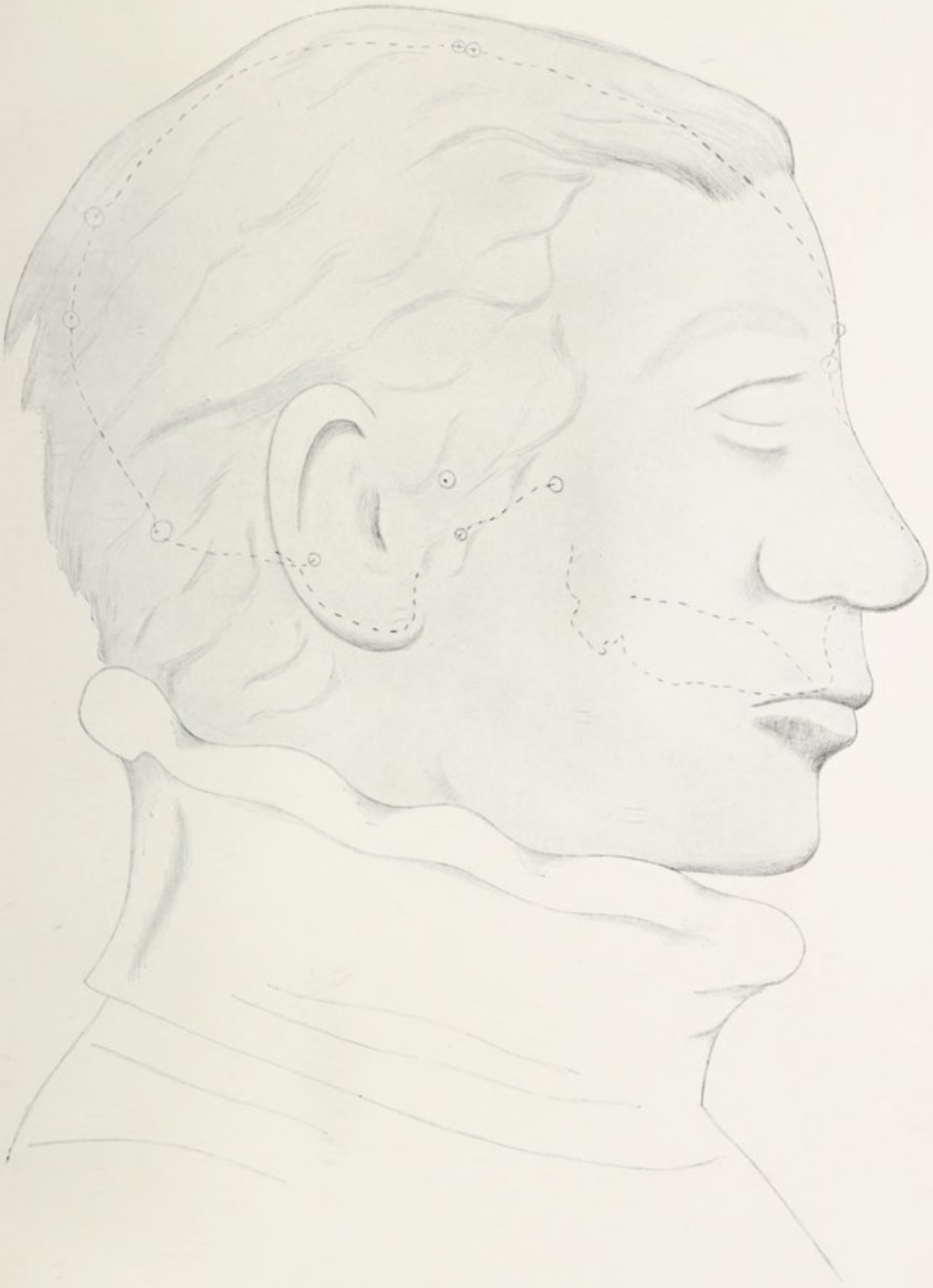
Lady Seaforth's portrait of Darnley as a Boy (see Plate XVIII),
fitted with the outline of the Skull.

Lord Bolton's portrait of Darnley as a stripling (see Plate X, right), fitted with the outline of the Skull.

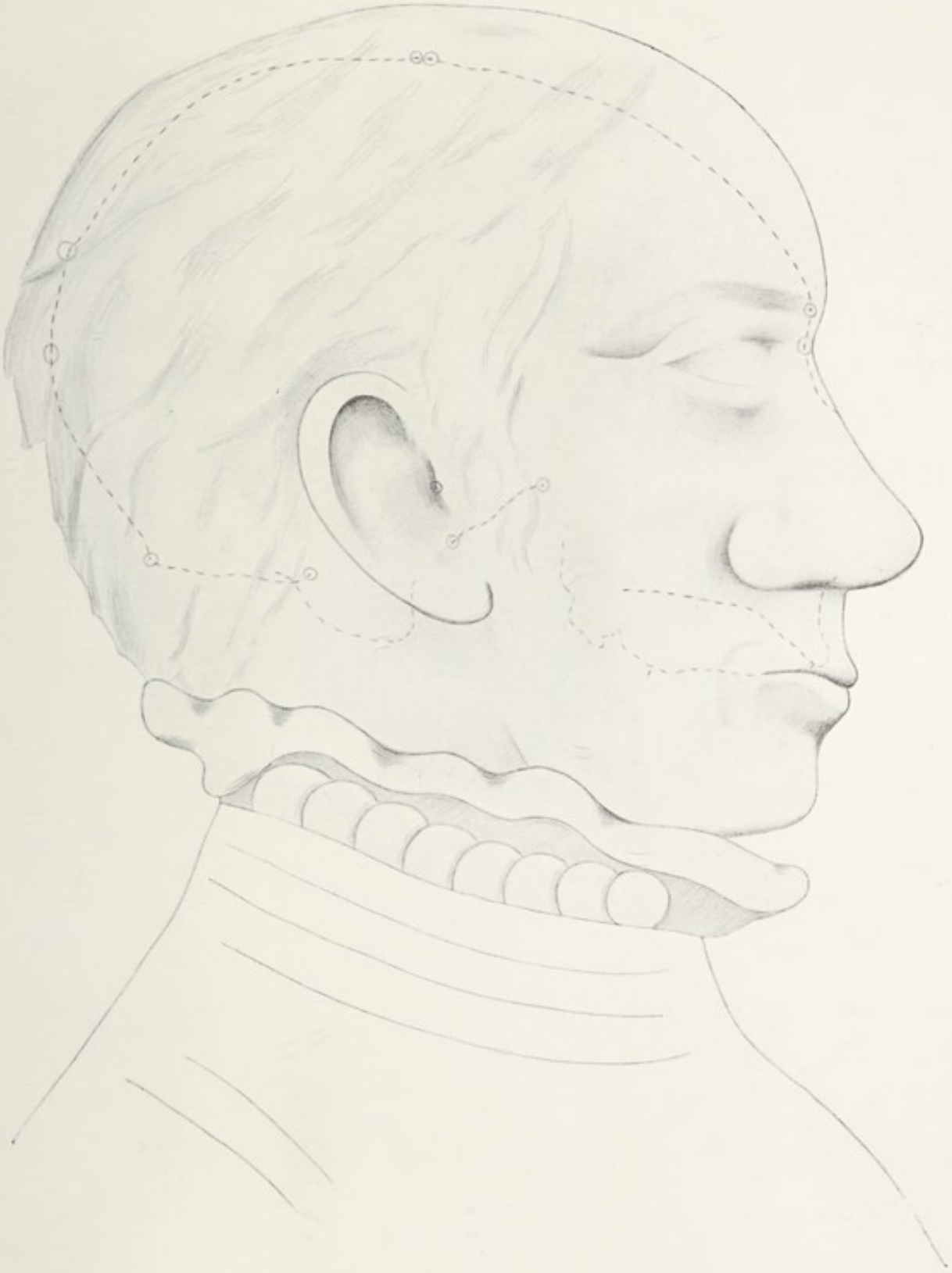
Hans Eworth's portrait of Lord Darnley, fitted with the outline of the Skull.
From the picture at Holyrood: see Plate XI.

From the Duke of Devonshire's Picture of Darnley with Mary (see Plate XIII).
Darnley's head fitted with the outline of the Skull.

The Hardwicke Hall picture of Darnley solo (see Frontispiece), fitted with the outline of the Skull.



Darnley's Bust from the Marriage Medal 1 a (see our Plate XXV),
fitted with the outline of the Skull.



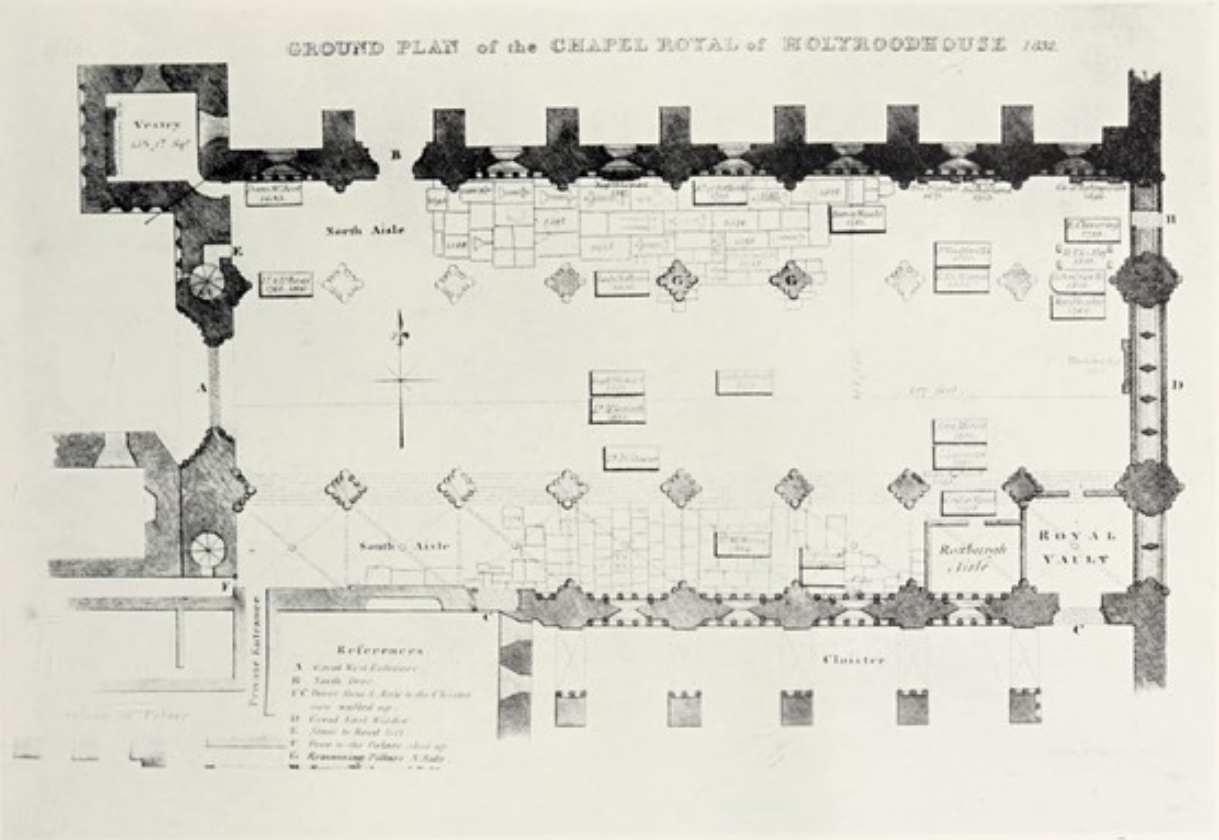
Darnley's Bust from the Marriage Medal 3 a (see our Plate XXV),
fitted with the outline of the Skull.

Drawing from the Cenotaph Portrait in Holyrood Palace (see our Plate XVI), fitted with the profile outline of Darnley's Skull.

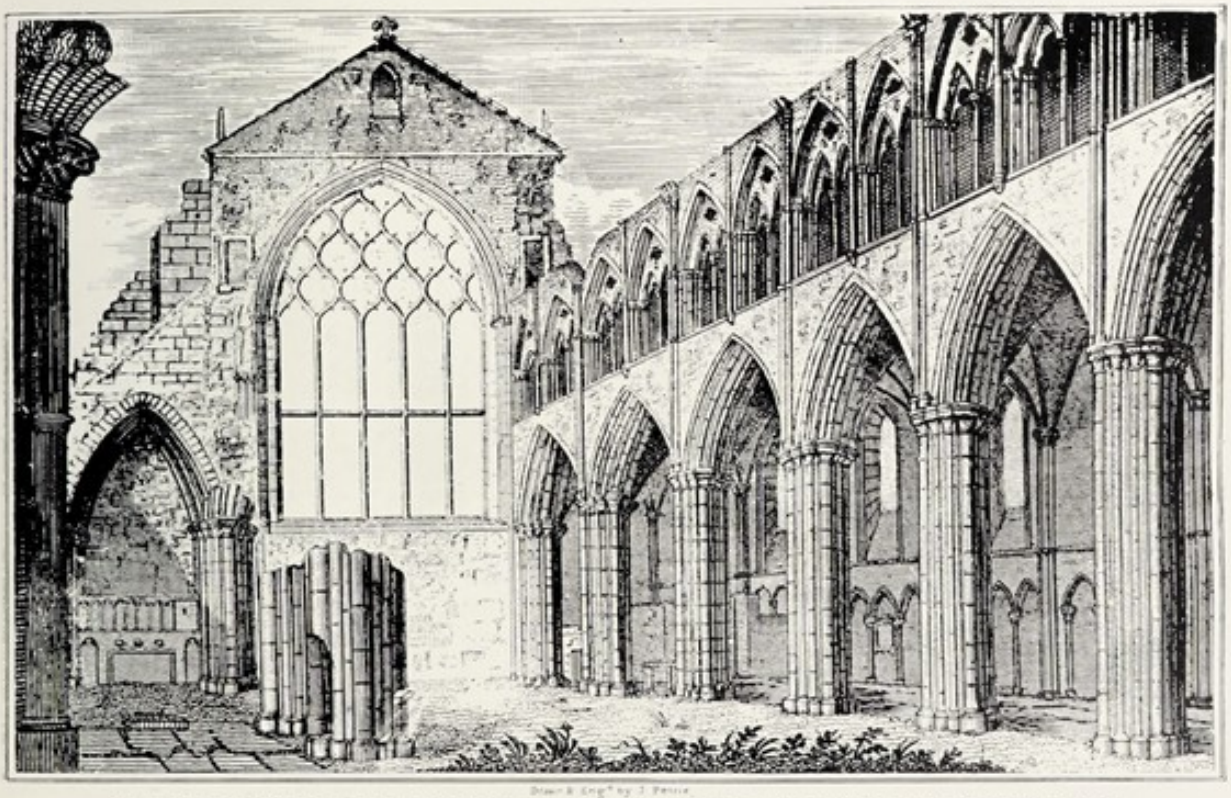
Interior of the Abbey Church, Holyrood, arranged by James II as a Chapel for the Knights of the Order of the Thistle. From an old Print.

East End of the Abbey Church, Holyrood, after the fall of the Roof, showing externally no Vegetation in the Neighbourhood of the Royal Vault.

East End of the Abbey Church, Holyrood, after the fall of the Roof, showing internally only slight Vegetation in the Neighbourhood of the Royal Vault.



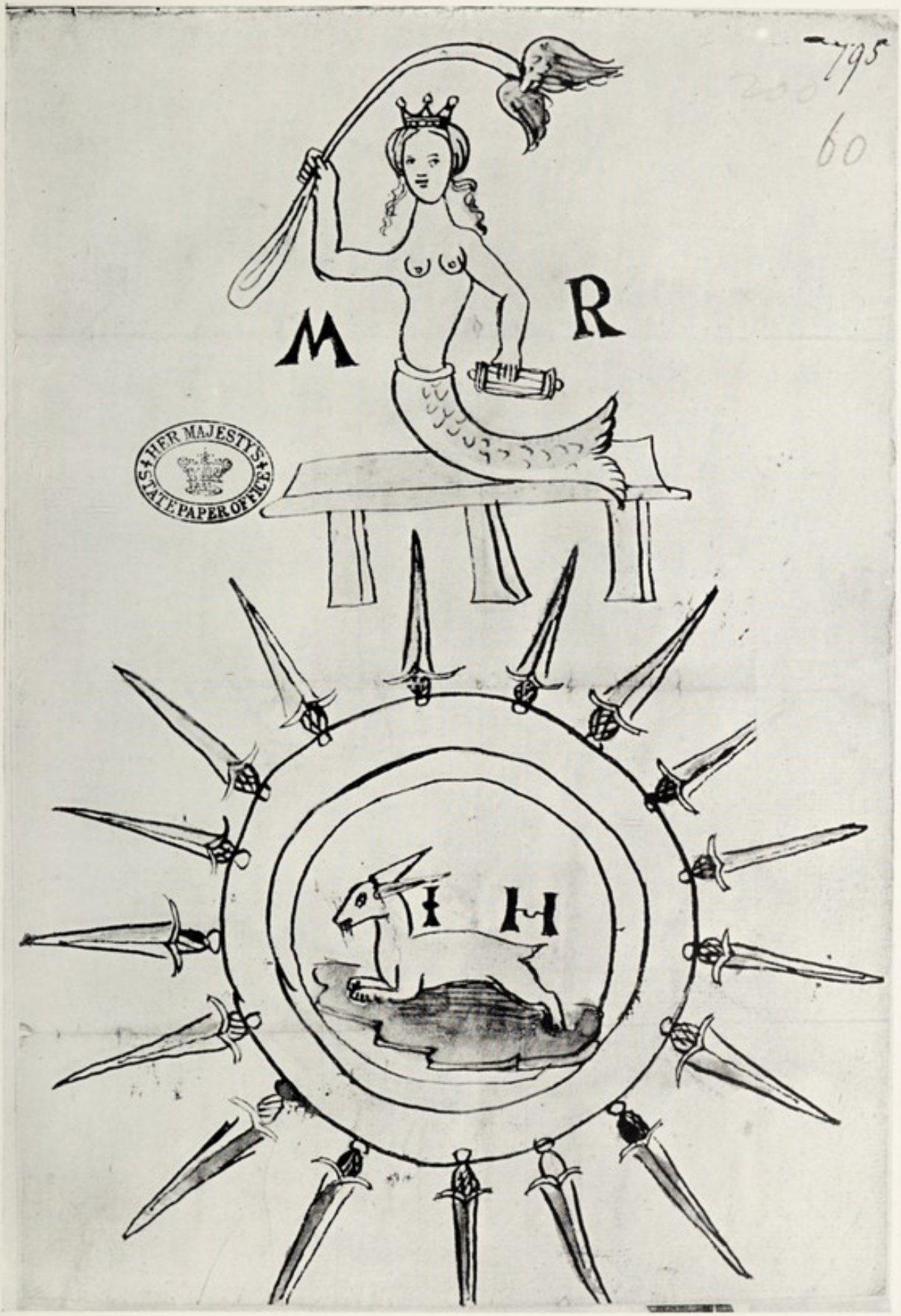
Plan of the Abbey Church, Holyrood, showing the position in the south-east corner of the Royal Vault under the floor of the Church. C, above the Royal Vault is the door through which Mary and Darnley are believed to have escaped after the murder of Rizzio, who is supposed to be buried just outside C.



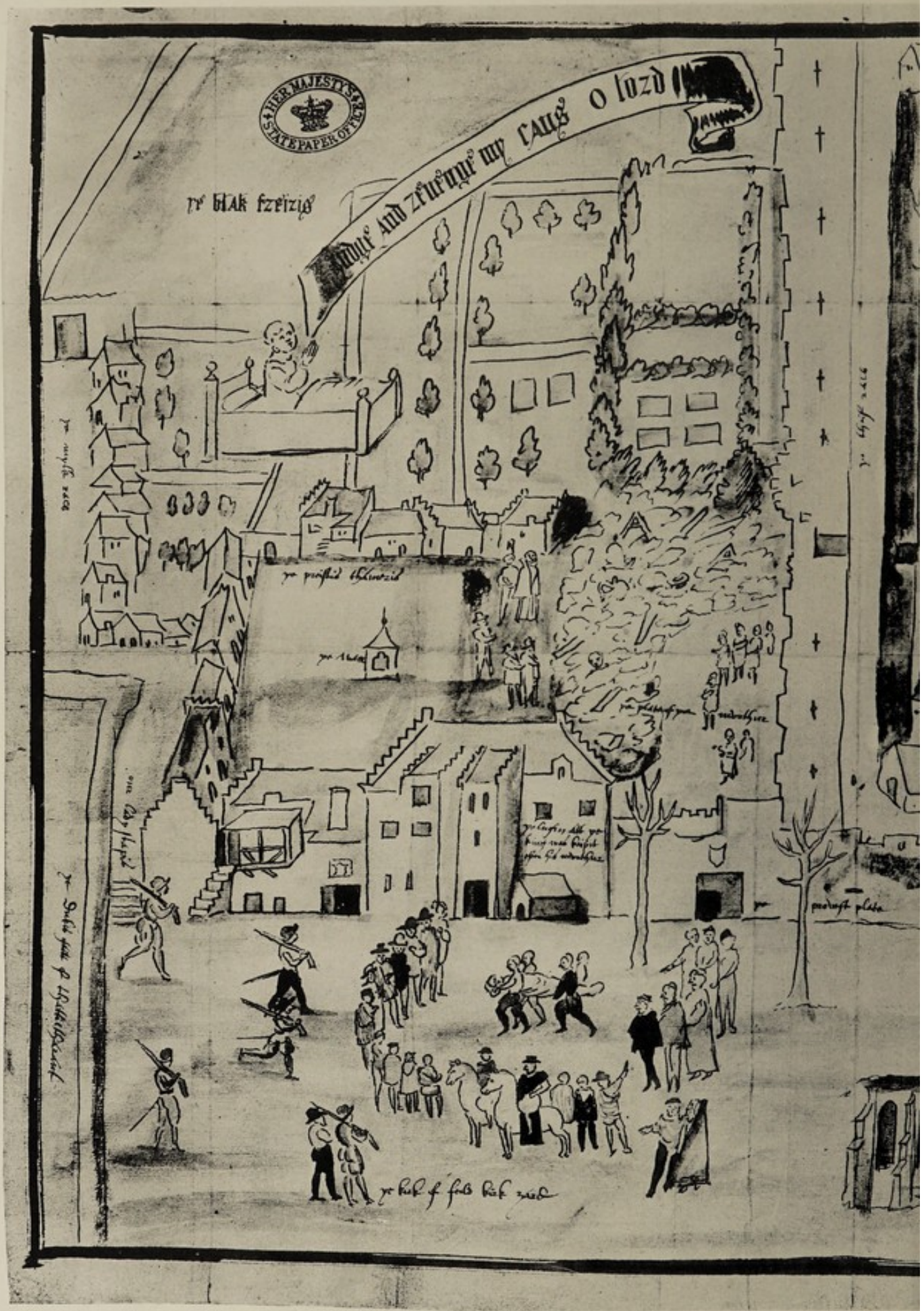
INSIDE VIEW, OF THE CHAPEL ROYAL, OF HOLYROODHOUSE: FROM THE WEST.

This view indicates clearly the absence of Vegetation in the Neighbourhood of the Royal Vault.

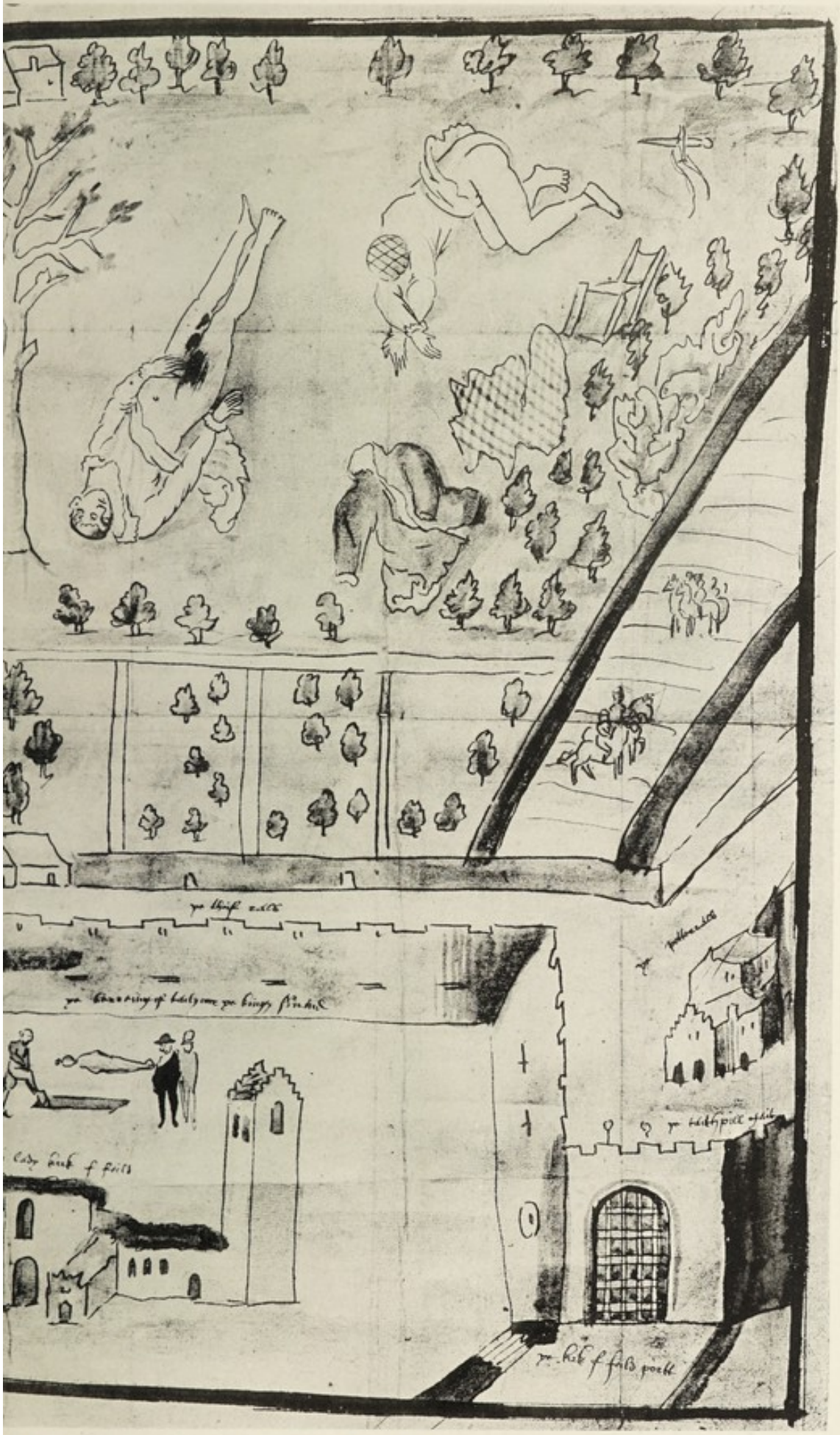
The Confederate Lords' Banner, June 15, 1567, from the original Sketch in the Record Office, 18″ × 12″.
Endorsed "The manner of ye Lords' Banner" in contemporary handwriting.



From a Copy of a Banner or Placard in the Record Office, showing Mary, Queen of Scots, as a Siren, and Bothwell as a hare running away. Prepared after Carberry Hill.



Plan of the Scene of Darnley's Murder, February 9 (P 10), 1566/7



the Record Office. Size of Original: 20″ × 15″.

Plan of the Scene of Darnley's Murder. Attempted Reconstruction of Record Office Drawing to show s

accordance with Plans of Edinburgh, and the known position of the Flodden Wall.

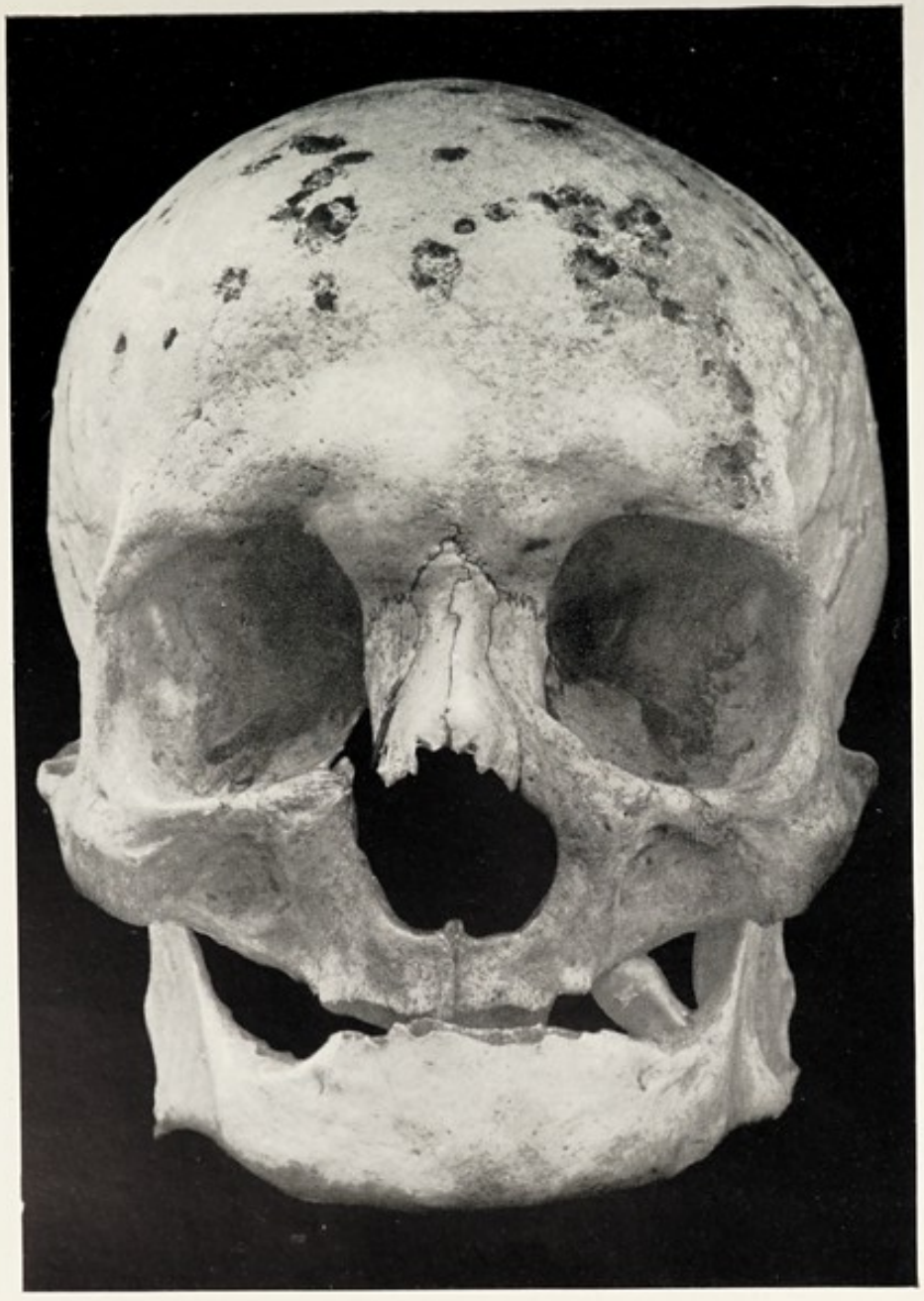
Skull showing the effects of the Root-action of Vegetation. From the Collection of the Royal College of Surgeons. By kind permission of Sir Arthur Keith.

Advanced stage, four years from onset of Syphilitic Disease of cranial bones. From a paper by Gregory and Karpas, *Journal of Nervous and Mental Disease,* Vol. 40, p. 656, 1913.

Case of incipient syphilitic attack on the parietal bone. Berber skull in the Musée Broca, Paris.

Syphilitic Skull, No. 1006·1. Royal College of Surgeons' Museum.
Norma lateralis.

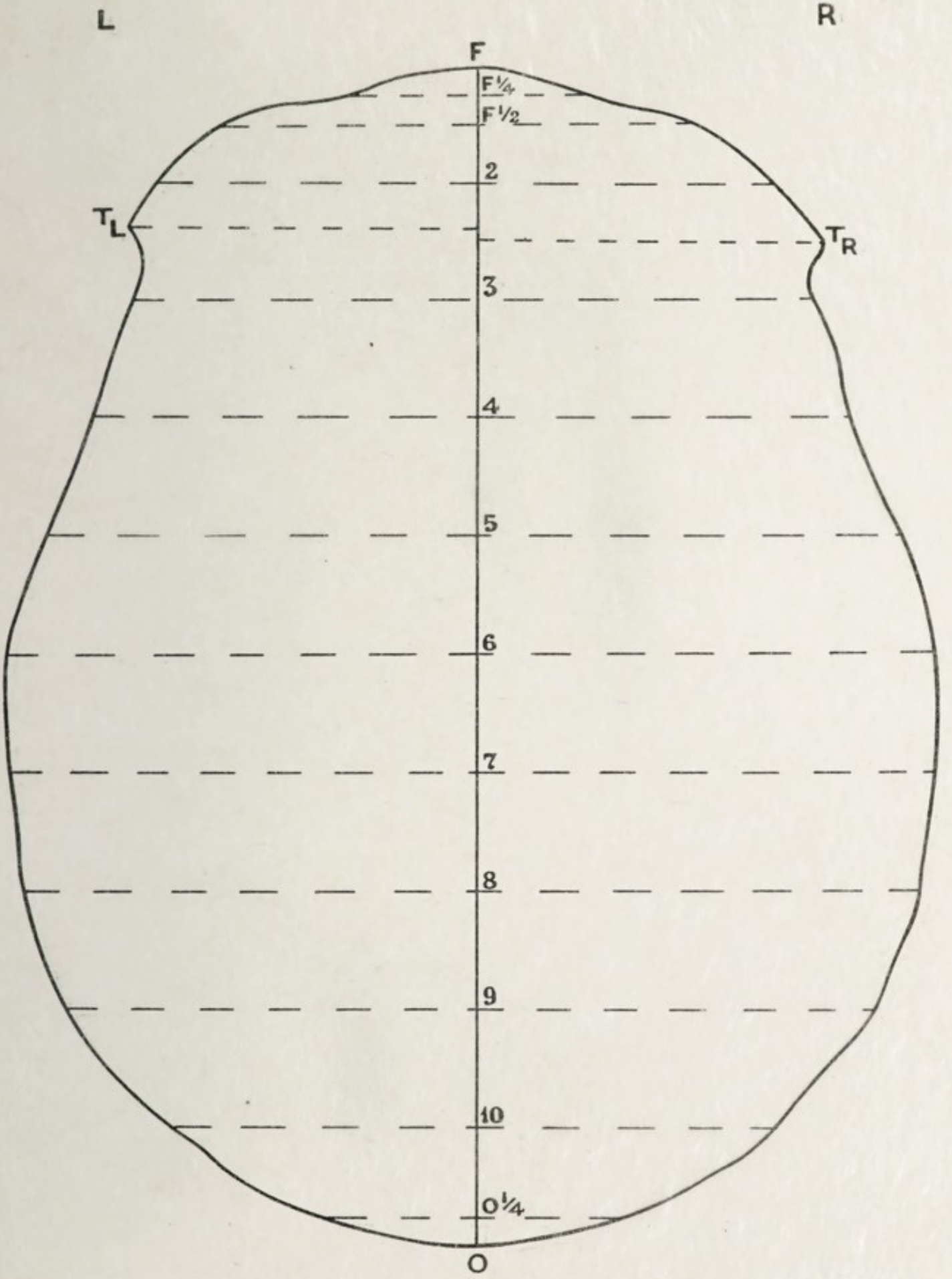
Syphilitic Skull, No. 1006·1. Royal College of Surgeons' Museum.
Norma verticalis.



Syphilitic Skull, No. 1006·1. Royal College of Surgeons' Museum.
Norma facialis.

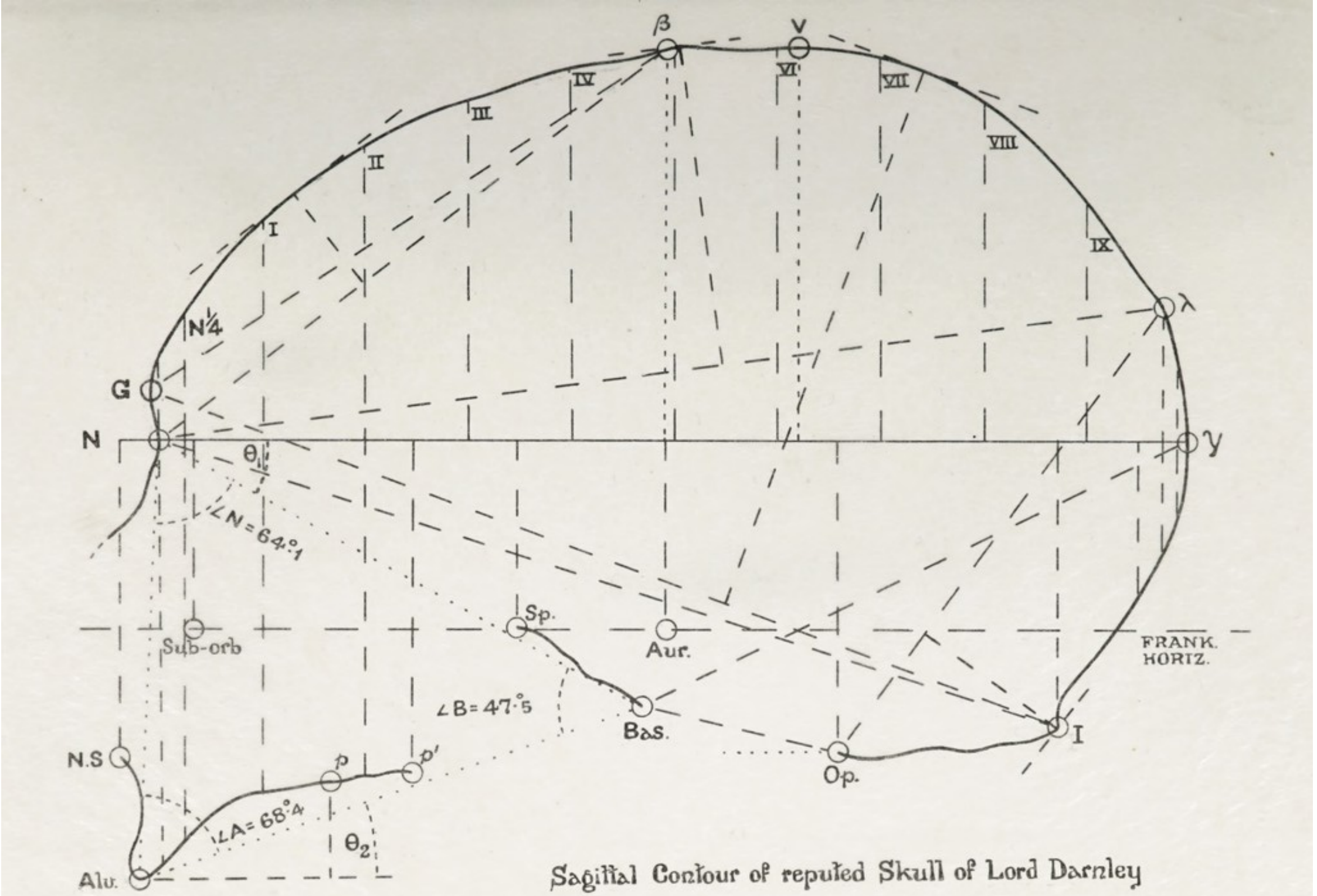
Egyptian Skull from El Amra, considered by Morgan to be syphilitic.

Syphilitic Skull, less advanced than No. 1006·1, also in the Royal College of Surgeons' Museum.
Norma lateralis and *Norma verticalis.*

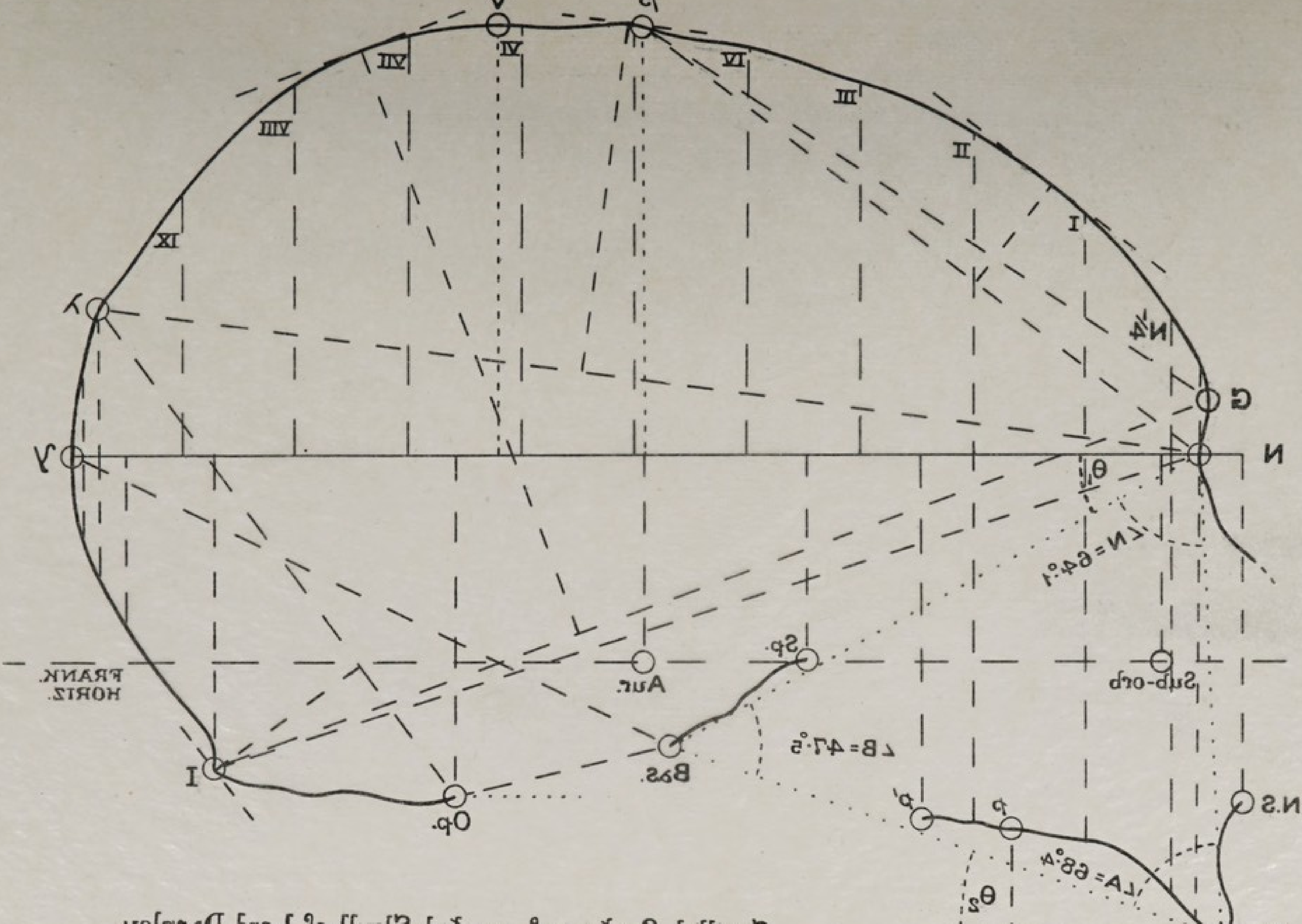


Horizontal Contour of reputed Skull of Lord Darnley

Horizontal Contour of replaced Skull of Lord Darnley



Sagittal Contour of reputed Skull of Lord Darnley



Sagittal Contour of reputed Skull of Lord Darnley

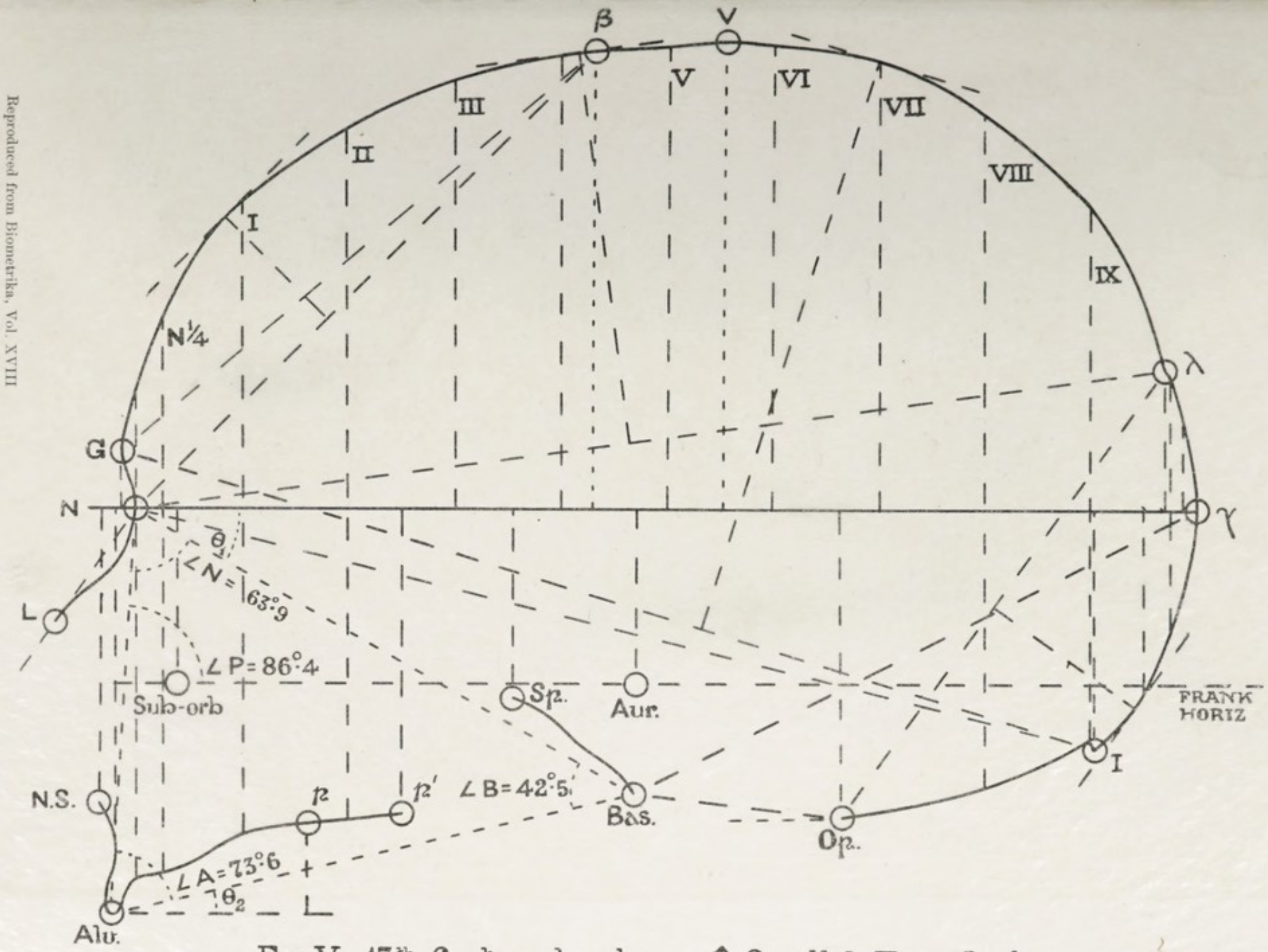


FIG. V 17th Century Londoners ♂ Sagittal Type Contour.

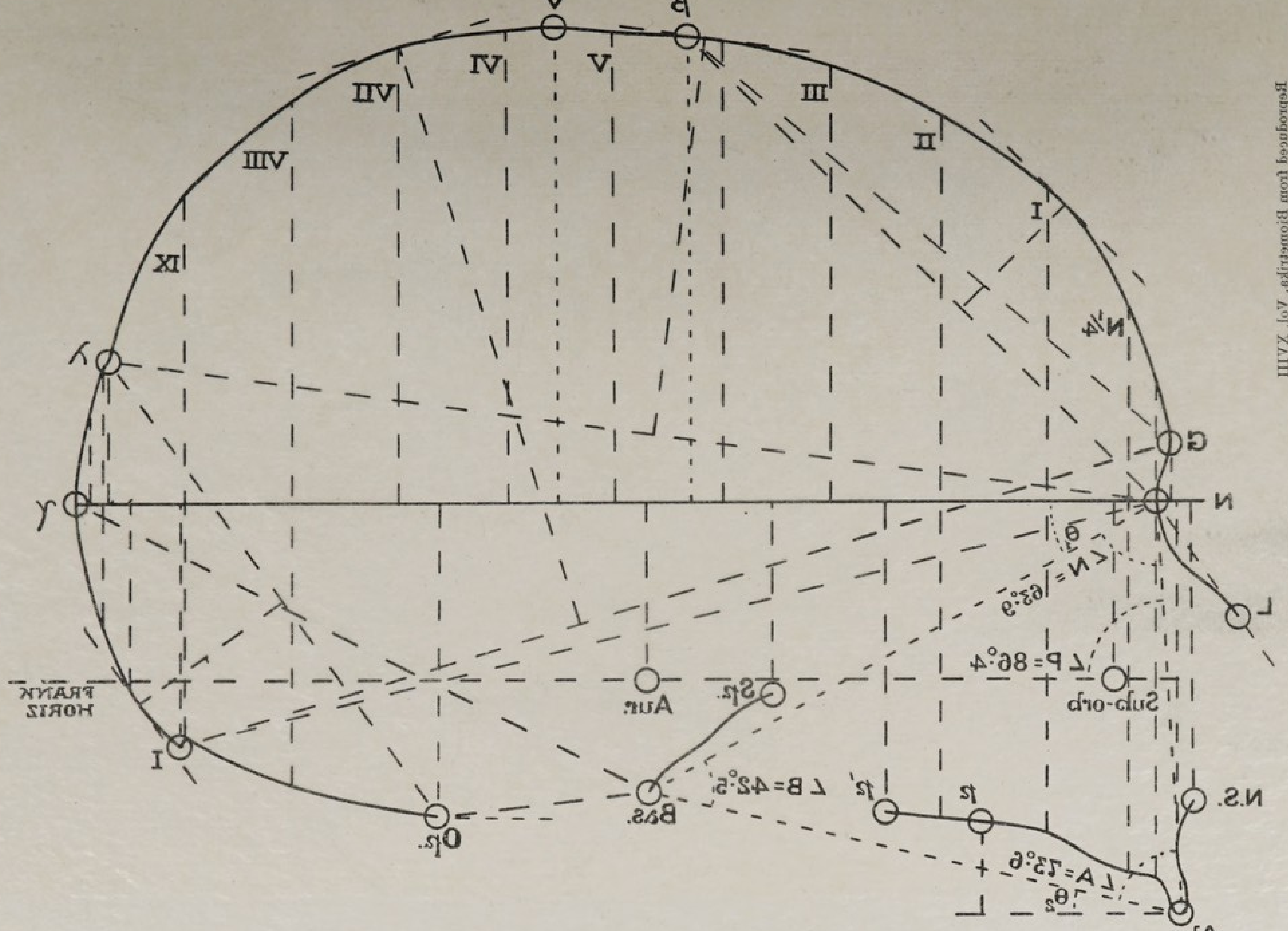


Fig. V 17th Century Londoners ♂ Sagittal Type Contour.

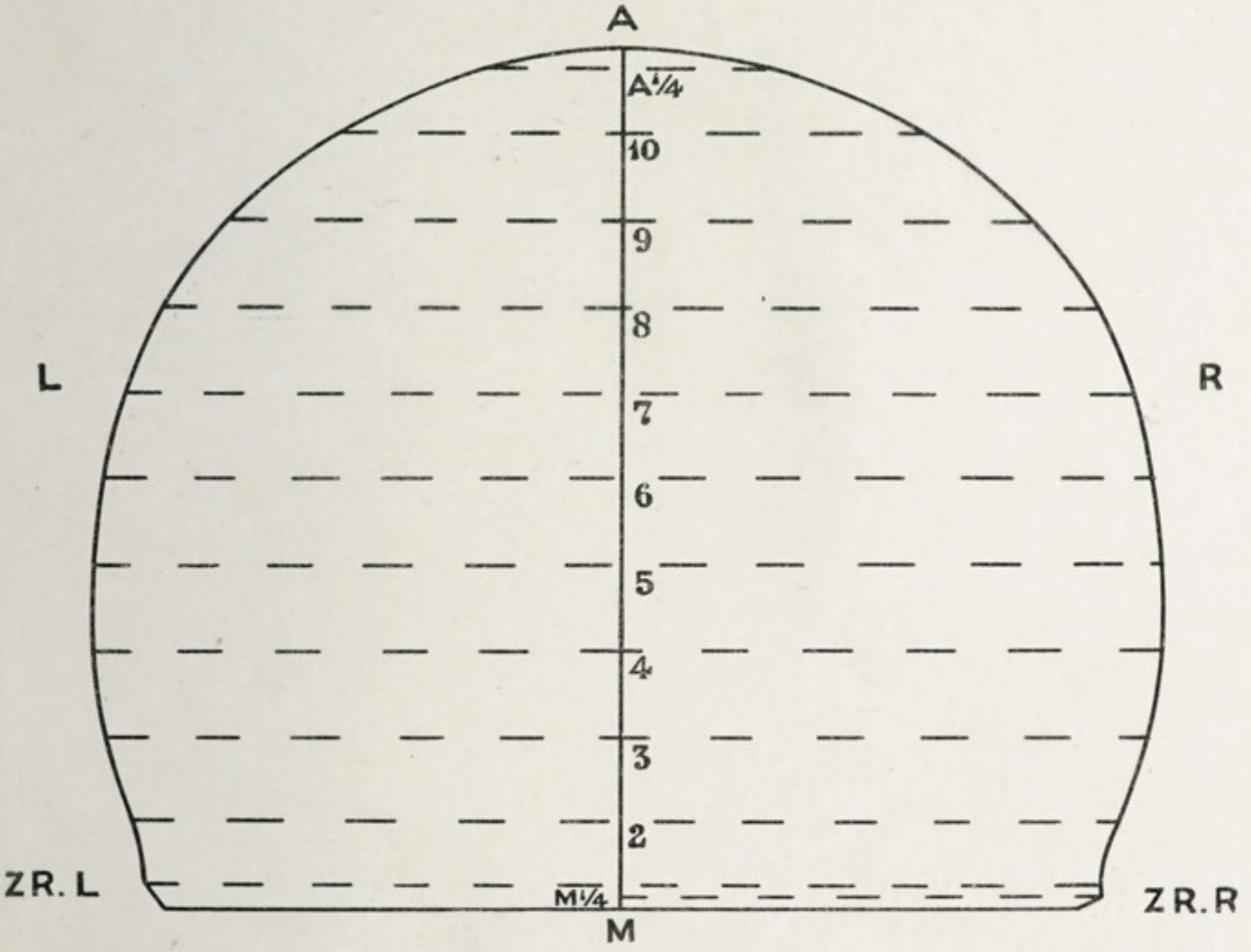


Fig.I 17th Century Londoners ♂ Transverse Type Contour.

Reproduced from Biometrika, Vol. XVIII

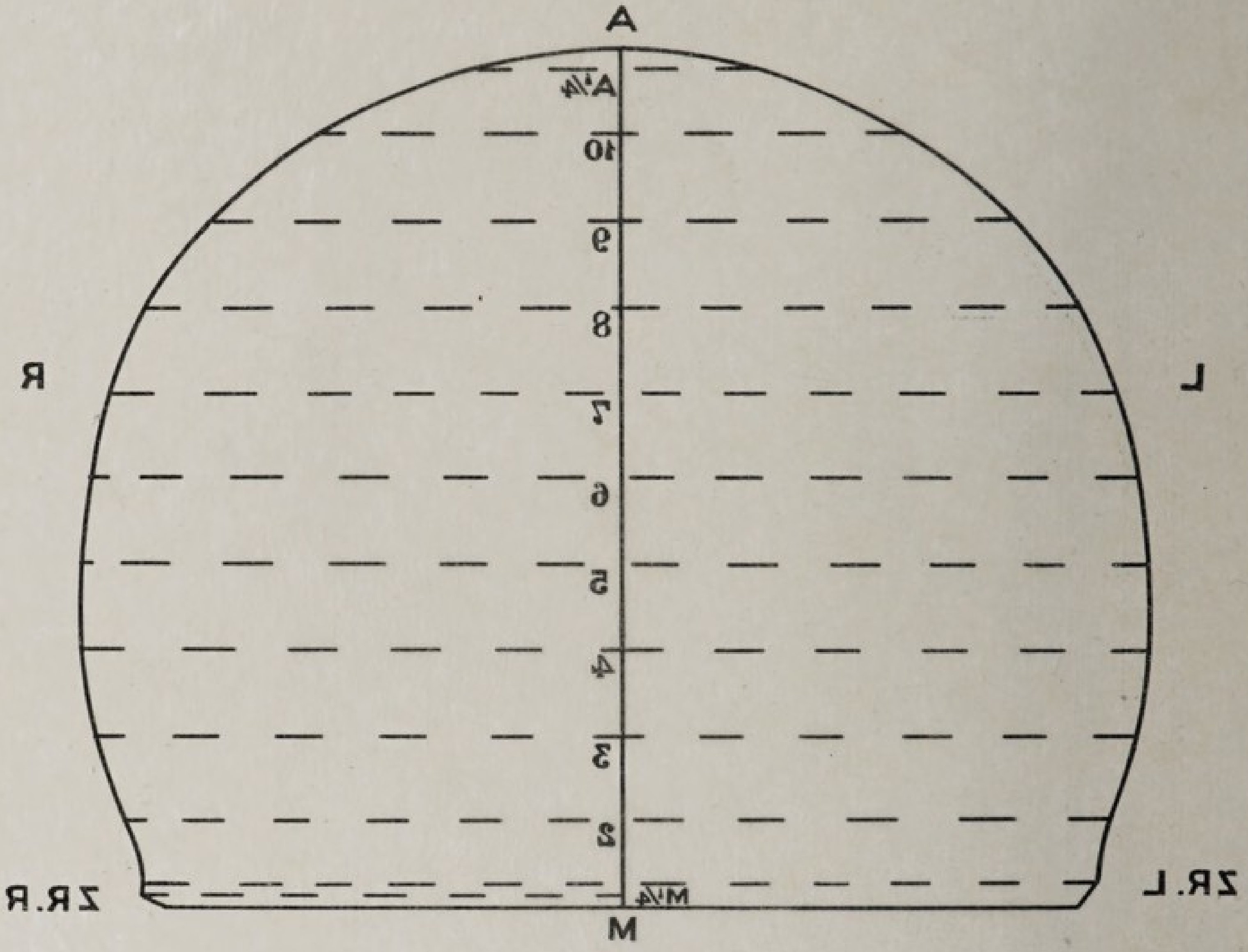


Fig. I 17th Century Londoners ♂ Transverse Type Contour.

Reproduced from Biometrika, Vol. XVIII

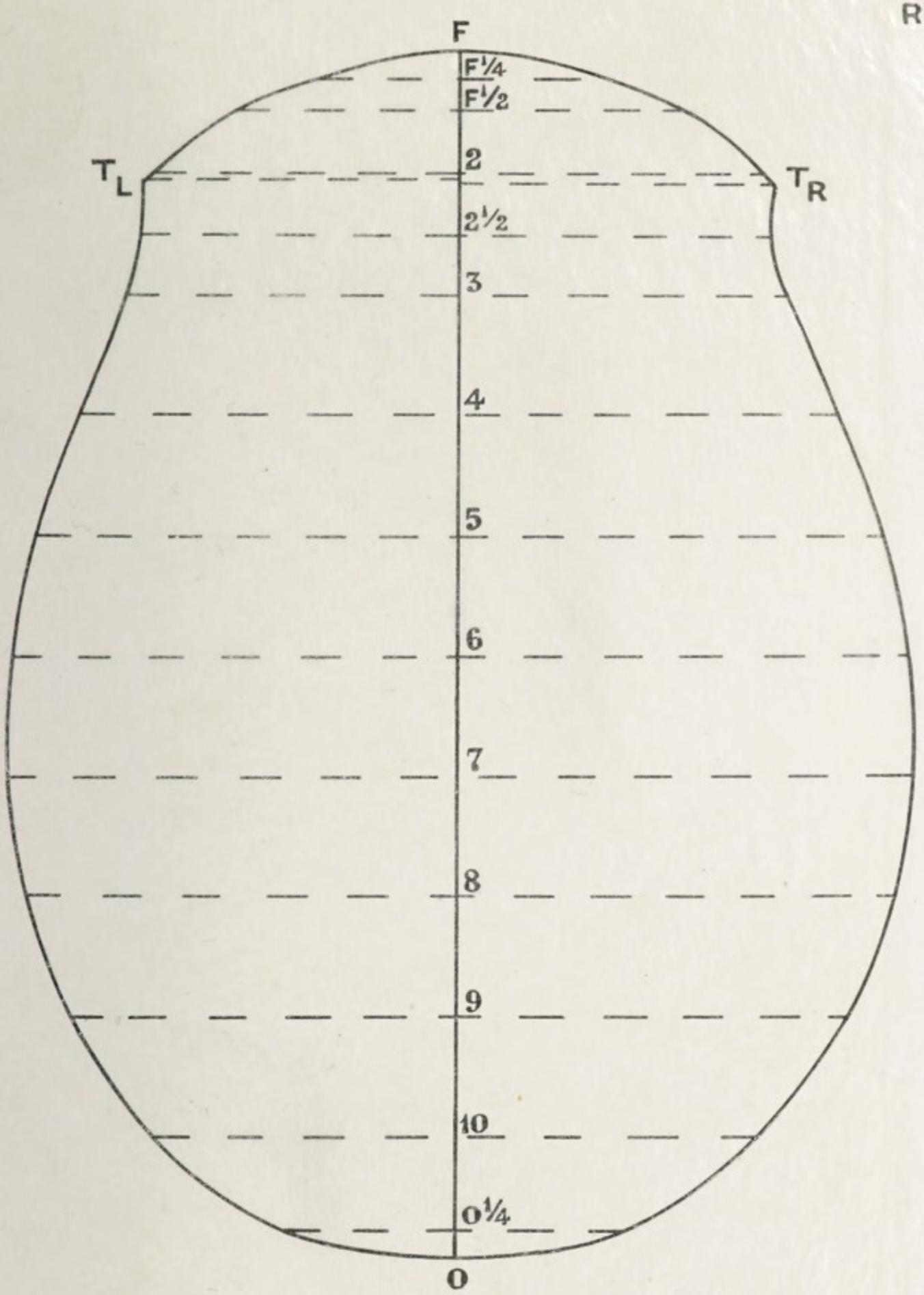
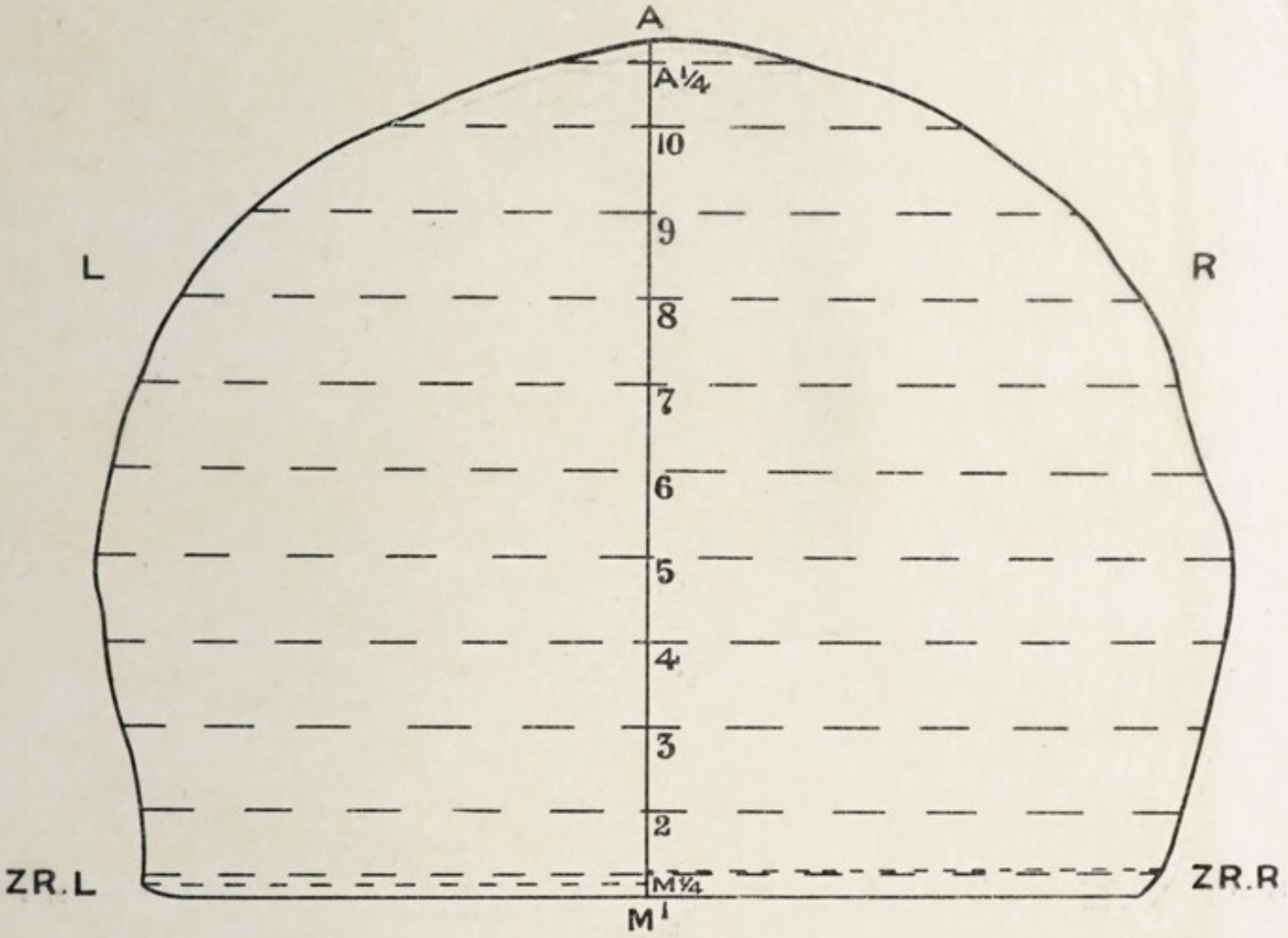


FIG. III 17th Century Londoners ♂ Horizontal Type Contour

Reproduced from Biometrika, Vol. XVIII

Fig. III 12th Century Loradoners δ Horizontal Type Contour:

Reproduced from Biometrika, Vol. XVIII



Transverse Contour of reputed Skull of Lord Darnley.

Transverse Contour of reputed Skull of Lord Darnley.