

you cannot be endangered by any evidence that may be given against those who proposed it? If, 'not all are guilty,' you are among the innocent in the Lord Secretary's estimation."

Tichbourne sighed. As his own release began to seem possible, his heart grew heavy for his friend. To know that the full extent of Babington's plot was the subject of common rumour, left little room for hope concerning him. He strove, however, to conceal his anxiety, and to participate in the hopes of Agnes; but, as day after day passed on, his spirit wasted beneath it in the inaction of his prison; while the energy of Lady Agnes was sustained by her unceasing efforts to obtain his liberation. At length the Queen, wearied by her eloquent pleadings, refused to admit her to her presence, but still her resolution did not fail. Though her cheek grew pale and her smile unfrequent, during the wearisome days that preceded his trial, she cheered her husband by her counsel, and sustained him by her fortitude.

The trial of Tichbourne was among the last; and as, during the examination of the other prisoners, no evidence appeared against him, and as Babington earnestly avowed that his friend had refused to participate in his design against the Queen's life, strong hopes were entertained that his fate might differ from that of all who had been tried before him. The judges had been moved with deep compassion as they pronounced the terrible sentence upon one after another of the noble youths convicted before them, and they seemed anxious, if possible, to acquit any one against whom the evidence might be less strong.

"I see not, my Lords," said one of the Commissioners, after the little testimony against Tichbourne had been examined, "I see not that the prisoner is guilty of treason. That he is the friend of the leader of this conspiracy, and has been seen in the company of some of his associates, furnishes, at most, only a presumption, not a proof, against him. Nor does the fact that he accompanied Babington's flight, though it might well excite unfavourable suspicions, prove, in the absence of other corroborative evidence, that he shared his purposes.—Many a man has sought to serve a guilty friend. As to the circumstance on which such emphasis has been laid, the list of names in Babington's letter to the Lady Stuart, I confess it weighs little with me. The question was forced, why not the answer also?"

Lord Walsingham instantly arose. "That question," he said, "is one that nearly touches my honour. In my public capacity, I freely

own, that concern for my sovereign's safety hath made me very diligent in searching out, by every expedient, all designs against her person or authority. For attaining this end, I would not only use the assistance of any conspirator, but I would reward him for betraying his companions. Nor should I hesitate to avail myself of any fortunate accident or lawful device, that might bring to my hands the means of discovering the *truth* in such a matter. But if I have ever tampered with any one, in any matter unbefitting my character and office, why have none of the late criminals—why have none at any time accused me of such practices? I trust that my character renders needless any further exculpation of myself from the suspicion of so base a crime as the forging of evidence.*

"I should owe an apology to my Lord Secretary," answered the first speaker, "had I intended any such insinuation against his honour as he has supposed. Never did I imagine that a forgery had been perpetrated under his authority; but it does seem to me very probable, that those who have been employed in deciphering intercepted letters, and in interpolating ensnaring questions, might be tempted to contrive an answer to them, such as they imagined likely to prove satisfactory to their employer; and therefore, I said that this letter had little weight with me. If then, its evidence be set aside, a knowledge of the plot and its concealment seem the utmost proved against the prisoner. Concealment in such a case is doubtless a sin, yet not a crime worthy of death."

"My Lords," replied Lord Walsingham, "loath should I be to bring any one to an unmerited death, but equally unwilling to acquit one actually guilty of so heinous an offence as the sharing in this plot. A picture designed, as the letter accompanying imports, to give the Lady Stuart a personal knowledge of her friends, hath fallen into my hands.† I understand that Babington himself hath here caused to be portrayed the *chief* of the conspirators. Will it please you look on it?"

He uncovered the picture as she spoke, and pointed to the noble form of a young man standing beside Babington, in the centre of the group. All eyes turned at once on Tichbourne; the resemblance was too striking to be mistaken, and all felt the unfavourable inference.—The judge who had before spoken in his favour, however, said,

* See Hume's Sketch of Lord Walsingham's answer to a similar charge at the trial of Mary.
† Fact.