XXI. *Two Letters; one from Pope Pius the Fourth to Mary Queen of Scots to assist by her Prelates at the Council of Trent; the other from Sir Benjamin Tichborne to King James the First, concerning the staying of the Execution of the Lords Cobham and Gray, and Sir Griffin Markham: Communicated by THOMAS AMYOT, Esq. F. R. S. Treasurer; in a Letter to HENRY ELLIS, Esq. Secretary.*

Read 6th May, 1824.

James-street, Westminster, May 6, 1824.

MY DEAR SIR,

THROUGH the favour of Mr. Bennett, of Norwich, who lately permitted me to exhibit a curious Instrument under the Seal of Mary Queen of Scots, I now inclose to you two other historical Documents, which you will be good enough to lay before the Society, if you should consider them to be of sufficient interest.

One of them is a Letter of Invitation from Pope Pius the Fourth to Mary, to assist in the Council of Trent, by sending her Prelates to join in the Holy Synod with those who had been delegated by the other Sovereign Powers. This Letter, written in a peculiarly neat hand, and countersigned "Ant. Florebellus Lavellinus," is dated the 6th of March, 1561, or rather 1562, according to our present mode of computation, being about six months after Mary's arrival in Scotland and her assumption of the Government in her own person. I do not find that this Invitation has been noticed by Melvil, Buchanan, Dr. Robertson, or Mr. Chalmers, nor has it even been referred to by Father Paul Sarpi, the popular Historian of this celebrated Council, though he has related that a similar request was made to Queen Elizabeth. But in the work of his antagonist Pallavicino, I have found mention not only of the

Summons to Mary, but of a Letter which she addressed in reply to the Council, excusing herself from a compliance with it, on the ground of the impossibility of her sending any of her Bishops to the Council, and promising on her own part perpetual obedience to the Apostolical See.^a

On this occasion, Mary's Uncle, the Cardinal of Loraine, by whom her Letter was communicated to the Council, is said by Pallavicino to have pronounced a "magnificent" extempore Oration on the dignity, piety, and exemplary virtues of his royal niece, lamenting in the strongest terms the impediments which her affection for the Church had to encounter from the rapid progress of heresy in Scotland. The Queen's Answer and the Cardinal's *elegant* Oration (as it is there called) are also noticed in an Italian MS History of the Council of Trent by Antonio Milledone, Secretary to the Council of Ten, which I have found in the Royal Library at Buckingham House, it having formerly belonged to the celebrated Collection of Consul Smith, purchased by his late Majesty.^b It seems probable that Mary, who, notwithstanding her sincere attachment to the ancient faith, was then governing Scotland with a Protestant Administration, did not think it prudent to disclose to her Ministers, and much less to publish to her reforming subjects, the correspondence she had engaged in with Rome and its Councils.^c

The other Document which I inclose belongs to our English History, and at a later period. It is a Letter from Sir Benjamin Tichborne, Sheriff of Hants, to King James the First, dated Winchester Castle the 9th December 1603, acknowledging the Warrant for staying the execution of the Lords Cobham and Gray, and Sir Griffin Markham, and

^a Istoria del Concilio di Trenti, lib. xx. c. 16

^b P. 88.

^c Mary's zeal for the Roman Catholic Religion, and her desire to see it re-established in Scotland, are sufficiently apparent in three autograph Letters addressed by her in 1564, 1565, and 1568, the former, written in French, to Pius the Fourth, and the two latter in Latin, to Pius the Fifth, the originals of which are preserved at Rome in the Barberini Library. I have been favoured with the perusal of transcripts of these Documents, which I hope will be given to the public in Mr. Ellis's second series of *Original Letters illustrative of English History*.

referring to the special Messenger for an account of his performance of the royal Instructions. This Letter derives its interest, not from its contents, which are of a formal official tenor, but from the remarkable circumstance to which it relates. It appears by a Letter from Secretary Cecil to Sir Ralph Winwood,^d that after the execution of these three prisoners and their associates had been ordered by the King in Council, the Warrant of Reprieve was written by James himself, in his own hand, "to the which," says Cecil, "upon my credit and reputation he made no soul living privy, the messenger excepted." That Messenger, a Gentleman of the King's Bedchamber, named Gibb or "Gebe," as he is called in the Letter before us, nearly failed in his mission from untoward accidents. He had been first called back by the King, who remembered that he had omitted to add his signature to the Warrant, and afterwards, on Gibb's arrival at Winchester at the place of execution, he was for some time prevented by the crowd from getting near enough to the scaffold to speak to the Sheriff, so that Sir Griffin Markham, who had been already led out for execution, had nearly lost his head. These facts are related by Sir Dudley Carleton, in a long and lively letter printed among Lord Hardwicke's Miscellaneous State Papers, in which the scene that followed on the scaffold is represented with much dramatic effect.^e Each of the three prisoners in turn was suffered to address his supposed dying speech to the assembled multitude, and after two of them had been remanded by the Sheriff on various pretences, they were all brought, as Sir Dudley says, "together on the stage again, as use is at the end of a play," and the Sheriff then explained the mercy which was extended to them. "There was," says this writer, "no need to beg a *plaudite* of the audience, for it was given with such hues and cries that it went from the Castle into the town, and there began afresh."

It is almost needless to add that the royal contriver of this odd exhi-

^d Winwood's Memorials, vol. ii. p. 10.

^e Miscellaneous State Papers from 1501 to 1726, vol. i. p. 387.

bition must have been supremely delighted with the successful performance of it.

Yours, my dear Sir,

most sincerely,

THOMAS AMYOT.

TO HENRY ELLIS, Esq. &c. &c. &c.

Nº. I.

Pope Pius the Fourth to Mary Queen of Scots.

Pivs, P. P. III^s.

Charissima in Christo filia nostra, salutem et apostolicam benedictionem. Credimus ad Serenitatem tuam allatum esse, nos de venerabilium fratrum nostrorum Sanctæ Romanæ Ecclesiæ Cardinalium consilio et assensu indixisse Concilium Œcumenicum et Generale in Civitatem Tridentinam, die sacratissimo resurrectionis dominicæ, Deo favente, aperiendum. Quo remedio supernâ adjuvante gratiâ, speramus Ecclesiam Catholicam in commodiorem statum redactum iri. Sicut etiam cognosces ex literarum exemplo, per quas illud indiximus: quod Ser^{ti} tuæ a venerabili fratre Laurentio Episcopo Firmano, Nuncio nostro, tradi, una cum his literis mandavimus. Nunc quod reliquos Reges ac Principes Christianos hortati sumus; idem hortamur Serenitatem tuam, ut sicut Catholicam Reginam decet, tum curare velis ut Prælati regni tui ad Concilium conveniant, tum ipsa Oratores mittas tuo nomine Concilio interfuturos; qui una cum cæterorum Principum, et Regum Oratoribus, ut mos est, sacræ Synodo assistant; quemadmodum pro tuo in Catholicam fidem studio te facturam esse confidimus. Dat. Romæ apud Sanctum Petrum sub annulo Piscatoris die vi. Martii, M.D.LXI. Pontificatus nostri anno secundo.

ANT. FLOREBELLUS LAVELLINUS.

N^o. II.*Sir Benjamin Tichborne to King James the First.*

Most gracious Sovereigne,

It maye please your Highnes to bee enformed that this present daye, beinge the nynthe of this instante December, I receyved of Mr. John Gebe, one of your Maties bedchamber, under your Maties owne hande, a moste mercyfull warrante to mee directed for the staye of the execution of the Lorde Cobham, Lord Graye, and Sir Griffyn Markham, and to carrye them backe agayne to the place from whence theye came, untill your Highnes pleasure bee farther knowne. Soe, moste gracious Sovereigne, I have, accordinge to your Maties comandement, and accordinge to the instruction of your saide servante Mr. Gebe, performed the contentes thereof, as hee can more att large enforme your Matie. And so daylie prayinge for your Matie, your noble Queene, and all your Royall issue, with all reverente dutye I leave your Matie to the protection and saffe keepinge of the Almightye.

Your Mat^s moste loyall

and dutifull subjecte,

BENJ. TICHBORNE.

Winchester Castle,
the Nynthe of December, 1603.

To my moste gracious Sovereigne the
Kinges moste excellent Matie.