MARTYR IN SCOTLAND
Such were the soldiers whom the Heavenly Captain used to lead into battle. They were true as steel; they even spurred on their torturers whose hands had tired, for they counted relief but a delay in their path to Christ.

Such also was Ogilvie, a martyr in Scotland, at one time my catechumen at Louvain and lately of our Society.

Cornelius a Lapide, S.J., in his commentary on Chapter 50, v. 70, of the Book of Isaias.
After twenty-two years’ absence Father Ogilvie lands in Scotland to begin his sacred mission
MARTYR IN SCOTLAND

The Life and Times of John Ogilvie

by

THOMAS COLLINS

NEW YORK
THE MACMILLAN COMPANY
TO MY MOTHER
CONTENTS

CHAP.                                 PAGE

PREFACE                                ix
I. THE FIERCE BOAR                     1
II. THE FACE OF TRUTH                  9
III. THE BANNER OF OBEDIENCE           41
IV. THE FLOWER AND THE SERPENT         52
V. SO VILE BODIES                      68
VI. THE NEW GRAVE LORDS                94
VII. THERE IS NO KING BUT CAESAR       113
VIII. NO OTHER FAITH                   142
IX. BORN FOR GREATER THINGS            156
X. THE KING’S QUESTIONS                172
XI. PERILOUS STRIVING                  195
XII. CROWN OF PRECIOUS STONES          220
     EPILOGUE                           224

Appendix I

THE APOSTOLIC PROCESS HELD AT GLASGOW AND ROME INTO THE
BEATIFICATION OF THE VENERABLE JOHN OGLIVIE, S.J.

i. Introduction                        231
ii. Proofs of Martyrdom                 233
iii. Concerning Material Martyrdom      234
iv. Concerning Formal Martyrdom         234
v. Concerning the Fame and Signs of Martyrdom 235
vi. List of Witnesses                   236
vii. Evidence of Witnesses              236
viii. Index of Documents                243
ix. Decree of Validity                  245
x. Objections of Reverend Father Promoter-General of the Faith 246
xi. Reply to the Objections of the Promoter-General 251

Appendix II

BEHIND THE SCENES                      264
INDEX                                    266
ILLUSTRATIONS

After twenty-two years' absence Father Ogilvie lands in Scotland to begin his sacred mission

The Protestant Archbishop Spottiswoode reproves Ogilvie for having dared to say Mass in his city

Father Ogilvie leaves Glasgow to go to Edinburgh to be examined by the King's Privy Council

For eight days and nine nights continuously Father Ogilvie endures the torture of 'enforced sleeplessness'

Father Ogilvie is hanged at Glasgow Cross, 10th March 1615

These illustrations are from reliefs by S. Mastrojanni and are reproduced by permission of the Superior-General of the Society of Jesus
PREFACE

It is with deep gratitude that I acknowledge my debt to those who, despite constant demands upon their time, yet found occasion not only to proffer encouragement but to give active assistance in writing this book.

My personal debt to them is in no way cancelled by the reflection that their generosity was stimulated as much by the subject as by the author of the book, for some of them have long been distinguished for their labours in advancing the cause of Blessed John Ogilvie.

I am especially indebted to His Grace, the Most Reverend Donald A. Campbell, D.D., Archbishop of Glasgow, for his unfailing courtesy and for permission to translate and publish the extract from the Beatification Process that forms the Appendix; to the Right Reverend Monsignor James Ward, Vicar-General of the Archdiocese of Glasgow, for his kindly interest at all stages and, more specifically, for his thorough checking of the translation; to the Right Reverend Monsignor William R. Clapperton, D.D., Rector of the Pontifical Scots College, Rome, for obtaining the Latin copy of the Process from Rome.

Father W. E. Brown, M.A., D.D., whose outstanding work on the cause of John Ogilvie is apparent at every stage of the Process, allowed me with his customary generosity to make full use of his translation of the Relatio Incarcerationis and of the material in his own book, John Ogilvie; Dr. Patrick McGlynn, M.A., D.LITT., lightened my labours considerably by his kind permission to use his translation of the earlier Roman and Wurzburg Processes and by checking the translation of his own evidence given at the Glasgow Curia in July 1927.

Father Hubert Chadwick, s.j., Stonyhurst College, was a constant source of inspiration and encouragement and suggested profitable lines of inquiry besides providing me with the hitherto
unpublished letter of Father Huntly to the General of 8th April 1614.

Father James Brodrick, s.j., Mount Street, London, greatly simplified the writing of Chapter X by his cordial permission to make use of extracts from the letters of Cardinal Bellarmine contained in his book, *Blessed Robert Bellarmine*.

Others to whom I am indebted are Mr. John Durkan, m.a., for permission to use some details from his article in *Claves Regni* on the careers of Fathers Hugh Semple, s.j., and John Campbell, o.f.m.cap.; Mr. Anthony Hepburn of the Mitchell Library, Glasgow, for his active interest and help; Mr. James McKeon of the Catholic Truth Society; Mr. John Frieze.

None of these, of course, is responsible for any of the opinions I express.

In the narrative I have used the system of dating then prevalent in Scotland, so that the date of Father Ogilvie's execution is given as 28th February, although it would be 10th March (New Style). The Beatification Process gives all dates New Style.

Although the Beatification Process is given as an Appendix it is really an integral part of the book for in it there are argued at a high level many of the controversial issues which I have left untouched in the narrative.

*14th November 1954.*

T. C.
NOTE ON SOURCES

This book makes no claim to erudition, general or specialized, but it has involved considerable reading in both primary and secondary sources.

Books I have found especially helpful are:—

Jean Ogilvie, Ecossais Jésuite, Forbes.
The Histories of Scotland of Tytler, Lang, Hill, Burton and Hume Brown.
Histories of the Church of Scotland by Calderwood, Grub, Row and Spottiswoode.
History of the Catholic Church in Scotland, Bellesheim.
Dictionary of National Biography.
Scots Peerage, Paul.
Register of the Privy Council of Scotland.
Glasgow Protocols, ed. Renwick.
Publications of the Scottish Clubs, Maitland, Bannatyne, Spalding, etc.
Ancient Criminal Trials, Pitcairn.
Collectanea, Oliver.
History of Glasgow, Renwick and Eyre Todd.
European Civilisation, Its Origin and Development, Eyre.
Blessed Robert Bellarmine, Brodrick.
Plea Tending to Mitigation, Persons.
Rome and the Counter-Reformation in England, Hughes.
The English Martyrs, ed. Dom Bede Camm.
The Enigma of James II, M. V. Hay.
I

THE FIERCE BOAR

Your Paternity knows well how great has been my care and trouble during these last years and how much I have undergone for the sake of this my country which the fierce boar of heresy has almost completely destroyed.

Letter of Father Patrick Anderson, S.J., to the Very Reverend
Father Vitelleschi, S.J., 14th May 1620.

The murder of his mother might be considered a circumstance peculiarly trying to even the most phlegmatic of men.

That pliant instrument, the conscience of James VI of Scotland, was strong against the deed. His mother, Mary Stuart, had already been dead a month when James received official news of her execution; his appetite was seriously affected and even his taste for sociability, for he retired temporarily to the solitary atmosphere of Dalkeith to brood upon the matter.

The momentary weakness passed, however, and the shape of the Great Design loomed once more before him in all its alluring splendour. The inconvenient Catholicity of his mother had long interposed a barrier between him and his cousin of England. Now Mary, head and trunk neatly and decently stitched together, lay in Fotheringay awaiting the final indignity of sepulture in the Cathedral of Peterborough and nothing remained except an embarrassing memory to disturb the course of that friendship, with the glorious prize that it entailed—the Throne of England.

The pupil of George Buchanan was not to be deflected from his course by the untoward happenings at Fotheringay and sober reflection had cooled his brief vexation. It was in this mood of chastened meditation that the Scottish Solomon addressed his much traduced cousin of England:

Madame and dearest Sister,

Whereas by your letter and bearer, Robert Carey, ye purge yourself of yon unhappy fact as on the one part considering your rank and sex, consanguinity and long professed goodwill
to the defunct, together with your many and solemn attestations of your innocence, I dare not wrong you so far as not to judge honourably of your unspotted part therein so, on the other side, I wish that your honourable behaviour in all times hereafter may fully persuade the whole world of the same. And, as for my part, I look that ye will give me full satisfaction in all respects as shall be a means to strengthen and unite this isle, establish and maintain the true religion and oblige me to be, as of before I was, your most loving . . .

With a lack of diplomatic finesse that must have grated unbearably on the ears of his royal auditor, Lord Claud Hamilton offered to raise 3,000 men for the invasion of England and the seizure of Newcastle; the Lord Admiral of Scotland would have no mourning vestments but affirmed, with a thump of his mailed fist upon his breast, that the best mourning weed for such a time was a mailed coat.

This chivalric and readily comprehensible attitude found no echo in the royal heart, for James, apart from an understandable desire of dying in his bed, and thus achieving an ambition infrequent in the annals of his house, was altogether obsessed with the vision splendid. To give this vision the living hues of reality was the mainspring of his policy; it was a passion proof against the grossest of insults, let alone the murder of his lovely, stormy but unknown mother.

The affair, however, had left its mark on him. A modern would possibly describe it as having set up a guilt complex but an older tradition would recognize in him a case of chronic bad conscience. It is certain, at any rate, that for long many Catholics believed that the son of Mary Stuart would never bear hardly on the adherents of a religion for which his mother might fairly be said to have perished.

This belief was to be harshly falsified in the event but temporarily, at least, there was amongst the Catholics of Scotland a burgeoning of hope to temper the wrath that had been aroused by the solemn butchery at Fotheringay; God, it was believed, might turn the death of the Queen to the account of his persecuted faithful.
In 1596, nine years after the execution, Monseigneur Malvasia, papal agent in Brussels, wrote to Cardinal Secretary Aldobrandini:

The easiest way, therefore, to attain our end will be by conciliation and conducting matters with judgment and tact. And herein we shall be greatly assisted by the good disposition of the King towards the Catholics which is manifested by many signs. The King could, in truth, hardly be otherwise than ill-disposed towards the heretics of England considering that to the ministers there was really due the imprisonment of his mother against the pledged word of the English Queen and, ultimately, the death she suffered with unshaken constancy to her religion.

As it turned out Monseigneur Malvasia was no more adept at reading the secrets of the royal bosom than those Catholics a few years later who confessed their lack of psychological insight by falling back upon the more direct expedient of blowing up James and his Parliament.

Since 1560 Scotland had been one of the main pivots of the Reformation and from a position of comparative obscurity this small nation of half a million people had come into the first rank for a rare combination of circumstances had thrust it into the very heart of the vortex that threatened to engulf the ancient barque of Peter.

The pace of events was considerably quickened by the arrival in Scotland, on a drear and fog-enshrouded August day of 1561, of Mary Stuart, young and supremely attractive Queen of Scotland and Queen Dowager of France. 'The verray face of Heaven', exclaimed Knox with characteristic vehemence, 'did manifestlie speak what comfort was brought unto this cuntrey with her, to wit, sorrow, dolour, darkness and all impietie.'

Born in the purple and trained in the regal usages of the court of France, she had both a carriage and a quality of mind in conformity with her birth but she had also another birthright, fraught with great hopes and great peril, for she was in the eyes of many the Queen of England.

That a usurper temporarily occupied her English throne was in the view of large numbers of European men a deplorable
circumstance detracting in no way, however, from the unassailable claim of Mary of Scotland for, even if the precepts of Canon Law against what they believed to be the adulterous union of Henry VIII and Anne Boleyn had lost their force with the Protestant minority of Europe, it was only with difficulty that even the most liberally minded could overlook the irregularity of the marriage of a man to the sister of his mistress.

It required, therefore, no great straining of the imagination to estimate the importance of Mary Stuart in the European situation of the time, and Elizabeth with a well sharpened faculty for looking after her own interests, had no illusions about the threat offered by her bewitching cousin. Not only was she threatened in her own person but the danger menaced also the men of the new dispensation and the stability of that Church of which she was the highly sceptical governor. In the end it was this happy conjunction of allies that was to save Elizabeth but not without great suffering and barbarous cruelty to many.

The Catholic leaders of Europe also correctly estimated the position of Mary Stuart, although in the end their fatal weakness of purpose and internal division were to deliver her to her death.

Even before her arrival in Scotland the snares had been set about her feet and Scottish treason, fostered by the painfully relinquished gold of the English Queen and her predecessors, had taken deep root in the country. In 1560 the Government of Scotland was virtually in the hands of the ‘Lords of the Congregation of Jesus Christ’, a godly band formed on 3rd December 1557 to resist Satan ‘even unto death’. Assisting them in this laudable enterprise was John Knox, ever ready and eager to settle the religious and political problems of the nation with his Urim and Thummim of private and highly privileged divine guidance. The part played by Knox was considerable but greatly subordinate to that of the Protestant nobility who were later to receive an important accession of strength by the adherence to their cause of the Queen’s half-brother, the Earl of Moray.

Neither Knox nor Congregation, however, could have proceeded far with their designs without the help of an even more august ally, the Queen of England, whose forces had been
decisive in ensuring the Protestant triumph at Leith. Long before, when Mary was a child, some of the Scottish nobility had, in their zeal for the Gospel, pledged themselves to the betrayal of their country and only the political astuteness and patriotism of Cardinal Beaton and the indomitable courage of the Regent, Mary of Guise, had interposed a barrier between them and their purpose.

The year before, the Regent had died, lonely and defeated, her hopes irreparably shattered by the English batteries of Lord Grey de Wilton and Vice-Admiral Winter; Cardinal Beaton had been slain years before and his dead body had been grotesquely exposed on the walls of the Castle of St. Andrews, a circumstance vastly appealing to the humour of the great Reformer.

Now, with a young and inexperienced Queen on the Scottish throne, the Congregation had merely to play their hand with reasonable skill to consummate the religious revolution for which they had so pertinaciously laboured.

In many ways the pre-Reformation Church had greatly simplified their task. The doctrine of capacities is one of some subtlety and it is natural for the simple-minded to confuse the man with the office. The commendatory system whereby ecclesiastical benefices were in the gift of lay persons had led in Scotland to the intrusion into the Church of many royal and noble bastards, some lay and some clerical, but too many unfit for the duties incumbent on them. With the reins of discipline thus loosened numbers of bona fide clergy became lax in their conduct so as to give rise to much criticism from even Catholic sources.

It was tempting, if illogical, to argue that if the graces so abundantly bestowed upon the priest were insufficient to protect him from avarice and carnality, then the priesthood itself had no supernatural merit and the Institution that conferred it was not divine, as it claimed, but a ‘thing made by hands’.

It is true that the wild polemics of Knox were generously interlarded with fiction and there is good evidence to show that fair numbers of the Scottish clergy had kept themselves unspotted from the prevailing contamination. The priest is, however, by the character of his profession highly vulnerable to attack for he is obliged to counsel a way of perfection that his own fallen nature
might permit him only fitfully to follow and the disparity between his admonitions to sanctity and his failure to follow his own counsel leaves him open to the charge of hypocrisy from those who misconceive the essential nature of the priesthood.

So that, when even a minority showed the breach between theory and practice displayed by some of the Scottish clergy, criticism was bound to be both virulent and widespread. The ‘rascal multitude’ is never prone to theological subtlety, and their iconoclastic frenzies, apart altogether from the material benefits that accrued, become the more understandable when one reads the words of the brave, pious and learned Catholic priest and schoolmaster, Ninian Winzet. In phrases of lovely cadence and terrible import he addresses the Scottish clergy:

Were ye commanded by God by the mouths of his prophets and apostles to watch attentively and continually upon your flock and know diligently the same by face? Or gave the princes of the earth to you yearly rents (as the disciples in the beginning sold their lands and gave the price thereof to the apostles) to the end that every one of you might spend the same upon his dame Delilah and base-born brats? And albeit chance oft to the infirmity of man that he fall on sleep when he should chiefly watch and be given to pastime when he should most diligently labour; but, yet, O merciful God, what deadly sleep is this that has oppressed you that in so great uproar, tumult and terrible clamour ye waken not forth of your dream? And in so great danger of death ye have no regard of your own lives or others?

Awake, awake, we say and put to your hands stoutly to save Peter’s ship; for he neither sleeps nor slumbers who beholds all your doings and sees your thoughts but shall require the blood out of your hands of the smallest one that shall perish through your negligence.

But the acceptable time had gone and the initiative had passed to the Lords of the Congregation between whom and their exalted purpose lay only the regal authority of a young Queen. It is no part of this narrative to relate the story of Mary Stuart except where it bears directly on the Catholic situation in Scotland. It suffices to say that when Kircaldy of Grange ordered his
hagbutters to open fire upon the Marian troops at Langside he
decided not only a battle but the religious fate of the nation.

We can see that now in retrospect, but hindsight in history has
been a snare for many an historian and there is a tendency to
fasten upon the events of the past our present knowledge of those
events and to endow the men of former generations with a pre-
science they did not possess.

In spite, therefore, of our present knowledge of the actual
sequence of events it is important to appreciate clearly the quality
of hope that animated the Catholics of England and Scotland even
after the battle of Langside and the later execution of the Queen.
The history of the previous fifty years had demonstrated the
impermanence of religious change. Men alive could still remember
how the brilliant young King of England had won the title of
Fidei Defensor for his defence of the Mass; they could recollect
also his barbarous treatment of More, Fisher and the monks of
the Charterhouse; Edward VI had carried on the religious policy
of his father, but on the succession of Mary a new springtime of
Catholicism seemed to have dawned. Even with Elizabeth the
Catholics had not been without hope that either genuine faith or
political expediency would bind her to the religion she had once
professed.

In Scotland large areas, especially in the north and south-west,
were predominantly Catholic; in the west, a region particularly
accessible to the preachers and the agents of the government, the
new religion, nevertheless, had made spasmodic progress, and
Paisley, only a few miles from Glasgow, was known even late
in the sixteenth century as ‘a nest of papistrie’.

In a period of religious flux it was natural for Catholics to look
upon Protestantism as a temporary heresy which, like so many
others, would flourish, have its day and die. It was this delusory
hope that animated all their efforts to hasten the process and
explains the pathetic eagerness with which they scrutinized the
religious situation in Scotland, and particularly the character,
deeds and words of James VI.

Especially after the commencement of his personal rule it was
a major task of the Counter-Reformation to win the King to the
Catholic side but this shifty object of their aspirations was a past master in the art of deception and not to the very end did it become apparent that their optimism concerning the son of Mary Stuart was the baseless fabric of a vision.

It was in this last phase of bitter disillusionment that John Watson, *soi-disant* horse-dealer, landed from France at the port of Leith.
II

THE FACE OF TRUTH

For truth has such a face and such a mien
As to be loved needs only to be seen.

Dryden, ‘The Hind and the Panther’.

Twenty minutes’ walk from the town of Keith in the shire of Banff there stood in 1579 the substantial residence of Sir Walter Ogilvie of Drum.

His estate of Drumnakeith was in every way worthy of one who knew that religion, like Falstaff’s honour, had ‘no skill in surgery’ and could do little to repair a fortune once broken. His later career was to show that some intimations of a none too secure immortality occasionally broke in upon his otherwise steady devotion to safe and reformed principles, but these disturbing reflections were infrequent and passage of time and increase of fortune helped to banish from his mind any uncomfortable views he might have formed on the short-term policy of gaining the whole world or that portion of it to be engrossed in his own immediate neighbourhood.

He was, thus, apart from occasional deviations, essentially a steady man and his Sovereign was to recognize handsomely this most admirable of virtues in a subject. Sir Walter, no more than other men in those times of civil and religious confusion, was to be blamed for the profusion of skeletons that rattled menacingly from time to time in the family cupboard. Several members of the Ogilvie family were recalcitrant papists and, indeed, were to prove in instances, such as that of Sir John Ogilvie of Craig, to be insolently aggressive in their insistence upon the free exercise of their idolatry. Even the head of the family, Lord Ogilvie of Airlie, under whose roof Walter had spent some part of his youth,
was so little the politque as to prefer the impalpable consolations of popery to the more substantial rewards of conformity.

In his own eminently sane view of affairs Walter had benefited by the sound example of his grandfather, James Ogilvie of Cardell, who had been Comptroller to the Household of Queen Mary. When the religious crisis came James had prudently hitched his wagon to that rising star of Protestantism, the Queen’s illegitimate half-brother, Prior of St. Andrews and, after, Earl of Moray and Regent of Scotland.

One could scarcely live in Banffshire, however, without acquiring some taint from the predominantly Catholic climate of the neighbourhood, and, while firm and uncompromising Protestantism was no doubt the ideal to be realized, Banffshire was some distance from the capital and the new religion had already shown a tendency to decrease in inverse proportion with distance from the centre.

Keith was in the Presbytery of Strathbogie, and that, too, was a significant circumstance to temper the reforming zeal of the ministers, for Strathbogie Castle was the seat of the Earl of Huntly, the Cock of the North, the most powerful potentate in the Highlands and head of a family that had shown itself notably unenthusiastic about the new evangel.

In this year of 1579, it is true, the Cock of the North was a young man of only eighteen years of age then living in France to evade the murderous grasp of the Regent Morton. There was much in the career of the young Earl that might have disposed him to look with jaundiced eye on political and religious fervour and have induced him to seek the easy way of comfortable conformity. He had been born in the year that the dead body of his grandfather ‘stark in its coffin’ had been tried and forfeited for treason; he had seen Moray, the enemy of his house, grow and wax fat on the proceeds of treachery till a musket ball fired from the upper window of a house in Linlithgow had called him to his reckoning. Moray had been a pillar of reform, the paladin of the preachers, though no awkward niceties of conscience had prevented him consenting to the murder of Rizzio and ‘looking through his fingers’ at the murder of Darnley. Avarice, too, did
not seem incompatible with religious fervour, and the ‘Good
Earl’ had, with a noteworthy lack of scruple, added consistently
and substantially to his already considerable possessions of St.
Andrews.

There was a moral for the young Earl in the widely differing
careers of these two men, the politic Moray and the victim of
the macabre sentence who had been his grandfather. This latter
had been in many ways a dubious friend to the ancient faith,
passing swiftly from grandiose plans for the subjection of the
Protestant party to an easy compliance with the Confession of
Faith, but at heart he was Catholic, avid for the spoils of reform
but averse to the religious changes that made them possible. It
was this shiftiness of character that brought Mary’s compliance
to one of the most impolitic acts of her reign, the destruction of
one who was, with all his shortcomings, basically Catholic and
potentially a powerful ally in the struggle that loomed ahead of
her. Mary had made partial amends by restoring the forfeited
estates to his son, who remained her supporter till 1572 when
policy obliged him to desert her.

The young Earl was to display some measure of inconsistency,
also, but his Catholicism, even in periods of apparent conformity
to the established religion, was never far from the surface, a cir-
cumstance greatly vexing to the ministers and wonderfully com-
forting to those wandering priests who found in Strathbogie
Castle a secure stronghold against the persecuting zeal of the
preachers.

These were facts that even stout Protestants in Banffshire were
obliged to recognize and they did much to temper the evangelical
zeal of the ministers and of those commissions for repressing
popery upon one of which Sir Walter Ogilvie was later to serve
with such dilatoriness as to draw down upon him the censures of
the Presbytery.

In 1579, however, the young Laird of Drum was engaged in
more gratifying and rewarding pursuits befitting a young man
of substance and good family; he was increasing his substance and
had made a start on his family for in that year his wife, Lady
Agnes Elphinstone, had given birth to a son. The child was
baptized John, probably by Calvinistic rites, and from that moment till he leaves for the Continent thirteen years later there are no real details of his life.

What, however, is certain is that his family influences were not wholly Protestant for his mother came of a family noted for its popish tendencies, her brother George entering the Society of Jesus just shortly after the birth of his nephew. This uncle was later to accompany him on the journey from Prague to France that was the first stage on the road that was to lead him to his high destiny. Another uncle, William, was to die a saintly death in Naples as a novice of the Society.

Whatever direct influence his mother may have had on him was terminated by her death some time before 1582, when Sir Walter married Lady Mary Douglas, daughter of Sir William Douglas of Lochleven. In his second matrimonial essay Sir Walter seems to have displayed a commendable taste, for his bride was one of seven sisters known as the 'Seven pearls of Lochleven'.

At this point in the story conjecture, not devoid of romantic possibilities, must take the place of fact. The boy was now under the care of a stepmother and there is in such a human situation all the ingredients of high drama. He was the first-born of his father and, therefore, heir to his possessions and it has been suggested tentatively by one of his biographers that an ambitious stepmother might have fastened on any opportunity to clear the way for her own children, and such an opportunity was presented possibly by the wish of Agnes Elphinstone that her child should be brought up a Catholic. Since the Jesuit influence in the Elphinstone family was strong there may have been an understanding that the boy should be encouraged in a priestly vocation which would, of course, completely incapacitate him from succeeding and would have the further merit of rendering this arrangement pleasing to both parties since a Jesuit, by his vow of poverty, would have no need of money or landed estates, whereas the sons of Sir Walter Ogilvie and Lady Mary would be encouraged to take a more sagacious view of their family duties.

As against this view there is the evidence of his Calvinistic upbringing derived from three sources.
In 1596 the celebrated Father William Crichton, s.j., Rector of the Scots College of Douai, then at Louvain, made an entry in the register of the College giving the routine information about a new entrant to the seminary, a young sixteen-year-old Scotsman, John Ogilvie, and describing him as having been received out of Calvinism.

While in Louvain the young boy had come in contact with the celebrated scriptural exegete, Cornelius a Lapide, and had been instructed by him in the Catholic faith, as a Lapide himself informs us.

Finally, there is the evidence of Father Patrick Anderson, s.j., Rector of the Scots College, Rome, in 1615. Father Anderson wrote an account of Ogilvie's trial, based on letters sent to him at Rome, and in the course of his narrative he refers to Ogilvie's early Calvinism and his conversion to the Catholic faith, details that he may have gained from Ogilvie himself while the two were colleagues in the French Province.

Despite this formidable testimony to his Calvinistic upbringing, all the Jesuit historians speak of his Catholic origins, but this conflict of evidence might be more apparent than real and be attributable more to the exigencies of the times than to error on the part of the writers on either side.

Both Sir Walter and Lady Ogilvie might well have been of that numerous party in Scotland who made open profession of Presbyterianism while continuing to practise in secret some, at least, of the rites of the old faith. The Kirk Session, Presbytery and Assembly Records are full of references to such tepid witnesses to the new gospel and even so late as the end of the sixteenth century the minister of Fordyce, not far from Drumnakeith, rarely went into the pulpit without his sword for fear of the papists, though his apprehensions of physical violence appear to have been as groundless as those expressed at the higher level of General Assembly and Parliament, who were always guarding against mostly non-existent plots on the part of the Catholic multitude.

These crypto-Catholics who reluctantly but circumspectly chose to bow in the house of Rimmon had by an eminently
prudential calculation of pro and con decided to take a long view of God's mercy and hazard their salvation on the chance of an expected and repentant death. For such, their own defects of valour, dereliction of duty and long sustained insidelity had to be weighed against the certainty of ruination and exile should they display any contumacious tendencies to listen too closely to the voice of conscience. The prevalence of this secret Catholicism is shown not only in the evidence of sessions, presbyteries, synods, assemblies and parliaments, but in the long prevailing addiction of the common people to those characteristic excesses of idolatry, the use of crucifixes and the frequenting of holy wells.

Other evidence, less in bulk, but perhaps more convincing in quality, is provided by the records of the Scots Colleges abroad where entries, similar to those made by Father Crichton in the case of John Ogilvie, show a steady, if thin, stream of allegedly Calvinist students entering these Catholic seminaries.

Their parents might have been emboldened by long continued apostasy to render themselves irresponsible to the promptings of duty or perhaps they felt that their own personal account with God, unsatisfactory as it might be, was not such as to put them beyond the everlasting mercy. With their children it was otherwise; to abandon these to the hard perversions of Calvinism was, indeed, to assure their material fortunes but to imperil their salvation. Some parents, therefore, undoubtedly tried to effect a compromise between their material duty to their children and what they imagined to be their spiritual necessities and there were many households whose children were secretly nurtured in a distorted Catholicism which, nevertheless, helped to temper Calvinist fanaticism and prepare them for the reception of Catholic doctrines at the hands of those wandering priests whose records of conversions are otherwise difficult to explain.

Modern scholarship has done much to destroy the legend of the English Reformation, but little has been attempted in Scotland to counter the widely held view of the Scottish Reformation as having been pre-eminently an overwhelming triumph of right reason and true religion over base superstition and priestly ignorance and corruption. In the Scottish myth the melodramatic
simplicity of the story is even more starkly outlined, the Catholic villain more thoroughly polluted and debased, the new faith purer and more compelling. In Scotland, too, there is a flesh-and-blood hero to hand in the great Knox, whose persuasive rhetoric, pure doctrine, impassioned sincerity and fearless courage transformed the Scottish nation from a sink of depravity and idolatry into the most austere Protestants and moral nation in Europe.

It is fair to Knox to say that he himself would never have subscribed to this view. Of his own merits, transcendent virtues and prophetic insight he had no doubt, but he died without the happy assurance of these estimable consequences of his preaching.

Scotland, however, did share in the spiritual malaise that affected Europe in the years before the Reformation and there is no doubt that many of the Scottish clergy displayed a degree of carnality, ignorance and avarice sufficiently marked as to incur the strictures of even the orthodox.

In Scotland the system of lay patronage to Church benefices was extremely widespread and, while many of the lay commendators were men of good life and character showing often a zeal for right religion, it remains true that they could be no substitute for pious and learned churchmen in the right ordering of the lives and habits of men in the clerical state. Where they were lacking in religion themselves the consequences were too often deplorable, and contemporary evidence, though derived in part from such patently exaggerated satires as Sir David Lyndsay's Satire of the Thrie Estates and Kiteis Confession, and the hyperbolic accounts of the preachers, is sufficiently conclusive as to leave no doubt that Scotland had special need of the application of the Tridentine decrees.

Men in religion have not by some special dispensation of divine grace been rendered immune from temptation and, indeed, it is partly this consciousness of imperfection and inherent human frailty that leads some to impose upon themselves the extreme rigour and discipline of a monastic order. Of capital importance in the monastic regime is the position of the Superior and the predominant part played by the head of a religious community is too well exemplified in ecclesiastical history to require further
elaboration. Where, as in the case of Crossraguel Abbey in Ayrshire, a great Abbot applied the rule in all its rigour, apostasy amongst the monks was rare.

The secular clergy also needed the curb of discipline to keep them on the path to which their high vocation had led them and, unfortunately for the Catholic Church, the Hierarchy was not only neglectful of this elementary duty but itself often scandalous of life.

It is greatly to the credit of the Primate, Archbishop Hamilton, that he tried to repair this condition of affairs and from 1549 called a series of provincial councils in order to reform the Scottish Church in life and discipline and to bring into force the decrees of the Council of Trent. It was, indeed, this belated attempt at reform that helped greatly to accelerate the pace of the Reformation, for clergymen were required by these regulations to conform to the celibate life and some had been too depraved by the dubious delights of concubinage to accede easily to the old discipline now restated. A generation earlier the Church would have been able to enforce her decrees with all the sanctions of ecclesiastical law but now the recalcitrant clergy could shelter under the powerful ægis of the Congregation.

The case against the Catholic Church immediately prior to the Reformation has been lengthily expatiated on by numerous historians and it is certain that all that can be said to her discredit has been fully set out and, with it, much that is fanciful and prejudiced. Most fresh evidence, and it is slowly forthcoming, shows that the picture painted by the historians of the triumphant party has been greatly overdrawn and that the pre-Reformation Church, while undeniably fallen from its high ideals, was far from being the sink of corruption and ignorance that we have been led to believe.

Apart from the piety and learning of individuals such as Abbot Reid of Kinloss, Ninian Winzet, Quintin Kennedy, Abbot of Crossraguel, and others, the fact that the Church continued successfully to carry the burden of education, to alleviate the suffering of the sick and the poor, indicates eloquently the existence of a body of able and conscientious priests whose merits have been
obscured by the more interesting frailties of their colleagues. Indeed, when the crisis of the Reformation came it was found exceedingly difficult to carry on the work of education which had been for centuries the exclusive task of the Church; and the degraded condition of Scottish education for generations after the Reformation leaves no doubt that not the least of the destructive works of the Scottish Reformation was the extinction of that system of education which had for centuries nurtured a not inconsiderable Scottish culture.

Indeed, such intellectual strength as the Protestant Church possessed was derived from those apostate priests, like Knox, who had been educated under the old discipline.

*   *   *

In August 1560 there met the Scottish Convention of Estates which, in one comprehensive act, proscribed the Catholic faith in Scotland and in another set up the new Presbyterian establishment. The whole weight of government influence and resources was thrown into the work of godly reformation and it is important in assessing the achievements of John Ogilvie and the other Counter-Reformation priests to appreciate something of the methods by which the new evangel was propagated in a country not so wholly enamoured of it as one is often led to believe.

It is clear in the first Act of the Scottish Convention of 1560 that the legislators did not have so easy an assurance of the persuasive power of the new creed as to permit the leaven to work unaided and, in this and subsequent acts of the next half-century, there is clear evidence of the existence of a Catholic body sufficiently numerous to induce a high degree of nervousness in the Government and Kirk; this initial Act is of great interest in indicating the measure of coercion felt necessary to the establishment of Protestantism in Scotland.

The first section of the Act deals with the Pope and the Hierarchy, and with a brief but comprehensive sweep brings to an end one thousand years of Scottish history:

The 24th day of the said month of August the three estates then being present, understanding that the jurisdiction and
authority of the Bishop of Rome called the Pope used within this realm in the times byepast has been very hurtful and prejudicial to our sovereign's authority and common weal of this realm

therefore has statute and ordained that the Bishop of Rome has no jurisdiction or authority within this realm in times coming, and that none of our said sovereign's subjects of this realm suit or desire in any time hereafter title or right by the said Bishop of Rome or his sect to anything within this realm under the pain of barratry that is to say proscription, banishment and never to brook honour, office nor dignity within this realm

And the contraveners thereof to be called before the justice or his depute or before the lords of session and punished therefor conformably to the laws of this realm

And the furnishers of them with finance or money and purchasers of their title or right or maintainers or defenders of them shall incur the same pains,

And that no bishop nor other prelate of this realm use any jurisdiction in times to come by the said Bishop of Rome's authority under the pain aforesaid.

Having dealt expeditiously with the Pope and the Hierarchy, the Convention now proceed to administer a rebuke to several generations of Scottish monarchs:

The which day forasmuch as there has been divers and sundry acts of Parliament made in King James the first, second, third, fourth and fifth's times, Kings of Scotland for the time, and also in Our Sovereign Lady's time, not agreeing with God's holy word; and by them divers persons took occasion of maintenance of idolatory and superstition in the Kirk of God and repressing of such persons as were professors of the said word wherethrough divers innocents did suffer

for eschewing of such in time coming the three estates of Parliament have annulled and declared all such acts made in times byepast, not agreeing with God's word and now contrary to the confession of our faith according to the said word published in this Parliament, to be of none avail, force nor effect. . . .
In the next section the legislators, warming up to their task, abandon the coldly legalistic tenor of their proceedings and wander off into an interesting theological excursus in which they specify with relish those aspects of idolatry which they particularly wished to extirpate:

The which day forasmuch as Almighty God by his true and blessed word has declared the reverence and honour which should be given to him and by his son Jesus Christ has declared the true use of the sacraments willing the same to be used according to his will and word by the which it is notorious and perfectly known that the sacrament of baptism and of the body and blood of Jesus Christ has been in all times byepast corrupted by the papistical Kirk by their usurped ministers and presently notwithstanding the reformation already made according to God's word yet none the less there is some of the same Pope's kirk that stubbornly persevere in their wicked idolatry, saying Mass and baptising conformably to the Pope's Kirk profaning therethrough the sacrament foresaid in quiet and secret places regarding therethrough neither God nor his holy word.

Therefore it is statute and ordained in this present Parliament that no manner of person or persons in any times coming administer any of the sacraments foresaid secretly or in any other manner of way but they are admitted and having power to that effect.

And that no manner of person nor persons say Mass nor yet hear Mass nor be present thereat under pain of confiscation of all their goods, moveable and immoveable, and the punishing of their bodies at the discretion of the magistrate within whose jurisdiction such persons happen to be apprehended for the first fault; banishing of the realm for the second fault; and justifying to the death for the third fault.

Fortified by this formidable weapon the junta now set about the destruction of the Catholic faith in Scotland. At the same time inducements more positive than the extirpation of heresy were provided for the aristocratic professors of the word, and even for more humble witnesses, by the Act of May 1561, ordering the demolition of those abbey churches and cloisters
remaining after the previous missionary efforts of the Earl of Hertford and the late godly excesses of the rascal multitude. The minor zealots had to make do with a few trinkets such as vessels, bells, vestments and lead roofs, but more distinguished evangelists secured themselves in a less immediately showy but more enduring way, by taking possession of the glebe lands of the Church.

With the return of Mary in August 1561, more moderate counsels seemed for a while to prevail with some of the leading Protestant nobles and some went to the extreme, indeed, of rendering her the obedience and respect of subjects. Campbell of Kinzeanacleugh, a fervent reformer always on the alert against misguided sentiments of pity, cast doubts even on the zeal of Lord Ochiltree, who was to attain four years later to the dignity of father-in-law of the great Reformer.

‘You are come’, said Campbell to him, ‘and almost last of all and I perceive you are yet warm; but when the holy water of the court is sprinkled upon you, you will become temperate like the rest. I have been here five days and at first I heard every man say “Hang the priest”, but after they have been twice or thrice at the abbey all their fervency is past. I think there is some enchantment whereby men are bewitched.’

Such tepidity was certainly not to the liking of Knox, who about this time preached a famous sermon in which he said that one Mass was more fearful to him than the landing of ten thousand armed enemies. About this time, too, he had his first interview with Mary and made it clear that nothing less than the complete destruction of the Catholic religion, down even to her own private devotions, would satisfy him.

He affirmed that kings should be, according to God’s command, nursing fathers of the Church, and queens, nursing mothers. Mary, with a dogged devotion to logic unlooked for in her sex, and very frustrating to the more liberal dialectical methods of the reformer, answered:

‘Yes, but ye are not of the Church which I will nourish. I will defend the Church of Rome for I think it is the true Church of God.’
This trivial and captious objection was brushed aside with the assertion that the Roman harlot was not the true and immaculate spouse of Christ.

The Queen, pointing out with deceptive humility that the Pope and cardinals interpreted scripture in one way and the reformers in another, demanded: 'Whom shall I believe and who shall be judge?'

Knox was to be asked this question by others such as Quintin Kennedy and Ninian Winzet who were temerarious enough to doubt the validity of his credentials as the medium of true religion in Scotland, but on this occasion he was permitted to dispose of the matter with a neat evasiveness that his masculine opponents were not inclined to allow him.

'Ye shall believe God that speaketh plainly in his word; and farther than the word teaches you ye shall neither believe one nor the other.'

In a letter addressed to Knox on 23rd March 1562, Ninian Winzet, who had been unsuccessfully trying to bring him to public debate, put much the same point as that of the Queen in words of greater pungency:

Since [he writes] we read that none should take the honour of the ministration of God's word and sacraments on him except he be lawfully called thereto either by God immediately or by men having power to promote him in that office and since we read of none called by God only except such as show their power given to them by Him or in signs and wonders: therefore, if you, John Knox, be called immediately by God where are your marvels wrought by the Holy Spirit? For the marvels of overturning realms by ungodly sedition and discord we number not to be of His gifts.

But if you be called by men you must show them to have lawful power thereto as the Apostles ordained St. Paul and Barnabas, albeit chosen by God before, and they such like others in the fourteenth of the Acts; and as St. Paul ordained Timothy and Titus giving them power and command to ordain others; wherein appears the lawful ordination of ministers. Your lawful ordination by one of these two ways we desire you to show since you renounce and esteem that ordination
null or rather wicked by which sometimes you were called Sir John.

These controversial niceties and others were finally summed up by Winzet in a publication, *The Last Blast of the Trumpet of God's Word against the usurped authority of John Knox and his Calvinian brethren*. But Knox had already suffered enough from this logic-chopping priest and he now made a reply of singular cogency by having the printing office broken open, the printer seized and imprisoned and all remaining copies of the sacrilege taken away. Winzet himself escaped seizure only by resolute coolness, walking out of the office unconcernedly at the exact moment that the magistrates' officers entered. But he could take a hint and he wasted no time embarking on a vessel that lay at that moment off the coast awaiting the arrival of the Papal nuncio, Nicholas de Gouda of the Society of Jesus.

This ecclesiastic had been despatched to Scotland by Pope Pius IV to give the sorely harassed young Queen some concrete proof of his affection towards her. The nuncio arrived at Leith on 19th June 1562 and left less than two months later, and from his pen we have a description of singular interest as to the state of affairs in Scotland two years after the reformers had seized power. The report was drawn up for the information of the General of the Society of Jesus, Father James Laynez, and from the Catholic point of view it is an extremely gloomy document showing, in Edinburgh at least, a triumphant Protestantism and a humiliated and persecuted Catholicism.

He describes, first of all, the shifts to which he was put in order to have his audience with the Queen, for he was in Edinburgh a full month before the interview could take place since the preachers had got word of his coming and Mary's advisers were somewhat deterred by sermons such as that of Knox in which the Pope was described as anti-Christ and the nuncio, logically enough, as an emissary of the devil sent by Baal and Beelzebub himself.

Mary, at last, decided to take the risk of meeting this formidable visitant and on 24th July the Queen received the nuncio at Holyrood Palace while the Protestant members of the Court were
at Church. In circumstances of such humiliation for the representative of the Holy See, de Gouda delivered his message and received, amongst much discouraging information, the reassuring news that, with regard to Mary herself, 'she would rather far die than abandon the faith'.

De Gouda showed himself keenly sensitive to the pathos of the young Queen's position.

What [he asks] can this young princess effect, brought up amid the splendour and luxury of the French court, scarcely twenty years old and destitute of all human support and counsel. Her very confessor abandoned her just before I came away, and returned to France with some of her Catholic attendants leaving her alone among heretics whom, notwithstanding, she continues to resist and counteract to the best of her power.

He continues with a description of the miserable state to which the Catholic Church had been reduced and refers feelingly to the work of the rascal multitude:

The monasteries are nearly all in ruins, some completely destroyed; churches, altars, sanctuaries are overthrown and profaned. The images of Christ and of the saints broken and lying in the dust.

Some of his severest strictures are passed on the preachers, who, he says, are mostly apostate monks or laymen of low rank and quite unlearned, 'being cloggers, shoemakers, tanners or the like'. He notes the extremely negative content of their sermons, which consist mostly of denunciation of Catholic doctrine, such as the supremacy of the Pope, the sacrifice of the Mass, the use of images and the invocation of saints.

As an example of their success in seducing the clergy he cites two instances which he himself witnessed that he considered of an exceptionally shocking character. In one case three priests close to where he lodged publicly abjured the Catholic faith and in the other a Protestant superintendent of seventy years of age, a former monk and doctor of theology, was openly married. 'This', he drily observes, 'was done to enforce practically as he had often
done verbally their doctrine of the unlawfulness of the vow of chastity which they are perpetually proclaiming from the pulpit.

Next follows a shrewd analysis of the means by which the Protestant lords maintained power against the known inclinations of the Queen and a great number of her Catholic subjects:

The men in power acknowledge the Queen’s title but prevent her exercising any of the rights of sovereignty; whenever her opinion does not agree with theirs they oppose her at once. Not only so but they deceive her as well and frighten her with threats of an English invasion, especially when she is meditating steps in support of her faith, reminding her that the English did really invade Scotland three years ago at the time when her mother of pious memory tried to shake off her heretical tyrants with the aid of the French.

De Gouda’s report is, on the whole, a fair commentary on the situation as we know it from other sources; the isolation of the Queen, the implacable hostility of the ministers to her and to her religion, the pusillanimity of the Catholic prelates with the exception of the Bishop of Dunblane, the power of the revolutionary junta, the malign persecution of the still numerous but politically weak Catholics.

Of these latter de Gouda says:

A large number of the common people are still Catholics but they are so trampled in the dust by the tyranny of their opponents that they can only sigh and groan awaiting the deliverance of Israel. Yet they continue to hope for freedom encouraged by their Sovereign’s firmness in the Catholic faith and zeal for religion.

Perhaps the most interesting revelation is his description of the political methods whereby the Queen was menaced into submission to the wishes of her Protestant advisers. The threat of English invasion was not to be taken lightly for during the previous twenty years the reformed cause had grown and triumphed through generous financial and military aid from the ancient enemy. Till the death of Elizabeth and the Union of the
Crownins 1603 this certainty of English intervention in the event of a Catholic revival was the most potent force in establishing the Gospel in Scotland.

The nuncio’s report, so far as his personal experience went, was based on a region contiguous to the capital and there was a very large area, therefore, that he could know of only by hearsay. On the ship that took him back to Antwerp the nuncio had a chance to hear something of a Scotland more zealous in the old faith than an Edinburgh constantly under the watchful eyes of Knox and the ‘gaunt and hungry nobles of Scotland’, for there travelled with him five young men of good family who were on their way to the Continent to prepare themselves for the priesthood. Their names were James Tyrie, William Crichton, John Hay, Robert Abercromby and William Murdoch, and all these were later to enter his own Society of Jesus and all were to play a distinguished part in the work of the Counter-Reformation in Scotland.

Wherever distance, inaccessibility, powerful aristocratic influence and a faithful priesthood existed in the country the new doctrines made slow headway and, particularly in the Highlands, where most of these favourable factors were often present, it was to be many years before the preachers made any impression on the hard crust of superstition which has, indeed, persisted in some parts of darkest Scotland into our own day.

The nuncio’s report does not shirk mentioning the important influence of religion in bringing about the Reformation in Scotland, and in this he shows himself somewhat clearer minded as to its origins than those writers who would ascribe its success as almost entirely due to social, political or economic causes. Such an attitude is an understandable, if unscientific, reaction to generations of Presbyterian history which envisaged the Reformation as a sudden blinding revelation from on high vouchsafed to the Scottish nation.

As early as 1525, that is only eight years after Luther had nailed his world-shaking theses to the door of the Collegiate Church of Wittenberg, the Scottish Parliament had felt itself obliged to pass an act forbidding the importation of Lutheran books into the
kingdom and the further propagation in Scotland of the doctrines of the German reformers.

The burning of Patrick Hamilton, three years after this, undoubtedly helped to hallow the new doctrines in the eyes of some and to give substance to Knox's claim that 'the reek of Maister Patrick Hamilton infected all that it blew upon'. Subsequent executions of Protestant victims such as Wishart and Myln took place at a time when the Protestant cause was so inextricably bound up with the English as to render a Catholic government, not unreasonably, to equate Protestantism with treason, and Wishart himself, probably groundlessly, was suspected as an agent of the English party that was later to plot the murder of Cardinal Beaton. At any rate, if he were not of their counsels he was of their company.

That there was, however, a good deal of genuine, spontaneous and sincere Protestantism in Scotland before 1560 is unquestionable, particularly in the east-coast towns which kept up a steady traffic with Germany and the Baltic. It is exceedingly difficult to analyse the complex elements that go to the formation of a religious belief, but it would seem unlikely in the nature of things that any great numbers of the Scottish Protestants who went over to the new religion in 1560 had arrived at their religious views as a result of mature reflection or profound reasoning. Indeed, when the Presbyterian polity was in full swing and the Elect had come into their own, many of the converts understood for the first time the purport of the new evangel, for it needed in many cases the sharp admonitions and severe punishments of kirk sessions to enforce on large numbers the full rigours of the Genevan creed.

Unless one postulates a miracle of divine providence, working through such dubious vessels as the Lords of the Congregation, there can be no doubt that most of the common people who gave their adhesion to the new religion were little moved by considerations of reason or any close intimacy with the theological issues involved. Many reacted violently against clerical misbehaviour and in their ignorance, not wholly culpable, of Catholic teaching welcomed the new doctrines not so much for the positive
religion they contained as that they had earned the disapproval of a clergy whom they had come to distrust. The 'credulous multitude' of de Gouda's report were often willing converts to Protestantism, drawn to it by the negative emotion of anticlericalism and stimulated also by the attraction of the forbidden. For centuries the Catholic Church in Scotland, as elsewhere, had maintained a rigid system of faith and practice which allowed of no deviation, although within this closed credal and moral order there was plenty of room for speculation and intellectual activity. Though there were certain beliefs that were literally sacrosanct there was no difficulty for an educated Catholic in accepting Catholic dogmas once he had accepted the original premisses upon which they rested, the divine credentials of the Church. Many Catholics had never been made aware of the intellectual and historical basis upon which their faith reposed.

On the positive side, also, there was a genuine religious thrill to be derived from the brilliant, impassioned and virulent oratory of Knox and some others amongst the preachers. Preaching was the hall-mark of the new Church as it had never been of the old, for in a sacramental religion such as Catholicism, preaching occupied a subordinate though important part in the equipment of a priest. The Mass was the central fact of the Catholic Church and, while the scriptural basis upon which it rested may have been vaguely apprehended, the majesty and grandeur of the doctrine had not been brought home to that considerable body who had suffered from the fitful and sometimes ignorant ministrations of a careless priesthood. It was this failure to fortify faith, render good example and inculcate elementary apologetics in the Catholic populace that, when the crisis came, led many to abandon the religion in which they had been so capriciously nurtured. With every wordly inducement to become Protestant there was too tenuous a thread binding them to their faith to withstand the strain of proscription, ruin and exile merely to retain a belief whose basic values were being more and more assailed by those whom they had been taught to regard as their necessary guides in religion, for many of the preachers had, of course, formerly been priests.
The tragic decadence of large numbers of the Catholic clergy paved the way for a wholesale rejection of Catholic doctrines, an understandable, if illogical, confusion of the teacher and his teaching; it was, also, an easy transition from a hatred of the priest to a hatred of the Mass, and, with this lynch-pin gone, the whole great structure of the faith was imperilled.

It is a long step from all this, however, to a positive belief in Calvinism. The central belief of Presbyterianism was the doctrine of predestination and, although a gloomy doctrine, one of commanding logic once its terrible premisses had been accepted. Any thinking man who had ever considered the elements of religion must have given thought to the apparently great dichotomy between God's omniscience and man's free will and the cognate problems of grace and good works. Speculation in the Catholic Church had long ranged about these problems since the days of St. Augustine and, indeed, within a few years a fresh aspect of the matter was to cause some acerbity between the Jesuits and Dominicans. With the publication of Calvin's *Institutes of the Christian Religion* the problem was solved by the annihilation of free will and the erection into a rule of faith of the corollary doctrine of election by grace.

With this master stroke the French reformer had provided a new religious belief of deceptive simplicity and, for some, powerful attraction. The Catholic Church had erected the majestic edifice of the Faith on the efficacy of free will allied to grace to win salvation. Heaven was there for the taking if man would but stretch out his hand and take it, but now election was a gratuitous gift of a God of two faces, a Christian Janus who showed to some the face of loving kindness but to others a frozen and merciless mask.

There was a certain solid satisfaction to be gained from being numbered amongst the Elect, but it does not seem likely that any great numbers flocked into the new communion in a despairing belief in their own reprobate state. Since man had an inner conviction of his own election to Heaven and this election would show itself in outward piety there seemed little point in forcing the pre-reprobate, who, in the opinion of the preachers, were in
the majority, into the exercises of a religion which greatly restricted their carnal activities with no corresponding spiritual advantages.

A sense of election, however, real or simulated, was not without certain worldly advantages. It at least prevented one being officially classed among the pre-reprobate, thus avoiding the inquisitions, rebukes, humiliations and terrible excommunications handed out in such lavish abundance by the minor Jehovahs who formed the kirk sessions, presbyteries and synods that had been set up in Scotland on the theocratic model of Calvin’s Geneva. Further, it prevented one being confused with those most abandoned of God’s creatures, the trafficking papists, who so greatly agitated the minds of assemblies and parliaments well into the seventeenth century.

**

In 1567 the course of the Reformation took another important turn when Mary was captured at Carberry Hill and imprisoned by her half-brother Moray in the Castle of Lochleven under the none too gentle care of the Lady Douglas, former mistress of James V and Moray’s mother. There, by intimidation, she was forced to abdicate in favour of her infant son, Moray to be Regent during the minority. In this same year Moray and his accomplices held a Parliament in Edinburgh and there the Acts of 1560 against the Catholic Church were ratified, a course to which Mary could never be brought. The General Assembly of the same year, elated at the removal of Mary, proceeded to consolidated the Protestant position by further acts of calculated destruction.

The Earl of Glencairn, that indefatigable iconoclast and collector of glebes, had somewhat anticipated the decision of the Assembly by entering the Queen’s chapel of Holyrood and there destroying altars, crucifixes and statues, not without some protest from the less zealous amongst the nobility.

In 1572 the new Kirk suffered a considerable blow in the death of Knox. None of the preachers had possessed the dynamism, prestige and genius of this pioneer of the Scottish Reformation.
Catholic and Episcopalian critics had been as busy denigrating him as his Presbyterian biographers had been in exalting him, and the weapons of slander and opprobrious and venomous language which formed his own oratorical stock-in-trade were used by some of his contemporary critics to pin upon him charges of sexual irregularity for which there was not the slightest foundation any more than for his own salacious slanders on Mary of Guise and her daughter.

Love of power and an appetite for strong and venomous rhetoric which seemed to grow with what it fed on, particularly if the diet contained a large element of slander and abuse, a conviction as genuine as it was unfounded that he had been called by God to cleanse the Scottish nation, are enough to explain the extraordinary power of this remarkable man. That a widespread and bloody persecution of Catholics was not inaugurated in Scotland was not the fault of Knox for he constantly advocated such a policy only to have his zeal tempered by the more politic, unspectacular but successful methods of the nobility.

He lived long enough to see the Parliament of 1572 carry the war against the Catholics a stage further, for in the Act of that year it is ordained that:

The disobedient, the obstinate and those who have returned to papistry shall be held infamous, unable to plead in the courts of law or to sue or to appear as witnesses against those professing the true religion.

In the next year of 1573 the Catholic Church in Scotland could claim its second known confessor, Thomas Robison, priest and schoolmaster of Paisley; ten years before, a Catholic priest, Sir James Tarbat, had been put in the pillory at the Cross of Edinburgh dressed in his vestments and with the chalice bound to his hands. There he was, says Knox, ‘served with his Easter eggs’ till he was stoned to death.

Meanwhile the steady and remorseless attrition of the Catholic faith was maintained by the new Regent, the Earl of Morton, and in 1579 one more earth was stopped, for in that year Parliament, alarmed by certain defections from Calvinism to Catholicism
and by the increasing tendency of parents to send their children abroad to be educated, decreed:

Because some of the youth of this realm passing to parts beyond the seas become corrupted in religion,

Therefore before any go abroad to gain knowledge in letters they shall obtain royal letters of licence which shall contain a provision that they remain constant in the established religion of this realm,

And within twenty days of returning they shall offer to make the confession of faith by law established. If they fail they are to be pursued as the enemies of true religion.

This year of 1579 saw also from the Protestant point of view a sinister turn of affairs for it marked the first appearance at court of Esme Stuart, Sieur d’Aubigny, cousin of the King, newly arrived from France where he had been the Captain of the Scots gens d’armes.

Apart from his French connections and close relationship to the King, d’Aubigny’s Catholicism was bound to exasperate both the ministers and those members of the nobility whose economic interests were now so inextricably bound up with the preservation of the Protestant religion. When it became obvious that the accomplished young man had won complete dominance over the mind of the King exasperation turned quickly to alarm. There can be no doubt that the Protestant anxiety was well founded and that Lennox, which title he now acquired, was a serious threat to Protestant supremacy in Scotland, and, though he had conformed to Presbyterianism, apparently through the persuasive theology of the young sovereign, not many placed much reliance on the sincerity of his conversion.

Walter Balcanqual, a Protestant minister, expressed the fears of all in a sermon of December 1580, in which he indicates not only the means by which the Protestant dominance was secured but the continued existence of a sturdy and widespread Catholicism after twenty years of imprisonment, proscription, exile and ruin.

Before this French Court came to Scotland there were either few or none that durst avow themselves for papists neither yet
publicly in the country, neither in reformed cities, neither in the King’s palace. But since that time, not only begin the papists within the realm to lift up their heads, but also our Scottish papists that were out of the realm swarm home from all places like locusts; and have taken such hardihood unto them that not only have they had access to the French court but also in the King’s palace, in the particular sessions of our kirks, and general assemblies thereof durst plainly avow their papistry and impugn the truth against the laws of the realm and discipline of the Church contrary to all practice that we have had before.

The brief tenure of power enjoyed by Lennox was terminated by one of those violent plots on the part of his Protestant subjects that gave James in later years a hearty and not unreasonable detestation of Calvinism. On 22nd August 1582, with English encouragement and support, a party of nobles led by the Earl of Gowrie seized the King at Ruthven Castle and, in the King’s name, but without his consent, sent a message to Lennox ordering him out of the kingdom.

The interest of the Lennox episode lies in the clear evidence that it affords of the strength of the latent Catholicism of Scotland twenty years after the reformers had seized power. Calvinism, to succeed, needed a complete and unquestioned control of the instruments of coercion and when these powerful aids to true religion were lacking the Catholic faith displayed a vitality that disquieted the professors of the new creed and brought hope to those Catholics at home and abroad who looked for the restoration of the old faith.

The Parliament of 1581 recognized the seriousness of the sporadic Catholic revival by fresh legislation more specific in detail as to offences and punishments than anything since the Act of 1560.

Because the dregs of idolatry yet remain in divers parts of the realm, the using of pilgrimages to chapels, wells, crosses and such like monuments of idolatry,

And because men still observe the festival days of the saints sometimes named their patrons, with bonfires, carol singing
and observing of such other superstitions and papistical rites,

Therefore it is statute and ordained that those who do so shall incur the following pains;

For the first offence, if they be landed gentry, 100 pounds, if unlanded 100 marks, if seamen 40 pounds.

For the second offence death as idolaters.

All magistrates are to search out such as use these papistical observances. If the offenders are not able to pay the fines they are to be kept in prison in irons or the stocks and to be fed on bread and water for a month.

*  *  *

It was into this torn and distracted Scotland that John Ogilvie was born, a Scotland in which religion overshadowed all other considerations, and all around him he could observe how passionately men held their religious convictions, how fervently men could suffer for the faith that was in them. He himself, like so many in that particular district of Scotland, could count both Catholics and Protestants amongst his relatives and in such an atmosphere a young and intelligent mind was inevitably drawn to consider those theological and religious problems that normally occupy only the more mature intellect.

Scotland could show many cases of such intellectual precocity and James Melville could recount how at ten years of age he took an interest in the great affairs of state and religion which he heard discussed in his own house.

Of the conditions under which young John Ogilvie went abroad we have no knowledge or in what company he went, but he would have no difficulty at any rate in acquiring the royal letters of licence necessary for his journey for young Protestant men of good family were not to be deprived of the broadening influences of foreign travel because so many abused it and Sir Walter had all the outward appearances of Presbyterian conformity.

Whatever the circumstances of his going he left Scotland sometime in the year 1592 at the age of thirteen. At the time of his departure the north and south-west of Scotland still contained a
formidable number of Catholics so potentially dangerous to the reformed religion, indeed, that the Kirk proclaimed a general fast because of

A fearful defection of a great number of all esteats in this land to Papistrie and Atheisme specialie of the nobility throw the resorting and trafecting of Jesuits, Seminarie priests and uther papists without execution of anie law against thame.

Startling confirmation was given to the ministers’ fears two years later when a royal army under the young Earl of Argyll, later to become a fervent Catholic and suffer exile for the faith, was defeated by a Catholic army under the Earl of Huntly, the Earl of Errol and Patrick Gordon of Auchendoun, at Glenlivet, in Ogilvie’s native Banffshire.

While such events were stirring in his native country the young Scotsman was drinking in the heady wine of new experience. The Europe upon which he gazed was marshalling its forces for the last great arbitrament of arms that was to wreak such devastation on Europe and draw for the future the lines of religious division. The young boy of thirteen would seem to have conducted the early part of his tour, at least, with the consent of his father for he wandered at will throughout Western Europe visiting in turn Italy, France and Germany.

Here he saw reduplicated on a grander scale the deep religious divisions that wracked his own country, but with this difference, that in many parts of Europe he would gaze upon a Catholic Church showing forth in all her earthly magnificence the greatness of her spiritual claims. The Church was experiencing a great resurgence of vitality and holiness and the milk-white hind seemed once again fated not to die, a fate that her enemies had confidently predicted for her in the first great agonies of the Reformation. The Council of Trent had tardily, but at last, clarified, defined and reformed and, once more, the Church could bend to her apostolic task free from the grosser imperfections that had so long marred her visible reign.

In the year of Ogilvie’s departure for Europe the Chair of the Fisherman was occupied by Hippolytus Aldobrandini. This ponti-
ficate of Clement VIII was to be significant for many things apart from the fact that the Holy See was now free from the oppressive tutelage of Spain which had been exercised too long by that well-meaning but dangerous friend of the Church, Philip II.

Clement was born in 1536, the year of Erasmus’s death, the year in which Calvin had published his Institutes, five years after the death of Zwingli. Luther was still alive and the Society of Jesus was yet to be formed. He had, therefore, advantages of birth possessed by none of his predecessors of the Reformation period; he was able to see events clearly and as a whole. He was not so caught up in the past as to imagine that the fulminations of the Pope or bulls of excommunication could call a halt to a movement that had already rent irreparably the seamless robe of Christ, for he had never known a generation when the Pope was recognized as the Supreme Pastor of Christendom. Without in any way relinquishing the essential spiritual claims of his office Clement was prepared to confront squarely the changed situation facing the Church from the existence in many places of a stable and triumphant Protestantism.

He was, in a sense, the first of the modern Popes working consciously and resignedly within the new limitations imposed upon him by the widespread diffusion of Protestantism and the withdrawal from his obedience of many thousands of European men.

Almost contemporaneously with the outbreak of the Reformation movement in Europe the first faint stirrings of the Catholic revival were to be seen in the formation in 1524 of the Order of the Theatines, and when Ogilvie went to Italy he saw all around him clear evidence of this wonderful rejuvenation of the Catholic spirit. From the Chiesa Nuova the great St. Philip Neri was radiating to the Romans and to all Italy that love of the spiritual life which had so long been smothered under by worldliness and ambition. Only the year before Ogilvie left Scotland there had died the marvellous boy St. Aloysius Gonzaga, attended on his deathbed in the Collegio Romano by another Jesuit saint, Robert Bellarmine. Already several new Orders called into being by the spiritual dangers of the time were performing astonishing work and infusing into the life of Europe the regenerative influence of
a Church which had become once again mindful of its divine mandate.

Contemporaneous with this great spiritual revival went a re-vitalizing of the intellectual life of the Church and a realization that the new times demanded new methods. Everywhere Protestants had been on the attack and the arid and pointless controversies of the Schools had no value for a Church now forced to examine and debate the validity of her mission on theological and historical grounds. The scholastic method, of course, was still immensely valuable not only as an intellectual training but as a weapon of great power and precision in the hands of those hundreds of Catholic controversialists who now sprang to the defence of the Church; and Aquinas still provided an inexhaustible treasury of wisdom upon which Catholics were increasingly to draw. Catholic scholars now greatly widened the scope of their studies to include philology, history, patristic and scriptural studies. Foremost in this intellectual activity was the Society of Jesus and it was in the schools founded and conducted by this Order that the new weapons were forged.

The year after Ogilvie’s arrival there took place at St. Denis one of the most famous of the religious colloquies that were so marked a feature of French life, and the young Scotsman would have an opportunity to hear many such public controversies on religion between opponents, not all perhaps of the intellectual calibre of Cardinal Duperron and the Huguenot leader, Duplessis Mornay. France, at that time, occupied a peculiar position in the religious life of Europe, for politically, though not numerically, the two parties were evenly balanced and consequently intellectual argument towards the end of the century had taken the place of the sword as the natural arbiter of religious disputes.

Complete freedom of expression was permitted to both Catholic and Protestant champions and the arguments put forward had no need to suffer in cogency or force from the fear of violence or from the physical superiority of one of the antagonists and in this respect they differed greatly from those Conferences in the Tower of London in which a tortured and defenceless Campion battled for his faith against the Anglican divines.
Theological controversy had taken a great hold of the European mind, and it is an ever-recurrent feature of the Jesuit mission, in Scotland for example, that those priests so superbly trained in the arts of controversy were constantly seeking opportunities to debate publicly with the ministers.

The reaction of all this on the mind of John Ogilvie has been described for us in a document written in 1615 by the Rector of the Scots College, Rome, and this account was based on letters and probably personal knowledge, for the Rector at this time was Father Patrick Anderson, S.J., who had been a colleague of Ogilvie’s in the French Province.

When questioned by the Privy Council as to his conversion Father Ogilvie, according to this account, had said that after leaving his country he had been prompted to make enquiries into the grounds of religious truth and had consulted ‘various learned men in Italy, France and Germany as to the true faith and religion’. His soul had become sick with anxiety and interior doubts, for he could not tell the true religion amongst the great numbers that proposed themselves for his acceptance. The more he thought the more confused did the issue become and he resolved to put himself in the hands of God.

After long reflection he was finally forced to rely upon two texts of Scripture which seemed to afford him divine assurance of ultimate certainty in his quest:

‘God wishes all men to be saved and to come to an acknowledgment of his truth.’

‘Come to me all ye that labour and are burdened and I will refresh you.’

A period of long deliberation followed and the feeling grew and hardened in him that the Catholic Church was the sole Church of God, and this view had been forced upon him chiefly by these considerations:

1. The universality of the Church was such as to embrace all manners and conditions of men.

2. In the Catholic Church there was unity of faith.

3. The Catholic Church alone could show antiquity and unbroken Apostolic succession.
4. The great holiness and contempt of the world shown by so many of its adherents.

5. The many miracles that had been wrought in testimony of the Catholic truth.

6. The many learned men who had defended, and still daily defended, the Catholic faith.

7. The number of martyrs who had recently died in defence of the Catholic faith.

The Scottish ministers, on the other hand, could claim neither antiquity nor succession; they could point to no evidence either of miracles or unity; they had no arguments worthy of reception by a wise man; their favourite proofs from the Bible carried no conviction apart from the fact that the true text had been altered.

Some doubt has been cast on the evidential value of the 'Italian Narrative' from which this account of Ogilvie's conversion has been drawn, largely because it erroneously asserts that Ogilvie suffered the full torture of the 'boots' and because it stretches his period of enforced sleeplessness from eight to fourteen days. When reporting facts it suffered from the limitations imposed by distance and hearsay evidence, but at almost every point the substance of the narrative is confirmed by other evidence.

The account was written while Father Ogilvie was still alive and this affords strong proof that the story of his conversion was fundamentally accurate, for it is unlikely that Father Anderson, who knew Ogilvie well, would publish an account which might be discredited should Ogilvie be released. Ogilvie and Anderson had been associated in the French Province and the younger man would most likely communicate the details of his conversion to Anderson and the other veterans of the Scottish mission. Certainly there were others in the Society, at that time alive, who must have known the facts, notably Father Crichton, who had received Ogilvie into the Church at Louvain, and Cornelius a Lapide, who had instructed him in Catholic doctrine.

Some time in 1596 Ogilvie appeared at the doors of the Scots College at Louvain and asked to be received into the Catholic Church.

The Scots College at Douai, in this year of 1596 temporarily
at Louvain, was being administered by Father William Crichton, s.j., and under his direction Ogilvie began to lay the foundations of that humanistic culture for which the Jesuits were then beginning to gain their great reputation. Here also he experienced a piece of uncovenanted good fortune by having as his instructor in Christian doctrine the great Jesuit scriptural exegete, Cornelius a Lapide.

The young man remained two years at Louvain, laying the essential basis of Christian knowledge and secular learning upon which he was later to build so well, but in June 1598 Father Crichton, the Rector, was obliged to get rid of a number of his students because of that weakness endemic with the Scots Colleges, lack of money, and Ogilvie was sent to the Scots Benedictine College at Ratisbon in Bavaria.

Doubt has been cast upon the long accepted tradition of Ogilvie’s stay at Louvain and this is based upon three objections:

1. In the Records of the Scots Colleges the Rectors were accustomed to add to the names of candidates personal observations of their own as to the candidate’s subsequent career. John Ogilvie was the most distinguished alumnus of the Scots College of Douai, but no Rector has chosen to add anything to the simple, original entry of 1596 and these critics suggest that the John Ogilvie mentioned in this might well be one of those other Ogilvies who were so prominent in the Records of the Scots Colleges.

2. The historian of the Bohemian Province of the Society, Father Schmidl, s.j., says of Ogilvie, that being unable to practise his religion in safety the young boy left Scotland ‘and fled to Germany to the college at Olmutz’.

3. Ogilvie himself does not mention in his depositions his stay at Louvain.

Apart from the fact that two of these three objections are negative in character there are several pieces of weighty evidence to put the matter beyond doubt.

Père d’Oultremann in his Tableaux des Personnages signalés de la Compagnie de Jésus, written in 1622 in honour of the canonization of St. Ignatius Loyola and St. Francis Xavier, gives an account of
Ogilvie's life based largely on the *Relatio* written by Ogilvie himself. He adds, however, a piece of information on his own account, that Ogilvie was educated at the Scots College in the Low Countries, which could, of course, refer only to the Scots College of Douai, then at Louvain.

In the 1920's Dom Kershaw, O.S.B., discovered in the church of St. Gilles, Pecquincourt, France, a portrait of Ogilvie, painted within a few years of his death, for it does not give him the title 'Venerable' which he acquired by virtue of the Ordinary Processes of 1628–9. This portrait carries the inscription, 'Father John Ogilvie of the Society of Jesus, alumnus of the Scots College at Douai, who suffered in Scotland, March 10th, 1615'. This picture had actually hung in the Scots College and had found its way to this obscure French church probably at the suppression of the college at the time of the French Revolution.

We know from abundant evidence that Father Schmidl, who wrote a long time after the event, was incorrect in suggesting that Ogilvie fled from Scotland immediately to Olmutz, for in Ogilvie's own deposition he speaks of himself in 1614 as having been twenty-two years out of his country, which would place his departure in 1592, whereas he did not arrive at Olmutz till 1599.

That Ogilvie did not mention his period at Louvain in his deposition is not very formidable evidence since he did not mention either his lengthy period at Vienna.

On the whole, therefore, it would seem that tradition is supported by such a weight of other evidence as to leave no doubt that the John Ogilvie of Father Crichton's entry is the martyr.
III

THE BANNER OF OBEDIENCE

I confess that I am, albeit unworthily, a priest of the Catholic Church and through the great mercies of God vowed now these eight years into the religion of the Society of Jesus; and thereby have taken upon me a special kind of warfare under the banner of obedience and eke resigned all my interest and possibility of wealth, honours, pleasures and other worldly felicities.

Campion’s ‘Brag’.

With his submission to the Church at Louvain Ogilvie’s spiritual odyssey had in one sense ended and, in another, begun. To have won through the fog of dubiety to the white light of certitude beyond was much but it was not all.

A lifetime of spiritual endeavour lay before him, for submission had granted to him the means but not the assurance of salvation. The comforting sense of election that brought such solace to the hearts of his Calvinist countrymen was not for him, but rather the hard road of good works and inescapable duty with no sure token of salvation.

Even at this stage the path of that duty must have shone dimly before him, but it was in the austere tranquillity of the Schotten-kloster of St. James at Ratisbon that the great decision took shape. The Scottish monastery of St. James was a Benedictine foundation dating back to 1100. At the time of the Reformation it had reached a low ebb in its fortunes and at one period the monastery housed only two monks, but the cataclysmic events of 1560 had rapidly repaired its fortunes, for, in common with other monasteries abroad, it had become a place of refuge for those Scottish monks and priests who had refused to apostatize.

In 1577 there occurred an event of considerable significance to the ancient foundation, for it received as its Abbot the learned, gentle, but formidable opponent of Calvinism, Ninian Winzet, who, after much wandering abroad, had come here to spend the remainder of his unmerited exile. After his escape from Scotland
he had gone to Louvain, to Paris and to Douai, where in 1575 he graduated with a licentiate in theology.

It was in the school of the abbey that John Ogilvie spent the last six months of 1598. He had missed by six years the experience of being taught by Abbot Ninian, for the abbot had died in 1592, but he would see in the Church of St. James this final salute to the doughty champion of his faith.

Ninian, Doctor of Sacred Theology, a man devout and zealous, restored in this place the monastic life and did much by word, writing and exemplary life for the good of his neighbour. Having governed this monastery with the greatest credit for sixteen years and having lawfully and canonically provided a successor, he fell asleep holy and peacefully in the Lord on the 21st of September in the year of Christ, 1592, in the 74th year of his age.

During these six months the young Scotsman was caught up in the rhythmic and ancient cycle of prayer and work of the great foundation. The ordered beauty of a thousand years, the antique symphony of praise that daily issued from the cowled monks in choir placed him in a stream of history that flowed back to the days of Imperial Rome and all this must have appealed deeply to the sense of tradition that had already helped him to recognize and embrace the Catholic truth.

The Catholic Church in the rich complexity of her spiritual life reflected the infinite variety of human nature. Lord Macaulay had appreciated this characteristic, although with a certain degree of puzzled irritation that she should so surely and aptly fit her resources to the needs of the time with no breach of her essential unity.

For all the manifold facets of the human personality the Church had her use. The great contemplative order of St. Benedict had salvaged Christianity and civilization from the wreck of the barbarian invasions; Franciscans and Dominicans had brought regeneration to a jaded world and emphasized afresh the virtue of evangelical poverty. Now in this age, with the Church reeling once more from the blows of her enemies, Providence had raised another Order powerfully adapted to combat these fresh dangers,
for the clamant need of the times was for an educated, pious and fearless priesthood which would carry the war to the enemy and turn his own weapons against him.

The older Orders had done, and were still doing, much to stem the Protestant onslaught, but for good or ill one institution possessed the minds and hearts of all militant Catholics. This was the Society of Jesus, which from its humble beginnings in the Church of St. Denis on the hill of Montmartre on 15th August 1534 had reached a position of pre-eminence in Europe which overshadowed the whole work of the Counter-Reformation.

Although the seven who made their vows before the altar of St. Denis had not at that time any conception of the great task that lay before them, their leader, Ignatius of Loyola, was a man obviously marked for greatness. The shape of his destiny, however, was only dimly apprehended by him and it was Pope Paul III, who in his Bull *Regimini Militantis Ecclesiae* had officially founded the new Society, that saw in them the perfect instrument to combat the new heresy that seemed at the moment on the verge of an overwhelming triumph.

The Pope, on receiving from Cardinal Contarini the Rule of the new order, had exclaimed:

‘The finger of God is here. . . . We bless it, we commend it, we approve it.’

A unique feature of the Society was the addition of a fourth vow to the three regular vows of chastity, poverty and obedience. This was a vow of special obedience to the Pope, and by this, as the Constitutions say:

We bind ourselves in everything concerning the salvation of souls and the propagation of the faith to carry out, as far as lies within our power, every order imposed upon us by the present Pope and his successors without delay or evasion, whether they despatch us to the Turks or other infidels or even to the countries called the Indies or among heretics or schismatics or, if need be, among the faithful.

The Pope was to make generous use of this liberal offer and within sixty years of their foundation the Jesuits had laboured
triumphantely, and sometimes spectacularly, in all those fields of Christian endeavour and had, besides, achieved an unrivalled eminence in the world of learning and in the work of education.

In the very year that Ogilvie was at Ratisbon, Li-Ma-Teu, that high-class Chinese scholar who had been born Matteo Ricci, had entered the forbidden capital of the Celestial Empire; Francis Xavier had died forty-six years before at the age of forty-six, leaving behind him an imperishable name as one of the greatest Christian missionaries since Apostolic times; Rudolf Aquaviva had been received at the Court of Akbar the Great; the Jesuits had established missions in Japan, the Philippines, Cuba, Ethiopia, Angola, Guinea, Mexico, Chile, Peru, Brazil, indeed, in any place where there were souls to be saved and there existed a human possibility of saving them.

The Order was to achieve triumphs no less glittering in the world of the intellect and at an early stage of its history had proved itself sensitive to the necessity, not merely of controverting, but of actively assailing the enemy in those fields that he had come to regard as peculiarly his own, theology and biblical and patristic studies.

Already the Jesuit theologian Laynez, who had succeeded St. Ignatius as General, had played a decisive part in the work of the Council of Trent. The Council itself had given an immense impetus to theological studies and opened fresh vistas of speculation to attract the finest intellects of the Church.

Ogilvie's Europe resounded with the names of great Jesuit scholars: Suarez, Bellarmine, Molina, Canisius, Ripalda and Vasquez in theology and philosophy; Salmeron, Maldonado and Cornelius a Lapide in scriptural exegesis. With the emphasis on attack most of these scholars had developed a highly skilled controversial technique which they now used with telling effect against the enemies of their faith.

One of the greatest of these Jesuit theologians was to play an important though unconscious part in the life of John Ogilvie. This was Cardinal Robert Bellarmine, who, in his great controversial works, had delivered the most cogent replies ever in refutation of the Protestant arguments.
The general fame of the Jesuits rests, however, more in the great part they played in the active work of the Counter-Reformation. In those countries where the Church had managed to weather the storm they now deepened and enriched the spiritual and intellectual life; where the issue was doubtful they threw into the battle an élite corps that on occasion decided the issue in her favour; where heresy was triumphant they undertook impossible odds to safeguard the souls of the faithful.

In Spain and Italy the Jesuits had shown that in the more pedestrian pastoral work of the parish they possessed the same sure touch. Their popular missions, their own zeal and self-denial, exerted a profound influence amongst the poor, and the seal was set upon this branch of their labours in 1598 when Clement VIII engaged them to preach such missions in the Papal States themselves.

Poland, Hungary, Austria, Belgium, Bavaria and the Rhineland had been almost engulfed in the Protestant flood; within a generation the Society of Jesus had turned the tide in the Catholic interest. Germany had been the seedbed of the Reformation and there the Order put out its greatest effort. The young Peter Canisius, who had already taken part in the Council of Trent, was the Jesuit destined for the rôle of 'Apostle of Germany'. Like so many other Jesuits he had not chosen for himself and his task was a by-product of that strict yet spontaneous obedience that was so marked a feature of the Society.

Canisius himself had said, in the true spirit of his Order:

In the first place I declare that, with the help of God, it is a matter of complete indifference to me whether he orders me to remain here for ever or sends me to Sicily, to India, or any other place. Moreover, if I am sent to Sicily I simply say that I shall be delighted to fulfil any duty, as cook or gardener, student or professor of any branch of learning whatsoever, even though it be unknown to me.

It was the same spirit of obedience that had moved Campion to open up that chapter of glory that was to give thirty-three Jesuit martyrs to the faith in England and Scotland.

The history of the Counter-Reformation in Europe is, to a
large extent, bound up with the history of the Society and, while by no means immune from the errors inherent in every human organization, much of the odium that popularly attached to it was due mainly to the success it achieved in extending the empire of the Church.

Kingsley’s naïve conception of the Jesuit is matched in ingenuousness only by the equally simple-minded view of those admirers who would endow the Jesuits with an almost preternatural intelligence and resource. Yet the secret of the Society should not pass the comprehension of a modern field-marshal for it is the secret embodied in military manuals, the secret of an intelligent and ordered discipline working towards a definite end.

Ignatius was a soldier and his was a soldiers’ Order. He devoted himself to the creation of his spiritual army with the same meticulous regard for detail that distinguishes all the great captains of history. For a nation addicted to the secret symbols, mysterious grades and obscure ritual of freemasonry there should be no difficulty in understanding the relatively simple and open system of the Jesuits.

The very core of the Jesuit system was the celebrated Spiritual Exercises of St. Ignatius and anyone could perform these who had the capacity to pray hard, think deeply and feel intensely. Yet the Exercises taught no new truths, they imported nothing into Christian teaching that was not already there. They laid bare merely the significance of the age-long beliefs of Christianity and caused them not simply to be perceived by the intellect but to be felt also by the heart.

The Exercises were the military manual of the Society, and their soldierly character is shown most clearly in the famous meditation of the second week in which is displayed the great cosmic struggle from which no man can stand aside but must choose either the cohorts of the damned or take up his battle station under the banner of Christ the King.

Since the battle was to be fought in the intellectual field the Jesuits early realized the supreme value of education and only the year before Ogilvie left Scotland they had issued the final draft of the Ratio Studiorum which was to make their schools, already
famous, the most celebrated in Europe throughout the seventeenth century.

It is, however, the Jesuit conception of obedience which, above all, lies at the root of their success and has earned them the most severe obloquies of their critics, for the Jesuits demand an obedience to Superiors going beyond the usual canonical requirements. The member of the Society was expected not only to carry out the commands of his Superior but to condition his mind and will in such a way that for the particular purpose in hand he empties himself of his own will and not only dutifully, but joyfully, renders complete obedience to authority.

St. Ignatius on one occasion had used the phrase 'blind obedience' to describe this sort of ready compliance and this phrase gave rise to a good deal of criticism, not least from Calvinists, who might be said to have erected their religious principles on the negation of the human will. Cardinal Bellarmine in his *Tractate on Obedience which is called Blind* has answered these critics and shown that all that St. Ignatius meant was 'pure, perfect and simple obedience without discussion as to what is commanded or why it is commanded but merely resting content in the fact that it is commanded'. He goes on to show that the virtue of obedience, in this sense, has the support of Scripture, the Fathers of the Church and the saints, and disposes of the various objections such as the possibility of commands leading to sin or heresy which, it was alleged, such a system might give rise to.

Jesuit obedience had rendered the Society the most adaptable and powerful instrument in the work of the Counter-Reformation and had in two generations only spread their influence over four Continents. Yet this conception of obedience, strict as it undoubtedly was, had in no way marred the integrity of the human personality, and the history of the Society is remarkable not only for the great variety of the tasks it undertook but in the rich diversity of its members. That problem which has so often agitated great military leaders, the harmonizing of obedience with initiative, was solved by Ignatius and the Generals who followed him, and the result was the creation not of a docile and unthinking army but of a 'squadron of light cavalry' penetrating into enemy
territory far in advance of the main body, undertaking missions whose success often depended more upon the resource and talents of the individual than on strict adherence to some rigidly prescribed set of instructions.

It was this Jesuit fertility of resource combined with their singleness of aim that struck Macaulay with such force:

Dominant in the south of Europe the great Order soon went forth conquering and to conquer. In spite of oceans and deserts, of hunger and pestilence, of spies and penal laws, of dungeons and racks, of gibbets and quartering blocks, Jesuits were to be found under every disguise and in every country; scholars, physicians, merchants, serving men; in the hostile court of Sweden, in the old manor-houses of Cheshire, among the hovels of Connaught; arguing, instructing, consoling, stealing away the hearts of the young, animating the courage of the timid, holding up the crucifix before the eyes of the dying.

* * *

It was some such vision of the Society that appealed also with irresistible force to the minds and hearts of the young and valiant of the Catholic youth of Europe and it was this view of the Order that led John Ogilvie in the December of 1598 to leave Ratisbon and travel to the Jesuit College at Olmutz where he joined as a lay student.

Almost a year later the young Scotsman had made his decision and he sought permission to be enrolled as a novice of the Society of Jesus. Unfortunately, his decision coincided with an outbreak of the plague at Olmutz, and the Austrian Provincial, Father Ferdinand Albers, dispersed the students to prevent further infection; Ogilvie, however, displaying something of that determination of character that was to be so marked a feature of his later career, followed Albers to Vienna and prevailed upon him to consider his case afresh. The Provincial, impressed by his zeal, gave his consent and Ogilvie, on 5th November 1599, became a novice of the Society at Brunn in Bohemia.

In this he was following in the steps of the great Campion, who had been a novice of the Society in the same College only twenty-
five years previously and whose memory still served as an inspiration to those students, like Ogilvie, who felt themselves destined for the perilous British mission. Ogilvie has been described as the Scottish Campion and there are in their two careers certain points of similarity. Here in the very house that had once sheltered the proto-martyr of the British Jesuits, Ogilvie would be able to read that document which, only eighteen years before, Campion had addressed to the English Council, the 'brag' as they had called the boast that he had personally made good.

Many innocent hands [he had told them] are lifted up unto heaven for you daily and hourly by those English students whose posterity shall not die which beyond the seas, gathering virtue and sufficient knowledge for the purpose, are determined never to give you over but either to win you to heaven or to die upon your pikes. And touching our Society be it known unto you that we have made a league—all the Jesuits in the world, whose succession and multitude must overreach all the practices of England—cheerfully to carry the cross that you shall lay upon us and never to despair your recovery while we have a man left to enjoy your Tyburn or to be racked with your torments or to be consumed with your prisons. The expense is reckoned, the enterprise is begun; it is of God, it cannot be withstood. So the faith was planted, so it must be restored.

The generous courage of Ogilvie could not but react warmly to the story of those last moments when Campion, standing on the cart at Tyburn, with the halter round his neck, made his noble declaration of faith:

Well, my lord, I am a Catholic man and a priest; in that faith have I lived and in that faith do I intend to die. If you esteem my religion treason then I am guilty. . . .

Ogilvie's novitiate was spent partly at Brunn and partly at Olmutz. His first month was devoted to the *Spiritual Exercises* and this spiritual strengthening was followed by the practical experiments in which a month each was devoted to certain works of charity such as attending the sick, begging alms from door to
door, performing the menial tasks of the house and catechizing the children and the ignorant of the neighbourhood.

Until his departure for France eleven years later Ogilvie was to spend his life in the Austrian Province of the Society. After his probationary period at Brunn he removed to Olmutz where he continued his two-year novitiate under the Master of the Novices, Father Novarella, who had acquired a great reputation in the Society for his devotion to the Mother of God. The Jesuits had put in the forefront of their spiritual training devotion to the Blessed Virgin and in the Sodality of the Blessed Virgin Mary had created an instrument which was to prove of considerable value in the spiritual reawakening of Europe. Under the direction of Father Novarella the young Jesuit's love for Mary so beautifully shown forth in his last hours was deepened and strengthened, and later, when he himself became a Prefect of the Sodality, he not only displayed wonderfully his own personal zeal for her service but so imbued the hearts of his students with the same ardour that they became noteworthy in a Province already remarkable throughout the Society for its attachment to the Mother of God.

Ogilvie's novitiate came to an end on the feast of St. Stephen, 26th December 1601, when he took his first vows as a Jesuit at Gratz. The intense spiritual training of the past two years and the basic intellectual studies in logic and the classics that he had undertaken had fitted him to enter upon the severe three-year course of philosophy and science in the College at Gratz, a course which was in itself merely a prelude to the great central study of the Society, that of theology.

Between the end of his philosophy in 1608 and the commencement of his theology, Ogilvie, according to custom, was sent as a teacher for two years to the Jesuit College at Vienna. Already trained in rhetoric, his readiness in argument was severely tested by the Jesuit pedagogical methods which threw a tremendous burden on the teacher by obliging him to dispense with notes and to invite objections from his students.

In 1607 he returned once more to Olmutz to undergo the rigorous theology course. At the very outset St. Ignatius had
acknowledged the paramount importance of St. Thomas Aquinas and had laid it down that in the Jesuit schools the scholastic theology of the great Dominican was to be taught, just as in philosophy, logic and metaphysics the supreme Jesuit mentor was Aristotle. But, though the Society paid great reverence to these two lucid and majestic world intellects, there was no question of slavish adherence to the letter of their teaching for there was an acute realization that theology and philosophy were, like others, developing sciences and, in the true spirit of humility of St. Thomas himself, the Jesuits would not bind themselves to a foolish and uncritical devotion to the precise letter of the Angelic Doctor.

By 1610 Ogilvie had completed a moral and intellectual training incomparably superior to anything that Europe could offer outside the Jesuit colleges.

A characteristic product of that Christian humanism which it was the special educational glory of the Jesuits to instil in their students, Ogilvie was now ready for the final and indelible seal on his training. In 1610 he received orders from the General, Father Aquaviva, to proceed to the French Province. Leaving Olmutz he travelled by way of Prague and was joined there by his uncle Father George Elphinstone, who was also going to France.

Sometime later in the year he arrived in Paris and was raised to the priesthood in that city as a professed priest of the Society of Jesus.
IV

THE FLOWER AND THE SERPENT

To beguile the time, look like the time; bear welcome in your eye, your hand, your tongue: look like the innocent flower, but be the serpent under 't.

Shakespeare's 'Macbeth'.

On 15th April 1610, an old man lay dying in the English College, Rome. He was Robert Persons, who, thirty years before, had fled from England, leaving behind him in the Tower of London his friend Edmund Campion. Now, as the end drew near, he asked them to fetch his dearest treasure and taking Campion's halter in his hand, he reverently kissed it, placed it round his neck and so died.

It would be superfluous to dilate at length on the career of one who has already figured so largely in history and fiction, with often a not too precise distinction between them, but since he embodies a conception of the Jesuit cherished by generations of historians and since he unwittingly influenced the lives of so many of his British colleagues, something must be said concerning his activities.

He is, par excellence, the Jesuit plotter, and ancient and modern apologists for the barbarities of Elizabethan England see in him a more than ample justification for the hangings, rackings and mutilations that somewhat mar the serene magnificence of the Elizabethan legend. If it is to be assumed that to desire or to work for the deposition of a monarch is, in all conceivable cases, vile treason, then Persons' character must be jettisoned together with those of Oliver Cromwell, John Pym and the more discreet intriguers who in 1688 sent their invitation to William of Orange. It is illuminating to compare the warm democratic sympathies evinced, by some writers, for the Scottish Covenanters in rebellion against their King with their regretfully firm attitude to those occasionally froward Catholics who felt that the glory of living
under the sway of the Imperial Votaress was purchased too dearly at the price of apostasy, ruination or disembowelling.

To those who cling pathetically to the childhood myth of Gloriana and the eternal summer of Elizabethan England Persons is, of course, no more than a hispaniolated Englishman prepared to deliver his country to the foreigner. That Persons would have preferred any Catholic sovereign to the great and unsavoury daughter of Anne Boleyn is true and in this preference he showed a complete lack of understanding of the actual feelings of Catholic Englishmen, who, as a matter of fact, were less moved by hard logic than by simple and unreflecting patriotism in their attitude to the Virgin Queen. To the Jesuit it seemed but reasonable that the very large numbers of Catholics in England and Scotland should be willing to accept their deliverance from any hands and the complicated heraldry by which he tried to prove the claims of Philip II had less bearing on the matter for him than that Philip was a staunch Catholic and had already been King of England.

That in the end he proved an incubus to his fellow-Catholics in England and particularly to the members of his own Order, amongst whom he was an almost solitary and uncharacteristic figure, should not blind us to the sincerity of his motives nor to the fact that the means he employed were not in themselves evil although they proved to be unwise. In that early mission of 1580, in which Campion died, the General of the Jesuits, Everard Mercurianus, had forbidden the missioners to meddle with political matters for he foresaw that the Government, in order to bring their spiritual mission into odium, would attempt to involve them in charges of this kind and in the end not even their scrupulosity in this respect had any influence on the fate of Campion.

As matters turned out it would have been better if Persons had remembered this earlier injunction of his General for his later activities, far from helping the Catholic cause, proved an invaluable asset to the Government, which was able to pin upon his innocent colleagues the political errors of this great but misguided Englishman. In a sense Persons stood in the dock with every captured Jesuit of the Counter-Reformation.

It is on the slender foundations provided by Persons that the
legend of the political Jesuit was built, although, in fact, the Jesuits were never numerous in either England or Scotland, the bulk of the work being done by the seminary priests.

Whatever the extent of political Jesuitism in England, and, apart from Persons, it was negligible, the case of the Scottish Jesuits is relatively simple. They were nearly all men of good family, unswervingly loyal to their country and desiring only an accommodation that would ensure the survival of their faith, and, in the chronic anarchy of Scottish politics, some of them claimed for themselves the right to take a side with as much justification as those aristocratic bands who carried on their internecine warfare to control the person of the young King, but with this difference, that the side taken by the Jesuits was that of James himself and their political action in Scotland was, for the most part, carried through with the connivance and sometimes under the actual direction of the King.

Now in the French Province Ogilvie was to meet and converse with a group of men in whose careers was crystallized the history of the Counter-Reformation in Scotland and from them the young priest would learn something of the country that he had left eighteen years before. On leaving Olmutz he had been led to believe, erroneously as it turned out, that he was destined for the Scottish mission and he had been ordered to consult with his experienced colleagues of the French Province upon the affairs of Scotland.

The Superior of the Scottish mission at that time was Father James Gordon Huntly, son of the 4th Earl of Huntly and uncle of the then Earl, but his knowledge of Scottish affairs, great as it was, was surpassed by an even more veteran missioner, Father William Crichton, the Jesuit who had received Ogilvie into the Church at Louvain. There was also a younger priest with a more up-to-date acquaintance with the situation, Father Patrick Anderson, who was recalled from Scotland shortly after Ogilvie’s arrival in France.

After a generation of being blown upon hot and cold by the royal favour even the most optimistic of the Scottish Catholics had, by the first decade of the seventeenth century, been reduced
to a state of lassitude from which not even the Jesuits were exempt. This despondency of spirit had been the natural result of the policy pursued by James with his Catholic subjects. The straightforward malice of Elizabeth and Cecil had been a normal and calculable matter that could be fought with the appropriate weapons of prayer, courage and steady and unspectacular endeavour. In Scotland, however, the situation had been otherwise, for the delicate balance of political forces was such that there existed a possibility of a sudden and dramatic change in the Catholic fortunes and the key factor in the situation was James himself.

It is still one of the unexplained features of the career of James VI how far he encouraged the Catholic hopes, for his natural talent for duplicity and secrecy was greatly fortified by the fact that he was constantly under the suspicious scrutiny of the Kirk and the Protestant lords. It is certain, however, that on several occasions he not only encouraged optimism as to his own conversion and the possibility of religious toleration but actively engaged in negotiations with the Pope and the Catholic powers.

Until the death of Mary in 1587 the Scottish Catholics had been possessed not only of a rallying point but of a first-class legal basis for any attempts they might make to reverse the religious situation in their own favour. It could be pleaded that any of the successive regents in the minority of James were ‘tyrants without title’ and that the Marian party was the party of right and law.

Many of the nobility were still attached to the ancient faith and large numbers of the common people, even at the end of the century, were Catholics, open or secret, and many others positively antipathetic to the Presbyterian polity. The powers of Europe took an active interest in Scottish affairs and, to balance the ever-present threat from England, Catholics felt they could count upon, in the last resort, the support of the Pope, France or Spain.

In the development of the Scottish situation to the point at which Ogilvie found it there were four distinct phases:

1. The French Period: 1579–1583

The arrival of Esmé Stuart, Sieur d’Aubigny and afterwards Duke of Lennox, had very justifiably alarmed the ministers and
roused Catholic hopes to a point that they were never again to attain. The influence exerted over the mind of the fifteen-year-old King by Lennox was obviously something that could be turned to the Catholic account, if the matter were rightly handled, and this view was quickly appreciated by Father Crichton.

At the beginning of Lent 1582 Crichton arrived in Edinburgh and was received warmly by the Catholic Lord Seton, one of the members of the Royal Council. In circumstances of great secrecy Crichton was smuggled into Holyrood and, after lying hidden in a chamber in the Palace for three days, was finally brought face to face with Lennox.

The Jesuit could scarcely have wished for a better outcome of the interview for Lennox promised that he would have the King instructed in the Catholic religion, but if that should prove impossible at home he would have James conveyed abroad in order to embrace it with more freedom. Father Crichton’s natural elation did not, however, overwhelm his caution and he asked Lennox to sign a document embodying these promises so that Pope Gregory XIII might possess written proof of Crichton’s statement. Even over this Lennox made no demur, and Crichton, possessed of this document, crossed to France to lay his important information before the leaders of the Scots group in Paris. At a meeting held in that city, attended by Mary’s Ambassador to France, James Beaton, Archbishop of Glasgow, the Duc de Guise, Dr. William Allen and Father Persons, it was decided that Crichton should be sent to Rome to convey Lennox’s promises together with his proposals for the raising of a foreign force to enable the King to overthrow the tyranny of the Kirk and the aristocratic gangs who, in accordance with an old Scottish tradition, constantly threatened the regal authority.

It is this kind of political activity that rouses an odd squamishness in the breasts of those who can look with equanimity on the treacheries of a Knox or a Moray and on the long catalogue of assassinations, treason and persecution which effected the Reformation in Scotland. That the aim of Crichton at that time was the restoration of the Catholic faith, rather than mere toleration, was not remarkable, for there was no reason to believe in the
durability of the religious revolution that had been wrought only twenty-three years before by violence and treachery and was still maintained by rigorous and unrelenting persecution.

Crichton and Persons were acting out of sympathy with the known policy of their Order, as expressed by Mercurianus, numerous Provincial Councils, and, ten years later, by the 47th decree of the Fifth General Council which strictly forbade interference in political matters as being repugnant to the profession of a Jesuit, and further, 'gravely and severely forbids all of Ours to mix themselves in any way in public affairs of this kind even though they may be invited or enticed'.

In Crichton's case there was, however, a particularly strong temptation presented by the fact that political power in Scotland often resolved itself into a battle for the possession of a minor sovereign, that the King's mother was a Catholic, that James himself had been baptized a Catholic and had become Protestant only as the result of a reasonable insurrection against his mother, that Lennox, who stood nearest to the King in power and influence, was an active mover in the scheme, that many of the best and most influential men in the country were Catholic, that there existed the ever-present possibility of a Protestant coup d'état which would greatly worsen the Catholic position and render their persecution even more severe.

Indeed, at that very moment, Elizabeth was contriving a typical Scottish Protestant plot which ended in the seizure of the young King by the Protestant lords under the Earl of Gowrie at Ruthven Castle and the banishment of Lennox.

2. The Period of Uncertainty: 1583-1596

On 7th July 1583, James, by a piece of unwonted boldness, escaped from his captors and from this moment begins the period of his personal rule. The King's acute intellect quickly grasped the essentials of the political situation and it is a tribute to his intelligence, if not to his good faith, that he emerged from the welter of conflicting forces the undoubted master of his kingdom.

The power of the Kirk at home, backed by the strength of neighbouring England, had to be balanced against the still
influential Catholicism of Scotland supported by the Pope, France and Spain. The problem, as it presented itself to James, was essentially simple though extremely difficult of solution; what combination of circumstances and forces would best guarantee him the Throne of England? Elizabeth would not commit herself for reasons of policy and it might be that the best means of securing his end was to become a Catholic and thus rally to himself the not inconsiderable Catholic support; on the other hand any clumsy attempt in this direction would earn the hostility of Elizabeth, the Kirk and the Protestant lords and bring about another of those typical English-inspired Protestant intrigues that punctuate so regularly the course of the Scottish Reformation from 1542 onwards.

James, therefore, during this phase shows much favour to individual Jesuits, at the same time enjoining upon them great secrecy, and in a letter of 1584 Father William Holt gives some indication of the King’s policy, that pretence of Catholic leanings that was in the end to prove the *ignis fatuus* of Catholic hopes.

Father Huntly, relying upon his powers of persuasion, of which he seemed inordinately fond, his aristocratic connections and the affection that the King bore towards his family, tried to bring James into the Catholic Church. In 1585 he was able to arrange a disputation with the ministers in the presence of the King in which, according to Father Crichton, Huntly scored such a dialectical triumph that James decided prudently not to permit any future debates of the kind, but this did not deter Huntly, for he continued to pursue the King, following him even to the hunting field, but without success.

Although the King thus encouraged the Catholics, he tried, at the same time, to mollify the Kirk by several proclamations against the Jesuits and managed to keep Elizabeth quiet by forming, in July 1586, an alliance with England and accepting a pension from the English Queen.

It is about this time that Walsingham was putting in train the Babington Plot which was to end the nineteen years’ captivity of Mary. Despite the indignation of Catholics and moderate Protestants at the execution of the Scottish Queen, James steadily kept in
front of him the Great Design and refused to be panicked into any act of impolitic chivalry that might endanger the crown of England.

In 1592 there occurred the curious affair of the ‘Spanish Blanks’ in which the King displayed an odd benevolence to the more distinguished of the Catholic plotters, the Earls of Huntly, Angus and Errol. It was, indeed, James’s reluctance to enforce the full sanctions of the law against them that led to an intolerable assertion of Presbyterian power, and this in turn provoked the King to send for Fathers Crichton and Huntly to whom he communicated a message to the Pope, offering toleration to the Catholics and asking for the creation of a Scottish Cardinal.

By 1597 he had largely realized his aims and could afford almost to dispense with Catholic help, assured of the mastery of his kingdom. The circumstances by which he actually achieved his triumph could not have been more neatly devised, for in one blow he secured the subjection of the Kirk and of the powerful Catholic Earls. These latter had been allowed to come back to Scotland only on the condition of subscribing to the Confession of Faith, for, said James:

Deceive not yourself to think that by lingering of time, your wife and your allies shall get you better conditions. I must love myself and my own estate better than all the world and think not that I will suffer any professing a contrary religion to dwell in this land.

Even this severity was regarded as a weakness by the Kirk and they clamoured for even more vigorous measures against them but James suppressed the riot that ensued and showed conclusively that, despite Andrew Melville’s high-flown theocracy, he was at last undoubted ruler of Scotland.

He could not as yet absolutely dispense with Catholic help; for that he had to wait till 1603 when he could assure his courtiers, ‘Na, na, gud fayth, wee’s not neede the papists now.’

3. The Period of Disillusionment: 1597–1603

During this phase James had good reason to believe that Elizabeth intended him as her future heir, and the politic Cecil, true to the traditions of his house, had begun to salute the rising
sun and address James as his future King. At the same time James’s absolutist political theories, with their concomitant ecclesiastical policy, were beginning to harden and by 1603 he had published the two books in which he was to elaborate the views which were later to achieve such notoriety in the history of both kingdoms. In them he explains learnedly the grounds of his detestation of Presbyterian and Papist theories of kingship, and the Catholics emerge more clearly, not so much as subjects holding perverse theological views, but as obstacles to the creation of that absolutism that James had planned. His attitude to the Catholic peril was considerably strengthened by an unfortunate publication in which Father Persons advocated a Spanish succession to the English throne, a book roundly condemned by the pro-Stuart Crichton in a letter to Persons of 20th August 1596, in which he writes: ‘What benefit has arisen from the publication I don’t know, but I do know what mischief has arisen.’

The King’s attitude to this and other matters is indicated in a shrewd report written in 1601 by Father Abercromby in which is displayed, also, something of the disillusionment which was beginning to affect the more clear-sighted Catholics as to the King’s disposition towards them:

The King [he writes] and the members of the Council are overawed and corrupted by the power and the gold of England. They furnish her with information and carry out her orders receiving ample payment for doing so... The King is not only the cause of all the evils which have afflicted the country during the greater part of his reign but continues to support, protect and increase them. His language consists almost entirely of blasphemy or heresy. The single object of his ambition is the crown of England which he would gladly take from the hand of the Devil himself though Catholics and heretic ministers were all ruined alike so great is his longing for this regal dignity.

This letter contains an incomparably keen analysis of the King’s character and motives well borne out by later events. The King’s reluctance to show his hand openly against the Catholics is to be explained on several grounds, not least the strength of the Catholic
nobility. In a list drawn up by Burghley in 1592, the following Scottish noblemen are given as Catholics:

_Earls_: Huntly, Crawford, Errol and Montrose.
_Lords_: Seton, Livingstone, Maxwell, Herries, Sanquhar, Gray, Ogilvie, Fleming and Urquhart.

To these we can add then, or later, the Earls of Argyll and Angus, Lord Semple, Lord Claud Hamilton, Lord Hume, Lord James Elphinstone and Lord Eglinton.

A convert of some social significance but, as it turned out, of little influence was the Queen of Scotland, the former Anne of Denmark, who was received into the Catholic Church by Father Robert Abercromby in 1600.

The optimistic Father Huntly had not given up hope even at this late stage of bringing the King to a better way of thinking, for in 1599 he penetrated into the Palace and, although he did not succeed in securing an interview with the King, James protected him from the fury of the ministers and, on his enforced departure, provided him with letters of protection to the Dutch through whose territory he meant to pass. Father Abercromby, in the following year, also speaks of the kindness that the King displayed towards him despite the fact that he had converted the Queen.

It is clear from James's behaviour to the Jesuits throughout that, whatever he thought of their political or religious views, he, at least, did not suffer from those forebodings of assassination, sudden death or deposition that might be considered the natural consequences of associating with these dangerous firebrands. He had them in his company; to the disgust of the Kirk he often winked at their missionary labours; he employed them as emissaries on delicate and important missions. James's timidity was well known and it would seem in the highest degree improbable that he would have tolerated such close personal contact with the Jesuits if he had believed only a tithe of the propaganda sedulously spread about them by his own Government.

4. _The Period of Realization: 1603–1625_

At three o'clock on the morning of 24th March 1603, the great Elizabeth died, shrunk at the last to a terrified and bewildered
mortality by the phantoms that crowded the room where she had sat for days in the middle of the floor, finger in mouth, staring fearfully into the shadows.

On 5th April James left Edinburgh to take possession of his new kingdom, with a characteristically delusive promise to be back soon. Father McWhirrie, though despondent about the immediate situation of the Catholics, is hopeful that some measure of relief would ensure from this revolutionary change in the situation and especially from the proposed union with England which would mean that Scotland would come under the English laws of recusancy, enabling Catholics to compound for money.

He is exceedingly forthright about the extent of the Catholic timidity in the face of the persecution and gives clear indication of the despair that had begun to afflict the Scottish Catholics by reason of the defection of the Catholic Earls in 1597. Father Huntly, in a letter of that year, supplies eloquent testimony to the influence that their desertion had upon the Catholic cause.

But Huntly, optimist to the last, is buoyed up by the report of the King's attitude to the Puritans at the Hampton Court Conference. Father Crichton in a letter of 1605, deploring this and other aspects of Huntly's judgment, writes that he thinks James's adhesion to the Anglican cause is an even greater blow to the Catholics than if he had remained Presbyterian, for to abandon errors that were manifestly inexcusable while he continued to cling to others, fewer in numbers and less pernicious, makes his conversion even more difficult for the Catholics, 'whose object is to expose the falseness of his belief; because, the more obvious and intolerable error is, the more clearly and easily is it exposed'.

In a later letter of the same year he says that the fact that the King acknowledges the authority of the Pope while refusing obedience to him is of no consequence, for Lutherans do this also and continue obstinate enemies of the Church.

Like Father Abercromby in the previous year he does not see much hope for the future though he still clings to what he believes to be the one certain factor in the situation, the continued existence of large numbers of Catholics, openly so or only nominally Presbyterian.
With the Gunpowder Plot and the great controversy that ensued between the King and Cardinal Bellarmine, the situation became increasingly desperate; in 1610 came the last shattering blow—the consecration\(^1\) of the Scottish Bishops and the definitive establishment of Episcopalianism and the attempt of the Government to allay Presbyterian alarm at this by a more intense persecution of the Catholics.

By 1611 the two last remaining Jesuits in Scotland, Fathers Anderson and Abercromby, had to leave the country. About this time the Earl of Angus had sent a request to the General of the Jesuits to send more priests to Scotland.

'I entreat your Reverence', he had written, 'to send none but such as both desire and are able to bear with a courageous heart the burden and heat of the day.'

Aquaviva had acted promptly on the Earl's request and sent instructions to Huntly, 'to take into consideration the affairs of Scotland'. In the report compiled by the combined labours of Huntly, Crichton and Anderson, the whole sorry tale is unfolded, the ambitious and hopeful schemes of Crichton and Huntly, the more pedestrian labours of Dury, William Ogilvie, Abercromby and McWhirrie.

* * *

Ogilvie, with the oils of his ordination fresh upon him and imbued with simple apostolic fervour, could see amidst all the intricacies and complications of the Scottish situation only those many souls who hungered for the solace of the sacraments.

By the middle of 1611, while the three veterans were debating the substance of their report, Ogilvie was writing to his friend Father Moffat in Rome. In this letter he mentioned that he had been chosen by his Superiors for the Scottish mission, but the General, who had been shown the letter, had no knowledge of the matter and wrote to Ogilvie on 21st June to clear up certain misconceptions that he appeared to be harbouring.

We learn [writes Aquaviva] from your Reverence's letter of May 4th to Father James Moffat that you are getting ready

---

\(^1\) This, of course, not to be understood in the full Catholic sense of the word consecration.
with the permission of your superiors to go to the Scottish mission and that you are awaiting travelling expenses and letters which will indicate to you when to set out. But, because we do not know who has chosen your Reverence especially since Father Gordon senior (Huntly) has recently written to us and said nothing about it and because such missions are not usually undertaken without our permission we should like to know who were the superiors mentioned in that letter of your Reverence and what were the wishes they expressed, for, indeed, we do not think it safe for anyone to go at this time and that is why for a long time past we have decided that no one should be sent. Therefore, in the meantime, let your Reverence remain where you are and let us know which of your superiors ordered your Reverence to go there. It will be expedient lest that superior should wonder at your delay that it should be made known to him that this, for the time being, is our wish in the matter. Afterwards, the Lord willing, we shall see what can be done and we shall communicate what we have decided.

Ogilvie, oblivious to, or sceptical of, the dangers of the Scottish situation and imbued with more than a fair share of youthful confidence, continued throughout the following months to plead his case with the General and in a letter from Aquaviva of 30th January he receives another gentle rebuff. This letter was in reply to one from Ogilvie in which the Scotsman had explained that on leaving Olmutz he had believed himself destined for the Scottish mission and pointed out, in confirmation of this view, that he had been asked to deliberate on the affairs of Scotland, a request which he seemed to think implied some intention of sending him there.

I have seen [writes the General] the letter of your Reverence in which you mention your desire to go to Scotland whither you think we purpose to send you as you have heard from others. You are of the opinion that such an enterprise should not be abandoned through fear of persecution. The sending of you there was never even discussed; it was decided simply that you be sent to France with Father Elphinstone who was going there from Austria. Certainly you were later to deliberate about what was to be done. But, as the time had not come for advice,
it is scarcely surprising that we should be curious to know on what grounds your Reverence wrote that you had been chosen for such a mission. On the other hand your ready will has been most edifying and later on as opportunity occurs we will see what can be done. Meanwhile, take care to do everything your superiors tell you.

Whether, indeed, it is wise to send any to Scotland is a difficult question for we know the dangers to be very serious. Fathers Abercromby and Anderson had to leave when it was realized how very pressing the danger was. Nevertheless, we will write to others to take your opinion into consideration and, thereafter, we will decide in the Lord what it is best to do both as to methods and individuals.

Between 21st June 1611 and 6th November 1612, the General was in correspondence with Gordon and the French Provincial on Scottish affairs and addressed a letter also to Father Ferdinand Albers on the same subject. There seems to have been some cleavage of opinion between Huntly on the one hand and the younger Jesuits on the other, for besides Ogilvie, Elphinstone and Anderson were pressing to be sent on the Scottish mission, regardless of the dangers involved.

Both Huntly and the French Provincial felt that Ogilvie should not be sent because of the dangers and he had obviously shown himself disposed to underrate these, although, with the death of the Earl of Dunbar, there had been a lessening of the persecution.

On 6th November 1612, the General again gently rejects Ogilvie's request.

I have heard by your two letters of September and October of the serious illness of Father Alexander Seton. Since I wish for his recovery from the bottom of my heart and also for God's service I am naturally anxious and await further news. Meanwhile, I am sure your loving care will continue as heretofore and I am confident for this reason that he lacks nothing. As concerns his money on which matter your Reverence, at Father Seton's request, wrote to Father Moffat that it might be spent on the Scottish mission we have already written to Father Gordon Huntly. From him your Reverence can learn what I have decided.
I have seen what your Reverence wrote about Father Anderson and his business and we will recommend whatever shall seem good in the Lord. You did well to forward to us your opinion.

As regards your going to your country, follow the instructions of Father Huntly, who will see what there is need to do. The same letter of your Reverence draws our attention to the entire peace which reigns in that country. Would it were so, indeed, but it is to be feared that this information comes from unreliable sources; there are many who think otherwise and reckon that dangers loom ahead. May the Lord guide all our ways to his greater glory and the good of all peoples.

I had already heard about Father Peter Grynaeus and he himself had written to us. We have already written back giving our opinion.

Your Reverence desires a licence for reading heretical books so that you may prepare sermons and arguments against heresy. You are to do as Father Gordon has directed and are to apply to him; you may tell him in our name that we grant such a licence to your Reverence provided he judges that it should be granted.

Ogilvie was making no headway with the General and there can be no doubt that Aquaviva's cautious view of the matter was a great deal more prescient than that springing from the young Scotsman's ebullient optimism; it would appear that Ogilvie was succumbing to that tendency common amongst émigrés of magnifying hope and cherishing ill-grounded confidence.

This letter of 6th November seems to have convinced Ogilvie finally of the General's firmness and, still consumed with pure apostolic zeal, he tries to interest Aquaviva in another project which would give scope to his missionary ardour, a mission to Denmark, but this also the General rejects in a letter of 26th February 1613.

Your Reverence [the General writes] has written to me twice. The letter of January 11th contained your opinion concerning those of ours whom you judge suitable in various degrees for the work to be done. These matters we have considered and we will make use of the information if need be. Your Reverence
did well to make known what he had thought in the Lord. For the rest you must submit to the arrangements of your superiors which I know has always been your heartfelt wish.

This answer will suffice also for your other letter which dealt with helping Denmark and in which you stated how willing you were to go thither and how hopeful you were of success. It is, indeed, desirable that a suitable occasion and scheme for this may be demonstrated but another Father, a Norwegian, has tried many expedients and we have learned that the difficulties are fewer than would appear at first sight.

The General, nevertheless, despite the discouraging tone of his letters, is coming round to Ogilvie's point of view and the first intimation of his change of heart is in a letter of 21st May 1613, to Father Huntly. The seventy-eight-year-old Superior of the Scottish mission had asked permission to be sent to Scotland to take control there.

Aquaviva rejects his request on the grounds of age, that he had no one to fill his place in France and that he was so well known that his presence would excite disturbances against the Catholics. He suggests that it would be less perilous to send Ogilvie and Anderson.

Huntly finally surrendered and in the summer of 1613 Ogilvie received the command he had so long awaited.
SO VILE BODIES

We have asked, we mean such of us as he travels with in this affair, what the men are alleging that they might be so vile bodies as it might fall his Majesty would not count them worth. . . .

Letter from Scottish Bishops to Mr. John Murray of his Majesty’s Bedchamber concerning the apprehension of some Jesuits.

SOMETIME after May, Ogilvie set out, travelling by way of Germany, for we know that he spent a night at the Jesuit house at Mainz where he made his confession and said Mass. Towards the beginning of November he landed in Scotland and immediately made his way north to his own county of Banffshire. His stay in the North was a mere six weeks and it would seem that his motives were such as would animate any exile, so long deprived of his country: filial piety and simple nostalgia.

There was little danger to be apprehended in this area, for the Cock o’ the North, though somewhat chastened in spirit by recent events, was still a powerful patron and indefatigable harbouer of ‘jesuits and traffiquing papists’. From the time of the Glenlivat victory, Huntly had been in and out of favour with the King and, though nominally a Protestant since 26th June 1597, when he had made his submission to the Kirk in order to regain his confiscated property, his steadfastness to the reformed faith was not such as to remove the well-founded suspicions of the ministers as to his sincerity. He had rebuilt with even greater splendour than before his magnificent Castle of Strathbogie, blown up by James after Glenlivat, though he could not replace the beautiful tapestries and hangings, unrivalled in Scotland, that had once adorned the walls for these were now in the possession of James himself.

Throughout the dramatic upheavals of his stormy career Huntly had kept the flame of faith flickering with more or less intensity, as his wavering fortunes allowed, but it was seldom
that he withheld his hospitality from the wandering priests. One of Ogilvie's biographers asserts that the Jesuit spent the Christmas of 1613 at Strathbogie and that twenty-three years later when the old Marquis lay dying at Dundee he recalled fondly those precious hours in the company of the martyr.

During his stay in the North Ogilvie commenced his missionary labours, celebrating Mass, hearing confessions and administering the sacraments to those numerous Catholics who inhabited that triangle of country bounded by the straths of Dee, Bogie and Spey, amongst them Grant of Ballindalloch, at whose house he stayed, a circumstance which was later to involve Grant with the authorities.

Towards the end of December the Jesuit made his farewells and took the road to Edinburgh. The capital of Scotland was one of the greatest of the Calvinist cities of Europe and here the rigour of the penal laws was applied with all the force that one would expect in a city which contained the chief agencies of both Government and Kirk. Arrived in Edinburgh, Ogilvie made his way to the suburb of the Canongate and, amidst the labyrinthine maze of alleys and vennels that weaved their intricate pattern through the closely huddled tenements, he sought the house of William Sinclair.

He had received Sinclair's name, probably from Father Anderson, before leaving France, for Anderson had been in Edinburgh as late as 1611. Missionary priests usually contrived to find some secure base of operations from which to conduct their perilous labours, and in England the Catholic intelligence system had reached an excellent pitch of organization, priests being passed from house to house there in regular and relatively safe progress. Matters were a good deal more haphazard in Scotland but the embryo of such a system undoubtedly existed for we know that Ogilvie had gone to Sinclair's house by design and that he had, besides, a list of names provided by Father Murdoch.

The young Edinburgh advocate, William Sinclair, was thirty-one years of age at the time of his first meeting with Ogilvie and had just begun the practice of his profession. He had been a Protestant in his youth but a few years before had become a
Catholic, and now, with a convert’s zeal, had volunteered for the hazardous task of sheltering missionary priests. It was a singularly unpropitious season for resetting Jesuits and as Ogilvie sat over his meal in company with Sinclair and his wife, Isabel, he would hear something of the sensational affair of James Stuart, commonly known as ‘James of Jerusalem’.

In September of that same year of 1613 the authorities had at last caught up with Stuart, a ‘notorious open and profest papist’. His offences were not only heinous in themselves but reflected great discredit on the spy system of the Government and Kirk, for he had been practising his abominable crimes consistently since 1609 in, amongst other places, his house in the Netherbow, with a sacrilegious disregard for the fact that it lay in the shadow of the building that had once housed the great Reformer.

Stuart was accused of having been present at, in some or all of the months of the years of 1609, 1610, 1611 and 1612, and of having given his bodily presence to, divers Masses said by divers priests in various places in the realm but, more specifically, he had heard Mass in the company of John Logan of Restalrig, said by a priest named John Burd in his house in the Netherbow. Here the little company had brought the realm into danger by their perverse idolatry, but even before this Stuart had heard Mass said by Father Patrick Anderson, s.j., in the dwellinghouse of Robert Abercromby, near the burial yard of St. Giles.

What irked the authorities in Stuart’s case as much as his hearing of Mass was that he had shown himself singularly indiscreet in his affirmation of the papist religion by being ‘ane common reasoner in all companies for the said Roman religion’, a fact which seems to argue a considerable degree of truculence on the part of Stuart or a moderation of mind on the part of the Edinburgh citizens that would not be to the liking of the ministers.

Together with Stuart there was tried Father Robert Philp, a seminary priest from the Scots College, Rome, who later achieved some celebrity as the confessor of Queen Henrietta Maria, who became very attached to him and described him as ‘a prudent and discreet man and would not suffer her to be pressed to any passionate understanding and always told her that she was to live
well towards the Protestants who deserved well from her and to whom she was beholding'. This, however, was some time before that January day of 1649 when her husband appeared outside the Banqueting Chamber in Whitehall to meet the executioner appointed by his Puritan subjects.

With Stuart had been arrested also John Logan of Restalrig, who seems to have played a somewhat more craven part than the intractable Stuart. Logan's plea against conviction was that the Act under which he was indicted imposed death only on those who had been thrice convicted and, since he had only recently come home after some years in Flanders and had heard only one Mass, he could not reasonably be proceeded against with the full rigours of the law; indeed, his presence at even this solitary Mass should not fairly be held against him since he had been enticed there by James Stuart. If this were not enough to move their hearts and he was to be accounted guilty, then it should be taken into consideration that he had already displayed great grief for his offence and so august a body as the Kirk Session of Restalrig had been greatly affected by his sincere repentance, shown in his regular attendance at the hearing of the word and celebration of communion; so touched, indeed, were these ghostly fathers of Restalrig at the spectacle of this brand snatched from the burning that they had exalted him to office in the Session. As a final and heart-stirring appeal to the mercy of his judges he protested that, by God's grace, he intended to continue a true and constant professor of the 'trew religion'.

The Advocate, coldly insensitive to these remarkable manifestations of divine grace, answered that all must be considered wilful hearers of Mass that heard it voluntarily, and it was not alleged by Logan that he had been compelled to attend and not all his subsequent piety and godly demeanour could alter that fact. In any case, continued the Advocate, it was proved that he had taken an active part in the matter for he had actually been responsible for bringing the priest, John Burd, to Stuart's house and had roused Stuart from his bed in order to have the Mass celebrated.

The Jury, however, took a comparatively lenient view of Logan's felony and sentenced him only to a fine of £1,000 Scots;
Stuart and Philp were banished and suffered forfeiture of goods.

Even in this unpropitious year; however, the Catholic colony of Edinburgh had been able to send two recruits to the Scots Colleges, George Laurence and Robert Vallance, who became a Jesuit and served on the Scottish mission.

* * *

Ogilvie spent only a few weeks in Edinburgh on this first visit and early in 1614 he left for London for some reason that has never been satisfactorily explained. In the Government version of his trial there is, of course, a sinister interpretation put upon this journey for it would seem a prodigal waste of a good Jesuit not to be able to attach a plot to him. It is stated in this account that he had suggested to some of his fellow Scotsmen at court that he ‘had a supplication for some wrongs to present to his Majesty’. It is not likely that there was any more to this than an attempt to out-do Father Huntly by a last-minute appeal to the latent Catholic sympathies of the King for some relaxation in the persecution laws. The Government account, however, suggests that this was merely a piece of Jesuit guile and throws out vague hints as to ‘his pretended business’.

Whatever the business was, Ogilvie thought it sufficiently important to communicate by word of mouth to Father Huntly and, to the great surprise and indignation of his Superior, Ogilvie arrived in Paris on Holy Thursday, 27th March. Huntly did not share Ogilvie’s enthusiasm for the project and his indignation boiled over in a letter to the General of 8th April 1614. Referring to a letter that he had already sent to Aquaviva on 24th March Huntly continues:

Since then, contrary to my expectation, there arrived here Father John Ogilvie from Scotland and his letter I send, together with this, to your Most Reverend Paternity. But, because the reason for his coming was slight I sent him back immediately to Scotland, for he came here on Holy Thursday and returned on April 2nd. For it fell out conveniently that he had obtained a safe conduct in London both for his journey here and for his return. I earnestly forbade him to come back
here without permission and not unless we were first notified, unless, perhaps, he is compelled by the authorities to leave. I am thinking of sending Father Moffat afterwards, at the first opportunity. A real opportunity must be looked for and better than has hitherto arisen for we are afraid that he might give himself away. . . .

A month later Huntly wrote again to the General announcing the departure of Father Moffat: ‘Father James Moffat left for Scotland on April 28th. . . . He shall find Father Ogilvie before him.’

As it turned out, Father Huntly was wrong in this prediction for Ogilvie had not yet arrived in Scotland, probably having been delayed awaiting a convenient vessel, and he was joined at the French port of embarkation by Father Moffat and by a Capuchin priest, Father John Campbell. The three priests, in disguise and under assumed names, set sail for Leith; Ogilvie, posing as a horse-dealer, had assumed the name of Watson, Father Moffat that of Halyburton, and Father Campbell, of Sinclair. Of the three, Father Campbell was the veteran and had already served on the Scottish mission in his own county of Ayrshire, for he was a native of Irvine.

The priests spent some time together in Edinburgh before Moffat and Ogilvie departed to their chosen mission fields. Moffat eventually set out for the east coast to begin his short-lived labours and Ogilvie proceeded to the western county of Renfrewshire acting possibly on information supplied by Father Campbell, who knew this district well but who was, also, himself a familiar figure in the area.

In Renfrewshire, as William Sinclair later testifies, Ogilvie met with considerable success, reconciling some of the gentry to the Catholic faith. Some time towards the end of July he celebrated Mass in Glasgow, attended by Hugh Semple, the Laird of Craigbet, near Bridge of Weir, an offence for which Semple is later to be put to the horn. This fate, however, did not greatly depress him for by that time he was already on the Continent commencing his studies for the priesthood and preparing for his later dignity of Jesuit Rector of the Scots College at Valladolid.
In August, Ogilvie returned to Edinburgh and resumed his friendship with the Sinclairs. The whole length of his acquaintance with this pleasant and cultivated Catholic family did not extend in all to more than nine months, but the depth of affection that they conceived for him was great enough to withstand the sentence of death, the exile and the forfeiture that they were to suffer on his account. Making every allowance for the charitable inclination to ascribe previously unsuspected virtues to the dead, Ogilvie appears to have exercised a fascination over people that was later to render him somewhat of an embarrassment to his captors, for the minister of Glasgow, Mr. Robert Scott, is later to chide his congregation for the signs of grief they were evincing over the death of a papist priest. His theological professor, Father Gisbert Schenk, s.j., is the first to note that charming combination of sincerity and humour that was to render his trial one of the causes célèbres of its age. Father d’Oultremann, s.j., who knew many of Ogilvie’s intimates, comments also on that strain of humour that seems to have endeared the Scotsman to his friends and fellow-students and in reporting his trial says as a commentary on one of his answers, ‘Comme il estoit facétieux’.

The characteristics that impressed Sinclair most deeply were his zeal for souls and his contempt of danger in their pursuit. As an example of this he speaks of how Ogilvie visited the imprisoned Catholics of the capital and, as a particularly spectacular instance of this, his visit to Edinburgh Castle to bring spiritual consolation to Sir James Macdonald of the Isles who lay there under sentence of death.

The Jesuit’s dangerous trafficking was not confined to highly educated adults such as Sinclair, but unfairly extended to the two little boys of the household, Roger, aged four, and Robert, aged six. Apart from Ogilvie’s personal charm, which, one feels, would be most attractive to children, it is clear from Sinclair’s later deposition to the Roman Court that the two boys would never be allowed to erase from their minds the memory of that mysterious, but delightful, visitor who, with all the concomitants of secrecy and reverence, had celebrated Mass in their house in the Canongate. This affectionate recollection survived even those
weeks of acute misery when their father lay under sentence of
death and that moment of tragic poignancy when he stood at the
foot of the scaffold waiting the execution of his sentence. Their
childish ebullience of spirit would possibly blunt their apprecia-
tion of the ruination, banishment and poverty that followed, for
Robert, thirteen years after Ogilvie’s execution, entered the
Society of Jesus in Rome. Roger, however, was preserved from
the worst dangers of evil communications by dying an angelic
death at the age of fourteen at Douai.

As the priest moved about the capital on his perilous missions
he saw around him many memorials of the troubled years when
Edinburgh was the storm centre of the Reformation in Europe.
On his way to the castle he would pass the Collegiate Church of
St. Giles where the great Knox had thundered till it seemed as
if ‘he was like to ding the pulpit to blads and fly out of it’, and
his intoxicating rhetoric, always at its most powerful in conditions
which precluded a reply, had sounded with greater effect than
‘five hundred trumpets continually in our ears’.

At the foot of the Canongate were the Palace and Abbey of
Holyrood. In that palace the tragedy of Mary Stuart had begun
and here Knox had delivered his rebukes to the Queen, calling
her religion ‘the Roman harlot polluted with all kinds of spiritual
fornication’, a species of sexual analogy to which he was much
addicted. It was a chamber of this building that resounded to the
terrified cries of Rizzio as his murderers dragged him from the
presence of the Queen, then pregnant of her child, to meet his
death by their daggers.

‘Giustizzia,’ he had cried, and in a pardonable confusion of
tongues, ‘Giustizzia. Sauve ma vie, Madame, sauve ma vie.’

There was not a great deal that the Queen could do in response
to this heartrending appeal for at the moment one of her lieges,
Kerr of Faudonside, was holding a pistol to her breast. Here,
throughout the troubled watches of that same night, Mary had
exercised her feminine charms on the worthless Darnley, her
husband and temporary gaoler, to betray his fellow-murderers
and fly with her to the safety of her Castle of Dunbar.

Only eleven years before, the travel-stained Sir Robert Carey had
knelt one Saturday night in a room of the Palace to hail James VI as King of England.

Amongst Ogilvie’s Catholic friends in Edinburgh were Robert Wilkie, who kept an embroiderer’s booth in the Canongate, and Robert Cruikshanks, at whose stable in the same street Ogilvie kept his horse. The Jesuit often met Sinclair, Cruikshanks and Wilkie in the precincts of the ancient Abbey of Holyrood, once the possession of the Canons Regular of St. Augustine but now serving the financial necessity of John Bothwell, Lord Holyroodhouse. There was not a great deal left of the splendid abbey founded about the year 1143 by King David I ‘in the name of Our Lord Jesus Christ and in honour of the Holy Rood, of St. Mary the Virgin and of all the Saints’. The eager evangelists of 1560 and later, who had made such pious and profitable work of the destruction of the Scottish monastic houses, had been anticipated in this case by their English ally, the Duke of Somerset, who, in two successive invasions, had almost destroyed the great abbey.

In August the priest once more took the road to the west. The ecclesiastical capital of the west of Scotland was the tranquil little cathedral and university town of Glasgow. As the Jesuit entered from the Gallowmuir, through the Eist Port and across the small bridge that spanned the Molendinar Burn, he saw on the heights that bordered the city to the north the ancient and relatively intact Cathedral of St. Mungo, one of the few ecclesiastical buildings of any note in Scotland to escape the attention of the reformers. Indeed, at that very moment it was resplendent in the glory of a new lead roof constructed at the expense of the Archbishop, John Spottiswoode.¹

Within a few minutes of passing through the Eist Port, Ogilvie found himself at the city centre which formed the intersection of the four main streets, the Gallowgate, along which the priest had just travelled, the Trongate stretching west on the opposite side of the square, High Street to the north, and Saltmarket to the

¹ The title Archbishop, so assumed by Spottiswoode and so repugnant to the feelings of the majority of Presbyterians, is not meant here in its full canonical sense as understood by Catholics.
south. After the mixed squalor and beauty of the capital, huddled in insanitary confusion within the confines of its walls, Glasgow offered a pleasant contrast. Apart from the Cathedral there were no architectural beauties to dazzle the eye, but there was that pleasant mixture of the urban and rural which is the chief glory of the small market town, with the added flavour of the academic arising from the presence of the University.

Turning north up the High Street, the Jesuit saw on both sides the solidly built houses of the Glasgow gentry, such as Sir George Elphinstone, standing in democratic and attractive juxtaposition with the small cottages of rough hewn stone, or wood, that sheltered the more humble of the citizenry. Through the gaps between the buildings he caught refreshing glimpses of those pleasant gardens and orchards which had so appealed to the Bishop of Ross on an earlier visit.

There was on every side evidence of the great ecclesiastical past of the city, especially as he reached the crest of High Street, beyond the junction of the Quadrivium or Wyndheid that formed the intersection of Ratounrow, Drygait and High Street, for almost every building here spoke eloquently of its Catholic past. This had been formerly the quarter of the city occupied by the Archbishop and the thirty-two Canons of the Cathedral Chapter, many of whose houses still stood as shabby witnesses to a bygone glory.

Prior to the Reformation there had existed a very intimate union between the citizens of Glasgow and their Archbishops, for these prelates had been not only the spiritual rulers of the city but the temporal lords of the burgh of Glasgow and the history of their administration is one of those awkward circumstances that occur so often to destroy the beautiful simplicity of the Protestant myth of a universally corrupt and avaricious Catholic Church.

From the sixth century, when St. Mungo had founded on the banks of the Molendinar his monastery and Cathedral of Glasgow, the diocese had been ruled by a succession of great churchmen and in a very real way it could be said that the Glasgow that Ogilvie gazed upon was the creation of its Catholic bishops. On
his right-hand side, as he rode up the High Street, there stood the University, now housed in the building formerly occupied by the Black Friars. The University had been formally instituted in 1451 by Bishop William Turnbull, who had procured the Bull of foundation from the great Renaissance Pope, Nicholas V.

 Clemency and justice had marked the temporal rule of the bishops of Glasgow and, apart from their direct contribution to the material prosperity of the city, their very presence had helped greatly to augment its wealth, for, as a cathedral city, Glasgow was the resort of many of the most distinguished in the kingdom and the constant presence there of the Archbishop and Chapter meant a considerable source of revenue to the merchants and craftsmen of the town.

The official historian of Glasgow has pointed out the contrast that very soon struck the citizens of Glasgow with unpleasant force after the hurried flight of the last of their Catholic Archbishops in 1559.

In 1581 [he writes] when the Confession of Faith was carried from house to house by the elders and it seems likely that the greater part of the adult population was induced to sign, the number of names adhibited was only 2,250.

In the house to which Ogilvie was now directing his steps there was someone who could recall more feelingly than most the departed glory. This was Mareon Walker, widow of John Mure and daughter of William Walker, who had been Chamberlain to the last Catholic Archbishop, James Beaton.

Close personal contact with this representative of the Beast of the Apocalypse had not succeeded in diminishing Walker’s affection for him or for the religion he professed for he had brought up his daughter Mareon in such refractory and misguided attachment to the abominations of Rome that even now in old age she undertook in Glasgow the hazardous duty of sheltering the missionary priests. Walker had early and unpleasant contact with the principles of the Reformation for, shortly after the flight of his master, he had been engaged in the onerous duty of separating the wolves from their prey and, in a letter of March 1568 to Beaton, then Mary’s Ambassador to France, he complains
pathetically of the depredations being exercised upon the Archbishop's property.

All the borrow muir of Glasgow on the southe syde of the towne and als Garngad hill on the north part of the town are distribuit be the provest, bailies and communitie of the towne to the inhabitaris thairof everie ane his ain portioune conforme to his degrie... bot I wald have na part thairof quhill it pleis God and youre lordship to name my parte be ressoun I know thai hade na power to deill your lordschippis lands withoute sum consent of youre lordschip or utheris in your lordschippis name.

In the previous year Walker had made a fleeting and dramatic appearance on the stage of national history when he became the theme of a letter from Queen Mary to Archbishop Beaton. In this letter she complained that two of the Archbishop's servants, Walker and Heygate, had been spreading disquieting rumours about some scheme of Darnley's to depose her in favour of her infant son, with Darnley himself as Regent. In an interview with Mary, Walker claimed to have heard the story first from William Heygate, who had told Walker, 'Gif I had the moyen and crydet with the Queenis Majestie that ye have I wold not omitt to mak her privie of sic purpossis in the cuntrie'.

At the time when this letter was written Darnley was in Glasgow lying ill of the smallpox in the High Street mansion of his father, the Earl of Lennox. Three weeks later he was to perish in the terror and mystery of Kirk o' Field. Although there was nothing inherently improbable in anything that this degenerate might attempt against the wife he had already so cruelly wronged, Mary deplored the spreading of such rumours and communicated her displeasure to Beaton.

Her rebukes did not, however, impair the loyalty of either Walker or Heygate, who both continued zealous Catholics and bred two confessors for the faith.

Mareon possessed abundantly the sturdy Catholicism of her father and ten years before Ogilvie's visit had appeared before the Kirk Presbytery of Glasgow to answer for the offence of keeping a crucifix in her house. Far from displaying repentance for her
depravity she had defied the assembled elders with the contumacious reply that ‘she should have mair of them if she had siller’. The shocked elders ordained that the crucifix should be destroyed because ‘the same is ane idole to the said Mareon quhilk may easilie be gathered from her speiches’.

Her house was known to the missionary priests as a relatively safe resort, and her age, experience and inflexible loyalty made her an invaluable ally in their perilous labours.

There was fair scope even at this late stage for the priests in this region, for the West of Scotland had not taken so kindly to the new evangel as the East. Apart from positive papistry the Session was asked to deal with such evidence of moral obliquity as that displayed by James Lyon, John Wilson, Hugh Cook and Thomas Brok, who on 25th May 1608 appeared on the charge of dancing the sword dance in Govan upon the Sabbath, while Lyon, Wilson and Brok were further charged with going guising on Christmas Day.

In the year before Ogilvie’s arrival in Scotland a scandal of great dimensions had come to light through the apprehension of a painter, George Scott. He was accused of painting crucifixes in many of the houses of Glasgow, ‘Quhilk is likely to breed ane corruption and to turn the hearts of the ignorant to idolatry and to make them believe their house cannot be happy and blessed but where the crucifix is’. George proved to be reasonably tractable but pointed out in partial exculpation of his offence that other painters were kept secretly in the houses of the town and were painting crucifixes in almost every house. The Presbytery sent four of their number to the Provost and Bailies to ask them to take order with the painters who ‘were kept secretly in the houses of Glasgow painting crucifixes’. They were to be tried by the Kirk Session and ordered to give up the names of the miscreants who employed them.

A few miles to the west of Glasgow, Paisley had earned itself a dark reputation as a ‘nest of papistrie’ and this was largely due to the influence of two great territorial magnates, Lord Claud Hamilton and the Earl of Semple. Hamilton’s son, the Earl of Abercorn, who had succeeded to the estate on the death of his
father, was a Presbyterian, but his wife, Lady Mareon Boyd, was an obdurate papist and, despite Abercorn’s genuine Protestantism, it would seem that he was not too malignantly anti-Catholic, for after Ogilvie’s death rumour was busy with the names of both Abercorn and Semple as the men who had taken the Jesuit’s body from the grave.

Abercorn was of the house of Hamilton and he was the grandson of the Duke of Chatelherault, who had been nearest in blood to the Throne after Mary Stuart herself. His father, Lord Claud Hamilton, had been reconciled to the Church in 1580 by Father Tyrie, s.j., and his mother was the daughter of the Catholic Lord Seton. The Hamiltons had been amongst the most loyal supporters of the Queen and the whole family had suffered dreadfully in the proscription that followed the assassination of the Regent Moray by Hamilton of Bothwellhaugh. It is a curious commentary on the complicated history of the times that the Catholicism of Lord Claud had not prevented him enjoying his share of the spoils, like any orthodox professor of the word, for the family possessions included the rich Cluniac Abbey of Paisley.

The Countess of Abercorn, whose nephew was to sit on Ogilvie’s trial, fought a long and bitter struggle against the Kirk, especially after the death of her husband in 1618, and suffered the usual heavy penalties for her obstinate refusal to attend the Protestant services.

On the shores of Lochwinnoch, a few miles to the west of Paisley, there stood Castle Semple, the ancestral home of Lord Semple, and there is a strong likelihood that Ogilvie, in the course of his missionary labours amongst the gentry of Renfrewshire, paid a visit to one whose family had so long distinguished itself in its attachment to popery. As early as 1560 Castle Semple had been besieged and taken because Lord Semple had disobeyed the orders of the Council in many things but especially ‘that he would maintain the idolatrie of the Mass’. Thirteen years later he was put to the horn for a singular piece of defiance which consisted of intruding into the vicarage of Eastwood a Catholic priest, John Hamilton, in place of its Protestant vicar. Lord Semple’s brother, Colonel William Semple, had attracted a good
deal of unfavourable attention from the Government as a result of his adventurous and stormy career in the advancement of the Catholic cause. He was the founder of the Scots College in Spain and it was his relative, Hugh Semple, Laird of Craigbet, outlawed for attending Ogilvie's Mass, who became its first Rector.

It may safely be assumed that Ogilvie visited this estate of Craigbet and also, perhaps, the Castle of Newark, whose ruins still stand in the modern Port-Glasgow, for David Maxwell, brother of the Laird of Newark, was sufficiently acquainted with Ogilvie's movements as to know the time and place of his Masses in Glasgow.

It is a striking tribute to the strength of the latent Catholicism of Scotland that where powerful aristocratic influence could in some measure protect the old faith it showed itself remarkably tenacious of life. There could be no question, of course, in the political state of the times, of such aristocratic influence coercing people into Catholicism, but it could ensure a measure of safety for those who chose to ignore the laws.

On occasions the Catholics of Renfrewshire could throw off their wonted discretion and assume an attitude of positive aggressiveness as in the stormy scene that took place outside the parish church of Neilston in 1580. The Catholic priest of the parish had been imprisoned for saying Mass and this so stirred one of his parishioners, Archibald Stuart, that he threatened the ministers that 'he should have their hearts' blood if they brought not home again their Mass priest, Sir Stephen Wilson, then in prison for saying Mass'. Stuart took practical measures to enforce his plea by calling together a large crowd outside the church during time of service and by deafening the preachers within with the din of dancing and the skirling of pipes.

An episode more expressive of the prevalence of Catholicism than of its depth was that which occurred outside Paisley in 1579 when the minister of Lochwinnoch, who had been journeying to Paisley, had the misfortune to have his horse drop dead under him. Three Paisley citizens, affected by his plight, brought ale and poured it down the horse's throat but, finding this unavailing to revive it, began to sing a requiem for the repose of its soul.
During this visit Ogilvie had his first meeting with Robert Heygate, whose name he had received as one, not only himself a good Catholic, but of excellent Catholic stock, and, indeed, the history of the Heygate family affords a fine example of the enduring qualities of Catholicism in the face of remorseless persecution.

Robert's grandfather was that William Heygate who had earned the Queen's rebuke for rumour-mongering. Like his friend Walker he had been an official of Archbishop Beaton and seems to have been just as dangerously infected as Walker himself. He had held the post of public notary, an official appointed by papal authority to superintend the drawing up of legal instruments for, amongst other matters, the transfer of property. By an Act of 1567 all notaries had to appear before the Council to have their appointments ratified and a condition of ratification was that they had to subscribe to the new religion. Heygate apparently did so but he would seem to have been somewhat insincere in his professions for in 1581 we find his son Archibald succeeding him in the office, already a fully-fledged idolater.

Archibald Heygate was singularly indiscreet in his affirmation of his faith and was constantly in trouble over this and other matters. That he received his appointment at all is due probably to the fact that the Provost of Glasgow at this time was the Catholic Esmé Stuart, Duke of Lennox. Archibald was a person of appealing character and of a sincerity so transparent as to adopt the habit of confiding his dangerous thoughts to the spare pages of his official protocol books.

The year after his appointment he is named by the General Assembly as one of those who had taken part in a 'sedition and uproar' in support of the appointment of Robert Montgomery as Archbishop of Glasgow, against the wishes of the Kirk. This entailed serious consequences and it is about this time that he committed to paper a number of observations on the religious situation of the time which indicate in the clearest possible fashion where his sympathies lay.

These extracts indicate that not even Catholics were free from the prevailing Old Testament flavour of Presbyterianism. He has
entitled them, quaintly and pathetically, 'Here begins the extract of certain authorities and notable places of scripture collected for my comfort in the time of my trouble, having begun to read thoroughly the book of God'.

Commenting on the text of Chapter XVII of Deuteronomy, he writes:

Therefore they, whatever they be in the pride of heart, has condemned the authority and judgment of the kirk set down upon the holy scriptures and holy exercises of religion, which has been Catholic and universal, justly by the law they should be as heretics than monstrous Luther and Calvin with all their disciples, as worthy of death as furious wolves and bears clad in lambs' skins. . . . I commend them with my heart to the mercy of God to be returned from their rebellion to the unity of his Kirk.

He ends his appeal with a dark warning as to their fate should they ignore his admonition:

But if they will not hear and return I remit them to the judgment of the last day where then they shall see the holy tabernacle and sanctuary of God and understand his holy Catholic Kirk, which they blaspheme, with invisibility placed in her everlasting glory.

He is strongly obsessed with the iniquities of Luther and several times refers to him in exceedingly unflattering terms:

What warrant then had he to betray the lawful power, I mean the Kirk of God Catholic and the holy religion of Jesus Christ which they profess. I am assured he had no other warrant than that which Judas had that betrayed the Lord Jesus for thirty pence, for as avarice moved Judas even so avarice with the pleasure of fleshly lust moved him for being refused promotion to a benefice to break the holy order of his profession and persuade a nun, Catherine Boir, to follow him and come out of the nunnery of Nenevik.

Archibald shows himself not unaware of one of the compelling motives behind the Lords of the Congregation:

Now to compare the disobedience of Saul to the rebellion and disobedience of this our age and time which both prince
and people does to the Kirk of God . . . which was the in-
ordinate desire of the beasts and spoil of the battle that was
great, even so the inordinate desire which the lords, earls and
barons and common people of this our country . . . had, and
yet has, to the kirk rents and specially the teinds that was
promised to the common people by the preachers of the incon-
siderate and fearful rebellion moved them to reject the sweet
yoke and obedience of God’s spouse, his Holy Catholic Kirk.

The controversyal cast of his mind occasionally gave place to a
feeling of religious devotion that issued in a number of pious
reflections. Thus, on 29th August 1609 he writes tenderly and
beautifully:

To remembr evir this day befoir the Lord and to follow
the purpose of my hart with zeal and to call by daylie prayer
upon my God for the spreit to follow furth the samen becaus,
without him, Jesus sayis we can do nathing swa he hes promist
he will gif and will cum and remane with us and mak us bring
furth gude fruit in abundance to thee honour of his name and
infinit joy of our hertis throch a gude conscience. Amen, Jesu,
Jesu, Sweit Jesu, Amen.

Archibald was in need of as much spiritual consolation as he
could derive from his religion for, throughout the years, he was
at constant loggerheads with authority. In 1588 Scotland received
the backwash of the Great Armada and the Kirk was thrown into
considerable perturbation by the prospect of a Spanish landing
and, as in all times of national distress, Parliament had immediate
recourse to a proclamation against Jesuits, seminary priests and
their harbourers. Archibald duly appeared on a list of ‘receavers
of Jesuits’ presented to the General Assembly in February 1588
and for this enormity received the appropriate and terrible
penalty of excommunication.

By July 1589 he had temporarily patched up his quarrel with
the Kirk and this, of course, involved complete submission and
a promise of good behaviour, together with attendance at church.
This praiseworthy change of heart was, however, short-lived and
in November 1592 the Kirk Session records that he has broken
his obligation and the ministers of the Presbytery are ordered to proceed summarily against him.

Robert, though nurtured in this fervidly Catholic atmosphere, seemed to possess more discretion and was helped in this by the fact that he had eschewed the family profession and had set up in business as a stationer, thus avoiding the glare of publicity incidental on the calling of notary. Though less aggressive in his Catholicism than his father, his later career was to show that his fervour was no less profound and now in his booth in the High Street, a little above the Stinking Vennel, he was to take the decision that altered his life and sent him a few months later as a soldier to the Low Countries, an exile for his faith. Ogilvie bought some paper from him and, having made his purchase, desired some further conversation. The two then retired to the tavern of William Stewart where they shared a chopin of wine; Ogilvie first announced himself as a horse-dealer on his way to Kintyre to purchase a horse, but suggested to Heygate that, with his local knowledge, he might be able to purchase an animal for him in the vicinity of Glasgow.

The priest, with a caution bred of the ever-menacing dangers of his surroundings, opened up the matter thus tentatively probably in order to make a rough estimate of Heygate’s character. This quick scrutiny apparently satisfied him for he now declared himself a priest without, however, proffering his name, which Heygate wisely did not demand. It was natural that the two should now make their way to the house of Mareon Walker where Ogilvie showed Heygate some of his books of religious controversy and, before leaving for Edinburgh, heard his confession, and arranged to come back in early September by which time Heygate would have warned the Catholics of his coming.

In September Ogilvie returned, according to his promise, and in Mareon Walker’s house, near the Stable Green Port, the Jesuit celebrated Mass for a small congregation consisting of Mareon Walker, John Mayne, Robert Heygate, William Menteith, Mathew Adam and the brothers Thomas and James Forret, owners of the tennis court near Drygait.

Robert Heygate had entertained great hopes of his friend,
James Stewart, son of the Provost of Glasgow, and on this visit he had arranged for Ogilvie and Stewart to meet. Stewart was a sturdy Protestant, a person of chivalrous disposition, who gladly debated with the priest on matters of religion and, while unconvinced by his arguments, was not at all rancorous in his opposition and did not mind sitting with the priest over a chopin of wine. On the day of Ogilvie’s betrayal Stewart did what he could to save him and found himself in prison as a result of his perilous interest in the Jesuit. Present also on this social occasion was Andrew Summer, who later deposed that Ogilvie had tried to entice him to the Catholic faith, without success.

On this occasion Ogilvie stayed for some days lodging at a public inn in the city and two days after the first Mass celebrated another, again in Mareon Walker’s house, attended by Mareon Walker, Robert Heygate, William Menteith and David Maxwell, brother of Newark.

Amongst the distinguished Catholics of the neighbourhood known to Ogilvie was Sir James Cleland of Monkland. One of Ogilvie’s biographers asserts, though without affording any proof, that Cleland and Ogilvie had journeyed back from London to Edinburgh together. It is certain, at any rate, that Ogilvie knew him for on his first meeting with Heygate he had asked Heygate to ride to Sir James Cleland’s house at Monkland to inform him of Ogilvie’s arrival. Now in September Ogilvie travelled himself to Monkland, and administered the sacraments there.

Nearer Glasgow itself was the estate of Cowglen belonging to William Maxwell of the house of the Maxwells of Pollok and this too was visited by Ogilvie. Lady Maxwell of Pollok may have met Ogilvie here, but at any rate she came on one occasion at least to Glasgow to see him. Another Catholic of the neighbourhood indicted for resetting Ogilvie and hearing his Masses was Mr. Robert Urie, a Paisley lawyer.

During the next few weeks Ogilvie celebrated a number of Masses and reconciled several people to the Catholic faith; in addition to those already mentioned there were, amongst his penitents and converts, Archibald Mure, son of Mareon Walker, Duncan Semple, John Wallace of Corsflat, and Archibald Schilk.
The Forrets and Mathew Adam had experienced a sudden and understandable timidity after attending the Jesuit's first Mass and refused to come to any other, a resolution which was ineffectual to protect them from sentence of forfeiture and banishment. Thomas Forret was later to end up, like Robert Heygate, as a soldier in the Low Countries and had a lifetime of exile to reflect upon the statement made to his judges that, after being at Ogilvie's first Mass, he saw by the sight thereof 'that he despised that religion'. His brother James, though not quite so emphatic in his denunciations, was, nevertheless, at pains to assure his judges of his soundness in true doctrine; he is inclined to place the blame on a priest called Dawnie who had some years before seduced him to the Catholic religion and had now given his name to Ogilvie. For all this he had 'cravit God's forgiveness', a circumstance which did nothing to mitigate his sentence.

Mathew Adam, who was a sailor and had been a Catholic for five years, had been converted to the Catholic faith in Denmark but, apart from his unfortunate lapse with Ogilvie, had only once before had dealings with a priest in Scotland and that had been in the previous summer with the priest called Dawnie. He now surrendered to the superior dialectic of his judges and professed the religion established by the laws of the realm.

Apart from the Forrets and Adam, none of the Catholics whose depositions are on record denied their faith or gave any signs of repentance. Menteith, who had been a Catholic for twelve years as a result of a period of service with Lord Ker at his house of Monkton, near Ayr, when he had been converted by Lady Agnes and Lord Archibald Douglas, volunteers no information as to his state of mind either by way of assertion or denial of the Catholic faith. This is also the attitude of Robert Heygate, but John Mayne, a young graduate of Glasgow University, asserts with quiet courage that, 'as yet he avowis that religion and professis the samyn quhill he be better resolved'.

Ogilvie left the city once more and returned to Edinburgh for what was to be his last visit there as a free man. On 3rd October he came back to Glasgow on an errand very dear to his heart, the reconciliation of five people to the faith. Amongst these was Adam
Boyd, brother of the Countess of Abercorn and uncle of Robert, Lord Boyd. He was a man whose chronic impecuniosity, together with an incorrigible depravity of character, had already got him into a good deal of trouble with the authorities. On several occasions complaints had been made to the Privy Council about his behaviour, notably as a result of two incidents involving his relative, Colonel David Boyd. On the first occasion in July 1599 he had attacked the Colonel in the High Street of Glasgow and wounded him. His failure at this first attempt irked him considerably, for a few months later he is denounced as a rebel for attempting to murder the Colonel in Kilmarnock. His sister-in-law, Jean Kerr, Mistress of Boyd, also complained to the Council of his murderous proclivities.

His property of Nethermains in Ayrshire seemed insufficient to support his ambitions and he now turned to the profitable and relatively simple trade of informer, a calling which had the further and unusual merit in his case of being not only permitted, but positively encouraged by the law.

There is an interesting example of how the Government secret service worked in a letter from the Privy Council to Mr. John Murray of Lochmaben, of his Majesty’s Bedchamber, a trusty confidant of the King whose service was suitably recognized by the Governorship of Lochmaben Castle and the grant of certain ecclesiastical property formerly belonging to Holywood Abbey. The Council write:

Right Assured Friend,

In the letter we have sent to his Majesty we referred two particulars to be made for the apprehending some Jesuits and massing priests and presenting them to the Council. The offer was made of four but now one of them is dead . . . took sick in the Laird of Gicht’s house and was carried forth to one of his tenants and buried secretly. The rest live in the country and were never more busy than at this present. The gentleman is ready to undertake their apprehension upon security of reward. But without this will not hazard for any promise that can be given to him. The Archbishop of Glasgow told from his Majesty that the man should surely be rewarded according as his service would be found worthy.
But to indent for every man upon one particular sum beforehand could not be expedient and might turn to the prejudice of him that served seeing he might fall upon one that is worth ten thousand pounds. . . .

We have asked, we mean such of us as he travels with in this affair, what the men are alleging that they might be so vile bodies as it might fall his Majesty would not count them worth. . . .

Boyd, in accordance with his arrangement with the Archbishop of Glasgow, had arranged to meet Ogilvie in the market square of Glasgow at four o’clock in the afternoon of Tuesday, 4th October.

A little before the appointed hour the priest made his way to the rendezvous and, while walking there, fell in with James Stewart whose father had only that day demitted his office as Provost of Glasgow in favour of the new incumbent, James Hamilton of Torrens. Stewart’s taste for controversy found ample scope with the Jesuit and it was while the two were engaged deeply in converse that Boyd from his vantage point gave the signal. A servant of the Archbishop, an exceedingly tall man named Andrew Hay, approached them and, speaking to Ogilvie, directed him to follow him to ‘his Lordship’. Ogilvie, still unaware of the treachery to which he had fallen victim, thought that he was being taken to the house of the Sheriff of Glasgow, who was Boyd’s nephew, for the informer had earlier arranged to take him there in order to discuss the more conveniently the important matters they had in train.

Stewart, however, showed himself more astute and, realizing the danger in which the priest stood, quickly interposed himself between them and insisted that Ogilvie should go to his house. Hay’s orders were too strict to allow of this and while they argued the curious bystanders had begun to gather and Ogilvie, still unaware of the peril of his position, tried to pacify the disputants.

He soon realized the trend of events when the crowd started to lay hands on him, one of them seizing his sword. The priest protested indignantly that he was not concerned in the quarrel
but the rush of the crowd bore him down and, still protesting, he was carried forward on their shoulders. Someone snatched off his cloak and Ogilvie contended, somewhat ineffectually under the circumstances, that he would go no further unless he got it back.

Finally, he saw his opportunity and snatched his cloak out of the hands of the thief. By this time they had reached the house of Provost Hamilton, who was one of the crowd, and he directed them to carry Ogilvie inside, the Jesuit all the while protesting against the barbarous manners of the mob.

Archbishop Spottiswoode had by now been informed of the fracas, and the story, when it reached his ears, had swelled to alarming dimensions; his servants had been killed, a general massacre had begun, the city was in arms. This was not an altogether fanciful rumour, for Glasgow had been disturbed of late by a number of faction fights, particularly those amongst the various aspirants to the Provostship. Spottiswoode sallied out of the Castle, accompanied by a group of lairds and gentry who were in Glasgow for the election of the Provost, and coming to the market place he found all quiet. He asked where Ogilvie had been taken and having ascertained his whereabouts made his way in the darkness to Hamilton’s house.

When he entered he saw the Jesuit sitting on a chair behind a table with his back to the wall. Ogilvie rose as Spottiswoode entered and, coming forward to the Archbishop, was met by a stunning and unprelatical blow on the face, accompanied by the words, ‘You are overbold to say your Masses in a reformed city’.

The priest, as later events were to demonstrate, did not take kindly to treatment like this and he now answered with cold indignation, ‘You act like a hangman and not a bishop in striking me’.

The servants of the Archbishop and other bystanders, misliking the tone of his answer, began to strike savagely at him, scratching his face and tearing at his beard. As Ogilvie reeled under the blows Lord Fleming ordered them to stop, but finding his commands ignored had to use force to release him.

The Jesuit, stunned by the treatment, was roused suddenly to
a fresh horror as he felt their hands plucking at his clothes while they searched him. As they pulled up his shirt his outraged dignity caused him to shout out, 'Shameless brute, what do you expect to find but what you, being a man, possess? Do you want to castrate me?'

They continued with the search, however, and found upon him a breviary and a compendium of the various controverted points of religion, a class of literature that had been called forth abundantly by the circumstances of the time; in his purse they found some money, a silver reliquary, a ring seal, and some bezoar powder. On the following day they seized his horse at the inn and also searched his room, but a friend, managing to anticipate them, had taken away his vestments and altar furniture. The authorities instituted a strict search and the well-intentioned Catholic had to return the property, probably with appropriate safeguards against their discovering his identity.

This turned out to be an extremely rich find containing, as it did, a surfeit of objects of such an unmistakably popish stamp as to rouse the indignation and wonder of all good Protestants. Amongst his relics were some of St. Ignatius, St. Margaret and St. Catherine, and these, together with his vestments, chalice and portable altar, placed his profession beyond doubt. In addition, he had a papal dispensation designed to relieve the anxiety of those potential converts who found themselves in possession of former church livings. Unfortunately, they found two documents of immense value to them and exceedingly dangerous to Ogilvie's penitents. The first was a list of names, probably in code, which had been given to Ogilvie by Father Murdoch and this Ogilvie had hidden in his room with elaborate precautions for its safety. The Jesuit ascribes its discovery to the treachery of a Frenchman of whom he says, 'It was safe enough if men had kept faith and silence'.

The second compromising document was a catalogue, compiled by Father Anderson, of the vestments and other sacred objects belonging to the Society that had been left by Anderson in various houses when he had been compelled to quit the country in 1611.

Meanwhile, Ogilvie had been taken to the prison of the
Bishop’s Castle, at the head of High Street, and left to the care of his gaolers, who whiled away the time by recounting to him all that was likely to happen. Ogilvie, at all times a ready laugher, did not improve their tempers by displaying an unseasonable mirth at their threats and, to bring him to his senses, they warned him that they would place him in the stocks. The Jesuit’s reply to this was to ask them to keep their promise to do so but they replied that they were really too humane for this.

The behaviour of Ogilvie not unnaturally roused their curiosity and they pointed out to him that prisoners usually begged for mercy and not punishment.

‘They do so wisely’, he answered, ‘when they are ashamed of the cause of their imprisonment and regret it or when they fear to be discovered and punished. But I rejoice in my cause and glory in such a penalty.’

This line of reasoning both puzzled and irritated them and one of them, with the bewilderment and anger of the plain man up against the unusual, warned Ogilvie to be careful of what he said and to be mindful of the person he was addressing.

‘I know all about that’, said the Jesuit. ‘Do you see to the shutting of your prison and then go to sleep till the morrow.’

Meanwhile, the Archbishop and city officials had ordered the arrest of the Catholics who had been present at his Masses and these, too, were taken to the Castle and lodged in Cameron’s Tower to await their examination on the morrow.

Ogilvie’s gaoler, perplexed by the eccentric behaviour of his captive, locked the door, leaving the priest to his thoughts.
VI

THE NEW GRAVE LORDS

The new grave lords closed round him that had eaten the abbey’s fruits,
And the men of the new religion with their bibles in their boots.


Before they had done with him, Ogilvie was to appear before about thirty officials, some of considerable eminence in the state, and the family background of most of them is not without its points of interest to the student of the Reformation. By a mysterious dispensation of Providence amongst the stoutest professors of the new evangel were large numbers of the nobility and landed gentry of Scotland who had not, up to that time, shown any marked taste for religious speculation, and, if it were not for certain other stubbornly obtrusive facts, one might easily ascribe this mass conversion to a superior education that opened their eyes more readily to the abominations of Rome.

Social historians have long noted the peculiar appeal of Calvinism to the rich and powerful, and Scotland affords a particularly striking example of this, although at the Convention of Estates in 1560 the great Knox, with his customary forthrightness, cast some doubts on their motives, stigmatizing the behaviour of some of them in a language that he usually reserved for the more repellent aspects of popery.

In 1559, a year before the meeting of this Convention, the Lords of the Congregation, in the course of their routine treasonable correspondence with Elizabeth, had sent a letter, unexceptionable in its religious sincerity, as was but fitting when addressed to one who had herself only recently become an earnest professor of the word, after a five-year sojourn in the slough of idolatry.

At the moment when the letter was written, the Lords were in a somewhat invidious position. They had occupied Edinburgh
but the Regent, Mary of Guise, was expecting reinforcements from France and there was reason to doubt the religious ardour of the Protestant troops unless their zeal should be fortified with cash down. As events turned out, not even the Edinburgh citizens, who were reckoned to be zealous in the cause, showed the proper fervour, for on 5th November 1559, after a defeat inflicted on the Congregation, the vanquished had to retire, as the English ambassador, Randolph, reports, amidst the shouts and insults of the citizens.

After the usual laudatory salutations, the letter continues:

Albeit that heretofore divers men have wished and, as occasion hath offered, prudent men have devised a perpetual amity betwixt the inhabitants of these our two realms; and yet that no success hath to this day ensued of such travel and labours taken, yet cannot we, the professors of Christ Jesus in this realm of Scotland, cease to be suitors unto your Grace and unto your Grace's well-advised Council to have eye to this our present estate. We have enterprised to enter into battle against the devil, against idolatry, and against that sort of men who, before abusing us as well as our princes, made us enemies to our friends and the maintainers of strangers of whom we now look for nothing but utter subversion of our Commonwealth.

If in this battle we shall be overthrown as that we stand in great danger as well by domesticall enemies as by the great preparation we hear to be sent against us by France, we fear that our ruin shall be but an increase to a greater cruelty. And, therefore, we are compelled to seek remedy against such tyranny by all such lawful means as God shall offer. And knowing your Grace to have enterprised like reformation of religion we could not cease to require and crave of your Grace, of your Council, subjects and realm, such support in this our present danger as may to us be comfortable and may declare your Grace and Council unfeignedly to thirst that advancement of Christ Jesus and of his glorious gospel; and what ever your Grace and Council can prudently devise and reasonably require of us again for a perpetual amity to stand betwixt the two realms shall upon our parts neither be denied, neither, God willing, in any point be violated as at more length we have
declared in a letter written to your Majesty's secretary, Mr. Cecil.

Right mighty, right high and right excellent princess, we pray Almighty God to have your Grace in his eternal tuition and to grant you prosperous success in all your godly proceedings to the glory of His name and to the comfort of all those which earnestly thirst the increase of the Kingdom of Christ Jesus.

From Edinburgh, the 19th of July,
By your Grace's most humble and faithful friends,
Arch. Argyll
Alexander, Glencairn
James, Sanctandros
Patrick Ruthven
Robert Boyd
Andro Ochiltree

This unwonted Anglo-Scottish harmony was disturbed by no faint echo from down the ages of that clarion call at Arbroath of the Scottish clergy and nobility:

'It is not for glory, riches or honours that we are fighting but for liberty alone, which no man loses but with his life.'

On the same day as the Lords addressed this letter to Elizabeth they sent another to Sir William Cecil, who had, in a somewhat pedestrian manner, recalled them from the exalted religious sphere in which they were then moving, to consider certain brutal charges that had been made against them by the Queen Regent, especially that they were intending not merely a change of religion but a change of government, in brief that they were traitors.

On receiving their reply, in which they craved his assistance in promoting their treachery, Cecil responded with another letter, containing matter to maintain their religious fervour at white heat without, at the same time, committing England to any overt and expensive action on their behalf.

Ye know [writes Cecil] your chief adversaries, the Popish kirkmen be noted wise in their generation; they be rich also whereby they make many friends; by their wit with false per-
suasions, by their riches with corruption. As long as they feel no sharpness they be bold; but if they be once touched with fear they be the greatest cowards. In our first Reformation here in King Henry the Eighth his time, although in some points there was oversight for the help of the ministry and the poor yet if the Prelacy had been left in their pomp and wealth the victory had been theirs. I like no spoil but I allow to have good things put to good uses as to the enriching of the Crown, the help to the youth and the nobility, the maintenance of the ministry in the Church, of learning in the schools and to relieve the poor members of Christ being in body and limbs impotent.

The Scottish lords hastened with creditable promptitude to put some of these counsels in action after the English fleet had succeeded in doing what the Congregation unaided had failed to do, although, as Knox was to point out with tiresome pertinacity, many of the other wise counsels of the English secretary failed to meet with the same ready concurrence.

There are two distinct phases to be observed in the *magnum latrocinium* that accompanied the Reformation in Scotland. There was the first, spontaneous phase from 1560 to 1587 when the lords and gentry contrived to humble the pride of the prelacy and repair, at the same time, their own slender fortunes; the second phase dates from the Act of Annexation of 1587 when ecclesiastical property came back into the hands of the Crown to be redistributed in a more secure fashion.

Before the meeting of the Reformation Convention in August 1560, all the lords of the Congregation and many lesser men had made a start and some of the prelates and holders of church benefices, realizing the trend of events, had alienated some of their possessions to lay holders on the understanding that, if affairs turned out happily, these would be returned. When the Convention met, therefore, a good deal of the property of the Catholic Church was in the hands of the Scottish nobility. With their religious ardour thus confirmed they turned their attention to the legislation necessary to ensure the permanence of the new evangel.

Having excluded Catholics of known resolution and having admitted some hundreds of smaller gentry of known Protestant
sympathies, who had not for many years claimed their places, the Convention set about its momentous labours.

There were three main projects to be undertaken: the establishment of the general religious principles of the new faith, the suppression of the Catholic religion, and the creation of the new church polity.

The first of these was embodied in the Confession of Faith and this received almost unanimous approbation; the suppression of Catholicism was effected by the simple expedient of declaring it abolished and imposing for the third offence of hearing or saying Mass the penalty of death.

So far all was sweet reason and brotherly concord, except perhaps for the somewhat sullen and gloomy presence of the Primate, the Bishop of Dunblane, and the handful of Catholics. It was with the discussion on church polity that a note of disharmony began to manifest itself. The government of the new Kirk was to be contained in a document known as the Book of Discipline, most of which could be subscribed to with a good heart by the majority of those present. There was, however, one unfortunate passage which had the effect of ruining the hitherto almost unbroken unanimity of the meeting. It was the Fifth Head which treated of the steps to be taken for the support of the Protestant ministry and for popular education, two admirable aims which, unfortunately, were incompatible with the more practical religious views of the nobility. Someone, indeed, described the suggestion as a ‘devout imagination’, bringing down upon his head the maledictions of Knox. In his History of the Reformation the great Reformer, with delightful candour, considering the power of his adversaries, so lately his friends, castigates those who refused to subscribe to the Book of Discipline.

‘The cause’, he writes, ‘we have before declared. Some were licentious, some had greedily gripped the possessions of the Church and others thought that they would not lack their part of Christ’s coat. . .’

Thus early the honeymoon period between the nobility and preachers had passed, to be succeeded by an ever-growing animosity. After 1560 the nobles and lairds applied themselves
steadily to the humbling of the prelacy and, as the pre-Reformation incumbents of benefices, who had been allowed to retain them if they apostatized, began to die off, the nobility, lesser and greater, succeeded in having themselves appointed to the vacant cures or in having someone chosen who would assure them a sound financial return for their interest on his behalf.

The greatest exponent of this policy was the Earl of Morton, who, even before his own term as Regent, had given clear indications of the course of action he favoured by having his nominee, John Douglas, appointed Archbishop of St. Andrews. At the same time his friend, the Regent Lennox, had intruded into the See of Glasgow his own creature, John Porterfield. The public, with a correct appreciation of this aristocratic manœuvring, designated such prelates ‘tulchan bishops’, a tulchan being a stuffed calf placed beside a cow to induce her to part with her milk.

Even the godly Moray was given to such dubious stratagems and it is a nominee of his that provides the most scandalous example of this practice. In 1568 the Parson of Glasgow, Archibald Lauder, died and to the vacant benefice Moray appointed Archibald Douglas, a man who has been described as ‘one of the greatest blackguards of his time’. He was a relative of the Earl of Morton and, with Morton and Moray, had been implicated in the murder of Rizzio; it was his slipper that had been picked up at Kirk o’ Field after the murder of Darnley.

The Kirk, perhaps not entirely because of his murderous proclivities, for Knox had exulted in one of these godly enterprises, but on account of certain other irregularities, had refused to admit him but were obliged to do so by order of the Privy Council presided over by Moray. During the examination which, by law, preceded his admission, he had, not unnaturally, experienced some difficulty in making a prayer and, turning over the pages of his psalm book with uncertain fingers, had desired a minister to make the prayer for him because, as he innocently and candidly observed, he ‘was not used to pray’.

It is not to be wondered at that the more godly and zealous amongst the ministers should be anxious for the spiritual state of
the nation when, at one time, Glasgow could possess as its two chief pastors the insignificant Porterfield and the scoundrelly Douglas, described by the historian Tytler as being at heart, 'a sanguinary, fierce and unscrupulous villain'.

David Ferguson, minister of Dunfermline, preaching to the quasi-assembly of 1572, at any rate displayed timely alarm:

For this day [he thundered] Christ is spoiled amongst us while that which ought to maintain the ministry of the Church and the poor is given to profane men, flatterers in Court, ruffians and hirelings; the poor in the meantime oppressed with hunger, the churches and temples decaying for the lack of ministers and upholding and the schools utterly neglected.

*   *   *

Amongst the original signatories to the Band of the Congregation was Robert, Lord Boyd, whose great-grandson was one of the commissioners appointed by the King to assist in the trial of Ogilvie.

Boyd, like so many of his colleagues, had played a somewhat equivocal part during the Reformation troubles. Even the Catholic Huntly had not scrupled to join the Congregation on the promise of plunder. Lord Boyd had been one of the earliest and most active opponents of Mary of Guise and had played an important part in assuring the Protestant triumph, yet, a few years later, he is to be found on the side of her daughter, serving with the Marian army at Langside.

In 1571, his patriotism and chivalry somewhat tempered by the imprisonment of Mary and the escheatment of his estates, he prudently calculated that, 'considering the calamity wherewith this realm their native country is plagued and because the Queen was detained in England', he should go over to the enemy with Argyll, Cassilis and Eglinton. The wisdom of this course was amply justified in subsequent years but, as a token of future goodwill, the Regent Lennox admitted him in the year of his submission to the Privy Council and granted him a remission of his forfeiture.
Despite their late start the Boyds, once having given their minds to the matter, displayed a zeal and skill in acquisition that did much to repair their former tardiness. With the elevation of the Earl of Morton to the Regency on the same day, 24th November 1572, as John Knox had died, the 'way was cleared for the wolves to descend on the patrimony of the Church' and not the least vulpine of the pack was Robert, Lord Boyd. The restoration of Episcopacy early in 1573 had led to the appointment of the 'tulchan bishops' and, almost immediately, the See of Glasgow was given to James Boyd of Trochrig, nephew of Lord Boyd, a circumstance that stirred Lord Boyd to a degree of avuncular interest that would in other circumstances be considered admirable.

The new Archbishop, successor to the episcopal throne once occupied by St. Mungo, by the great warrior-bishop, Robert Wischard, Scottish patriot and comrade in arms of Bruce and Wallace, by William Turnbull, founder of Glasgow University, might be thought to have been lacking in those qualities desirable in the Bishop of an ancient See that had been graced by some of the greatest names in Scottish history. He could not, at any rate, be reproached on the score of ingratitude or lack of family feeling, for almost as soon as he had been installed he showed himself to be of a singularly accommodating spirit with regard to the privileges and possessions of the diocese.

In January 1574, with the consent of the Dean and Canons of the Archdiocese of Glasgow, he appointed the 'noble and michtie Robert, Lord Boyd' as hereditary bailie and justiciary of the barony and regality of Glasgow. In the same month, the Archbishop, having ejected Sir John Stewart of Minto from the office, appointed his uncle Provost of Glasgow. It was only right that this zeal for public service should be indemnified against loss, and the Archbishop, therefore, also granted Lord Boyd the amerce-ments and escheats of courts, together with £40 per annum from the rents of certain episcopal properties.

The new Provost, besides continuing to add steadily to his property in Ayrshire and Glasgow, most of it ecclesiastical land, turned his attention to the enclosure of the common lands of
Glasgow. Already, as was earlier pointed out, the burgesses of the city were beginning to discover that the rule of the Catholic hierarchy had not been without its material blessings and in 1587 they were to complain of the decay that had set in on their fortunes with the departure of Archbishop Beaton. The rule of the Catholic bishops, they now found, had been the lightest of yokes and the contrast became more strikingly obvious in 1574 when Lord Boyd, in his capacity of Provost, began to alienate the common lands of the city which had been for centuries an important source of revenue to the burgesses and a vital necessity to the poor. In June 1576 a group of merchants and craftsmen enter a vigorous protest against the Provost and bailies for giving off the land required for 'the pasturing of guddis for the sustening of our babies'.

There does not appear, however, to have been unbroken harmony between uncle and nephew for the Kirk historian Calderwood suggests that at one period the Archbishop had proved himself intractable and that, as a result, Lord Boyd's son, the Master of Boyd, had been directed by his father to seize the Archbishop's Castle and levy the episcopal revenues. By 1579 cordial relations appear to have been restored between the two relatives and Lord Boyd was enabled to resume his steady acquisition of the temporalities of the See of Glasgow, for in that year we find his nephew granting to him the feu of the lands of Whiteinch Meadow and the New Park and Auld Park of Partick, besides converting into a feu the lands, which he had already rented, of Bedlay and Mollany.

His son, Thomas, sixth Lord Boyd, despite persistent ill-health, made not inconsiderable additions to the family fortunes and finally contrived to have his Ayrshire estates erected into the Lordship and Barony of Kilmarnock. These great possessions were not without their value in providing for a family of five sons, three daughters and a natural son, a family offering points of interest to the student of heredity, containing, as it did, the rebel, Sir Thomas Boyd; the informer and frustrated murderer who sold John Ogilvie; the contumacious papist, Lady Abercorn; the minister of Eaglesham, Mr. Andrew Boyd, M.A.; Isabel, who
gained some notoriety by being accused by John Blair of Blair of using witchcraft and incantations against him.

Thomas’s eldest son, Robert, did not live long enough to succeed to the title but, prior to his death in 1597, he had married Jean Kerr, daughter of the Earl of Lothian, and fathered a son, Robert, born in 1595. It was this son who, in 1614 and 1615, was to help in the examination of John Ogilvie. To counterbalance the malign influence which might have been exerted upon his judgment by his papist aunt, Mareon, there was at hand to counsel him in the affair his fellow-commissioner, Robert, second Earl of Lothian, his mother’s brother.

This was the grandson of Mark Kerr, who had been appointed in 1547 Commendator of Newbottle Abbey. In 1560 he decided to defend the ‘evangel of Christ’, a praiseworthy resolution which led eventually to the ratification of his commendatorship and its erection in 1587 by James VI into the Lordship of Newbottle and the creation of the Earldom of Lothian for his son, Mark Kerr.

The first Earl of Lothian showed himself no less vigorous in the furtherance of the family fortunes and one can well applaud his assiduity if it is possible to believe that cynical and entertaining gossip, Sir John Scot of Scotstarvet, who credits him with a family of thirty-one children by his wife, Margaret Maxwell, daughter of Lord Herries. The peerages, however, make the more modest estimate of four sons and seven daughters. Like the Boyds, the Kerrs do not appear to have been wholly free from the taint of papistry, for the brother of this first Earl of Lothian and uncle of Ogilvie’s judge, was George Kerr, central figure of that celebrated affair the ‘Spanish Blanks’.

*   *   *

The most distinguished of Ogilvie’s judges in birth and standing was James Hamilton, second Marquis of Hamilton. He was the grandson of the Duke of Chatelherault who had played such a prominent rôle in the events leading to the Reformation. The Hamiltons had in the end proved to be among the most devoted partisans of Mary and, as has been already observed, they had
suffered dreadfully from the savage proscriptions that followed the assassination of Moray. The first Marquis had, like so many of Mary's adherents, eventually felt himself obliged to compromise with the times and in 1575 he was restored to his estates and became Keeper of Dumbarton Castle. Despite this new-found respectability, the old Adam was not too deeply buried for in 1588 his anger at the execution of Mary led him to support the Armada.

He quickly recovered from this lapse and in 1597 James VI bestowed upon him the temporalities of the great Abbey of Arbroath. His son, Ogilvie's judge, was twenty-six years of age when he sat on the trial of the Jesuit; seven years before this his lands of Arbroath Abbey were erected into a temporal lordship.

Again, as in the case of the Boyds and Kerrs, the Hamiltons were by no means free from the ravages of 'that leprosie', for his uncle was the Catholic Lord Claud Hamilton and his nephew, heir to the Abercorn title, was later to show himself an obdurate papist.

* * *

John, sixth Lord Fleming and Earl of Wigton, was thirty-eight years of age when he acted as a commissioner at Ogilvie's trial. He was the son of Mary's loyal supporter, the fifth Lord Fleming, who had so resolutely held Dumbarton Castle for her until it was taken in one of the most skilful and daring exploits in Scottish history by that brilliant soldier, Captain Thomas Crawford of Jordanhill. In 1579 the thirteen-year-old boy was restored to his father's forfeited estates and in 1580 was named as heir in all their estates to his mother, grandfather and uncle. In 1592 all these lands, including a great acreage of ecclesiastical property, were erected into the Lordship and Barony of Cumbernauld. In 1590 he had been Scottish Ambassador to Denmark and in 1606 was created Earl of Wigton.

His Countess, daughter of the Earl of Montrose, was an exceptionally devout Presbyterian and it is said that every day, while dressing, she read the Bible, shedding tears the while. Her views on Church polity were strongly anti-episcopalian as be-
fitted a correspondent of Mr. John Welsh, son-in-law of Knox; her husband does not seem to have shared her views on church government or even church attendance for in 1596 he had been cited before the Presbytery for non-attendance at Kirk, like any contumacious papist.

On the jury at the final trial was Hugh Crawford of Jordanhill, son of that Thomas Crawford who had so brilliantly taken Dumbarton Castle from Lord Fleming. Thomas Crawford had been in Mary’s retinue when she returned from France to Scotland and shortly after his return he effected a transaction in ecclesiastical property a good deal more creditable than was usual for the times, for the estate of Jordanhill which he purchased from the Church had been donated to the clergy twenty years previously by his father. Later, for his part in the capture of the Castle, he received, as his portion of the spoil, the Bishop’s meadow, Blackstone Barns and the Mills of Partick, all property of the Archdiocese of Glasgow. In 1571 he purchased as his town house the manse of the Rector of Glasgow from its unsavoury incumbent, Archibald Douglas.

The most interesting, and perhaps uniformly successful, of Ogilvie’s examiners was Thomas Hamilton, Lord Binning. Born in 1563 he was fifty-one years of age when he took part in the examination of the Jesuit in Edinburgh in December 1614. His grandfather had been killed at the Battle of Pinkie and had left two sons, Thomas and his notorious papist brother John. John Hamilton had gone abroad to France in 1573 to escape the persecution. The young priest, possessed of considerable learning, was appointed Professor of Philosophy in the College of Navarre in the University of Paris. He was an active opponent of the Huguenots and wrote a number of controversial works, some containing highly slanderous animadversions on the great Reformer, an unusual style of controversy for the Catholic champions of the day and not entirely becoming a Doctor of the
Sorbonne. In 1601 he returned to Scotland and worked on the mission with the Jesuit, Father Edmund Hay; in 1609 he was taken and sent to the Tower of London, where he died.

His nephew Thomas, at one period at any rate, steered that middle course, so fashionable in the times, that would secure him the best in this world with a slight and insecure footing in the other. His worldly future was assured by his entry into that profession which, in those days, afforded the quickest route to fame and fortune, that of law, but before becoming an advocate in 1587 he had spent some time in France pursuing his legal studies and, under the influence no doubt of his uncle, he seems to have adhered to the Catholic faith so openly as ever afterwards to be an object of suspicion to the Kirk.

In 1592 the young advocate received the first of those many marks of favour that were to be showered upon him in increasing abundance by an appreciative sovereign, for in that year he became a judge of the Court of Session with the title of Lord Drumcairn. Four years later he is a member of that group of advisers to the King known as the Octavians, most of whom were under suspicion of popery, not least Hamilton. In the riot of 17th December 1596 referred to by Ogilvie in the course of his trial, Binning’s life was in danger as one of the least popular of the Octavians. The Presbytery of Edinburgh, vigilant watchdog of Protestant liberties, proposed the excommunication of Hamilton and the Catholic Lord Seton, but the most pointed attack on his papistical leanings was delivered on the night of 10th January 1597 when the King’s porter received a missive at the gate which he duly delivered to the King. The anonymous writer, in the racy and pungent prose so popular in Presbyterian circles of the time, referred to him as ‘Mr. Thomas Hamilton, brought up in Paris with that apostate, Mr. John Hamilton, and men say the dregs of stinking Roman profession sticke fast in his ribbes’.

These wild spiritual adventures were not such as to exclude him, at that time, from the favour of James VI and the brilliant young advocate showed himself in many ways worthy of the confidence that his master reposed in him, perhaps in a manner sometimes not according with the highest ethical principles of his profession,
for on 22nd February 1597 there is recorded an Act of Sederunt which says that the people muttered at his sitting as a judge in cases in which he was pursuer for the King's interest and declaring that in such cases he was not to be considered a party.

While he waxed fat in the King's smile, Hamilton, at the same time, took diligent thought for the morrow by entering upon an orgy of land purchase which was to make him one of the greatest of the territorial magnates. The bulk of the land thus acquired was former ecclesiastical property, although it was not till some time after Ogilvie's death that he was to attain to that most glittering of prizes, the famous Cistercian Abbey of Melrose.

Known to James by the affectionate sobriquet of 'Tam o' the Cowgate', Lord Binning appears to have been possessed with a certain off-duty charm, although his formidable appearance on the Bench has been feelingly described for us by a Highland witness who once appeared before him:

I began and was going to tell my own way when an awful man that sits in the middle broke in upon me with such a multitude of interrogatories as they call them, that he quite dumbfounded me and then I lay at his mercy and he whirled the truth out of me as easy as ye would wind the thread of a pirl.

Another Highlander was to give him a good deal more trouble and that on a species of charge with which Hamilton was already accustomed to deal, declination of the royal authority in spiritual matters.

* * *

Almost as distinguished, though not so uniformly successful as Hamilton, was Binning's fellow-examiner, Sir Gideon Murray, Lord Elibank. His first love had been theology and he crowned his studies of this science in 1585 and was appointed minister of Auchterloss but, shortly after, he killed a man called Atchison in a quarrel, thus giving rise to a suspicion of his unfitness for the cure of souls and leading to his imprisonment in Edinburgh Castle. He procured his release through the good offices of Lady Arran and his peccadillo seems rapidly to have been forgotten for,
in 1602, he was able to obtain a licence to convert the church lands and tithes of Crichton into a temporal estate. After a striking success as Justice of the Borders in the pursuit of border thieves, he received a knighthood and in the following year a further charter to the lands of Langshaw in the Lordship of Melrose.

James VI, not ungenerous to those who, like Sir Thomas Hamilton and Sir Gideon Murray, had learned the courtier’s art and shown themselves properly conscious of the ‘divinity that doth hedge a king’, made him in 1611 one of the new Octavians and showed him a singular mark of favour by presenting him with ‘a gilt bussing cup which was given to Us by our burgh of Edinburgh. . . . Togidder with 2 gilt coppes one of them in form of salmond presented to us by our burgh of Glasgow. . . . Togidder also with some remnant of musk and ambergreis which was unspent. . . .’

Murray’s genius, however, was not yet fully displayed and this had to wait till 1613 when he was appointed by Robert Kerr, Lord High Treasurer, as his Deputy.

* * *

The foreman of the jury was Sir George Elphinstone of Blythswood, and, although not a figure of national celebrity, he came of a family that had achieved some eminence in the West of Scotland. His family lands of Blythswood had been purchased from the Parson of Erskine and in 1579 a feu charter was obtained from the complaisant Archbishop Boyd erecting his old tenancy of Gorbals into a permanent possession.

* * *

Amongst the dignitaries assisting at the final trial was Sir Walter Stewart of Minto, Bailie-Depute of Regality of Glasgow. There were few of the new men who had risen to unexpected eminence through the favour of the King so successful as Sir Walter Stewart. His acquaintance with the King went back a long way, for they had been pupils together under that short-tempered and brilliant pedagogue, George Buchanan. It was a boyish quarrel
between these two that had provoked Buchanan to the bad-
tempered, if highly democratic rebuke, that he was ‘a quarrel-
some bird out of a bloody nest’, the point suitably reinforced by
a box on the ears.

One of the King’s earliest gifts to Stewart was the commenda-
torship of the Priory of Blantyre and in 1582 he was made Keeper
of the Privy Seal and sworn of the Council. The greatest favour,
however, bestowed on Stewart by his royal patron became
possible only after the Act of Annexation of 1587. James, after
disposing of certain Glasgow temporalities to Maitland of Thirle-
stane and Sir William Stewart of Ochiltree, granted to Stewart,
‘The whole lands, lordships, burghs, baronies, viz. the lands and
barony of Glasgow, the city and burgh of regality of Glasgow
with all the bounds, lands, tenements, houses, yards, butts, kilns,
barns and other buildings within the bounds of the said burgh . . .
with all rights, claims of right, title, customs, duties and all
other privileges belonging to the Archbishop of Glasgow in times
past.’

In addition to this generous gift the King, ‘for the good, true
and thankful service rendered to him by his faithful cousin and
councillor, Walter, Commendator of Blantyre’, granted to him
also the episcopal properties of Ancrum, Ashkirk and Lilliesleaf
in Roxburghshire, the lands of Bishops’ Forest, Niddrie Forest,
the Halfpenny Lands of Carrick, the Kirklands of Cambusnethan,
the whole to be erected into a temporal lordship to be called the
Lordship of Glasgow.

*   *   *

The dominating figure of Ogilvie’s trial was John Spottis-
woode, Archbishop of Glasgow. At the time of Ogilvie’s arrest
he was forty-nine years of age. He had been educated at the
University of Glasgow and had studied divinity under the great
Andrew Melville without apparently being impressed unduly by
his professor’s views on church government. In 1590 he became
minister of Calder, formerly the charge of his father, one of the
six ‘Johns’ of the Scottish Reformation; in 1598 he married
Isabel Lindsay, daughter of the later Bishop of Ross. Any early
taste he may have had for the democratic polity of the Presbyterian Church soon disappeared and there were even dark hints as to his dabbling in popery, for he is said to have been present at Mass in Paris while accompanying Ludovick, Duke of Lennox, on an embassy to France.

Spottiswoode rapidly acquired favour with the King and it would seem as if his high Erastian principles were formed as much through a genuine belief in that form of church government as by any temporal ambitions he might have cherished. On the accession of James VI to the English throne, Spottiswoode was chosen to accompany him on his progress to England. On the death of Archbishop Beaton he was made Archbishop of Glasgow and a Privy Councillor. Spottiswoode fell in enthusiastically with all the King's designs for promoting episcopacy in Scotland, thereby incurring the hostility of the Presbyterians, a hostility which was to follow him to the grave. Shortly after Ogilvie's execution he became Archbishop of St. Andrews and Primate of Scotland and played an active part in the famous riot in St. Giles associated with the name of Jenny Geddes.

Spottiswoode's name figured prominently in the deliberations of the famous Glasgow Assembly held in the Cathedral in 1638 which threw down the gauntlet to Charles I. Amongst other business, it deposed Spottiswoode on charges of 'profaning the Sabbath, carding and dicing, riding through the country the whole day, tippling and drinking in taverns till midnight ... adultery, incest, sacrilege and simony'. Presbyterian denunciations were usually of this comprehensive nature and it is in the highest degree unlikely that the Archbishop was guilty of any of the crimes alleged in this characteristically slanderous and hysterical indictment.

His prevailing fault as a churchman was his servile Erastianism, and it was because he ran counter to this dearly cherished principle of Spottiswoode's that Ogilvie was to suffer so cruelly at his hands, for no Catholic had ever made such an uncompromising attack on the Caesarism of James I as had Ogilvie.

That Spottiswoode meant him as an example to other bold spirits is shown some years later when he had to deal with David
Dickson, minister of Irvine, for declining the King's spiritual jurisdiction. He met Dickson's objections with a volley of abuse and ended:

'You are led by the spirit of the Devil. There is more pride in you than in all the Bishops of Scotland. I hanged a Jesuit in Glasgow for a like fault.'

It is a matter difficult to estimate how far public officials in the early years of the Reformation were swayed by economic motives in their attitude to religious affairs. Certainly, as late as the end of the seventeenth century there is evidence to show that some of the opposition to Catholicism derived from the belief that a return to the Catholic faith would imperil the fortunes of those who were in possession of church lands. Lord William Russell in the reign of Charles II declared, 'I have abbey lands but I protest before God and man I would not be more against Popery than I am had I none'.

We may accept Lord Russell's stout declaration of faith as expressing his own genuine feelings, but the remark, nevertheless, seems to point to the existence of a body of opinion in which religious considerations were not entirely unmixed with more material calculations.

John Hampden, in his debates on the Exclusion Bill, expressed the views of this body:

'Can it be imagined we shall not pay severely for having shed so much blood of these martyrs as they call them and for having so long enjoyed their Holy Church land?'

Colonel Legge was even more forthright when, in a speech in which he expressed his opposition to the succession of the Catholic Duke of York, he asserted:

'I have Church lands and reason to apprehend popery coming in as other men.'

When the Glorious Revolution had effectually removed the papist menace, Sir Edward Warcup expressed something of the general relief when he wrote:

'Now we may hope to call our Church lands our own again.'

Halifax, indeed, thought that these fears would be most powerful even in assuring Catholic opposition to the restoration of the
Catholic faith, for, as he pointed out, 'A lay papist will first consider his Abbey lands which notwithstanding whatsoever hath been, or can be, alleged, must certainly sink considerably in value the moment that popery prevails'.

It is improbable that such considerations were actively present to the minds of Protestant judges engaged in the trial of a priest but it seems reasonable to suppose that with gains so recently acquired as those of Ogilvie's judges, a good deal of subconscious bias would be generated against the priests by the thought that their activities endangered, not only true religion, but property also. That the Church, at least, believed this to be a powerful factor in maintaining Protestant hostility to the Catholic faith is illustrated in Ogilvie's case by the fact that he carried a dispensation for the holders of Church livings.

The oft reiterated renunciation by the Church of her former livings and her acceptance of the status quo was ineffectual to remove suspicions similar to those expressed by Gilbert Burnet in the reign of James II. Burnet had been conducting a busy campaign to ensure a solid front against the King and made much of the threat to property that his policy of toleration entailed. His allegations were answered by Nathaniel Johnstone, who pointed out that the Church lands had been guaranteed, not merely by the law of England, but by the law of the Catholic Church. The obvious, if illogical, reply to this was that no popish guarantee could be trusted.

Whatever the truth of the matter, it does not seem likely that Ogilvie's prospects were in any way enhanced by the fact that practically all his judges were holders of extensive Church property.
VII

THERE IS NO KING BUT CAESAR

As for the absolute prerogative of the Crown, that is no subject for the tongue of a lawyer nor is it lawfully to be disputed. It is atheism and blasphemy to dispute what God can do; good Christians content themselves with his will revealed in his word; so it is presumption and high contempt in a subject to dispute what a King can do or say that a King cannot do this or that but rest in that which is the King’s word revealed in his law.

James I in reply to Sir Edward Coke.

Ogilvie faced his judges on the morning of 5th October. In this first examination, as in the others to follow, the dominating personalities were Ogilvie himself and the Archbishop of Glasgow, John Spottiswoode.

The substantial burgess, James Hamilton, still flushed with his elevation of the previous day to the Provostship of the city, the wealthy merchant knight Sir George Elphinstone, were not such as to venture upon the dialectical seas into which the interrogation of a Jesuit might lead them, and even the more distinguished members of the tribunal, Lords Fleming, Kilsyth and Boyd and Sir Walter Stewart, were content to leave the matter to the two ecclesiastics.

Both bishop and priest appreciated the quality of the drama in which fate had made them antagonists. Out from Glasgow to Scotland, and beyond, the tale would go and it was of the utmost importance to both parties to emerge with credit from the struggle. For Spottiswoode it was an opportunity unrivalled to establish himself and the new Episcopalian polity in the good report of the ministers as being of an equal vehemence in the pursuit of idolatry to that of the Presbyterian Kirk itself. The King, so often unjustly suspected of leanings towards popery, could win golden opinions from the Elect by a timely severity to the Jesuit.
It was important, however, that justice, if not done, should manifestly appear to be done. The Jesuit must be convicted out of his own mouth in a manner to satisfy that considerable body of opinion in Scotland that trembled so precariously on the brink of papistry, but Spottiswoode, a man of learning himself, could appreciate that this was no light task, for the Jesuits had not achieved their reputation for nothing. Their skill in controversy, their learning, their inflexible determination, were matters of common knowledge and these qualities had already rendered them odious to both the Scottish and English governments.

Ogilvie, bearing the marks of his confinement and of the fracas of the previous night, now stood at last in that situation for which, in a sense, he had trained during the past few years, as had all those Jesuits and seminary priests who undertook the perilous British mission. The discipline of his Order, his great personal gifts, his years of spiritual moulding under Novarella, Albers and Aquaviva, had fused into an amalgam of personality hard as steel to any who should attempt to destroy it.

Ogilvie himself was not conscious of these singular merits in himself and it is certain that Spottiswoode had no realization at this early stage that he was dealing with one of the most remarkable members of his celebrated Order ever to have ventured into Britain.

The news of the Jesuit’s capture and examination had spread rapidly and the Hall of the Bishop’s Castle where this first interrogation took place was packed with lairds and preachers of the Glasgow neighbourhood, impelled by the normal curiosity of witnessing a prisoner on trial for his life and by a further eagerness to gaze upon one of those trafficking Jesuits who figured so largely in the public proclamations of Council and Parliament and in the tirades of the ministers.

Their first sight of the prisoner might have done something to lull their apprehensions, for his aspect was in no way sinister despite the dishevelment of his appearance and the slight mutilation of his features caused by the blows and scratches of the previous evening. The broad-shouldered, ruddy-faced man who now confronted his judges was unmistakably a Scotsman and,
indeed, now that the morning light lit up his face his appearance began to arouse in the mind of Sir Walter Stewart a suspicion that he had seen him before, a suspicion that was to harden as his examination proceeded.

The duel between the priest and his judges, which was to last intermittently for five months, began on the high note of drama which it was to sustain throughout the whole of the subsequent proceedings, for with their first words almost they tested the temper of their adversary with an attack on his veracity.

Ogilvie, his poise momentarily upset by the brutality of his captors and his night in jail, was perhaps not in a condition to underlie meekly the charge of being a liar, but apart from this he had already made up his mind that the only way to counter the 'barbarian madness' of the preachers was to defend the faith that was in him with a vehemence equal to theirs. When, therefore, they began the interrogation with some questions concerning his views on equivocation and mental reservation he recognized this not only as a personal attack upon himself but as a criticism of his Order which in recent years had been obliged by the dire necessities of missionary life in Britain to clarify for its members the moral teaching of the Church on the sin of lying.

Perhaps the Jesuits could have avoided the stigma which in this matter so unfairly attached to them if they had all adopted the attitude of Father Ogilvie at a later stage in his examination, which was to take a qualified oath to answer only those questions that were within the competence of his judges to ask.

The formal interrogation of the Jesuit began with a question as to his birth.

'Are you of noble birth?'

To this he replied that he was and so were his parents before him.

With the next question the issue was truly joined:

'Have you said Mass in the King's dominions?'

During the next five months many matters of weight and great theological import were to be aired between Ogilvie and his judges, matters of such weight indeed that the erudite James I took a personal part in the examination of the Jesuit, but few
exceeded in deadliness this seemingly innocent question. Only born Catholics such as were the early reformers could appreciate to its fullness the dominating rôle of the Mass in the body of Catholic doctrine and liturgy. It was the supreme act of worship, the bedrock of Catholic faith, and in every country, therefore, in which the new religion established itself the Mass was immediately proscribed and severe penalties imposed upon the priest who celebrated it and the worshippers who assisted.

In no country had hatred of the Mass been carried to greater extremes than in Scotland, and Knox, seldom delicate in his language, seemed moved to transports of fury of an intensity almost pathological when obliged to refer to it. The tone set by Knox was sedulously followed by his successors and helped to colour Scottish legislation on the matter for years to come.

When Ogilvie was asked this question, therefore, he was being interrogated upon a matter that laid him open to the capital charge of treason and it was not reasonable to ask that he should wilfully incriminate himself upon this point. He replied therefore:

‘If to do so is a crime it should be proved not by the oath of the accused but by witnesses.’

This was good logic and good equity but unhappily for the prisoner it had ceased to be good law. For long it had been a recognized principle of justice that the accused in a criminal charge was exempt from the necessity of clearing himself on oath, but like so many other safeguards for the rights of the individual this, too, had been effectually destroyed by the new Caesaro-Papalism.

The crime of Catholicism was by its very nature less susceptible of clear proof than the more spectacular felonies of theft, rape, murder and arson for it was something pertaining to the inner views of a man and need not necessarily issue in an overt act. The Government was acutely conscious of the prevalence of this latent Catholicism and rightly considered the Protestant cause precarious while so many still lived in the spiritual climate of the old faith. The root of the evil was in men's minds, and outward conformity to Protestantism, while excellent as a touchstone of submissiveness, was no guarantee of zeal for reform. The capture of a
The Protestant Archbishop Spottiswoode reproves Ogilvie for having dared to say Mass in his city.
Father Ogilvie leaves Glasgow to go to Edinburgh to be examined by the King’s Privy Council
Catholic priest provided an opportunity to bring to light these crypto-Catholics, often of a surprisingly exalted station in life.

To this end the English Government and later the Scottish Government made extensive use of a legal procedure which would enable them to extend the scope of their enquiries to a degree not possible under normal circumstances, for by this new device all subjects were obliged to answer under oath whatever questions were proposed to them by royal officials. This was a weapon of singular force, especially against priests, whose professional training was of a kind to endow them with a more than normally healthy respect for the sanctity of the sworn word.

Throughout the early part of his trial Ogilvie continued to maintain the injustice of this procedure; either he was a criminal and should be proved to be such by the long accepted canons of criminal jurisprudence, that is by the testimony of witnesses, or he was innocent and should not be obliged to the oath.

His judges assured him that they would soon be in a position to prove his offence by the evidence of witnesses and at that moment his fellow captives were awaiting examination and the priest was well aware that some at least would not hesitate to testify against him.

'Very well then,' he answered, 'my denial would not invalidate such evidence nor shall I strengthen it by admissions until it seems good to me to do so.'

Already the Jesuit was showing himself remarkably adroit in debate and his judges were having an early taste of that forensic skill which in the end provoked even Spottiswoode to a reluctant admiration for his captive.

The tribunal, temporarily baulked in their interrogation into his Mass-saying, once more endeavour to make Ogilvie take a general oath.

'Take the oath,' they say.

The priest replied curtly, 'Why?'

'That they who sit here with the King's authority and by his command may know whether you have plotted against the State. Clear yourself on oath or we shall hold you guilty.'

Ogilvie was well aware of their purpose in forcing him to take
the oath. If it had been zeal for the King's safety imperilled by Jesuit machinations he might well have taken it with a good heart, for, apart from a vague innuendo contained in the Government version of his trial, no accusation of positive treason against the King's person or estate was at any time levelled against him. The priest was well aware that the purpose of the oath, however plausible was their defence of it, was to trap him into admissions which might damage those Catholics to whom he had ministered during his stay in Scotland or into a confession of those priestly activities which, although intrinsically innocent, were subject to capital penalties by the law of Scotland.

It was clear, however, that he would have to conform to some extent with the commands of his judges but he could not conscientiously take the oath in the manner in which they would proffer it, for this would involve him answering such questions as they might see fit to ask him while in advance he was determined that under no conditions would he imperil the lives of his penitents or himself for matters of religion.

At the same time it was important that he should not appear to be giving gratuitous defiance to lawful judges pursuing lawful enquiries, for the Jesuits were already highly suspect as to their opinions upon the limits of civil jurisdiction, and Bellarmine's famous work De Potestate Summi Pontificis in Rebus Temporalibus had appeared only seven years previously while, less than a year before, the King himself had ordered the public burning of Suarez's Defence of the Catholic and Apostolic Faith.

Ogilvie's solution of the dilemma was one with which a modern generation might now be disposed to sympathize, for in the past few years Europe has become aware of the re-emergence of a problem which seemed at one time to have been relegated to the library shelves. The growth of totalitarianism, both Fascist and Marxist, has brought once more into undesirable prominence the age-old problem of the nature and limits of civil jurisdiction. In countries dominated by the Marxist philosophy of the State the law claims for itself the right to search minds and to punish subjects for non-conformity to the official political creed; all the force of the executive, not excluding torture and
death, is employed against individuals whose sole crime is intellec-
tual or moral opposition to the prevailing philosophy.

Ogilvie, grounded on the political theories of Aquinas ampli-
fied by the labours of his own Order, replied now to his judges
with the classical defence against tyranny of this kind.

They say to him, 'In the King's name do you refuse to swear?'
'What am I to swear?'
'To answer without equivocation or mental reservation all
questions which we ask.'

The priest now offers his compromise:
'As no law binds me I will swear to answer when I see fit; if
not I will say, "I am unwilling to answer".'
'What will you be unwilling to answer?'
'Whatever can be used to my damage or to my innocent
neighbour's.'
'And why won't you answer in those cases?'
'Because I am not obliged to do so and I would rather not sin.
In the first place I am not bound to commit sin, which I should
do if I damaged my innocent neighbour. Secondly, the root of all
laws is the law natural and this aims at man's self-preservation and
not his destruction. I should transgress that law and so all law if
I condemned myself or did myself injury of my own free will
and knowledge. For this reason I will not say anything nor swear
anything in prejudice of myself or my neighbour for it would be
ever and damning so to do.'

To ground his objection thus upon the natural law was to
revive in this Glasgow courtroom the controversy that had stirred
Europe since the early years of the Reformation. Was law solely
the will of the lawgiver or was it merely an expression of that
more fundamental law, the law of nature? Could a law be valid
that infringed the natural law? The Catholic answer was a
most emphatic negative.

This was no mere evasion on the Jesuit's part but the perennially
correct philosophical justification for any man faced with the
voracious claims of the almighty State. This form of government
had been the creation of the Reformation. In mediæval Europe
arbitrary civil power was generally impossible, for not only did
official Catholic teaching circumscribe the powers of the ruler but many practical checks existed to ensure that reality kept pace with theory. Custom, the Coronation Oath, feudal law, Canon Law, the rights of the Estates, all combined to keep this power within limits.

The early reformers, looking, as they did, to the civil power to destroy the Catholic Church, put a grotesque emphasis on the indefeasible rights and self-sufficiency of the State, and with the reign of James I there came the consummation of their work in the theory of the ‘Divine Right of Kings’.

James, who had expounded his theories in a number of works, notably The Trew Law of Free Monarchies and the Basilikon Doron, had been nurtured on very different principles by his irascible tutor, the famous George Buchanan, for that erudite Latinist had debated the question at length in his celebrated treatise on political theory, De Jure Regni Apud Scotos, in which he sets out to instruct his royal pupil on the essentially natural origin of secular government and on the right of the people to resist tyranny even to the point of tyrannicide.

Later Calvinistic views on the secular State diverged widely from those of the early reformers and it is interesting to note how two such differing ecclesiastical polities as Catholicism and Presbyterianism could find a common resting ground here.

Knox had consistently upheld the same point of view as Buchanan partly from considerations of principle and partly because the sovereigns with whom he had to deal, Mary of Guise and Mary Stuart, were Catholics, obdurate in their heresy, and strongly opposed to his plans for the extirpation of their faith.

In his Appellation the Scottish reformer says, ‘For now the common song of all men is “We must obey our kings be they good or bad for God hath so commanded”, but horrible shall the vengeance be that shall be poured forth upon such blasphemers of God his holy name and ordinance’.

The radical difference between Presbyterian and Catholic viewpoints as to the limits of civil jurisdiction lay in this, that while both agreed in condemning the absolute pretensions of the State,
Catholic teaching did grant to the ruler both in theory and practice extensive freedom in those matters properly belonging to his jurisdiction. No seventeenth-century monarch had reason to fear the Catholic Church unless he tried to push the limits of his authority in a direction which might lead him to encroach upon the liberties of the Church; he was not subject as was the prince of a Calvinist state, such as Scotland had been, to the caprices of a theocrat answerable only to himself and eager to engross power even in that sphere properly belonging to the State, for Catholic doctrine was a highly integrated affair contained in an ascertainable body of laws.

Ogilvie's difficulty was in trying to balance two duties, the obligation he owed to the State and that which he owed to his faith. His answer revealed this mental torment, but Spottiswoode was aware that the reservations made by the Jesuit touched precisely on those points upon which information was most desirable and, very pertinently, he pointed this out.

The Jesuit, however, proved adamant and finally they allowed him to take a simple oath upon his own conditions.

The matter was possibly of no real consequence to his judges at this stage of the enquiry for time was on their side and there were methods to compel recalcitrant prisoners. Possibly at this moment the Archbishop was sketching out mentally the terms of the letter that he was to write to the King that evening announcing the priest's capture and craving permission 'if he will not answer or confess ingenuously to give him the buttsis or other torture'.

Having taken the oath with these qualifications Ogilvie now answered a number of formal questions concerning his name, birth, education and standing in religion.

Satisfied on these points his judges turned once again to the subject of Mass-saying and asked whether he had said Mass in the King's dominions.

The Jesuit, in accordance with the qualified oath he had taken, refused to answer this question, replying, 'The ordinances of the Crown and the decrees of Parliament are such that an answer to this question might bring trouble to me and to my neighbour;
it is not a question that belongs to the King's forum and so I am not bound to answer for, indeed, no law binds me to throw away my own life or the lives of others. Judges, if such are here, should hunt down crime and not sacrifices. Thefts, treachery, murders, these belong to the King's forum, but the sacraments of religion do not.'

In this reply Ogilvie touched upon one of the fundamental problems of the time. For centuries Europe had been subject to the provisions of two systems of law which ideally were supposed to work in harmony, Canon Law and Civil Law. Canon Law, which concerned itself with ecclesiastical matters and ecclesiastical persons, had now become a new weapon in the hands of the despot and what had been meant to ensure the liberties of the Church and help the Christian soul to Heaven had become an enormous accession of strength to the already power-bloated monarchy.

The great cleavage that had for centuries existed between lay and clerical persons had been, despite its abuse by both Pope and King, one of the foremost safeguards for the independence of the Church. A priest and a layman were not the same thing and, so far as matters of faith and doctrine were concerned, the King had less authority than the meanest priest in his kingdom. The quasi-sacerdotal status assumed by the King at the time of the Reformation, which was almost matched by the arrogant pretensions of even some Catholic sovereigns, made no difference to the essential rightness of the position taken up by Ogilvie and by those Presbyterian ministers who likewise declined the King's authority in matters spiritual.

Spottiswoode was acting for the King and not in the name of the Church in which he was a bishop. Ogilvie could not in any case have recognized Spottiswoode's authority as the representative of a heretical church but the Archbishop acting *qua* churchman and not as the King's agent would have been in a more logically defensible position.

The priest must have expected the rejoinder which now greeted his declinature of the royal authority, for one of his judges now retorted, 'The King is not a layman'.
Ogilvie was now being constrained to embark upon dangerous seas of controversy for in matters touching his royal estate the King and his servants were at that moment more than usually susceptible.

There was, however, no hesitation in the Jesuit's answer:
'He is not a priest nor has he received the first tonsure.'
'Why did you come to Scotland?' they ask.
'To unteach heresy.'

With their next question they open up the subject which in the end was to prove Ogilvie's undoing, the question of the Papal jurisdiction.

'Who', they demand, 'gave you jurisdiction since neither the King nor any Bishop did?'

'They are all laymen with their King and nothing more and can have no jurisdiction in the matter. Christ's sheep were committed to Peter's charge; whoso would feed them, be it in any part soever of the world, must seek his authority from the Apostolic See. There, according to Christ's promise, by the infallible aid of the Holy Spirit through the unbroken human succession are preserved the authority and power given first to the Prince of the Apostles; by this, indeed, Simon, son of John, was made the strong Rock of the Church that he might be Cephas and be called Peter. Hence comes my jurisdiction which by the simple method of working backwards I can trace through all the Pontiffs to Christ.'

This was the ancient Petrine claim in all its naked grandeur but it left Ogilvie open to their deadly rejoinder:

'It is treason to assert that the Pope has spiritual jurisdiction in the King's dominions.'

'It is of faith to hold that.'

In this question and answer was the kernel of the quarrel. No mere law could deprive the Vicar of Christ of the rights assigned to him through his apostolic succession from St. Peter. The mere declaration by a ruler of the abolition of that jurisdiction affected in no way its reality for laws could not transmute truth into falsehood. The spiritual jurisdiction of the Pope was a matter quite beyond the competence of human tribunals.
This papal claim was the major stumbling-block to an accommodation between James and his Catholic subjects for, while much of the King’s coquetting with the Catholics throughout the early part of his reign was dictated by purely political motives, there seems little doubt that he had no aversion to the Catholic religion in its liturgical aspect and little quarrel with the generality of its doctrines.

There was much indeed in Catholic teaching to commend itself to a prince of James’s absolutist leanings. While the papal claim to spiritual jurisdiction over all Christians meant some diminution in the royal power there was to balance it the oft reiterated insistence of Catholic theologians on the duty of obedience to the temporal power. James was well aware, also, that the papal jurisdiction was something calculable and, under the changed conditions of Europe, not likely to be pressed to extremes.

At the same time, he could brook no challenge to his absolutist theories either from Catholic or Presbyterian sources, and the royal temper had recently been inflamed by various Catholic publications in which the writers, while properly deferential, assigned to the monarch a place in the divine hierarchy a little less exalted than that claimed by James for himself.

He had at hand, too, in the Anglican Church, an ecclesiastical organization not only submissive to his high prerogative claims but actively assisting the King in his endeavours to give them practical force. His speech in the English Parliament of 1604 put his case succinctly when he compared his relations with the Anglican Church to that of a bridegroom with his bride and declared that no cleric who maintained the doctrine of papal supremacy could be suffered to remain in his kingdom.

Spottiswoode knew that Ogilvie’s answer was in itself sufficient to end the case so far as the Jesuit’s personal fate was concerned and now he drove home the advantage.

‘Do you dare to sign such a declaration?’

With his next words Ogilvie virtually put the noose round his neck.

‘Yes, and with my blood if need be.’
His accusers must now have been looking upon Ogilvie with an even sharper interest as the case proceeded, for the Jesuit was showing himself in some ways to possess characteristics somewhat unusual in the kind of Jesuit with which they had been familiarized by Government propaganda. Here was no shifty and evasive witness, for, although he had earlier refused to take the oath and expressed an aversion to being disembowelled through his own testimony, he was now answering the most deadly questions with a commendable simplicity and directness.

So far the priest in his answers had laid himself open to a number of serious charges.

He had admitted to being a Jesuit priest and this by the Act of 1587 incurred the penalty of death.

He had declined the judgment of the court in spiritual matters and this was treason by the Act of 1584.

This assertion of the Papal supremacy was sufficiently weighty in itself to ensure his condemnation and his judges were not slow to seize the opportunity thus presented to them for they now produced a document containing Ogilvie’s affirmation to which he attached his signature.

Under examination the priest had passed swiftly from an attitude of early caution to one of apparent recklessness and his last few answers had lacked nothing in clarity or emphasis.

This was, however, not uncalculated for often the only public forum available to priests in seventeenth-century Britain was the prisoner’s dock. Here was a chance to state in a dramatic and effective way the truths of the religion they professed, with the ever-present possibility of having to seal these opinions with their death.

With this signed declaration in their possession they could now turn their attention to other refinements of cross-examination for it was essential for propaganda purposes to trap the Jesuit into some unguarded admission which might clear them of the reproach of persecuting for religion, a matter in which the King was oddly sensitive.

One of the most strongly debated points in the great Reformation controversy was the question of the Pope’s right to depose a
heretic king. Although the years that had passed since the breach with Rome had done much to abate the dangers of a papal decree of excommunication, and deposition had been virtually abandoned as a practical weapon of the papal armoury, there was still much theological speculation on the point.

It was impossible for Ogilvie to give an unqualified ‘No’ to the question now put to him, ‘Can the Pope depose a heretic king?’, for he knew that such a power did inhere in the Papacy under certain well-defined conditions. He knew also, as did his judges, that, practically speaking, the King was secure against any such fate for since the days of Clement VIII the Papacy had abandoned the use of this weapon as the changed conditions of Europe began to render it obsolete.

A modern patriot might be disposed to condemn his attitude of caution, projecting into the past the simple and unqualified patriotism of less complicated days when men, in Western Europe at least, are not often faced with difficult moral alternatives of obedience to their country or loyalty to their faith.

In Ogilvie’s day Europe still retained, though in blurred outline, many of the features of her mediaeval past. Men were groping towards the new conception of the almighty, self-sufficient nation answerable to no power outside itself, but some dim memories of the past still lingered, even in Protestant minds, of that Christian Europe in which a universal Church had effectively given its law to millions and whose sanctions had a force, often as great as purely secular laws. A seventeenth-century Protestant, such as Spottiswoode or King James, might deplore the pretensions of the Pope, but they would have no difficulty in understanding the sincerely held viewpoint of thousands of their Catholic contemporaries on the origin and reality of those pretensions.

In the recent war great indignation was expressed by many, who had suddenly conceived an unwonted and exaggerated respect for the papal thunders, at the Pope’s reluctance to issue excommunications and hurl anathemas at Germans and Italians, indicating, perhaps, that even from a political point of view there might still be something to say for an overriding moral authority
in the world capable of commanding universal loyalty and powerful enough to enforce its sanctions.

With the nation state reaching its apogee in Eastern Europe and the principle of *Cujus regio ejus irreligio* becoming the dominant order of things, the friction between the individual conscience and the State is likely to become more acute. Catholics and, indeed, Christians of any kind, cannot admit the principle of the omniscient State and have, as part of their divine inheritance, certain rights that the State cannot lawfully violate.

John Ogilvie belonged to a Church which had been for centuries the guardian of the Christian conscience, and that Church, he believed, owed its strength and durability, under God, to the Supreme Pontiff whose office had been expressly created to carry out the will of Christ for the divine governance of the world.

Certain powers inhered in that office, for the Pope was not meant to be merely the teacher but the ruler of the Church. Ogilvie was not a political philosopher and would gladly have left the discussion of the origins and limitations of the papal power to the controversialists on either side; indeed, he would not have recognized the question as a matter of political theory, but as one of theology, content to leave these nice questions of the papal jurisdiction to the theologians while he himself got on with his task of saving souls. He, of course, did not doubt the supremacy of the Pope and was, indeed, to die for it, but he could not see that its practical implications were in any way detrimental to the sovereignty of King James I, for he could not perceive any discordance in the coexistence of the papal and regal power as actually exercised in contemporary Europe.

It was no fault of his that the matter was broached, for the initiative came from his judges, and then it was that Ogilvie realized that they were determined to force him to a denial of a capital point of faith and to involve him in discussions upon a matter which was seriously exercising the best minds on both sides.

There were reasons, as will be seen later, for this preoccupation of his judges with the question of the papal power but, whatever the reasons, Ogilvie’s course lay plainly before him. The Pope was the Supreme Doctor of the Church and the question of his
jurisdiction was a matter of religion on which he was the final arbiter. Of his supremacy there was no possible doubt; of the inherent sanctity of his office no dispute was possible, but theologians did freely argue about the extent of the power by which he could make his will effective. Ogilvie rested his case on three grounds.

1. He would not usurp the papal office by deciding controverted points of religion upon which the Pope was the sole judge.

2. He would not allow his examiners to usurp the power of the Pope by constituting themselves judges on matters of religion.

3. The point was not germane to his case for he had not committed any treason to which this matter would be in the slightest degree apposite.

To this question, therefore, 'Can the Pope depose a heretic king?' Ogilvie gave this careful answer:

'Many doctors of the Church have asserted this to be the case.'

This reply delayed his judges no longer than the time it took to write it down and was immediately countered with the obvious rejoinder:

'And what would you say?'

Forced at last to deal with the issue in a more personal manner the priest now put his point of view with admirable candour and succinctness.

'If it should be defined as a matter of faith I would die for it; if I should become a judge of both Pope and King I would say what I could on the matter. At the present time I am not bound to express an opinion save to one who has the authority to judge on controversies of religions—that is to the Pope or his delegate.'

This admission of the Pope's supreme spiritual authority and the denial, by implication, of the spiritual authority of the King greatly worsened the Jesuit's position, and his judges, content for the time being with these damaging admissions, now turned their attention to another matter of great potential danger.

**

In 1606, Father Henry Garnett, s.j., Provincial of the Jesuits in England, had been executed for supposed connivance in the
famous Gunpowder Plot. The extent of the Jesuits’ implication in this affair has given rise to ceaseless controversy into our own day. The immediate effect at any rate was to increase the rigour of the penal laws against Catholics and public rancour against the Jesuits.

It was an ingenious and telling piece of cross-examination, therefore, that now faced Ogilvie, for as a Jesuit he was highly suspect as a favourer of the Plot and of the killing of kings. But, again, the priest is being interrogated not on what he had done but on the views he held. One would imagine that here, if ever, he would have taken advantage of his earlier qualifications about his answers, for the Gunpowder Plot was so clearly remote from his personal situation that even his judges, one might think, would have respected his refusal to answer.

The priest, however, taking advantage once again of his public position to correct what he believed to be slanders on his Church and Order deliberately contrived by the diabolic genius of Sir Robert Cecil, took the opportunity to state his views on the Plot.

He answered straight away that he detested the assassination of kings and had no praise for the Plot.

‘But’, replied one of his judges, ‘Jesuits and Papists teach men such things.’

Like most educated men of his time the priest was acquainted with the general lines of the bitter controversy that had stirred Europe since the Reformation. Was tyrannicide ever justifiable and, if so, under what conditions? His examiners are later to return to this point but Ogilvie, stung momentarily by the calumny, displayed even at this late stage of his examination a fieriness of soul and a volubility that must have startled his judges.

‘Let who will’, he said, ‘read the Acts of the Council of Constance. There it will be seen that heretics teach, but Catholics condemn such doctrines. For Wiclif taught that subjects could condemn their peccant lords and that the latter lost their rights by sinning and similarly that priests lost their priesthood. All of which teaching the Council condemned.’

The strong voice, vibrant with indignation, rung through the hall and, as he continued, his auditors listened with growing
interest as he touched upon one of the many sensational episodes of recent Scottish history that had caused the King to conceive a deep detestation of the disruptive character of the Presbyterian Church polity.

‘Gunpowder Plot was made by a few courtiers, but your September 17th plot was not so made. On that occasion you, with a rabble of armed men, wanted to kill the King when he was sitting in the College of Justice with his Council. And you would have done so had not the King’s guard snatched the King out of your power. There are two thousand still in Edinburgh who bore arms on that day; and there are so many witnesses that three preachers were then urging the men on to violence shouting, “God and the Kirk”, while the other side shouted, “For God and King”.

‘For this deed Edinburgh was sentenced to be burned but in fact a huge fine was imposed. And you weren’t content even with this. Your Achilles and chief preacher who lives near here, Robert Bruce, wrote to a relative of the present Marquis of Hamilton to come and take away the crown from an unworthy, papist-loving monarch, promising to aid him. But the Marquis gave the letter to the King and some of the preachers were exiled.

‘This deed was no palace plot but a conspiracy of the preachers and they urged it publicly in the market place. You can’t bring up against Jesuits anything but lying suspicion. Of these charges which I make the King himself was an eyewitness and a thousand other participants.’

If this had been a purely academic debate taking place in the calm atmosphere of the schools, Ogilvie’s reply could not but have been tremendously effective, for the Protestants from the beginning had, with a curious forgetfulness of the murder of Beaton, the rebellion against Mary of Guise, the murder of Rizzio, the Raid of Ruthven, the Gowrie Conspiracy, identified the patriotic cause with the Protestant.

Catholics were suspect politically and they were prepared, so propaganda would have it, to overthrow the Government and kill the sovereign. Much of the terroristic legislation of both England and Scotland was based on this assumption. Yet the
Presbyterian practice went far beyond the most daring theological opinion of the most audacious Doctor of the Church on the deposition and killing of tyrants.

In his general denunciation of the anarchical tendencies of the Presbyterian polity and in his reference to the riot of 17th September 1596, Ogilvie could have had no more ready and sympathetic listener than Spottiswoode. So far as the Archbishop was concerned Ogilvie’s views were highly congenial but there were others in the court who might well have been stirred sufficiently by his words to become conscious of the beam in their own eyes.

Spottiswoode, the most Erastian of the Scottish bishops, was as vehement as Ogilvie in his antipathy to Presbyterian licence and it may have been that the priest was taking the opportunity to emphasize the law-abiding character of Catholicism when compared to Presbyterian lawlessness. For Catholics had been so consistently and unfairly accused of disloyalty that in pointing the contrast between Catholic teaching and Presbyterian practice the Jesuit was giving the most effective reply to the charge of treason which was now inevitably to be brought against him.

Catholics incurred the penalties of treason merely by their status but in the incident to which Ogilvie refers the ministers had played a leading part in inciting a seditious riot.

The affair had begun with James’s decision to welcome back to Scotland the three exiled Catholic Earls of Huntly, Angus and Errol, under the strictest sureties for good behaviour, including their submission to the Protestant Church. The ministers with a correct appreciation of the value of such conversions denounced the King’s clemency to the idolaters. James very moderately pointed out the expressed repentance of the Earls and the absurdity of precluding them from the royal mercy and consigning them to darkness and despair.

During this conversation some of the ministers had asked for an agreement to be made between the civil and ecclesiastical powers, and James in answer gave a characteristically acute summing-up of his views on the matter and, by unconscious
implication, indicated some of the basic differences between the Presbyterian and Catholic attitude to the civil power.

Since the early days of the Scottish Reformation the whole Presbyterian church government had tended towards a theocracy, but a theocracy in which the rules had a highly personal flavour befitting a biblical religion in which personal interpretation played so large a part. The tone had been set by Knox, and Mary Stuart had found it impossible to get to grips, or to find any sure logical footing, in her controversies with him. The traditional rôles of the sexes were strangely reversed, the woman putting a sorry reliance on the logic of her case, and the man substituting for feminine intuition that inner light which, when the normal processes of reason failed, was always at hand to illuminate his mind.

The son had no better fortune than the mother and, as if to underline the correctness of the King’s analysis, Mr. David Black, one of the preachers of St. Andrews, chose to inflame matters still further in a sermon in which he attacked the Episcopalian polity and, with a characteristic Presbyterian taste for wide denunciation, went further and called Queen Elizabeth an atheist. Speaking of King James he said ‘that no one knew better than he of the meditated return of the Papist earls and in this was guilty of manifest treachery. But what could they look for? Was not Satan the head of both court and council? Were not all kings devils’ bairns? Was not Satan in the Court, in the guiders of the Court, in the head of the Court? Were not the Lords of Session miscreants and bribers, the nobility cormorants, and the Queen of Scotland a woman, whom for fashion’s sake they might pray for but in whose time it was vain to hope for good.’

The King, not in the least mollified by these arguments, summoned Black to appear before the Privy Council, but the minister refused the jurisdiction of the Court and in an odd document explains his refusal. The Kirk now took an active hand in the matter in support of Black, and the controversy ended in the great riot of 17th September.

The King, as a result, decided to punish Edinburgh by removing his capital elsewhere, but any chastening effect this punishment might have had was dissipated by a further incitement to
For eight days and nine nights continuously Father Ogilvie endures the torture of ‘enforced sleeplessness’
Father Ogilvie is hanged at Glasgow Cross, 10th March 1615
rebellion on the part of Mr. Robert Bruce, a minister of Edinburgh, and of Mr. John Welsh, who declared that the King had been possessed of a devil; he was in a state of frenzy and it was lawful for his subjects to rise against him.

In the end the King scored a triumph over the Kirk and hastened the creation of a full Episcopalian system in order to bring about 'a decent order established in the Kirk which should be consistent with the word of God, the custom of primitive times and the laws of the realm'.

*   *   *

Any treason of Ogilvie's, such as celebrating Mass for Mareon Walker and a handful of Glasgow citizens, was a pale and colourless thing seen against the background of this tumult. His judges, nevertheless, continue to press the case of Father Garnett.

'Father Garnett was innocent', replied Ogilvie, 'and was not bound to betray the name of his penitent for anything in the world.'

The Archbishop answered: 'If anyone confessed to me a plot against the King's life I should betray even my penitent himself.'

'No one, then,' said the priest, 'ought to confess to you.'

His judges now point out that the Pope had canonized Garnett for his part in the Plot.

'How do you know that?' asked Ogilvie.

'Because he has been painted at Rome among your martyrs.'

'Tis foolish to base your arguments on the subjects chosen by poets and painters.'

His intellectual honesty, however, could not leave the question in this state, which seemed to imply some criticism of Garnett, who was regarded by many as a martyr for the seal of confession and Ogilvie felt that he had to add:

'If he died to preserve the seal of confession, then, indeed, he was a martyr and if the Pope had so proclaimed him I would be willing to die for that opinion.'

The Archbishop, somewhat nettled by the priest's reiteration of the papal power, answered brusquely:

'Away with your "ifs". What's your own opinion?'
With studied moderation the Jesuit explained:

'If the letter he wrote from prison, which was witnessed by the ambassadors of two kings and by other noblemen and which I saw when I was in England, is true, then, indeed, he died a good and holy death and was innocent of complicity in the Gunpowder Plot.'

They counter this by citing some official documents of the trial, possibly amongst them the celebrated letter of Father Garnett to his brother Jesuits, which, carefully and unscrupulously edited by the celebrated Launcelot Andrewes, had appeared in print only six years before as part of the Anglican ammunition in the controversy with Cardinal Bellarmine. Ogilvie had not then the detailed knowledge of Government duplicity that we possess now but he was well aware of Garnett's own reputation for sanctity, the official Jesuit views on meddling in political matters, the inherent impossibility of Garnett having sanctioned or taken an active part in such a crime, and the campaign of vilification that had been conducted against his own Order, and he could answer safely:

'As these men were his enemies one should not give much credit to those documents; nor do I see any reason why I should not believe my own authorities, who are trustworthy. However, no one has made me judge in these matters and so I won't give any more answers about it. I came to my country to preach Christ not Garnett. I must attend to my affairs now as he did to his then. Each for himself and God for us all.'

With these words his first examination ended. Ogilvie had put up a splendid defence under circumstances calculated to daunt the heart of the strongest. During this long examination he had set the tone for his subsequent appearances and even at this early stage his demeanour must have aroused mingled feelings of admiration and anger. The admiration was later to be a source of some embarrassment to Spottiswoode although that prelate himself seemed at times to be not wholly immune to the priest's charm.

But his judges had succeeded admirably in this first portion of their task. They had been dealing with a man who had not tasted food since early on the previous day and had, as a result of his
beating and the conditions of his imprisonment, begun to shiver uncontrollably from the onset of fever.

The examiners noted the flushed features and the violent shaking of the prisoner's body and, bringing the examination to an end, sent him down to the other end of the Hall where he could relax in the blazing warmth of a fire. But not even this welcome repose was to be granted to him for, standing round the fire, were a number of men, one of them a Highlander from Ogilvie's own country. This lout, who had been listening to the interrogation, and probably understanding little of it, made a violent verbal onslaught on the sorely harassed priest, accusing him of perjury and of using a decent name to hide a vile trade.

He would, he affirmed, make sure that the honourable name of Ogilvie should be no longer tarnished with Jesuit infamy and, but for the presence of the Archbishop's servants and the noblemen, he would throw Ogilvie into the flames.

The priest, who during the next few months was to captivate many by his wit, valour and shining sincerity, now displayed for the first time that gentleness and charm that seemed to have the power of winning the most obdurate of hearts.

A little revived by the comforting flames he turned now to his traducer and said smilingly:

'There is no more suitable time than now if you have decided to throw me in the fire for I am all but frozen, but you must have a care not to scatter cinders and coals over the house for you yourself will be made to clean them up.'

Perhaps not Ogilvie at his Wittiest but he continued to joke in this strain till the bystanders were forced to laugh and the Highlander himself capitulated, the first of his many enemies to surrender to the infectious warmth of that smile.

Sir Walter Stewart, who had now stepped down from the bench, approached the group at the fire and looking intently at the Jesuit's face, now lit up by the flames, announced suddenly to all that the priest was not an Ogilvie but a Glasgow man named Stewart.

'He has a brother a preacher who lives not far away and his mother still lives in the town.'
This revelation caused the crowd to look more closely on the shivering figure, who sat hands extended to the flames, and some, to the astonishment of the priest, claimed also to recognize him. To the Jesuit's denials they offered the irrefutable proof of his boyish depredations and orchard robbing and, despite his continued denials, they began to accuse him loudly of perjury.

That their confusion was genuine and based upon some real resemblance to this Glasgow prodigal was shown by their subjecting the priest on the following morning to what might be considered the most exacting test of identity, the production of his mother. The old lady scrutinized him keenly and had some conversation with him and finally, with delightful maternal candour, announced that he was not her son for, 'He is not lucken handed and not dull witted but rather too sharp'.

When Ogilvie had been sufficiently warmed at the fire they put him back into prison and on that same evening the Archbishop reported his capture to the King. In this letter, written so shortly after his arrest, there is clear indication of the views that originally animated Spottiswoode and it is important, in the light of the plea that the Government is later to put forward that he was not executed for matters of religion, to note the tenor of the missive which is entirely concerned with his priesthood and matters pertaining to it. There is also clear evidence that the Scottish Government, with commendable thriftiness, had adopted the policy, already popularized by Lord Burghley in England, of making persecution pay for itself.

The Archbishop wrote:

Most Sacred and Gracious Soveraigne,

It hes plesit God to cast in my handis a Jesuit, that callis himself Ogilvy. He cam to this Citie and said some massis at qlich we haif tryit eight of our burgessis to ben present. He wes busie in perverting sum otheris that went too far with him, for sum of tham preasit to resist my servantis in his apprehensioun; himself wil answer nothing that servis for discovering his traffique in the cuntrey that appeiris to be great. My Lord Kilsyth wes heir, be good happe, at his examinatioun, and the rest of his partakeris, and hes helpit muche to thair confes-
siounis. The copie of them I haif sent to the Secretary, qho, I trust, sal send it up in the pacquet. In his bulget we haif found his vestementis and other furniture for the masse with some bookis and reliques of S. Ignatius, S. Margaret, S. Kathrin, and other thair saints; also some writis amongst qhiche the principal is a Catalogue of thingis left be Father Anderson a Jesuit in Scotland qho semis to be furth of the countrey. Thairby your Majestie wil persaif the furniture of bookis and vestureis thai haif in store against the day they looke for, and sum of thair freindschip with qhom the samin is reservit.

Sir, I will not truble your Majestie with the circumstances of his apprehensioun and namis of his partakeris heir, qhairanent I haif written to your Hienes servant Jhon Murray, more particularlie; only I wil craif your Majesties pardon to delyver my advyre for the punishment of thir transgressoris, the tryal of the Jesuite, and finding out suche thingis as ar contenit in the Catalogue.

Because exemplary punishment is necessaire in this cace and be the lawis, thair lyvis, landis and qhole estait is in your Majesties handis, and the conthioun of the personis offending is not equal, your Majestie wold be plesit to refere the determinatioun thairof to my Lord Thesaurar, my Lord Kilsyth, my Lord Advocat, and myself, as hafing heir the jurisdictioun under your Majestie.

Commissionioun wold be giffin for this effect and the Counsal commandit to exped one to the forenamed personis, for putting the transgressoris to tryal and convicting tham according to the law.

Being tryit, guiltie and put in your Majesties wil, they wold be finit according to thair qualitie and estait; only Robert Higgate, that has ben the seducer of the rest, wold be banischd your Majesties kingdomes during your Hienes plesure.

The fyn your Majestie will be graciously plesit to command the Thesaurar to devyd with me, both in respect thai ar al burgessis of this citie, and by the priviledg your Majesties noble predecessoris haif grantit to this sea, the eschetis and forfaitoris of al malefactoris fal to the Bischop, and that I may haif qhair-with to recompense the discoverer, and otheris that haif servit in the busines, to qhom I haif particularly obliged myself.

Thair tryal wold be at Glasgow and the Commissioners
commandit, be your Majesties letter, to conven for that effect at the first convenient tym thai can chuse.

For the Jesuit, your Majestie may be plesit to command him to be brocht to Edinburgh, and examined be suche of the Counsel as your Majestie sal pleis nominat. Of that number the Secretary, Thesaurar, My Lord Kilsyth, my Lord Advocat and meself, because I haif the writtis, wold seem fittest.

They wold be commandit to use this examination with great secrecy, and if he wil not answer nor confesse ingenuously to gif him the buttis, or other torture.

For getting the bookis and vestementis contenit in the Catalogue, it wil be the safest mean to charge the keeper of the samin, and qhair the ladyis are named, to charge thair husbandis, and commit tham til the sam be delverit. But for this, and the better compassing of it, the credit wold be referrit to my Lord Secretary to move and follow it in Counsal, by our advyse and qhen we se it to be tym.

Sir, these thingis I humbly present to your Majestie, to be correctit at your Hienes gud pleisure. The knowledge I haif of our state heir and the consideratioun of every thing that may best serve to the repressing of this great evil, and assuring that obedience qhiche is due to God and your Majestie, makis me bold to delver my opiioni in this sorte.

I besche Almyghtie God to preserve your Majestie, to disappoint the practisis of the wickt and increase your Hienes blessings, in despyt of al Godis and your enemys.

Your Majesties most humble
and obedient servitour

Glasgow.

Glasgow the 5th of October 1614,
To his most sacred Majestie.

To this James made the interesting reply:

If nothing could be found but that he was a Jesuit and had said Mass they should banish him the country and inhibit him to return without licence under pain of death. But if it should appear that he had been a practiser for the stirring up of sub-jects to rebellion or did maintain the Pope's transcendent power over kings and refused to take the Oath of Allegiance they should leave him to the course of law and justice.
Thus early the King had expressed his mind on the course to be taken with Ogilvie. The King's clemency, except in the matter of witchcraft and heterodox views on the divine nature of his government, was sufficiently strong in him as to make him view with a certain degree of repugnance the shedding of blood for religion and he could not bring himself to regard with the same steady and remorseless hatred as the preachers the comparatively innocuous, if unscriptural, practices of Mass-saying and confession. To such trivial offenders James had always displayed an infuriating mercy, contenting himself with the more modest chastisements of forfeiture, ruination and exile. If only the Catholics, as a whole, had displayed a proper reverence for the royal divinity and been acquiescent enough to discard some trifling points of doctrine, such as the primacy and jurisdiction of the Pope, they might have jogged along securely, if impecuniously, deriving what consolation they might from the sacraments of their religion.

Meanwhile, Ogilvie had been sent back to prison and for the first two days would seem to have been used with comparative leniency, but on the third the conditions of his imprisonment underwent a change for the worse and he was thrown into a cell in the Bishop's prison as a preliminary step to inducing the proper degree of pliability in him. In this narrow prison he was bound by the feet to an iron bar weighing almost two hundredweights in such a way that he could only sit or lie down, for the most part, being able merely to struggle to his feet occasionally 'to relieve nature'. The darkness, discomfort and intolerable stench of his cell was the kind of material suffering to which the missionary priests had in imagination long accustomed themselves.

The Jesuit was to remain in this prison for almost two months awaiting the decision of the King as to the details and place of trial. Spottiswoode, however, with the permission of His Majesty, decided to improve the shining hour by having recourse to a little mental torture in order to soften in some degree Ogilvie's obduracy. The Scottish Government, while in no way emulating the undoubted mastery of torment possessed by Elizabeth's favourite pursuivant and rackmaster, Topcliffe, had, nevertheless,
a number of ingenious devices for ensuring ready compliance with its views. Amongst a number of quaintly named but exceedingly painful instruments of coercion such as the rack, the pilniewinkis, the caschie-laws, the lang irnis, the harrow-bore and the pynebankis, one, the 'boots', had achieved an undoubted and gory prominence.

Ogilvie was not to suffer this torture in anything like its extremity, although something rather worse but less physically apparent was to be applied to him, but during this period of imprisonment in Glasgow they threatened him with it and most likely produced it as evidence of their intentions.

This, however, was not the kind of argumentation that was likely to prevail with Ogilvie, as they later discovered, but during this period in Glasgow something had occurred to try the priest's spirit to the utmost, for within a short time of their arrest his fellow-prisoners had been tried and condemned to death. Those who had heard his Masses were sentenced to be hanged and those who had given him hospitality to be hanged and quartered. Their fate must have been uppermost in his mind during the long, dark hours in the miasmic atmosphere of his cell, but his mental torture became the more acute when he learned that he himself had been popularly supposed to have betrayed them.

The rumours grew and spread, probably carefully nurtured by Government propaganda, for this had always been a favourite device to cast obloquy on priest captives and to induce by a kind of reaction further testimony from their penitents. The relatives of the condemned citizens were in many cases Presbyterians and, allied to their hatred and distrust of priests in general, there was now added the odium springing from the belief that he had delivered their kith and kin to a shameful death.

Ogilvie was soon to have concrete evidence of the hatred that had now been engendered against him. On a bitterly cold day of early December he was taken from his cell and into the courtyard of the Castle where he was mounted on a horse in readiness for the journey to Edinburgh where he was to be examined by the Commission now appointed by the King. As the cavalcade wound its way down the High Street towards the Cross it was
followed by a large number of the townsmen reviling and cursing him for his treachery. Some then proceeded to more active measures and gathering handfuls of mud and snow began throwing them at the prisoner, urged on to this by one of the city magistrates.

The priest, falling back upon that device so popular with him when rational argument seemed unavailing, tried to abate their violence with a little joviality. As the mud and snow rained upon him he endeavoured to maintain his composure and, above the clatter of hooves and the shouting of the mob, his voice rang out, ‘It’s past jokin’ when the heid’s aff’, trying to win a smile by citing this old Scottish proverb now endowed with a grim applicability.

Seeing that even this did not mollify their resentment and suffering a good deal of physical pain from the combined effects of his imprisonment, the intense cold of the day and the sting of the snowballs on his face, the priest gazed down upon the angry rabble and said appealingly, ‘What else do you want to do or say to me?’

Elizabeth Heygate, mother of Robert, now awaiting the execution of his death sentence, filled with an understandable, if groundless, hatred, shrieked at him from the crowd and, with feminine illogicality, cursed his ugly features. The Jesuit, moved with compassion, gave her an answering smile and shouted back: ‘Christ’s blessing on thy bonny face’, and in the instant captured another heart.

Grudging admiration from the mob finally won him some respite from their attentions and for the remainder of the journey along the Gallowgate to the Eist Port he was left in peace.

It was the beginning of that revulsion of feeling in favour of Ogilvie that was to grow to remarkable dimensions as the weeks proceeded, and some Glasgow citizens must have been left uneasily pondering the hollowness of their triumph as the sound of the hooves died down the Edinburgh road.
VIII

NO OTHER FAITH

Let him do as his mother and all other monarchs of Scotland have done and there will be no need for him to fear the Jesuits any more than does the King of Spain. What do we owe him more than our ancestors owed his; why does he seek for more than they left him for inheritance? They never had spiritual jurisdiction nor did they claim it. They never had any faith other than that which is Catholic and Roman.

_Father Ogilvie to the Lords of the Privy Council._

On the day after, the priest and his escort reached Edinburgh and, picking their way down the crowded High Street, turned through the archway of a large stone-built mansion house on the north side of the street. This was the town house of Archbishop Spottiswoode and bore above it the pious legend, 'Blessit be ye Lord for all his giftis'. The priest had taken the precaution before leaving Glasgow of changing from his familiar short cloak into a riding coat in order to disguise his identity from those Edinburgh citizens who might have recognized him from his earlier visits, but one at least of the crowd who pressed round the arched piazza of the building and gazed into the shadowed archway after the retreating figure of the Jesuit had no difficulty in recognizing him.

William Sinclair had been in Dumfries on the day of Ogilvie's arrest and had learned the news from a letter which had been addressed to the Catholic Lord Herries. Although under suspicion himself he had contrived to find out what he could about what had been happening to Ogilvie in Glasgow and now, discreetly mingling with the crowd in the High Street, he was able to see for himself how the priest had borne up under the ravages of his imprisonment.

Ogilvie had a shrewd appreciation of the purpose of this second examination in thus endeavouring to hide his identity, for as it turned out the whole purpose of this interrogation was not so much to condemn him, for he had already said enough in Glasgow to
ensure that, as to induce him to reveal the names of those Catholics with whom he had consorted during his stay in Scotland.

Even before his formal appearance in court the authorities used all endeavours to break down his obstinacy; in Glasgow he had already been shown the 'boots' and its purpose had been explained to him. Now in Edinburgh they produced it once again and on this occasion fitted it to his legs, although it does not seem likely that they applied it in anything like its extremity.

The sight of the instrument and the thoughts that it must have evoked in a lively imagination were, however, not inconsiderable as forms of mental torture and the cold pressure of the iron against the bare shin-bone, with perhaps a slight and painful application of it, might be sufficient perhaps for the general run of prisoners. This instrument has been described for us in realistic terms by a writer, Thomas Moore:

It is formed of four splints bound together of the length of the leg much like what is put around a young tree to protect it, a wedge of iron inserted between the splints and driven in by sheer force with a hammer, crushes the limb as if to break it and often makes the marrow spirt out of the bone.

However far they may have proceeded with this torture it proved unavailing against the resolute Jesuit, despite their daily production of it, but they had other resources which they applied with more success to obtain the information they sought. Each day they brought to his room in the Bishop's house any of those who might be able to recognize the priest from his earlier visits and could say where, and with whom, they had previously seen him. Against this he had no defence and it was by collating this information that they were able to lay hands on some of his penitents, who were encouraged in their turn to betray others by being told that Ogilvie had revealed all.

Having failed to crush Ogilvie's spirit by these methods they tried what the promise of reward might do. If he would become a Protestant he should have the Provostship of Moffat and enjoy connubial bliss with a noble wife over and above the King's gifts.

This made an irresistible appeal to that humour that seemed
always to be lurking near the surface of Ogilvie’s consciousness and he retorted:

“You should have made this offer to Father Moffat and not to me, an Ogilvie.”

With clumsy flattery they answered that Father Moffat was too stupid for such preferment and Ogilvie at last dismissed their importunities by saying:

“Certainly he is much wiser and more learned than I; if he won’t do, I shall never suit.”

On Monday, 12th December, the priest appeared before the Commission appointed by the King, a more formidable array than in the Glasgow examination. As in that trial, so in this, the moving spirit was the Archbishop of Glasgow, but he was ably assisted by that astute lawyer Lord Binning, Secretary to the Privy Council, by Sir Gideon Murray of Elibank, Treasurer Depute of Scotland, Lord Kilsyth, and the Attorney-General, Sir William Oliphant.

The preliminary stages of the investigation were concerned with those points that had already cropped up in his Glasgow examination and, having noted that Ogilvie still held to his former attitude, they proceeded to the real business of this interrogation.

Since his previous appearance they had been through his baggage and they now confront him with certain letters that they had discovered containing probably the code names of some of his penitents. Possibly, in view of his firm stand at Glasgow, they were not too sanguine of success but they continued the enquiry pertinaciously, possibly hoping to trap him into some unguarded admission. In dialectical skill and coolness of judgment, however, the Jesuit was to prove himself a match for the not inconsiderable forensic skill of such legal luminaries as Lord Binning and Sir William Oliphant and, having extracted no satisfaction from their enquiries into his correspondence, they now question him about his movements.

“When did you come to this city and where did you stay first?”

The priest answered, “I am not bound to reveal the names of persons and places. Granted you are judges, you ought to look for crimes and not for people.”
Their reply to this is a further assertion of the royal omnicompetence, and again as in Glasgow it is to involve Ogilvie in the affirmation of dangerous opinions.

'The King', they say, 'can ask where you stayed that he may decide if you have conspired against the good of the realm.'

In his reply the priest showed once more his grasp of the essentials of the problem. A Presbyterian answer to such a statement would probably have taken the form of a fiery denunciation of the civil power, generously interlarded with appeals to Old Testament precedents. Ogilvie’s reply, while tending to the same practical conclusion, nevertheless stressed the right of the King to administer justice within that sphere that God had allotted to him and that tradition had confirmed to him.

'If the King’s questions', replied Ogilvie, 'were a mere matter of ordinary law I would answer, but as I do not recognize him as a judge in spiritual affairs I must not for conscience’s sake reply in such matters.'

His judges, already familiar with this line of reasoning from him, retort:

'But this enquiry is in the ordinary course of law.'

Ogilvie had hitherto asserted in a general way the mutual exclusiveness of the two jurisdictions, the civil and the spiritual. Now he was obliged to be more specific in his answer and to explain with greater exactitude why he could not admit the right of the King to ask him questions of this kind.

'Oh, no, for procedure and moral authority such as the King’s, is classed and, indeed, is determined according to the purpose and circumstances for which and in which it is used. The King’s purpose is a spiritual one, for he seeks information out of hatred to the faith so that he can arrest and punish Catholics, which is clearly shown by the case of the Glasgow prisoners and the Catholic gentry now under arrest.

'If I should tell you where I was a guest you would frighten them to tell you about themselves or to betray others who had been seen with me; and then you would punish them. So I should be the cause of their sentence and should kill others by my folly; or bring them to peril of backsliding on account of the persecution.
'All these things would be an offence against God and my neighbour and so would constitute a grave sin. But as no one is bound or ought to sin against God or his neighbour I am not bound to reply to this question; for, from one statement made to you, you would make the deductions which you need to the damnation of my soul, the offending of God and the ruin of my neighbour.'

With one rude sweep the veil of hypocrisy in which they had hitherto endeavoured to conceal their proceedings was torn aside, for Ogilvie, in this analysis of their motives, has indicated clearly the purport of his own examination.

In England the bloody repression of Elizabeth's reign had been succeeded by a policy more subtle in character and, in the final result, more efficacious in destroying the Catholic religion. This was the slow erosion of Catholic practices by the deadly agencies of fines and confiscation.

James, despite the Catholic hopes that it would fall out otherwise, had made no scruples about adopting this policy although even this ready compliance did not altogether lull the fears of his English minister, Sir Robert Cecil. James had shown himself anxious to please and as early as 1604 had confirmed the Elizabethan laws against the Catholics and even increased the rigour of their operation. Although not averse to a little seasonable blood-letting, as in the execution of a Catholic priest and two laymen as early as 1604, the King inclined generally to the less sanguinary and more profitable course of appropriating the assets of his Catholic subjects to the royal exchequer or farming them out to some of the more needy amongst the Scottish courtiers who had followed him to London.

As in the reign of Elizabeth, however, the most difficult problem facing the Government was the detection of popery, for many Catholics in England had learned to accommodate themselves to persecution and, although with a somewhat cavalier attitude to the requirements of Canon Law, were able to live unmolested in a vague half-world between Catholicism and Protestantism, attending the Protestant services as the law obliged them and making furtive and terrified amends at those occasional
Catholic services which were made possible by the zeal and bravery of the missionary priesthood.

This politic Catholicism made matters extremely difficult for the professional pursuivants and for the Government, which was always uneasily aware of the presence in its midst of this large and nebulous body whose excessive caution and docility to the general policy of the Government made it none the less dangerous.

The frank and uncompromising Catholicism of some of the great English families was impolitic and magnificent, but many middle-class Catholics lacked the resources and family tradition to accept the rôle of confessors when a little judicious conformity might spare them a world of suffering and the certainty of ultimate beggary. They were, nevertheless, so far as Church and Throne were concerned, highly disturbing to the religious unity of the realm, for Catholicism had shown itself remarkably tenacious of life and in the event of one of those political and religious upheavals that the state of Europe still rendered possible this latent Catholicism could prove an important factor.

In Scotland it had never been possible to compound for religion and there were, consequently, a greater number of these hidden Catholics. Where, as in the Highlands, the Catholics were more numerous, powerfully protected and relatively inaccessible, the Catholic rites were often practised openly and the alternatives of ruination and apostasy less starkly presented, but in the capital and in the Lowlands generally the machinery of inquisition worked more precisely and surely, so that even in an aggressively Catholic household such as that of the Heygates, James was brought up a Protestant and attended the Protestant services 'for fear that perchance they should betray themselves'. It is certain that his father, Archibald, must have attended the Protestant Church for he could not otherwise have retained his post as public notary.

In both England and Scotland, therefore, the Government set themselves the task of identifying, as far as possible, those crypto-Catholics and the most effective means to this end was in the interrogation of captured Catholic priests.

Ogilvie is well aware of this policy and, from the beginning,
is determined that his penitents should be safeguarded even at the
cost of his own life. This, of course, was a declinature of the
King’s jurisdiction which had been made treason by the Act of 1584.

It was the attitude he had taken up in Glasgow. There were
certain of their enquiries that he was bound to answer as a citizen
undergoing lawful interrogation by lawfully constituted judges
making lawful enquiries. This was not a lawful enquiry, however
carefully they may have observed the legal forms in making it,
for its purpose was evil and the King’s moral authority, by virtue
of which they carried out the enquiry, could not lawfully sub-
serve an immoral end. Ogilvie did not deny the right of the King’s
officials to safeguard the good of the realm by enquiring into the
status and activities of subjects under suspicion of crime, but he
did vigorously deny their right to information which would
harm innocent people.

This answer of the Jesuit’s, with its distinction between
‘ordinary law’ and ‘spiritual affairs’, might seem to smack of
evasiveness and that his judges had formed this impression of him
may be seen from the Government account of his trial where the
writer says:

‘The Schole distinctions he had in readiness and thereby when
hee could not shift the argument made semblance to evade.’

Yet an impartial examination of his answers throughout his
questioning and trial displays a consistency and forthrightness in
his attitude to the royal authority which, while it did not conform
to their particular views of statecraft, was based on sound moral
grounds and a due respect for the temporal power.

His judges continue to press the point.
‘Won’t you obey the King?’
‘What I owe the King that will I pay.’
‘The King forbids Masses and you say them.’

With a man of the Jesuit’s now well proved constancy and
skilful argumentation it is difficult to see what they hoped to gain
from this question for he had already denied the King’s power in
spiritual matters. He replied:

‘Judge ye whether I ought rather to obey Christ or the King.
For Christ instituted the Mass and ordered it to be offered up as
I will prove if you want me to. If then the King condemns that which Christ has instituted how will he escape the name of persecutor?

His judges could scarcely have expected any other reply but it offered them an opportunity too good to be missed for they now point out that the King of France had exiled Protestants and the King of Spain had burned for religion.

This raised a controversial issue of some complexity for Ogilvie, for looked at from the side of his judges both statements were true and, though political motives were inextricably involved in the French case, there was in Spain a good deal of straightforward repression of heresy.

To a modern, therefore, this would seem to be a perfect *Tu quoque* to some extent justifying the proceedings of the Government against Catholics, but it should be pointed out that the Catholic position was the more logically and morally defensible of the two.

We could wish perhaps in the newly discovered tolerance of modern days that both sides had shown more respect to genuine religious faith and adhered to the views of St. John Chrysostom, 'To put a heretic to death is an unpardonable crime', or pondered the words of St. Athanasius that 'it is the business of religion not to compel but to persuade'. We are obliged, however, to take the times as we find them and there are certain considerations to put the Catholic case in a less reprehensible light than the Protestant.

Europe, until less than a century previously, had been Catholic, and that religion had been not merely a system of worship but a way of life and thought. Its influence had penetrated into every corner of the national life in every country in Europe so that it was not possible to injure the Catholic faith without, at the same time, doing violence to the delicate fabric of society. In some cases the injury had been done by the leaders of the nation, as in England; in others by way of rebellion, as in Scotland. In all cases it had been a minority movement which had to induce conformity or perish by reason of the large numbers who in all Protestant countries still adhered to the old observances.
Their new Protestant governors required from these Catholics the denial of a belief and a way of life which had been inculcated in them from their childhood as the only road to salvation. Many were capable of following the argumentation of the preachers and remained unconvinced; many were unable to rebut the Protestant arguments but still instinctively clung to the faith in which they had been nurtured.

Put their attitude at the lowest level of mere superstition; it was a monstrous injustice, even by seventeenth-century standards, to ask them to abandon what they believed to be the path to Heaven and to enforce this demand by imprisonment, torture, fines, exile and death. When it became clear that many of the leaders of the new Protestant nations were actuated often by motives the reverse of religious, the cruelty of forcing the consciences of Catholics becomes even clearer.

The repression of Protestantism by Catholic sovereigns was not so manifestly unjust, for Protestantism was a novelty and those who adhered to it were going against the tradition of centuries. It had been by constant vigilance and the judicious use of force that the Church and the sovereigns of Europe had in the past preserved the purity of the Christian faith from the inroads of destructive heresies and maintained intact that core of Christianity that now formed the doctrinal basis of the Protestant religion.

Because Catholicism was so closely woven into the fabric of society the secular State had made heresy a civil crime punishable by death and an examination of the doctrines of the Cathari and the Albigenses would seem to show that this identification of public order with the maintenance of the Catholic religion was not without strong motive.

In those countries where Protestantism had grown up in opposition to the rulers of the State its adherents became subject to the penalties of heresy, and experience soon showed that to compound with Protestantism was to encourage rebellion. The Spanish King did not have to look far to see the consequences of such a policy, for France offered an object lesson in the peril of religious complacency, every concession to the Huguenots in that country having been followed by fresh demands, for no
Protestant party in Europe wanted religious toleration but the power to enforce its religious views on the nation.

Everywhere the obligations of religious tolerance lay more heavily on the Protestant than on the Catholic for, unless one accepts the long derided view of the Reformation as a sudden widespread illumination of the masses, Protestantism was in the beginning confined to a minority of choice spirits in every country while the great bulk of the nation still followed in perverse blindness the errors of Rome. Furthermore, it was one of the cornerstones of the new belief, whether in its Lutheran or Calvinistic form, that the Bible was the rule of faith and that each man must interpret this for himself aided by the light of the Holy Spirit, and experience should have shown that not all men were capable of understanding or all souls capable of feeling the force of the new evangel in the precise form in which it had been revealed to Calvin, Knox and Beza. Many of the more wayward spirits, indeed, when directed to the Bible had found in it only sad confirmation of their papist errors and, in accordance with the best Protestant teaching, had decided to remain Catholic.

If Catholics persecuted they did so in defence of a carefully wrought-out system of belief, universally adhered to, and not subject to doctrinal variations from country to country. Unity was of the essence of Catholicism; diversity was inherent in Protestantism from the beginning.

Ogilvie, however, did not elaborate on these points as he might well have done in the light of his European experience but he gave instead the simplest reply, one that may sound naïve to modern ears, but was clearly understood by his judges so little removed from their Catholic past and conscious of how the ‘godly work of reformation’ had been effected in their own country.

‘Francis did not exile nor does Philip burn for religion, but for heresy, which is not religion but rebellion.’

They now turn to another illegality of the Jesuit’s.

‘You ought not to have come into this realm against the King’s commands.’

Again the priest falls back upon the prescriptions of the natural law, pointing out:
‘The King cannot forbid me my country without legitimate reason for the same natural law which makes him King makes me a subject.’

They reply to this:

‘He has good reason to fear you Jesuits both for himself and for the State.’

The Jesuit’s answer has all the proud ring of Campion’s noble speech from the dock. It affirms one of the great features of the Catholic religion that had so appealed eighteen years before to the young Ogilvie distraught with his attempts to find in the religious confusion of Europe that serene certainty for which his heart so yearned.

‘Let him do as his mother and all his predecessors, Kings of Scotland, have done and he will have no more reason to fear the Jesuits than the King of Spain has. What do we owe him more than our ancestors owed his? If he has all his ruler’s rights from them why does he seek for more than they left him by the law of succession? Spiritual jurisdiction they neither had nor claimed: nor did they profess other faith than the Catholic and Roman.’

When Campion, after a trial, scandalous even by Elizabethan standards, was asked by the Lord Chief Justice what reason he could give why he should not be condemned, he answered:

In condemning us you condemn all your own ancestors, all the ancient priests, bishops and kings, all that was once the glory of England—the Island of Saints and once the most devoted child of the See of Peter. For what have we taught, however you may qualify it with the name of treason, that they did not uniformly teach? To be condemned with these old lights—not of England only but of the world—by their degenerate descendants is both gladness and joy to us. God lives, posterity will live; their judgment is not liable to corruption as that of those who are now going to sentence us to death.

Ogilvie’s reply angered one of the Council, who felt possibly that the purpose of the examination was being lost sight of in pursuing such irrelevancies. The boldness of the Jesuit’s answer seemed, also, to have offended their sense of importance, and he
was told that they had not come to bandy words with him. He declared with dignity:

'And I am not arguing; I am only pointing out that I ought not to be deprived of my native land and that these questions you ask me do not come within the King's jurisdiction. I have committed no crime. If I am guilty let them prove by witnesses that I have sinned against the existence or well-being of the State. Since you can do nothing of the sort why do you persecute me?'

These legal niceties, however interesting and pertinent, were not furthering the progress of the examination and this answer of Ogilvie's gave them an opportunity to revert to the original line of cross-examination.

'You cannot', said one of them, 'better clear yourself of suspicion of conspiracy than by saying, 'With such a one I was here. This and that I have done in Scotland. Ask the persons themselves and if they convict me then I am guilty''. If you would thus give an account of all those with whom you have spent your time nothing more could be brought against you. Your silence makes us suspect you all the more for we think you fear betrayal by your accomplices.'

Ogilvie was too astute to be taken in with this stratagem, which would make his justifiable silence a confession of treachery, for at all costs his penitents must be kept safe, not only from the duty he owed them but from the blow to the Catholic cause that would ensue if a priest, and particularly a member of his own most militant Order, were to betray his fellow-Catholics. Ogilvie, therefore, retorts:

'I will make use of this advice when it shall be for my benefit; at present it is not. For in the first place in betraying my neighbour to death I should offend God and kill my own soul. For a second reason it would not help but rather harm me; for your threats and the King's rewards might tempt a weak man who hoped to gain your favour and the King's falsely to pretend there was a conspiracy; so you would have an excuse to be cruel and would slay me whom, though you wish to, you do not punish at present for fear of infamy.'

Here he struck at a cherished delusion carefully nurtured by the
English and Scottish statesmanship of the Reformation period. The intellectual ferment of the times and the genuine religious confusion in the minds of good men had begun to give rise to, if not tolerance, a desire not to be stigmatized as intolerant. Public opinion could not always perceive the high reasons of state that made necessary the savage execution of such patently innocent and virtuous men as Cuthbert Mayne, Edmund Campion and the gentle Father Southwell, and even the Tudor and Stuart autocracies had to take some account of the vox populi.

For that reason Elizabethan and Jacobean statesmen displayed an official reluctance to put to death for religion as such and were anxious, if possible, to render their victims infamous in the general estimation by proving them guilty of felony or felonious intent. It is quite obvious from the recent trials of Archbishop Stepinac and Cardinal Mindszenty that modern terroristic technique is not without its debt to the past.

When Ogilvie points out, therefore, that they would slay him if they could but for the infamy it would bring to them he is making an assertion that they could not allow to go unchallenged. 'The King', they say, 'sentences none to death for religion.'

The Jesuit's reply must have come with shattering force: 'Why then have the burgesses of Glasgow been condemned to the gibbet and the wheel?'

It was so clearly an absurdity to imagine such a one as old Mareon Walker deep in conspiratorial designs that they could no longer maintain the hypocrisy and they decided to drop the matter. There was, indeed, one effective, though not logically admirable, reply to such a question. Recalcitrance had gone too far. The time had now come to try the more persuasive dialectic of the torture chamber.

'Have a care', they say, 'that you do not force us to torture you as the King has commanded.'

The Scottish pride bridled at the threat and Ogilvie answers that he will not say another word.

The examination was near its end. The short Edinburgh day was wearing to its close and darkness was settling in the gloomy chamber. There was still time, however, for one parting shot that
might be particularly effective against a Jesuit, and one of the Council now asked:

'Do you maintain the teachings of Suarez?'

'I have not read his book; if he teaches anything which is not of faith then let the man who teaches it defend it. I am not a disciple of Suarez. If anyone wants to refute him let them write a better book on the subject.'

It was a spirited and reasonable answer but not likely to carry much conviction with his judges, but they, aware of the growing darkness and conscious that they were masters of the situation, were content for the time to abide it.

They rose and dismissed the prisoner, saying:

'It is dark and we have other things to do. Think things over until we send for you again. If you won't do what the King wants you will certainly suffer the extreme penalties.'

The priest, his resolution unshaken and his way clear before him, replied:

'I will think it over but my mind is already made up as to what I will do and I have told you already.'
IX

BORN FOR GREATER THINGS

Try your 'boots' and with God's help I'll show you that in this cause I care as little for my shins as you for the 'boots': I know myself born for greater things than to be vanquished through my senses but I put my trust not in myself but in God's Grace.

Father Ogilvie to the Lords of the Privy Council.

Ogilvie had now undergone two examinations and in each had displayed a contumacy that seemed proof against either threats or argument.

Later on that same evening, therefore, when the Lords of the Council met once more to debate the day's proceedings it was felt necessary to devise some means whereby the Jesuit could be brought to a proper frame of mind and to a due recognition of their authority.

In Edinburgh Castle there was an armoury of highly formidable arguments which, however, possessed the demerit of rendering the prisoner crippled or mutilated and, while productive of results with elderly witches or the commoner sort of criminal, might prove of less value in the case of the Jesuit. Something at once more simple and less patently savage was required and one of them recalled that in previous cases a most successful method of overcoming criminal obstinacy had been to keep the accused without sleep until the proper degree of complaisancy had been effected.

This had the merit of requiring no elaborate apparatus and of leaving no unpleasant physical signs such as might induce in an emotional populace foolish sentiments of pity. Furthermore, this method was more apt to their purpose, since in its operation it struck most powerfully at those qualities of will and understanding that lay at the root of the Jesuit's obstinacy.

On that same evening they started to put their plan into operation and for the purpose four of the Archbishop's retinue,
Alexander Hay, Robert Blunt, George Austin and Alexander Duff, were given the necessary instructions and arranged a system of day and night watches over the priest. This period of enforced sleeplessness was to last in all eight days and nine nights, that is, from the night of 12th December to the night of 21st December. During this time Ogilvie’s room became a resort for many of the citizens of Edinburgh, both Catholic and Protestant, and as the dreadful days wore on they were to witness an amazing feat of endurance to suffuse their hearts with pride and pity or move them to an uncomprehending wonder at so much valour expended in so slight a cause.

As the climax of the vigil approached, when the cravings of nature at last overcame the Jesuit’s physical self-control, when the flesh no longer responded to the sharp reminder of the daggers and pins, and the head dropped uncontrolledly on his breast, the attendants propped him up to his full height and allowed him to fall to the ground with the whole weight of his unsusisting body. Jerked into temporary and dazed wakefulness by the shock and pain of his fall Ogilvie was yet again subjected to interrogation by members of the Council and other noblemen who made constant visits to his room in eager expectation of the moment when his will, brought to the proper degree of malleability, would give them token of surrender. Through a bleary-eyed mist the Jesuit could see the faces of his tormentors and, as from a distance, hear their voices, sometimes fraught with menace, at other times soft with persuasion, at all times holding out the certainty of a respite from his terrible agony if he would speak the word they longed to hear. Cajoling, threatening, demanding, demanding, the voices continued but, with brain benumbed and faculties impaired, the inner citadel remained untaken and the will, fortified by grace and Jesuit discipline, held out.

At intervals the doctors examined him for signs of approaching death but, as often, declared him fit for further torture. As day followed night in blurred succession his slow agony made further demands on the ingenuity of his jailers, for now, when they crashed him to the floor, he lay, indifferent to pain and insensible to shock, craving only the merciful oblivion of a moment’s
sleep; but, obedient to instructions, they grasped the pitiful and crumpled heap of humanity and, raising him by the legs, dragged him remorselessly and rapidly up and down the floor of the room.

Eventually they were obliged to stop, three hours before that point where the doctors alleged death would supervene.

What had they gained? According to the True Relation, an official pamphlet written after his death, he had given them some satisfaction.

'It was advised', wrote Mr. William Struthers, author of this production, 'that he shoulde bee kept without sleepe for some nights, which was accordingly done; and during which time it was perceived that hee remitted much of his former obstinacie, and falling to discover certaine of his receavers in Edinburgh, gave hope, that by gentle usage hee would bee drawne to give their lordships contentment.'

It is barely possible that Ogilvie in the midst of his sufferings might have recognized by some inadvertent gesture the friendly face of a former host or penitent amongst those who had come to witness his agony. The evidence seems to indicate, however, that he maintained silence to the last.

In 1628 the Society of Jesus, taking advantage of the presence in Rome of William Sinclair, then an exile for his faith, induced the Sacred Congregation of Rites to institute an ordinary process on the virtues and martyrdom of Ogilvie, citing Sinclair as a witness of first-class importance.

Giving testimony under oath and having been warned of the serious nature of perjury especially in cases of this kind, Sinclair paid warm tribute to the Jesuit's constancy under torture. Sinclair himself had prudently stayed away from the priest's room during the vigil, but each day he sent someone to report on what was happening and later he derived much information from the actual jailers themselves, the doctors in attendance and many Edinburgh citizens.

Amongst the Catholics who had been guilty of resetting Ogilvie, Sinclair was the person most deeply implicated of those who were still at liberty, yet there is no suggestion in his evidence that either he or others were betrayed by the priest, but only the
most frank admiration for his courage and constancy under torture.

This very information [he deposed before the Roman Court] I received also from those who compelled him in turns to keep awake by the said methods—namely Andrew Hay, Robert Blunt, George Austin and Alexander Duff—and also from other Edinburgh citizens and from most trustworthy witnesses who, out of mere curiosity and amazement, had very often gone to see him and who publicly announced to everyone else the nature of his tortures, his perseverance, his patience and everything that passed either by word or deed.

Later in his deposition Sinclair seems to clinch the matter and refute the Government production:

I know that Father Ogilvie endured all his discomforts and sufferings with patience and perseverance but also with great courage and joy for the love of God. As for the reasons for my knowledge, my answer is that I know this from the enemies of Father Ogilvie, I mean those heretics themselves, and when they praise a man whom they would have afflicted with a thousand tortures if it had lain in their power their word can be relied upon. From the attendants then who guarded him and the physicians who stood by him during his enforced vigil and others who witnessed his death I have heard that they marvelled how he had borne up to the very end such great sufferings with a spirit so brave and unflinching.

Ogilvie, by his gentleness and Christian bearing, had already made dangerous inroads in the affections of the people of Glasgow. Now all Scotland was to ring with the story of his vigil and public opinion to veer from an attitude of early hostility to frank and ungrudging admiration. Not all extended this wholehearted admiration to the Jesuit, for Spottiswoode was heard to declare that he would have given a fortune never to have had anything to do with him. The last gamble had failed and, against all reasonable predictions, had not only left Ogilvie still master of his soul but had given him a meretricious popularity with the more foolish of the people.
This unexpected and unreasonable immunity to torture had moved some of his persecutors to an even greater anger with him, and one of them suggested to Ogilvie that he and his men would see to it that he should receive even more atrocious tortures and that the Privy Council would not stop till he died under their ministrations and his head hung from the western gate of Edinburgh.

The priest had now recovered some of his old fire and, true to his earlier policy of hitting hard and often, retorted:

Wonderful hangman that you are! I pay no heed to you for all you do. Act according to your heretic malice. I have asked nothing of anyone and never will, I have ever despised you. I can and will willingly suffer more for this cause than you and all yours can inflict. Stop bringing these things to me; put them rather before hysterical women. They spur me on. They do not frighten me, I laugh at them as at the cackling of so many geese!

The gallant defiance of the reply silenced his tormentor for the moment and he went away leaving Ogilvie temporarily at peace. Some time later, however, he returned and, possibly ashamed of his outburst of ferocity, asked the priest if he lacked anything, which seemed, under the circumstances, an odd question.

'Yes,' answered Ogilvie, 'a bed to lie on.'

In his new rôle of benefactor he spoke quietly to Ogilvie, assuring him that he had spoken his former words merely to impress the bystanders and out of policy, but the Jesuit would not be mollified for, as he said, 'He knew the man's savage mind'. Ogilvie had already become familiar with the persecuting technique of mixing in judicious proportions threats and blandishments and assumed a proper attitude of caution towards all his enemies, whether they brought gifts or menaces.

The priest was now allowed a day to recover from his ordeal and on Thursday, 22nd December, was again brought before the Council, but the torture had left its mark not only in the emaciated frame and the drawn features but in a certain mental confusion which left him doubtful even as to what city he was in.
More than ever he had to call upon all the resources of his will and intellect to face out his judges, throwing aside all finesse in argument and countering their questions with a fierce intensity as if he hoped that the passionate sincerity of his words would make up for his mental discomposure.

The sufferings he had undergone, the increasing certainty of approaching death, the manifest hypocrisy of many of their proceedings had stripped him momentarily of that respectfulness towards them that had, despite the firmness of his attitude, marked the course of the earlier examinations.

Their opening remarks were not calculated to soften this asperity, for they pointed out to him their exceptional clemency in using merely the torture of enforced sleeplessness rather than the ‘boots’. The priest, fresh from the horrors of his ordeal, could not help being struck by this colossal hypocrisy and his reply was a clear and highly personal analysis of his torments and an exposure of their self-alleged leniency.

‘If you had examined me by the “boots” I might still have been carried to church or lecture-room and so earned my bread by teaching or by exercising my priesthood in the confessional. But now the vigil has all but destroyed and killed my intelligence. What worse torture, indeed, save death, could you have inflicted, since in my calling I need judgment and not limbs to serve Christ and the Church? You have tried to convert me but it was truly a preacher’s conversion you aimed at, to turn a sensible man to madness, a Jesuit to folly. Keep your Provostship if it is to be won by such a conversion.’

This reply angered them, probably for its exposure of their real intention in using the vigil, and they answer:

‘Unless you do the King’s will worse will follow.’

Ogilvie had come through the ordeal with unbroken resolve and undaunted will and there was nothing they could do to him now. He knew his own strength and, confident in his fortitude and the power of grace to bear him up to the end, he answered in words of splendour:

‘Even though I had intended to tell you I would not do so now lest I should seem to speak under compulsion and to be persuaded
by blows like a beast, and not by reason like a man. Try your "boots" and with God's help I'll show you that in this cause I care as little for my shins as you for the "boots". I know myself born for greater things than to be vanquished through my senses, but I put my trust not in myself but in God's grace. Wherefore, I will not alter or add to anything I have said.'

Then, weary in body and lacerated in mind, the Jesuit made his only request to his judges:

'What you are going to do to me, by God's permission, do quickly. I beg no mercy. One thing only I ask, that what you do, you do quickly.'

The Archbishop, moved with resentment at the Jesuit's determination and the certainty of defeat, said in answer:

'You are speaking in passion. No one wants to die quickly when he can save his life, as you can, if you will take the rewards which, with the King's favour, are offered to you.'

Ogilvie replied to this proposal with dignified moderation.

'I am speaking not in passion but deliberately and I shall preserve my life if I may. Only I am not obliged to lose God in so doing. Since then I cannot keep both I willingly lose the lesser for the greater good.'

Here are none of the heroics of martyrdom. The Jesuit is putting with extreme candour the point of view he had held consistently throughout his trial. He did not want to die, for the natural shrinking from death that possesses every man is not, by some strange freak of the genes, denied to martyrs. The martyr is not one who seeks death but one who accepts it and, while fearing the dissolution of the body, is yet prepared to endure willingly this ultimate punishment for the cause of truth.

All through his trial Ogilvie, by assertion and implication, maintains this view. He would prefer life so long as he did not have to purchase it by apostasy or betrayal and he would take all honourable means to preserve that natural good with which his Creator had endowed him.

The Jesuit had won through and the rest of the proceedings march inexorably to their close. From the time of the vigil Ogilvie was conscious of a new strength that had been tempered
in the flame of suffering. From this point the old, disputatious, witty and charming Ogilvie reappears, but over all looms the shadow of the gallows.

Dismissed once more by his judges, the Jesuit returned to his room, where his persecutors, however, still found it difficult to leave him alone. One of them, a Glasgow laird and sheriff-depute, launched into reproaches on Ogilvie’s stubborn heart and rebuked him for refusing the King.

‘If I were King,’ he said, ‘you should be boiled in wax.’

Ogilvie who could find nothing rational to say to such irrationality replied:

‘No doubt if God had wanted to make you King he would have given you better brains,’ but he emptied his words of all sting by raising his glass to the man and offering to drink his health. This friendly gesture failed to soothe the ruffled spirits of his opponent, and Ogilvie, relying again on the purging power of humour to remove rancour, continued with some light banter hoping to win even the twisted semblance of a smile from his surly antagonist. The bystanders enjoyed his pleasantry and even Spottiswoode, his politic cruelty giving way for once to his natural decency, enjoyed the priest’s witticisms and swore that Ogilvie had summed up the man as if he had known him from childhood.

Even with such unpromising material as this Glasgow laird, however, the Jesuit’s charm was not without its effect for, on the following day, as they cantered along the road to Glasgow, the Sheriff asked Ogilvie to come and see his house and gardens, and Spottiswoode, won temporarily to an indulgent frame of mind towards his captive, not only gave his consent to this but accompanied the priest himself. Indeed, the Archbishop at this stage would seem to have permitted his natural clemency of character to gain a dangerous precedence over his statecraft and subservience to the King’s wishes, for Ogilvie himself says:

‘The Archbishop talks to me in public in the most friendly fashion.’

On Christmas Eve 1614 Ogilvie returned to his Glasgow prison, but during the early part of this period he seems to have
received treatment a great deal better than that hitherto accorded to him.

From Ogilvie’s own statement about the Archbishop’s conversations with him in public and from the general tenor of his account, it would seem that during this time he was allowed a modicum of liberty, probably being permitted to take the air occasionally in the grounds of the Episcopal palace. In a sense he paid dearly for any privilege of this kind for it offered an opportunity to many enthusiastic amateurs in debate to parade their theological learning and their skill in argumentation before one who had already defied the best efforts of the King’s councillors. It was not thinkable that the highly garrulous preachers of the neighbourhood should overlook such a chance to bring the Jesuit to a better way of thinking and consequently he had to endure, almost daily, protracted discussions designed to illustrate the errors of popery and the folly of his own intransigence.

One preacher had gone to what might be considered immoderate lengths in his suspicion of Ogilvie and, shortly after his arrest, had laid information before the authorities of certain occult practices in which the Jesuit had been indulging. He had been seen, alleged the minister, in all the classical trappings of the wizard, reading from a black book by the light of a wax candle, all the while surrounded by black beasts. That there was a good deal of unsavoury and perilous diabolism in seventeenth-century Scotland did not lessen the gravity of the accusation and it was known that the King, particularly since he had been the object of their attentions, was unduly sensitive on the subject of warlocks and witches.

The preachers, at any rate, possibly more as a debating point than a serious allegation, mentioned the matter to the Jesuit and he explained laughaingly that all they had seen was a priest saying his breviary.

The Archbishop, meanwhile, seemed to be suffering from an ever-growing frustration at the priest’s obstinate silence and this resentment burst forth one day in a pitiful cri de cœur:

‘If we had not found’, he said, ‘your letters and belongings we could not have got anything from you. Is it not intolerable
that you won’t reveal a single thing while so many slave at the case and get no further forward?’

Ogilvie’s quick humour could not resist this.

‘To tell you the truth,’ he replied, ‘I rather wish you had never got hold of even a suspicion of my existence.’

Amongst the distinguished visitors who crowded round the priest in these last relatively carefree days was Andrew Knox, Bishop of the Isles.

The subtle and diplomatic Spottiswoode had proved himself a dangerous antagonist, but with Knox the Jesuit could afford to relax and his conversation with this somewhat slow-witted prelate is a good example of his forceful argumentative style and his mental alertness.

The Bishop, pursuing a conversation on the Sacrament of the Eucharist, said:

‘I can say Mass as well as you.’

Ogilvie asked him if he were a priest and the Bishop denied this.

‘Very well, then, you are not a bishop and you cannot say Mass.’

Knox now tried a little unction.

‘If you would forsake the inventions of men and follow the religion the Apostles preached and professed I would see that you were well looked after. You are a high-spirited fellow and sharp-witted.’

These words with their claim to Apostolic authority for the parvenu religion that the Bishop professed may have taken Ogilvie’s mind back to those happy days almost twenty years before when he had come to the feet of Cornelius a Lapide, his restless heart at last at rest, for it had been, amongst other things, the argument from tradition that had led the young Scotsman to renounce his Calvinistic errors and embrace the Catholic truth. All that had happened since had confirmed in him the belief that in the Catholic Church, and there only, was to be found unbroken succession with Apostolic times. He had seen in Europe what happened when men abandoned the Rock from which the living waters sprang. In Scotland there were already two fiercely
warring sects of Protestantism, each claiming Apostolic sanction for its errors, and the very man who addressed him in this way had belonged to each in turn.

Knox might have served as a living symbol of heretical confusion, for he had begun his religious life as a Presbyterian preacher, but, unlike many of his stouter colleagues, had allowed himself to be convinced that the pure Presbyterianism of Andrew Melville was not sanctioned by Apostolic tradition. Many converts to Episcopalianism, such as Spottiswoode, seemed to have acted in good faith, convinced by reason and history of the validity of the Episcopal system, and even John Knox had found nothing repugnant to the Christian faith in the office of bishop, although not willing to accord it full canonical rights.

Whether the Bishop of the Isles had acted in good faith or, as some of his contemporaries asserted, had been more impressed by the King's powers of patronage than by his theological arguments, his personal history was highly vulnerable to attack and Ogilvie did not hesitate to assail him on these grounds.

‘When I was a boy,’ said the priest, ‘you held it of faith that there was not any head of the Church save Christ only and no one might say otherwise. Now everyone subscribes and swears that the King is the head of the Church within his realm. You yourself have formerly subscribed and sworn the reverse. That, then, is not Apostolic teaching. For Paul says, “If I cast down what I have built up I make myself a liar”. You preached at Paisley against Episcopacy and said in public that you would call any man a devil—aye and spit in his face—who was made a bishop. And yet fifteen days later you yourself became a bishop.

‘And you were not content with the Bishopric of the Isles but took another and a fatter one in Ireland.

‘William Andrew Cowper published a book against Episcopacy and now he is Bishop of Galloway.

‘Didn’t all the preachers of Scotland subscribe and swear that the name and office of bishop was an abomination and should on no account be allowed in the Church of God? Now you teach exactly the reverse. Tell me now; are you not liars according to the Apostolic test?’
Poor Knox, bewildered by this assault, with its only too opposite charges, answered now with great simplicity and folly:

‘No, now truth has made itself better known. We see it more clearly than heretofore.’

Delightful and not to be missed opening. It is difficult not to feel that Ogilvie was enjoying the debate immensely and he now administers the coup de grace:

‘Quite right. You see thousands in a bishop’s revenue where you only saw hundreds in a preacher’s stipend.’

But the main point must still be hammered home:

‘But tell me, if these articles were true then, why are they false now? And if they be false now, how were they then true? You said then that your teaching was the word of God. What is that but lying teaching, building up and destroying at the same time? What lying word is this? Who is this God who contradicts himself whose word you teach?’

Now after this deadly bludgeonning comes the rapier thrust that goes to the heart of all Protestantism:

‘You said then it was the lamp of truth. If we ought to have believed you then, why should we believe you now that you are perjured? And if we ought to believe you now, on what authority or for what reason were we then bound to believe you? For then, as now, you cited Holy Writ. Unless I am mistaken your teaching is wickedness lying to itself.’

It was the insoluble enigma of Protestantism, the point made fifty years before by Winzet and Abbot Kennedy in their controversial works against Knox. Who was there to guarantee the authenticity either of the preachers’ doctrine or their interpretation of Holy Writ? Whence came John Knox’s sanction to be the spiritual dictator of Scotland?

Within a few years only the Biblicolatry of Protestantism had led in Scotland to the emergence of two sharply warring sects, and Europe, within the space of a hundred years, had seen uncritical adherence to the word of the Bible produce, besides the relatively chaste and decent tenets of Lutheranism and Calvinism, the foul, apocalyptic frenzies of Jan of Leyden.
Knox, clearly overcome by this verbal torrent, said ingratiatingly:

'Mr. Ogilvie, you have a sharp wit: I wish I had many of your sort with me. I would make good use of them.'

'I would prefer,' said the Jesuit, 'to follow the hangman to the gallows for you are going straight to the devil.'

The blunt answer roused the bishop to anger and, asserting the full weight of his prelatical dignity, he said:

'Do you talk to me in this fashion?'

Ogilvie, perhaps a little regretting the sharpness of his words, but realizing that, surrounded as he was by enemies, his language must be as unequivocal as possible, nevertheless, tried to soften his speech a little.

'Pardon me, sir. I have not learned courtly ways. We Jesuits say whatever we think and I hate to be a sycophant. I respect your civil office and I honour your grey hairs with the reverence due to your years. I care nothing for your religion and your episcopal rank. You are a layman with no more spiritual jurisdiction than your stick. If I think of you in a way you do not want me to express, command silence and I will observe it. If you want me to speak you must let me say what I list and not what you would wish to hear.'

Since personalities were now the order of the day the poor old time-serving ecclesiastic, in a moment of pardonable but foolish rashness, replied:

'I am sorry that bread and butter made you turn Papist from Protestant.'

It was an unfortunate remark to such a person as Ogilvie from such a one as the Bishop and personal pride and pride of blood infused the shattering reply of the Jesuit:

'You judge me by your own standards, you who abjured two articles of faith for two episcopates. I am my father's first-born. Even if I knew no letters I should be noble by right of birth and, if like you, I chose to alter my religion I should be given by the King a reward not to be despised.'

Ogilvie was never to know how great would have been the worldly portion falling to his lot for it was a few months after
his death that that faithful servant of the King, Sir Walter Ogilvie, was raised to the peerage as Earl of Findlater.

But even his more modest claim was enough to shatter the pitiful remnants of resistance left in his Grace of the Isles and the old courtier turned away in a rage, followed by the laughter of Ogilvie.

It was this kind of nimble and fearless argumentation that led the Archbishop to assert in Council that no one like Ogilvie had ever come to these parts, but, despite daily evidence of the priest's firmness of purpose and skill in debate, the Archbishop still cherished a faint hope of breaking down his resistance, for he constantly questioned him on his movements in Scotland and the names of his penitents, but now with a friendliness that seemed to have won Ogilvie's appreciation.

* * *

Meanwhile, Ogilvie was engaged on another and more important task than debating with the ministers of the neighbourhood. He had commenced to write his famous account of his imprisonment, the *Relatio Incarcerationis*, for the information of his Superiors and his brother Jesuits. His relative freedom gave him at this time an exceptionally good opportunity to do so and it is possible that he obtained the paper and pen by what one might judge to be a legitimate stratagem of war. During his debates with the ministers his vehement style of argument, made necessary by their numbers and perhaps their inability to follow the syllogistic method with the same ease as Ogilvie used it, provoked them to ask the priest to put his reasons in writing. This he did, but used some of the paper provided to write his account.

As the sheets were completed they were passed out through the space at the bottom of his cell door to the friends and relatives of his fellow-prisoners. The method has been described for us by John Mayne in his evidence at the Ordinary Process at Wurzburg in 1628.

These letters were carried by the wives and maidservants who attended on them in prison and who, whenever a chance presented itself, delivered or received letters through the
interstice left between the step and the door of the prison when the door was shut.

On 18th January 1615 an important missive reached Glasgow. It bore no less a signature than that of the King himself. At last the royal theologian had decided to take an active personal part in the affair of Ogilvie.

That acute intelligence had been active in examining the priest’s deposition and the record of his examinations in Glasgow and Edinburgh and had effectively analysed the fundamental position taken up by him. James was no stranger to this position for he had already been debating the matter with the most eminent theologian in Europe, the Jesuit Cardinal Bellarmine.

It is vital to understand the lines of this controversy if judgment is to be passed on the behaviour of Ogilvie or any of the other condemned priests of the Counter-Reformation. The particular form it took with Ogilvie was merely a facet of the more fundamental problem—how far may the Civil Government go in forcing the conscience of its subjects? It is, furthermore, of great significance to the modern world which is witnessing in terrible form in Eastern Europe and Asia the revival of the great dispute with its tragic accompaniments of imprisonment, torture and death.

James represented the ultra-secular point of view and to this Ogilvie opposed the whole weight of Catholic tradition and teaching.

Ogilvie must have had some inkling of what was to be the trend of this fourth examination for, as he was led into the court to face his examiners, there lay on a table in front of them copies of the works of Suarez and Bellarmine.

As the questions were put to him the Jesuit’s active mind would be restlessly going over the classic arguments that he had been taught at Olmutz. But there was no way out. Not all his dialectical skill could reconcile the essential contradictories into an alloy of compromise. The exorbitant demands of Caesar could not be met without the dereliction of his faith.

If his life depended on submissive and satisfactory answers to these questions then this was, indeed, the end, and others in
England had already died for their refusal to grant to the King the claims that were implicit in this interrogatory. Only seven years before, Father Thomas Garnett, s.j., nephew of Father Henry Garnett, had been executed at Tyburn; after him came the Benedictines, Father George Gervase and Father John Roberts; two years previously the Benedictine Father, Maurus Scott, had also suffered.

Spottiswoode, head bent towards the royal document on the table before him, read again with great distinctness the first of the deadly questions framed by the King for Ogilvie's final discomfiture.
THE KING’S QUESTIONS

Whereas if we consider but this one age only which hath passed since Luther began (and not yet one whole age) we shall find many more princes deposed, slain, molested or violated by Protestant people than by all Popes put together since the beginning of Popedom have been troubled or censured, which is a markable point and not lightly to be passed over by prudent princes; for that the reason thereof is that one side proceedeth by law, public judgment and mature deliberation, the other by popular mutiny, rash and temerarious precipitation.

Father Robert Persons, S.J., in a ‘Plea Tending to Mitigation’ in reply to charges made by the Earl of Salisbury.

On 5th November 1605 Robert Cecil, Earl of Salisbury, James’s assiduous and devoted ‘little beagle’, had smelled out his most luscious bone to date. That he was not above suspicion of having helped to plant it himself detracted in no way from the supremely happy circumstances of the discovery.

Not even his father, Elizabeth’s not altogether artless secretary, not even Walsingham, with his opportune discovery of the Babington Plot, had so surely and seasonably fitted circumstances to the needs of high policy.

James, despite his anti-Catholic legislation of 1604, had been displaying, from the point of view of Salisbury, a regrettable unsteadiness of the persecuting spirit and all good men were affrighted to see the Catholics entertaining hopes far above their station. Lord Monteagle’s letter, so ingeniously deciphered by the royal intellect, Guy Fawkes, English Catholic gentle, so strangely transmuted in later years into a sinister foreign conspirator, helped greatly to bring James’s wayward fancies back into conformity with the best thought in England and to ensure thenceforward a smooth and unflagging application of the penal laws.

Occasionally James was to deviate slightly from the straight, but only for reasons of haute politique, an excusable backsliding
when such matters as a French marriage were at stake. But James
was never again to incur suspicion of an unseemly coquetry with
the Scarlet Woman on the perilous grounds of theological con-
viction or from dangerous notions of religious toleration.

In a most unusually harmonious Parliament of 1606 King and
members got down to the agreeable task of contriving a new stick
with which to belabour the Catholics. With an ingenuity con-
siderably sharpened by their recent and allegedly providential
delivery they sought to stop up any earths remaining to the
Papists by devising a number of statutes in which they displayed
a turn of inventiveness not unworthy of their Elizabethan pre-
decessors. To enforce the statutes the usual army of professional
pursuivants, assisted by a host of unsavoury amateurs, was pro-
vided for and the country could now settle down to the business
of living, secure in the knowledge that all had humanly been done
that could be to crush the sporadic papist insolence that had been
aroused by the dangerous complacency of their new Scots King.

One of the most pleasing features of the whole business had been
the Jesuit connection with the Plot, an extremely tenuous con-
nection, it is true, but not to be despised on that account. The
Jesuits, no doubt piqued by their memories of Campion, South-
well and others, had been showing themselves characteristically
unyielding on such idle points of doctrine as the primacy of the
Pope and occasional conformity and it was believed that this
refractory Jesuit spirit was communicating itself to the seminary
priests and laymen who, but for this, could be brought to con-
sider these matters in a more realistic and less contumacious way.
There were obvious propaganda possibilities in the Plot, there-
fore, which could be used to start up another Jesuit hare for the
deliction of the London apprentices and the groundlings of the
Globe.

At the same time, there was some substance to the Government
point of view in that the Jesuits, by virtue of their superior
organization and greater discipline, were, as a body, looking upon
the Government policy with somewhat clearer eyes than some,
at any rate, of the seminarists and laymen. The short-sighted
Vatican policy that had left England so long without a bishop to
ensure discipline and Catholic solidarity had brought to the forefront, as the Catholic leaders in England, those rigorous and magnificently disciplined priests.

The happy mélange of massacre, mystery, dark lanterns, gunpowder and Jesuits rendered the Gunpowder Plot something quite remarkable in the way of conspiracies and it was but fitting that the sequel should match the event. Besides the severe anti-Catholic legislation of the Gunpowder Parliament there was devised another touchstone of papist submissiveness, the cleverly worded Oath of Allegiance. In this, too, Jesuit influence was not lacking for one of its authors was a Jesuit renegade, Sir Christopher Perkins, whose help on this and other occasions was freely at the disposal of Archbishop Bancroft.

The most distressing feature of this whole tragic business was the collaboration with the Government of a minority of seminary priests whose sense of desperation had brought them to rationalize themselves into a defence of this Government formula, later condemned by the Pope and from the beginning resisted by the Jesuits and the majority of the English priests who saw it for what it was.

James had shown himself acutely aware of the extreme value of oaths in probing the minds and consciences of his Catholic subjects, for in the ‘King’s Meditation’ on the anti-Catholic legislation of 1606 he is said to have divided Catholics into three classes:

1. Papists old, rooted and rotten—small hope to reclaim them—rather superstitious than seditious—left to the old laws.
2. Novelists, apostates, the greatest danger—most malignant—to be sifted by oaths both before and after. 3. The youth, the future tense of the papists—take care of marriages and christenings—nip them in the bud—the beginning of procreation the action.

It is clear that James hoped for the complete extirpation of the Catholic religion in England; in pursuance of this policy he was prepared to permit the continued existence of Catholics till the combined ravages of time, poverty and the forcible proselytizing of their children should lead to the extinction of their faith. The
novelists were those who saw clearly, as James himself did, that this event would certainly happen if Catholics could be brought to cut the life-line that bound them to Rome and discard the jurisdictional power of the Pope, substituting for it a harmless and vague sentimentality.

The new oath was, therefore, to have the double merit of breaking the more obdurate of the Catholics and of casting further disunity into their ranks, already reeling from the fresh blows of the Gunpowder Parliament, all with the ultimate purpose of destroying the Catholic Faith in England.

This oath deserves examination not only for the influence it had on Ogilvie's trial but for the general principles involved.

The oath reads as follows:

I A.B. do truly and sincerely acknowledge, profess, testify and declare in my conscience before God and the world, That our Soveraigne Lord King James is lawfull and rightfull King of this Realme and of all other his Majesties Dominions and Countries; and that the Pope neither of himselfe nor by any authority of the Church or See of Rome, or by any other meanes with any other, hath any power or authority to depose the King, or to dispose of any his Majesties Kingdomes or Dominions, or to authorize any forraine Prince to invade or annoy him, or his Countries, or to discharge any of his subjects of their allegiance and obedience to his Majesty, or to give licence or leave to any of them to beare armes, raise tumult or to offer any violence or hurt to his Majesties Royall Person, State or Government, or to any of his Majesties subjects, within his Majesties Dominions.

Also I do sweare from my heart, that notwithstanding any declaration or sentence of Excommunication, or deprivation made or granted, or to bee made or granted by the Pope or his successors, or by any authority derived or pretended to bee derived from him or his See, against the said King, his heires and successors, or any absolution of the said subjects from their obedience: I will bare faith and true allegiance to his Majesty, his heires and successors, and him and them will defend to the uttermost of my power, against all conspiracies and attempts whatsoever which shall be made against his or their persons,
their Crowne and dignity, by reason or colour of any such sentence or declaration, or otherwise, and will do my best endeavour to disclose and make knowne unto his Majesty, his heires and successors, all Treasons and traiterous conspiracies, which I shall know or heare of to be against him or any of them.

And I do further sweare, That I do from my heart abhorre, detest and abjure, as impious and heretickall, this damnable doctrine and position, That Princes which bee excommunicated or deprived by the Pope, may be deposed or murthered by their subjects, or any other whatsoever.

And I do beleive, and in conscience am resolved, that neither the Pope, nor any person whatsoever hath power to absolve me of this oath or any part thereof, which I acknowledge by good and full authority to bee lawfully ministered unto mee, and do renounce all Pardons and Dispensations to the contrary, And all these things I do plainly and sincerely acknowledge and sweare, according to these expresse words by me spoken and according to the plaine and common sense and understanding of the same words, without any Equivocation or mentall evasion, or secret reservation whatsoever. And I do make this recognition and acknowledgement heartily, willingly, and truly, upon the true faith of a Christian. So help me God.

This extremely watertight safeguard for the royal supremacy was to achieve an international fame even greater than that of the Henrician Oath of Supremacy which had so remorselessly terminated the careers of More, Fisher and the monks of the Charterhouse and was to provide James, whose passion for theological controversy was never far below the surface, with a debate a little less one-sided than that which he had recently concluded at Hampton Court, for his adversary on this occasion was someone who had not only the skill to reply but a secure barrier of mountain and sea between him and his royal opponent, a circumstance which helped to impart to his controversial style a quality of intransigence greatly vexing to the royal amour propre.

This was Robert Bellarmine of the Society of Jesus and Cardinal of the Roman Church, the most celebrated controversialist in Europe. Already Bellarmine had made the acquaintance of James when in 1600 he had felt moved to address a letter to the King in
reply to one sent to him by the hands of the royal messenger, Edward Drummond. This is one of the occasions that helped to give rise to the illusory belief that James intended submission to the Apostolic See, for, together with the letter to Bellarmine, was one addressed to Pope Clement VIII bearing the significant, and much discussed, subscription, *Beatudinis vestrae obsequentissimus filius J.R.*

Bellarmine had tried to improve upon the occasion by putting forward some good theological and practical reasons for James’s submission to the faith of his fathers, but not even that justly celebrated controversialist and brilliant theologian could shake the King’s adherence to the ecclesiastical polity that he had now all but hammered out for himself in the recesses of his own fertile brain.

About this time James, whose many-sided nature did not exclude the pedagogue, had written a manual of statecraft for the instruction of the young Prince Henry, the celebrated *Basilikon Doron*. Bellarmine, whose tidy mind was affronted by a number of glaring inconsistencies in this ‘Royal Gift’, was induced to write a kindly, if candid, commentary on what he regarded as, on the whole, a well-meaning if somewhat scrappy production, feeling constrained to point out such logical oddities as James’s admonition to his young son to speak reverently always of royal ancestors, cheek by jowl with an attack on the Papists.

What was particularly to have great significance for the future was the passage in which James bade his son to love God, ‘first that He made you a man and next for that He made you a little god to sit on His throne and rule over men’; he was to remember that God would give him spiritual power as the keeper of the other table and it would be his task in this capacity to curb the insolencies and pretensions of bishops; kings were not mere laymen as the Papists and Anabaptists vainly imagined. Why, with his recent and painful experiences with the Presbyterians, he should have omitted them here from the category of those who were not sound on the god-like characteristics of kings is difficult to imagine for they were seldom far from his thoughts.

In the Cardinal’s reply, the *Hieratikon Doron*, he fired off the
first gun in the great controversy that was to reverberate round Europe and amongst its many unforeseen consequences to help to ensure the condemnation of a humble Scottish priest and to bring him to his high fate on a Glasgow street.

The Cardinal, in reply to James's extravagant claims for kingship, put forward the classical Christian argument:

Though now in Christian lands the Republica Christiana and the Republica Politica are united and as it were interfused since the subjects of each are the same yet they are properly and truly two kingdoms, distinct in origin, aims, laws, external forms and magistry. The Christian Republic was instituted by Christ; its purpose is the attainment of eternal life; its laws are God-given; its magistrates are Bishops and the Pope; and the rites by which it is bound together are the seven sacraments.

The civil state, on the other hand, took its origin from human agreement; its purpose is temporal peace; its laws are the creation of human reason and vary according to circumstances; its rites and ceremonies are the results of custom or of the ruler's will; and that ruler is King...

On 18th May 1606 the Cardinal received a communication from Father Persons. This was a plea to Bellarmine to intercede with the Pope to condemn the somewhat accommodating views then being expressed on the papal power by a small but influential group of priests led, unfortunately, by the Archpriest of England, George Blackwell. The fine fruits of Government policy now began to be painfully apparent, for the breach, already considerable, between the Jesuits and this small group of seminarists began to widen still further, leading to the intervention of the Pope.

The whole controversy centred round the new Oath of Allegiance and it is important in view of what later happened to Father Ogilvie to understand something of the position taken up by the various parties.

The oath contained a number of unexceptionable points of belief that could be sworn to in good faith by all Catholics, subtly compounded with a number of controversial points of doctrine.

It contained, also, what one writer has called a 'studied insult to the Holy See' in that it asked Catholics to swear that the
Catholic tradition of centuries and the opinions of many Popes and theologians were 'impious and heretical'. But other grounds of offence to Catholics lay in the points of controversy:

1. That the Pope had no right to depose King James after due excommunication.
2. That the Pope had no right to discharge any subjects of their allegiance to the King.
3. That the Pope had no right to authorize the invasion of England by a foreign prince for any reason whatsoever.

The right of the Pope to excommunicate was not denied but he was to be shorn of his power to make his will effective.

For several reasons the more clear-sighted of the Catholics refused to swear to these propositions:

1. As matters then stood there were clear indications that the English Government intended the destruction of the Catholic faith in England. The great religious revolution in Europe had not yet been completed. They were not prepared to commit themselves in advance to the assertion of a proposition which would virtually deprive them of the help of the Holy See and hand over the practical control of the gravely menaced Catholic Church in England to its greatest enemy. Their attitude was more laudable and more in accord with the spirit of the ages in upholding the moral authority of the Pope to depose a bad king than was that of those seven conspirators who, eighty-two years later, called in Dutch William to get rid of James's Catholic grandson.

2. The oath was not proposed as a genuine touchstone of civil obedience but as a device to weaken Catholic reliance on the Pope as a necessary preliminary to the extinction of the faith in England.

3. The anti-papal attitude of the English Government made it more necessary for Catholics, if not to assert, at least not to repudiate, the traditional prerogatives of the Roman Pontiff.

4. The matters were still in the realms of controversy and for individuals to set themselves up as judges on such disputed points of belief was to play the Protestant game and assert the superiority of private judgment on religious issues above the divine authority of the Holy See.
The more Gallican-minded of the seculars wanted above all a compromise solution which would enable the Catholics of England to carry out their religious duties with a minimum of molestation; they were prepared to take advantage, therefore, of the loopholes presented by the speculations of the theologians on these points and to take the oath in its entirety, including the falsity which asserted that the deposition of princes by the Pope was an impious and heretical doctrine. It may have been in-expedient or obsolete, as matters stood, but it was certainly not heretical.

Bellarmine communicated the views of Father Persons to Pope Paul V and on 22nd September 1606 the Pontiff issued the Brief *Magno animi moerore*, condemning the oath and asserting that it contained matters ‘contrary to faith and salvation’. When the Brief arrived in England it was given to the Archpriest to arrange for its publication but this he refused to do. His prudence was unavailing, however, for he was seized by the Government and, under the tender ministrations of Bancroft, induced to write a letter to the clergy of England approving the oath. This defiance of the Holy See called forth another Brief in August 1607 and a personal letter from Bellarmine to Blackwell. The two had met forty years previously and presuming on this acquaintance the Cardinal begged the Archpriest to be firm in his resistance.

This letter is of considerable interest not only for its subject-matter but for the inflammatory effect that it produced on the mind of the King.

Bellarmine warns Blackwell to beware of ‘the traps and stratagems of Satan’, which in this case took the form of offering to Catholics in the oath a number of innocent propositions compounded with others undoubtedly either heretical or dubious. The Cardinal points out the antiquity of the device by citing the fourth-century Oration of St. Gregory Nazianzen against the Emperor Julian.

He dismisses contemptuously the clauses concerned with the killing of princes:

For it was never heard of from the Churches infancie untill this present day that ever any Pope did command that any
Princke, though an Heretike, though an Ethnike, though a Persecuter, should be murdered, or did approve of the fact when it was done by any other. And why, I pray you, doth onely the King of England feare that which none of all the other Princes in Christendome either doeth feare or ever did feare?

Shortly after this letter was written Father Persons produced a book in which he answered Dr. Thomas Morton's slander that Catholics granted to the Pope the right to have princes murdered. This book, *A Plea Tending to Mitigation*, published in 1607, is a singular *tour de force* in its shattering and highly factual analysis of Catholic and Protestant views on the secular power with a personal application of his arguments to James himself.

He details the numerous Protestant intrigues and plots against James's grandmother, Mary of Guise, the base treatment and final execution of his mother, the many Protestant plots, kidnappings and insults that the King himself had endured in Scotland. He points out that the Pope was not to be conceived of as a private individual exercising arbitrary power but was himself bound by the moral law and that any excommunications or depositions were not the result of capricious fancies, brought forth by temporary and fleeting necessity, but were hedged round with careful safeguards for the rights of princes.

For that this authority does not only not allow any such wicked or unlawful attempts of private men but doth also expressly and publicly condemn the same and the doctrine thereof as may appear not only by the condemnation of Wycliff's wicked article at the Council of Constance wherein he affirmed; that it was lawful for every private man to kill any prince whom he held to be a tyrant but also by like condemnation of Calvin, Beza, Ottoman, Buchanan, Knox, Goodman and others of that sect who hold and practise in effect the same doctrine.

As far as James is concerned he least of all should apprehend such a fate:

What shall we stand wrangling with this minister or any his like about possibilities or conjectural probabilities? What may
fall out in time against his Majesty, for example, of Great Britany who hath been a King almost forty years and never received hurt or disquietness from any Pope though divers have been in that See within the compass of the time and many other kings and princes have in Denmark, Suedeland and Germany for more years without molestation received or offered from the said See which I dare avouch no Catholic prince, King or Emperor can say that he hath passed half so many years in quiet government over Protestant people unto whom their doctrine giveth as great power over princes in that case as we ascribe to the Pope and far greater.

He proceeds to show how not only Calvinist theory but practice led to rebellion and treason against kings and gives a formidable catalogue of revolts and conspiracies against Catholic princes, committed not by private persons who happened incidentally to be Protestants, but by those who acted thus upon the definite teachings of their religious leaders.

Persons followed up this book with another entitled, Judgment of a Catholic Englishman, living in banishment for his religion, concerning a late book set forth and intitled 'Triplici Nodo, Triplex Cuneus'.

This is a direct attack on the Oath of Allegiance but James soon disposed of this latest sacrilegious contemner of the royal divinity:

As for the English Answerer, my unnatural and fugitive subject, I will neither defile my pen nor your sacred eyes or ears with the describing of him who ashamed, nay, abhorres not to raile, nay, to rage and spew forth blasphemies against the late Queen of famous memory. . . . Cursed be he that curseth the Anointed of God. . . . Without mought such dogs and swine be cast forth, I say, out of the spirituall Jerusalem.

The royal imagination apparently could not grasp that Persons may have conceived some animus against the late Queen for castrating his friend Campion and disembowelling or otherwise molesting some 188 of his co-religionists. At any rate Persons' condemnation of the oath displayed an ability that might have gained him a more respectful hearing from a less haughty con-
troversialist than James; the substance of his argument is contained in one paragraph:

'As for that multitude of priests and laics which he saith "have freely taken the oath" . . . to deny simply and absolutely that the Pope, as supreme pastor of the Catholic Church, hath any authority left him by Christ, either directly or indirectly, with cause or without cause, in never so great a necessity, or for never so great and public an utility of the Christian religion to proceed against any prince whatsoever temporally for his restraint or amendment or to permit other princes to do the same, this I suppose was never their meaning that took the oath; for that they should thereby contradict the general consent of all Catholic divines and confess that God’s providence for the conservation and preservation of His Church and kingdom upon earth had been defectuous.'

But the enemy that James wished to controvert was Bellarmine, not Persons, and even that eminent divine was reminded in the heat of the controversy of the enormous gulf that stretched between a King and a Cardinal, for, said James, 'I was never the man, I confess, that could thinke a Cardinal a meet match for a King especially having many hundred thousands of my subjects of as good birth as he'.

However, sinking his pride, he sent forth his quaintly entitled book, _Triplici Nodo, Triplex Cuneus or an Apologie for the Oath of Allegiance_. This 'Threefold Wedge for a Threefold Knot' was a work of considerable learning, for the precocious child whose talents had been moulded by the great Buchanan had fulfilled that early promise that had been observed in him at eight years of age by Killigrew and James Melville when, in their presence, he had translated a chapter of the Bible, randomly selected, from Latin into French and from French into English.

In his first edition of the _Triplici Nodo_ James had chosen to remain anonymous, and Bellarmine, who was commissioned by the Pope to reply, felt he should do likewise and so issued his answer under the name of his chaplain, Matteo Torti, thereby giving unlimited scope to the nimbler wits amongst the Anglicans to indulge in a little elaborate punning.

The acuity of the royal intellect seized immediately on the
prime weakness of Bellarmine’s argument and the King contested rightly that he had not called in question the primacy of the Pope.

‘In all this letter of his,’ writes the King, ‘never one word is used to prove that by any part of this oath the primacie of St. Peter is in any way medled with, except Master Bellarmine, his bare alledging.’

He spends much effort in proving that his intention in proffering the oath was not to hurt people in conscience but ‘ordained for making a difference between the civilly obedient Papists and the perverse disciples of the Powder-Treason’. To this Bellarmine makes reply that the very title of the Act itself in which the oath is contained shows that the King was being a little disingenuous here, for it is called, ‘An act for the discovering and repressing of Popish Recusants’.

The Cardinal then analyses the oath and shows that, although it does not in so many words assert the supreme spiritual authority of the King over his Catholic subjects or deny the supremacy of the Pope, its practical consequences led to this position.

The King had plaintively, but on the whole justly, compared the clemency of his Government to the Catholics with that of Queen Elizabeth and ends by saying:

Time and paper will faile me to make enumeration of all the benefits and favours bestowed in generall and particular on the Papists; in recounting whereof, every scrape of my pen would serve but for a blot of the Pope’s ingratitude and injustice in meting [the King] with so hard a measure for the same.

Bellarmine’s reply to this is a summary of the penal legislation of 1606 followed by a passage designed to show that the King’s mercy to the Catholics scarcely measured up to the King’s own eulogies of it.

Here then we behold that incredible clemency of the King towards the Catholics, the memory of which causes him to denounce the ingratitude of the Pope for having written that he was afflicted with the news of what the Catholics had to endure for the sake of their faith. . . . If civil obedience was all
that his Majesty desired to secure why does he still keep the Archpriest and others who have taken the oath in the prisons of London?...

As for the gracious proclamation whereby all priests who were not actually in chains might go out of the country by such a day what astonishing kindness it was to allow men to go into exile whom his Majesty could not catch, try he never so long and hard! And if exile seems a mercy to the writer of this Apology one may wonder what sweet names he has for the rack and rope.

If the author urges that the penal measures were an immediate and necessary result of the Gunpowder Plot, I may remind him that before ever there was a plot and in the very first year of the King's reign, his first Parliament confirmed and considerably augmented the persecution laws of Queen Elizabeth. ...

James, who suffered from what Professor Hume Brown has called a 'pragmatical self-conceit', could rarely endure criticism and, apart from the trenchant observations of the Cardinal, a disclosure had been made during the controversy that was to transform his irritation into something bordering on panic. The King had alleged in his book that two Briefs addressed by Clement VIII to the Catholics of England a little before the death of Elizabeth had been designed to prevent him succeeding. In his reply Bellarmine points out that this was far from being the case since the Briefs had exhorted them to support the claim of an upright and orthodox monarch and that James's envoys had given the Pope good grounds for believing that he was such a person and not disinclined to the Catholic faith, and the Cardinal now proceeds to give the piece of information that was to arouse a great stir in both England and Scotland and to excite the apprehensions, and perhaps disturb the conscience, of the King.

This hope [writes Bellarmine] received a striking confirmation when the King himself addressed extremely kindly letters to the Pope, and to Cardinals Aldobrandini and Bellarmine, in which he begged among other things that some Scotsman might be raised to the purple to act as his representative to the Court of Rome.
Mr. James Melville says in his Diary that this reference 'not only gallit the King but much movit the Counsell and hail estate'. It was, indeed, a shattering blow to James's argument and a clear revelation of his duplicity of character, and his enemies were to make such use of it that James eventually had to find a scapegoat in Lord Balmerino, who had been his Scottish secretary at the time the letter was written. Balmerino was brought to confess that he had written the letter with its very warm subscription and had included it amongst the King's papers for signature, hoping that it would be signed without being too closely scrutinized. Balmerino was tried at St. Andrews in 1609 and condemned to death, the sentence being later remitted by the King to free ward in Falkland.

The King now recalled all the editions of his book and with the help of four bishops bent himself to the task of producing a new edition. In a preface to this he addresses the crowned heads of Europe, warning them against the pretensions of the Papacy and displaying at the same time how deeply his vanity had been wounded by Bellarmine and Persons. He suggests that in Persons' case a rope was the best answer, but as for Bellarmine, 'he is not my subject; he standeth or falleth unto his owne Lord'. Bellarmine, however, continues to occupy his thoughts and he is greatly irked by the necessity of having to debate with a mere Cardinal.

'Uncomely it must needs be (in my opinion) for a King to fall in altercation with a Cardinall, at least with one no more nobly descended than hee is.'

This preoccupation of the King with his birth seemed to amuse Bellarmine extremely:

I do not see why it should be necessary to look for equality of birth or station or power in a theological controversy since equality of wits and learning is all that matters. . . . Christ our Lord was called, and desired to be taken for, a carpenter and a carpenter's son. . . . Let his Majesty of England listen to St. Paul speaking to the Corinthians. . . . 'but the foolish things of the world hath God chosen that He may confound the wise, and the weak things that He may confound the strong'.
And so the great controversy raged on, bringing in a host of greater and lesser men on both sides. These included the celebrated Anglican divine, Launcelot Andrewes, William Barclay, Scottish Catholic political philosopher, and, finally and greatest of all, the famous Spanish Jesuit theologian, Francisco Suarez.

* * *

Now that the dust and smoke of battle has cleared away it is obvious that Bellarmine's analysis of the position was the correct one in the circumstances of the age. For Catholics to take the oath was virtually to hand over to James the primacy of the Church in England, for they were asked to swear away the Pope's disciplinary power which they believed inhereed in his office and could be used under the appropriate conditions whether the object of that discipline were a great monarch or the meanest of his subjects. That the deposing power was no longer a matter of serious practical consideration for the Pope as a weapon in the fight against heresy, that Gunpowder Plot had not followed on a papal excommunication, that the Pope displayed the utmost courtesy and respect to James, did not weigh in the slightest against that furor theologicus which was so easily aroused in the King's breast.

There was in James, besides an acute intellect and considerable learning, an overweening intellectual pride which years of kingship and the submissiveness of courtiers had helped to strengthen, despite the well-meant attempts of such as Andrew Melville to humble it.

Having once committed himself to the oath James was not to be moved by any argument, however cogent, or by the genuine conscientious scruples of his Catholic subjects. He wanted Catholics to admit that the Pope had no right, for however grave a cause, to protect the faithful; they were to be rendered powerless in the face of the most extravagant pretensions, the most insane and arbitrary exercise of power, the attempt even of a king to impose upon them, at his own capricious will, any strange and soul-destroying heresy of his own devising.

In November 1613 the King received a copy of a book which
he had long been awaiting. He had heard that the great Suarez was engaged in writing an answer to his Apology and he seemed to cherish some expectations that his arguments would carry more weight with the eminent Spaniard than they had with Bellarmine. His disillusionment was all the greater, therefore, on perusing the Defence of the Catholic and Apostolic Faith against the errors of the Anglican sect, with a Reply to the Apology for the Oath of Allegiance and the Premonition of the Most Serene King James of England, for this was the most powerful and logical attack yet directed against his pretensions.

Before the year was out the King had made a spirited, if not very convincing, reply by having the Defence publicly burned; nine months later Ogilvie was arrested.

To a generation impatient of theological controversy this celebrated battle of the books may seem somewhat remote from the atmosphere of a court of law and, in a sense, so far as Ogilvie is concerned, that view would be understandable for these matters were not germane to anything Ogilvie had done. If some overt act of treason had been charged against him then his views upon the teachings of Bellarmine and Suarez might have been apt to the issue, but it is a fact that no such act of treason was suggested, unless we accept the excessive legislative tyranny that made the celebration of Mass and the conversion of Protestants the crime of treason. There were dark hints, certainly, of some project of Ogilvie’s but so vaguely phrased and so lightly touched on as to imply a certainty that no such scheme ever existed. At any rate, one might imagine that a Government so hard pressed as to convict a man upon his thoughts might be considered as sadly lacking in material proof of actual crime.

With the recrudescence of a state of affairs in Europe where political and religious beliefs per se are considered crimes against the State, where strict conformity of thought and speech with the prevailing political philosophy is one of the basic duties of citizenship, it should not be altogether difficult to appreciate the position of this Scottish priest of the seventeenth century in peril of his life, not for what he had done but for what he thought, on a matter already agitating more celebrated minds than his own.
A bluff and manly patriotism might be disposed to look upon his patent unwillingness to answer as in itself a confession of agreement with the extreme Catholic viewpoint. The most famous exponent of this was the Jesuit, Mariana, who in a purely speculative work of political philosophy, *De Rege et Regis officio*, written for the young King of Spain, at the request of his tutor, and professing to deal only with conditions in the Spanish states, had gone further than any other Jesuit in justifying the rights of subjects against tyrants. He claimed that by virtue of the positive law of Spain a tyrannical king could lawfully be tried and condemned to death by a Spanish tribunal representing the estates of his kingdom. In a few more general observations he claims that a usurper can be put to death as a public enemy without form of trial and that a tyrant who prevents the estates of the realm from meeting can also be killed without trial. These views were condemned by the Jesuit General Aquaviva. Neither Pope nor General would admit the morality of any private assassination for any cause whatsoever, and this was the view also of Father William Crichton, s.j., who as far back as 1584 had rejected William Parry’s proposition of killing Elizabeth, with the words, ‘It is altogether unlawful’.

Ogilvie, also, held that murder for any cause was altogether unlawful, but he was not prepared to advance any views on the speculative question as to whether a king could be justly condemned by a properly constituted tribunal of his subjects, for that was a matter for the Pope and the theologians.

The questions put to Ogilvie by the King were concerned exclusively with these highly controversial points and clearly owed a great deal to the great dispute between the King and the Cardinal. It seems obvious that when James had perused Ogilvie’s earlier answers and his dogged defence of the papal jurisdiction he saw in the Jesuit a humble lieutenant in Bellarmine’s army and an opponent who perhaps could be bent more easily to his way of thinking than either of the two great Jesuits who had already so presumptuously controverted him.

In the first question the King shows that the great dispute is in the forefront of his thoughts:
1. Whether the Pope be judge and have power in spiritualibus over his Majestie, and whether that power will reach over his Majestie even in temporalibus, if it be in ordine ad spiritualia, as Bellarmine affirmeth.

His examiners, in expectation of a minor skirmish on the lines of the great debate, had taken care to provide themselves with copies of Bellarmine's and Suarez's works, but Ogilvie, except on a point where he had absolute doctrinal assurance, was not prepared to enter into controversy on these matters.

To this question he gave answer, therefore, that he thought the Pope to have power over the King in spiritual matters if the King were a Christian and, so far as temporal matters were concerned, he was not obliged to declare his opinion except to one who was a judge in controversies of religion, the Pope or someone having authority from him.

2. Whether the Pope has the power to excommunicate kings (especially such as are not of his Church) as his Majestie?'

This being an established point of doctrine Ogilvie answers unequivocally, 'He can'.

They counter this by asking how the Pope could excommunicate a man who was not a member of his Church.

'A heretic', replied the priest, 'is in the Church as far as the incidence of punishment is concerned but not as regards the sharing of the gifts and graces of salvation. In just the same way as the King can seize and punish outlaws and robbers, so the Pope can and ought to punish heretic rebels and those who flee from the Mother Church. For the Pope acquires his authority over man by baptism; by that man enters the Church, is made a member of the mystic body, a sheep of Christ's flock whose shepherd is the Pope.'

'But', said Spottiswoode, 'this would make many loathe baptism.'

'That', replied Ogilvie, 'is indeed true of the proud who despise the humble yoke of Christ and, with their father, the devil, seek their own and not Christ's glory; but of others it is not true.'

3. Whether the Pope has power to depose kings by him
excommunicated? And in particular whether he have power to depose the King his Majesty?'

The Jesuit's reply to this is substantially the same as his answer to the first question:

'It is the opinion of many doctors and is, indeed, a very probable thesis; when it shall be defined as of faith I will die for it. Till then I am not bound to express my opinion until I am asked officially by the judge of the controversies of religion—that is, by the Pope or by one with authority from him.'

'4. Whether it be no murder to slay his Majesty, being so excommunicated and deposed by the Pope?'

Dr. W. E. Brown has given an analysis of Ogilvie's attitude to this question; he points out that on an earlier occasion when the Jesuit had been asked about the Gunpowder Plot he had said that he detested 'parricide', which was currently used to describe the assassination of kings. On this occasion, too, he had quoted the Acts of the Council of Constance which had condemned Wycliff's thesis that kings could be slain by private individuals. The Jesuit in describing the Act of the Council in which this condemnation is contained used the word necare to illustrate this kind of unauthorized killing but in his reference to this fourth question he uses the word interficere, showing that, in his mind, at least, the question was intended to refer to a more formal death after due process of law.

His answer, therefore, is not concerned with the morality of murder, for he had already expressed his views on that, but on whether a king could in certain circumstances be put to death legally.

'You have', he replied, 'no spiritual jurisdiction. I will not therefore reply to a question anent Christian doctrine lest I seem to acknowledge that the King has spiritual jurisdiction. If you came to me for instruction I would speak; but since you make these enquiries as judges I cannot in conscience say what my opinion is.'

'5. Whether the Pope have power to assoyle subjects from the oath of their borne and natural allegiance to his Majestie?'

The priest again answered that this was a controversy of religion
and he would not give an answer to them as not being judges of such matters.

Throughout the interrogatory, the Archbishop, Robert Boyd, Principal of the University of Glasgow, and Mr. Robert Scott, one of the ministers of the city, attempted to debate the points with him and threatened him that the answers he had given would put him in peril of his life. Ogilvie, whose temper of mind seemed to cause him to react strongly to threats of physical violence, told them that he stood to all he had said and, as if sensing that the King’s questions were merely a device to get his agreement unwittingly to the Oath of Allegiance, he added gratuitously that he condemned the Oaths of Allegiance and Supremacy and to remove any possible doubt about his firmness insisted that the clerk of the court should record this condemnation and to this document he appended his signature.

The record of the examination was drawn up and dispatched to the King with, as some of Ogilvie’s fellow-prisoners suggest, ‘slanderous and malicious comments thereupon’ made by the Archbishop, but there was not much that Spottiswoode could add to inflame the King’s mind against the Jesuit, for his answers now and earlier were sufficient by themselves to outrage the royal divinity.

The continuators of the Relatio, who had personal and painful experience of the Archbishop’s attitude to the affair, are emphatic in regarding Spottiswoode as the fons et origo of all the Jesuit’s sufferings. There is no doubt that the Archbishop, although kindness sometimes broke in to destroy the even tenor of his malice, was prominent at every stage of the proceedings. He had as early as the day of the priest’s first examination sought permission to use torture; it was members of his retinue that acted as Ogilvie’s jailers throughout the vigil; his well-known Erastianism promoted in him an exceptional degree of subservience to the royal will and he seems to have been genuinely shocked at the Jesuit’s inability to view the King through his eyes.

Nevertheless, though the hand was the hand of Esau the voice was the voice of Jacob and the responsibility for Ogilvie’s execution was wholly the King’s. That he later tried to disburden
himself of it and characteristically reached for the nearest scapegoat is in full accordance with what we know of his talent for duplicity. In the eighteenth-century Historia Provinciae Bohemiae Societatis Jesu there is related a conversation that took place between the King and the Marquis of Huntly after Ogilvie's execution.

He is alleged, in this account, to have asked Huntly:
‘How did the Scotsmen take the death of the Jesuit?’
‘Very ill’, answered the Marquis.
‘It was not my fault’, pleaded James. ‘Spottiswoode hurried on the execution. I have no wish to see bloody heads round my deathbed.’

Huntly was struck by this expression and asked the King what he meant. James looked gravely at him and said:
‘Do you not know how Queen Elizabeth died?’

Whatever emotions of grief or dubiety of mind James might have experienced at a later stage there is no doubt about his firmness of purpose at the time and the absurdity of imagining that this important affair was carried to its ugly conclusion through the importunities of the Archbishop prevailing over the natural tenderness of the King is shown at every turn.

Immediately after Ogilvie's first examination James was informed of all that had occurred; he gave permission for the use of torture at Edinburgh; he took an unusual and personal interest in the matter, going the length even of devising a special interrogatory, knowing from the Jesuit's previous answers that he was putting him to the stark choice of apostasy or death; in his reply to Spottiswoode's first letter he expressly stated that if Ogilvie should maintain the supreme power of the Pope he was to be left to justice and the laws, that is, hanging and quartering.

Since nothing during these five months had happened to the Jesuit without the King being directly informed, it would seem odd, and strangely out of accord with the entire proceedings from 5th October 1614 to 28th February 1615, when Ogilvie was executed, that the King should be unaware that the final and irrevocable act of the tragedy was to take place on the day of the trial, the date of which he had himself fixed. It is entirely out of
keeping with what we know of James’s character that in so delicate a matter as the killing of a priest his servants should proceed without his knowledge and consent.

The King’s questions were put to Ogilvie on Wednesday, 18th January, and this day marks also the end of the Jesuit’s relative liberty and the beginning of the final period of suffering that was to end in such macabre splendour in the waning light of a February afternoon.
XI

PERILOUS STRIVING

'By the Mass, Mr. More, it is perilous striving with princes; therefore, I would wish you somewhat to incline to the King's pleasure; for by God's body, Mr. More, dignatio principis mors est.'

'Is that all, my Lord?' answered Sir Thomas. 'Then in good faith, between your Grace and me is but this, that I shall die to-day and you to-morrow.'

From conversation between the Duke of Norfolk and St. Thomas More.

Ogilvie was now marked for death and all that remained was to contrive the manner of his going with a due observance of the legal proprieties.

Spottiswoode must by this time have begun to experience that feeling of inadequacy that was to issue forth some weeks later in the pamphlet justifying the Government's proceedings. Yet no man could have handled the affair more dexterously, to his own credit, to the needs of public order and the confusion of all monarchomachs, Papist and Presbyterian.

By some caprice of the popular fancy, nevertheless, Ogilvie was not being execrated with that degree of virulence that his iniquities should have excited in a populace grounded in a proper detestation of Jesuit infamy and justly apprehensive of those dark designs on Church and Throne that the members of the Order notoriously cherished.

The priest's fame, already great in Edinburgh, Glasgow, and the west, had spread abroad throughout Scotland and penetrated even to England. The story of his demeanour before his judges, unbearably insolent though it had been, had served merely to endow him with a reputation for valour and tenacity; his intractable behaviour under torture had, so wayward is public fancy, succeeded only in adding to his reputation for moral courage that of physical courage. Spottiswoode possibly did not know that his own servants had been active in promoting these
golden opinions amongst the rabble, so impressed were these simple-minded torturers, who had been for eight days sticking daggers into him and bouncing him on the floor of his prison, at his mulish resistance to their wishes.

In short, the story had not lost in the telling and, unfairly and unsuitably for Government propaganda, it had made an impact on the minds of the vulgar quite different from what had been intended. Ogilvie had been meant as an example, a terrible and solemn warning against that fashion too prevalent in papist and Presbyterian circles of disputing the divine nature of the King’s government.

It is true that his latest affront to the royal divinity, the more heinous because the more directly proffered, was not yet popularly known, but there was no reason to believe that the swelling wave of popularity would subside on account of this added sacrilege in a country so obdurately attached to those two obnoxious creeds that were the spiritual parents of all sedition.

The Episcopalian polity had been established not without great difficulty, but since the tumultous affair of 1596, when the King had grappled manfully with his theocratic rivals and vanquished them, its dominance, though assured, was still subject to challenge from occasionally contentious spirits such as Mr. John Welsh, Minister of Ayr, and Mr. John Forbes, Minister of Alford, who, with some others, had declined the King’s spiritual jurisdiction when called before the Privy Council for convening, without royal permission, the General Assembly of 1605.

Although there were many weighty points of difference between the Catholic and Presbyterian attitudes to the civil power, there is an interesting foreshadowing of Ogilvie’s point of view in the document drawn up in 1606 by the ministers imprisoned in Blackness Castle.

In this manifesto they excuse their offence by appeal to the tradition of the ages inscribed in the laws of Scotland.

Now as to the second point to be proven anent the law of the realm; the first of all in the Acts of Parliament is anent the fridome of holy Kirk; it is statut and ordainit that the holy Kirk joy and bruk and the ministeris thereof thair old privi-
ledges and fridomes; James I, par. I, cap. I Item in lyk manner
the first act of the second parl. is, in the first to the honour of
God that the fridome of holy Kirk be keipit throughout the
realme. The same is augmentit and confirmit be King James II
in his first parliament... the first act of the parl. of King
James V is that fridomes and priviledges of the holy Kirk and
spirituall persoune be observit and keipt in honour and
worschipp.

Having quoted these praiseworthy promises of Scottish Catholic
kings to preserve the rights and freedom of the Catholic Church
and Catholic priests, the ministers suddenly become conscious of
some points of doctrine separating them from the Roman harlot,
for they continue:

And iff ony will object that this was grantit to the Papisticall
Kirk this answer is easie and strong, far mair to the trew
reformit Kirk of Christ Jesus.

Perhaps these Scottish Catholic kings might have been less
openhanded with their concessions if they had been forced to deal
with Mr. John Forbes, who had appeared before the Privy Council
to answer for his crime. He began by producing the Confession
of Faith which he read most 'distinctly and movingly', and then,
addressing his remarks particularly to the Earl of Dunbar, gave
them a grave admonition with 'horribil threatenings'. In char-
acteristic Presbyterian style he made use of the appropriate and
violent Old Testament analogy:

So, at great length, he recomptet the history of the Oath and
Covenant qhilk Joshua and the people maid with the Gibeon-
ites; the qhilk because that Saul, King of Israel, did brak and
violat, long eftrir his death the Lord forgott it not but plagued
the land in the days of David till the hail sonnes and posteritie
of Saul were taken and hangit up befoir the sone and so he and
his allutterlly rootit out. The qhilk, maist pithilie reassouning
from les to moir he applyit to the King; and thairon directing
the admonitioun and threatenin most terrible made all the
heireris astonishit and their haires to stand!

These spectacular rhetorical gifts, however, failed to bring con-
viction to the Jury, who were more easily persuaded by the clear
will of the King, expressed through his Advocate, Sir Thomas Hamilton.

Spottiswoode had suffered in ease and reputation from these Presbyterian firebrands but theirs was now a broken cause.

A distinguished Scottish historian, Sir David Masson, has pointed out the recrudescence of activity against Catholics about this period and suggests that Episcopacy, having won its battle against the Presbyterians, was now able to turn its attention to the Catholics; by 1613 all the Scottish bishops had been consecrated; Andrew Melville, inflexible and erudite opponent of the bishops, was in France never to return; James Melville was an exile in England; the six banished ministers who had been concerned with the illegal Assembly in 1605 were on the Continent and the lesser rebels had been rendered harmless.

The subjection of the Presbyterians had been effected not solely by sheer intimidation but also by a mixture of bribery and a pandering to the anti-Catholic feelings of the more fanatical amongst them. The persecuting zeal of the bishops of Scotland was highly suspect in the eyes of the more bigoted Calvinists, and an assurance on this point would go far to mollify the bitterness of their anti-Episcopalian sentiments.

The Bishop of Orkney did his best to set their minds at ease: ‘They shall call me a false knave and never to be believed again if the papists be not sae handled as they never were in Scotland.’

The French Ambassador, de la Boderie, writes:

The progress of persecution against the Catholics may be traced all through this period by the equal progress of the King’s measures for introducing the Episcopal system into the Church. The King is so anxious to establish the English religion in that country and get himself recognized as its head, as he is here, that in order to gain over the puritans, who are the only obstacle to his wishes, he has given them free leave to oppress the Catholics to their heart’s content.

In the memorial written in 1611 by Father Anderson there is a moving description of the fresh fury that had broken upon the heads of the Catholics and he ends with these words:
Under a daily increasing persecution, God still preserves an immense number of Catholics, who remain steadfast in spite of ridicule, loss of goods, imprisonment, infamy and the like; and are ready to shed their blood for the Catholic faith.

In 1614 the King gave a fresh impulse to the persecution in a letter addressed to the civil and ecclesiastical authorities of Scotland, enjoining them to take severe measures against all persons ‘infected with that leprosie’.

*   *   *

The arrest of Ogilvie, therefore, had been most opportune, for not only was he a priest but a member of that Order which had achieved such singular and regrettable success in thwarting the progress of the evangel in Europe and had earned itself a deplorable notoriety for its blind devotion to Antichrist. Everything that had occurred in Ogilvie’s case had gone far to confirm the popular view about the Jesuits, for he had shown himself indissolubly wedded to those damnable principles that would make an end of all kingly divinity and had displayed a perversity in maintaining them that called for the most condign punishment.

As a necessary and impressive preliminary to the main action, Spottiswoode now changed the conditions of the priest’s confinement. Ogilvie, possessed of a certain delusive charm, had already won many, particularly of the baser sort, to a weak-minded compassion and now in prison it would seem that he had undermined the devotion of his jailer. This man, unmindful of the desperate character of his prisoner and oblivious to the ‘most hainous, pernicious and damnable’ treason he had committed, had shown himself disposed to a feeble leniency, so far as that could be exercised.

The Archbishop now replaced him with his own steward whose naturally cruel and dour bent of character, together with his devotion to the interests of his master, ensured a punctual and enthusiastic attention to those small refinements of brutality that sometimes help to weaken the resolve of self-willed prisoners.

Even this might have proved unavailing if the Archbishop had not detected in time the presence of a viper in his own bosom.
After having seen to Ogilvie's entertainment, Spottiswoode had been obliged to go through to Edinburgh on his affairs and while there had received a disquieting report that his own wife had been frustrating the episcopal wishes by an undutiful benevolence towards the prisoner. John Mayne, perhaps somewhat mordantly, claims that she did this only when she was tipsy and, 'Such', he says, 'is the sobriety of the Bishopesses of the heretics'. Spottiswoode exercised his authority and summoned her to Edinburgh to be by his side and out of range of that strangely fascinating traitor whose death he was now preparing.

Ogilvie's new jailer, unhampered now by the maudlin benignity of Isabel Spottiswoode, increased the weight of his irons, and to guard against any preternatural Jesuit cunning he drove wedges into them and bent them back over the rings, doing everything possible to ensure the discomfort and security of his captive.

Meanwhile, the Jesuit in conditions so uncongenial to literary activity continued to write the account of his imprisonment with ears alert for the sound of his jailer's footsteps. At the same time he tried to pen a few last words to his Superiors and in these letters we catch a glimpse of the young novice of Brunn and Olmutz whose holiness and affectionate disposition had so impressed those around him. The exquisite, unforced humility of this first letter is a precious glimpse into the depths of that valiant yet tender soul:

To the Very Reverend Father in Christ, Father Claude Aqua-viva, General of the Society of Jesus, Rome.

Very Reverend Father in Christ,

Well beloved and most worthy father, dearest friend of my heart after Christ and the company of heaven. My punishments are terrible and my torments bitter. Of your fatherly love pray for me that I may die with a generous courage for Jesus who triumphed over all for us. May Christ long keep you, the great leader of his veterans, as a bulwark of his Church.

To your Very Reverend Paternity,
Your little servant in Christ and most unworthy child,

John Ogilvie.
The hardy athlete for the faith, as his contemporaries described him, had almost run his course. There remained only the final indignity of the gibbet but the hand that had borne him up throughout the vigil would comfort and support him to the end. The dark and squalid cell had become the antechamber to Paradise and not all the malice of his jailer or the threats and blandishments of his enemies could prevail against the power of that grace to sustain and console.

It was not his own sufferings that so much distressed him during these weeks but the miserable condition of those others, his children in Christ, who lay round him awaiting the mercy of the King. They had been condemned to death, but it was hoped that this sentence would be remitted, by the King’s benignity, to mere ruination and exile.

John Mayne, who had so calmly outfaced his judges and told them that ‘as yet he avowis that religioun and professis the same while he be better resolved’, had proved a worthy son of so valorous a father and to him the priest managed to send a short message, saying, ‘Let our weaker brethren be strengthened both by precept and example’.

Mayne had become the leader of the Catholic prisoners and it was to him that Ogilvie delivered the account of his imprisonment. Mayne knew that banishment could be his only portion, and the priest, his pastoral instincts still alive in him, wrote on 28th January a letter addressed to all Catholics, which might serve Mayne as a passport to Christian charity.

I, John Ogilvie, of the Society of Jesus, was arrested three months ago for the faith’s sake and the bearer of this letter, John Mayne, M.A., was arrested with me. I lie now in prison with weights of 100 lbs. and more; I await death. I am witness that the aforesaid bearer of this letter has suffered much in prison, has lost his country and his property because he remained firm in the true faith. By the judge’s sentence he is outlawed and condemned to die if he remains in Scotland. Wherefore, if the King’s shame should change that sentence into exile, let Catholics be mindful of Christian charity lest the means of life be lacking to one who, for Christ’s sake, has heard the judge
condemn him to death. Written hurriedly and secretly in my cell at Glasgow. Jan. 28th, 1615.

On 22nd February, six days before his trial and execution, the Relatio was completed and, with the final sheets, he addressed another letter, this time to Father Ferdinand Albers, who had received him into the Society at Brunn and who had since become the Provincial of the Jesuits in Austria and, unknown to Ogilvie, Vicar-General of the Society since the death of Aquaviva on 31st January 1615.

You will learn best from John Mayne, the bearer of this letter, how I am situated. It is a serious crime to be discovered writing so I must make haste before the gaoler returns. Your Reverence received me into the Society of Jesus in Austria and on this account I commend my children to you (as to a grandfather) with greater confidence. I hope, therefore, that if John Mayne, the bearer of this letter, should need your help he will find the most worthy Ferdinand a veritable father of German charity.

A part of my experiences I have written and sent to Mr. Mayne. Let him have them prepared for the annals, if you like, and along with them anything he shall have done. I commend me to your prayers. Written from Glasgow prison in which I am loaded with a 200 lbs. iron weight and where I look forward to death unless I accept the King’s gifts, a fat living and abjure my faith. I was tortured once by a vigil of nine nights and eight days. Now I await the second torture and after—death. The gaoler will come.

Ogilvie was to write no more. He had done his duty by his superiors and by his flock and now it was time to turn his mind away from mundane affairs and prepare himself for the sacrifice.

This last letter was written on Wednesday, 22nd February, and some time during the next three days a letter came from the King, fixing the date of his trial and adding the ominous rider that, unless he recanted, he should suffer death.

Provost James Hamilton, accompanied by the bailies of Glasgow, visited Ogilvie in prison to communicate this news to him. They bore also a message from Spottiswoode, who still cherished
a faint hope that solitary confinement and the unremitting attentions of his steward would have done something to weaken that high resolve.

The Provost assured him that he would not be accused of saying Mass but for the answers he had made to the King and, if he should recall them and give his Majesty satisfaction, the Archbishop would use his credit with the King to ensure his life.

The Jesuit, weary of this foolish importunity, answered:

'I thank his Lordship for the good will and kindness offered but I am so little minded to recall anything I have said that, when I come to the place, I shall make a commentary upon my answers.'

On Sunday, 26th February, Ogilvie's prayers were once more broken into by an even less welcome interruption. A group of ministers, led by Struthers, a minister of Edinburgh, who had formerly been in Glasgow and still took a lively interest in the spiritual soundness of that city, crowded into the priest's cell. They had come, they said, to promise him the good will of the Archbishop if he would recall his answers and assured him, at the same time, of their best counsel and comfort.

The priest, already familiar with their capacity for protracted discussion, used the only technique that seemed to prevail with them:

'I am resolved what to do and if I stand in need of your comfort I shall advertise.'

During this last week the priest also received many visits from the Earl of Lothian who used every persuasion to make him alter his resolution but Ogilvie's mind had long since turned to other matters.

Towards the end of the week the Archbishop had returned to Glasgow to make arrangements for the trial and he was accompanied by a large company of gentry, ministers and others. From far and near people began to flock into the city. Impending events seem to have induced an almost carnival spirit in Ogilvie's jailers and in those citizens who had been chosen to supplement the normal custodians of the prison by keeping special night guards.

Earlier in the day Ogilvie had asked them if they had any news.
‘No’, they answered.
‘Then’, said the priest, ‘I will give you some. To-morrow or the next day a priest must die’, and in preparation for that event Ogilvie asked for water to wash his feet and, this labour completed, invited the bystanders to his nuptials.

As the night wore on the revelry increased and, under cover of the noise and confusion, the priest received a visit from Mr. John Brown of Logghill. This Catholic gentleman, whose son was later to become a Jesuit, had come to inform Ogilvie that plans could be arranged for his escape later that night. The Jesuit had constantly informed his jailers that if his chains were made of wax he would not break them nor if the doors were open would ‘he pass them to desert so just a cause until it seemed good to the divine Providence otherwise to provide for him’. Now he showed that this was no idle boast for, accompanying his words with a warm embrace, he thanked Brown for his kindness but assured him that in so good a cause death would be more welcome to him than life and that ‘for his part he was drawn by so sincere an affection for such a death that he feared nothing more than to be snatched from it’. He asked only that Brown should remain in the city till the affair was over.

There is another story told of the events of that night. In 1663, Father Thomas Robb, s.j., was in Edinburgh and, while there, met Lady Margaret Hamilton, sister of the Earl of Abercorn. Some years before, she told him, she had heard a strange tale of the night preceding the Jesuit’s execution. A Glasgow Protestant woman, whose house stood near the gallows, had been standing at her window when she observed emerging from the Archbishop’s Castle, a man dressed in white clothing. She continued to watch him as he walked down the High Street and saw him with hands clasped together and raised to heaven crossing the town square. Approaching close to the platform on which the gibbet was erected, he threw himself prone on the ground before it and began to pray in a voice to be heard distinctly by the interested observer at her window.

Clearly to her ears there rose in the silence of the moonlit night the words of Ogilvie’s prayer:
PERILOUS STRIVING

Maria, Mater gratiae, Mater misericordiae,
Tu nos ab hoste protege, et hora mortis suscipe.

Lady Hamilton was naturally sceptical of the account, as was Father Robb some years later, and she journeyed from Paisley to Glasgow to interview the woman. She found that the witness still stuck to her story and, although she knew no Latin, was able to repeat the words of the priest’s supplication, confirming her narrative on oath.

It is certainly an astonishing tale and open to obvious objections. That Ogilvie should be able to leave his prison so easily might be the least formidable objection for we know from other sources that his guards were not exceptionally vigilant on that night. It is more difficult to account for the white clothing but this might have been a trick of the light, for the woman expressly states that it was a clear moonlit night.

Father Robb, at any rate, is fully convinced of its truth and signs a deposition to that effect:

That is what I heard from the lips of one whose piety, prudence and judgment are known to all: in testimony whereof I drew up a deposition at Rome some years ago and I sign this deposition with my own hand at Douai, February 23rd 1673.

Thomas Robb, S.J. Priest.

Some time in the early hours of the morning the noise in the prison died down and the priest was able to pray undisturbed by the shouting and merriment that had marred the tranquillity of the previous few hours.

Shortly before eleven o’clock the Provost and a guard of armed citizens came to warn Ogilvie to be in readiness for his trial.

‘I have long been ready,’ he answered, ‘and I welcome the hour.’

With the priest in the midst of them, they passed, grimly silent, down the High Street to the Tolbooth at the market square. The street was thronged with sightseers, for the most part moved with compassion, and some, as if so make amends for their former treatment of him, called down blessings on his head, and others, tears of remorse in their eyes, gazed sorrowfully on the Jesuit,
whose high bearing was in no way impaired by the torn cloak
they had given him to replace that which his jailer had filched
from him as his perquisite.

At eleven o'clock he took his place at the Bar with head un-
covered, facing the formidable array of judges who were to pass
upon his trial. The judges, according to the King's commission,
were Provost James Hamilton, Bailie James Bell, Bailie Colin
Campbell and Bailie James Braidwood. These, however, were of
slight consequence besides those who had been appointed to assist
them: the Archbishop of Glasgow, the Marquis of Hamilton,
the Earl of Lothian, Lord Sanquhar, Lord Boyd and Sir Walter
Stewart.

The preliminaries began with the reading of the indictment by
Mr. William Hay of Baro, who was acting as prosecutor for Sir
William Oliphant of Newton, his Majesty's Attorney-General.

As the prisoner and the other auditors listened to the words of
the Attorney-Depute some must have wondered how one human
being could compass so much treason, and the simple-minded
must have looked on Ogilvie with unaccustomed feelings of
horror as the terrible story unfolded itself. This was no doubt the
intention of the document, for an unbiased perusal of it in the
light of what Ogilvie had actually done could find no justification
either for the wild statements it contained or for the opprobrious
epithets that punctuated it at frequent intervals.

So much had happened during his examinations that, in reading
the account, one is inclined to lose sight of the fact that Ogilvie
had been arrested for only one solitary crime, described by
Spottiswoode as 'saying Masses and converting citizens'. During
his examinations he had added to this three other crimes: he had
declined the King's spiritual jurisdiction; he had upheld the
spiritual supremacy of the Pope; he had condemned the Oaths of
Supremacy and Allegiance.

The indictment starts off with what logicians would describe
as an emotionally coloured phrase, for Ogilvie is described as,
'John Ogilvie, by your subscription, a priest of the late execrable
order of the Jesuits'. Having got off to this resounding start it
continues to enumerate the crimes committed.
This is preceded by a preamble of almost Byzantine servility, extolling the virtues, wisdom, justice and clemency of his Majesty and praising God for having 'extended our felicity beyond the happiness of our ancestors by the justice, wisdom and clemency of his Majesty's prosperous reign'.

The statutes against which the priest had offended are now enumerated:

1. The Act of 1606 which acknowledged 'His Majesty's sovereign authority, princely power, royall prerogative and privilege of his crown over all estates, persons and causes whatsoever within his kingdom'.

2. The Act of 1584 which asserted the King's authority over spiritual causes and imposed the pains of treason on those who should refuse to answer any question whatsoever proposed to them.

3. The Act 48 of James I which ordained that the lieges should be governed under the King's laws and statutes and under no other, under pain of treason.

4. The Acts of 1560 and 1567 which had abolished the jurisdiction of the Pope.

Arnott, the eighteenth-century writer on Scottish law, has some very pungent comments to make upon this indictment and ends:

I apprehend that the words of this Act which, it must be confessed are obscure and ambiguous, do not warrant it. If they do, I have only to observe that to oblige a person under pain of death to an interrogatory which may affect his own life is perhaps the greatest pitch of tyranny and iniquity that any legislative body ever attained.

The indictment, apart from the catalogue of supposed treasons committed by Ogilvie, permits itself a good deal of latitude in slanderous and virulent phraseology.

He is accused of:

1. Having renounced your natural allegiance and duty to your righteous and native King and cast off all reverence and respect and obedience to his sovereign authority and laws and dedicated
your mind and actions to the unlawful obedience of foreign powers, adversaries to his Majesty, and resolving, so far as in you liest, to seduce his Majesty’s subjects from the faith and allegiance due to his Majesty.

It is important to note that if Ogilvie had done all this it could only have been during the time he was under their care for it did not form part of his original charge unless this is all to be comprehended under the next accusation:

2. And by your conferences, intisements, auricular confessions, Masse saying and other subtle et crafty means endeavoured yourself not only to corrupt many of his Majesty’s lieges in religion but also to pervert them from their dutiful obedience due to his Majesty.

No specific act was ever alleged against him that could by the most excessive stretch of the normal imagination be construed as perverting his Majesty’s subjects ‘from their dutiful obedience’ unless enticing them to confession and Mass is to be considered such.

3. You have so plainly discovered that you professedly approve the means and with the effect of the overthrow of his Majesty’s estate, the destruction of his Highnesse person and seduction of his native subjects from their subjection and dutiful obedience.

Ogilvie’s refusal to say whether the King could lawfully, under certain imaginable circumstances, be tried and condemned by a tribunal of the people after a papal deposition, had now become the warm approval of these views, with the implication that, afforded the opportunity, he would immediately proceed to the slaughter of the King.

The Attorney, having read the indictment, seems to become conscious that it lacked something in clarity, for he now proceeded to proffer an explanation. Ogilvie, he says, is not being accused of Mass-saying, nor of seducing his Majesty’s subjects to a contrary religion, nor of any point touching him in conscience properly, thus deciding for himself what were matters proper to the conscience of a Catholic.

His speech is generously besprinkled with a number of phrases
designed to induce in the minds of the judges a proper detestation of the prisoner with the intention probably of confusing them as to the crimes he had actually committed. His offences are, "hainous crimes and transgressions"... "damnable and high treason"... "hainous, pernicious and unpardonable treason"... "wilful and detestable treason".

The next step was the reading of the statutes and, having done this, the Attorney produced Ogilvie's signed statements and the Jesuit admits them to be his own.

At this point Ogilvie was allowed to speak. Most of the account of his trial that follows is derived from the True Relation, the government production written by Mr. William Struthers, under the inspiration of Sportiswoode, and, at all points where it can be checked by other evidence, it is a generally accurate account of the matter. There were too many witnesses to allow of any extensive tampering with the narrative but it tends to give to Ogilvie's words a bluntness that they possibly did not possess and in describing his execution endeavours to put a false construction on some of the incidents.

Ogilvie's first speech is a summary of the views that he had already expressed during his examinations:

First under protestation that I do no way acknowledge this judgment nor receive you, that have that commission there produced, for my judges. I deny any point laid against me to be treason, for if it were treason it would be treason in all places and in all kingdoms but that is known not to be so. As for your acts of Parliament, they are made by a number of partial men, the best of the land not agreeing with them and of matters not subject of their forum or judicatory for which I will not give a rotten fig.

Where I am thought to be an enemy to the King's majesty's authority I know none other authority he hath but that which he received from his predecessors who acknowledged the Pope of Rome his jurisdiction. If the King will be to me as his predecessors were to mine I will obey and acknowledge him for my King but, if he do otherwise and play the runagate from God, as he and you all do, I will not acknowledge him more than this old hat.
Spottiswoode, shocked by the blasphemy, interrupted him:

Deliver your mind in a greater calm and with more reverent speeches of his Majesty. You are accused upon your life before judges that are authorized by his Majesty’s commission. To decline the judgment or rail against his Majesty’s authority is bootless and in a man of your profession, being an ecclesiastic, very scandalous. You should rather take another course to amend what you have offended in and recall your former answers if they have not proceeded from deliberate purpose, or, if you are resolute to maintain them, do it with reason and in a moderate sort. This is best either for justifying yourself and the opinions you hold or for moving the judges and their Lordships that are assisting to commiserate your case. Be more temperate in your speeches concerning his Majesty, otherwise you will not be licensed to offend.

The Jesuit replied:

I shall take this advertisement and speak more coldly but I will never acknowledge the judgment nor think you have power to sit upon my life and for the reverence I do you, to stand bareheaded before you, I let you know it is a redemptionem vexationis et non ad agnitionem judicii.

William Hay of Baro, the Attorney-Depute, brought this stage of the proceedings to a close by insisting that Ogilvie had said nothing to justify them in abandoning his trial and, indeed, he pointed out, all his answers tended to decline the judgment of the Court. He recommended that the Jury should now be chosen and sworn at the Bar.

Fifteen ‘discreet and substantial’ men were then chosen to sit upon his trial. They were Sir George Elphinstone of Blythswood, Sir Thomas Boyd of Boneshaw, Sir James Edmestoun of Duntraith, elder; James Murehead of Lachope, James Roberton of Ernock, Hew Crawford of Jordanhill, John Carschore of Carschore; Hew Kennedy, Provost of Ayr; William Mackarell of Hillhouse; James Blair, Bailie of Ayr; John Dunlop of Powmilne; John Stewart, burgess of Ayr; John Dunbar, burgess of Ayr; James Johnstone, burgess of Ayr, and John Cunningham of Rawes.
The prisoner was told that he could challenge any of them. In the account written by his fellow-captives Ogilvie is said to have replied that if they were his friends they should be suffering in the same cause and if they were his enemies they could not justly judge him. This is borne out by the official account which, however, omits a passage of arms at this stage between Ogilvie and Spottiswoode.

To Ogilvie’s statement one of his judges answered:

‘Then judges must be summoned for you from Rome, or at least we must send for those who heard your Mass.’

‘Those poor men’, said Ogilvie, ‘knew more about supporting their families and themselves by merchandise than by presiding in criminal courts.’

Spottiswoode retorted that Ogilvie himself had reduced their families to beggary.

‘You rather’, said Ogilvie, addressing the Archbishop, ‘have done this by ruining their health in a loathsome prison and exhausting their means and forcing them to hand over to you what little they had left to be exempted from persecution. I have been a burden to none but have directed my efforts on one object alone, to renew my people with spiritual consolation and to keep them unspotted from heresy.’

‘You are a liar’, replied Spottiswoode.

‘Point out the lie if you can. I speak as I think of things I know to be true.’

The Catholic account relates that at this stage he was asked if he would admit, as one of his judges, a certain gentleman who had been accused of harbouring him. To remove suspicion from him Ogilvie expressed himself doubtful of the gentleman’s good faith.

‘For since he was accused on my account I am afraid he may be mindful of that wrong and bitter against me in his eagerness to justify himself.’

The Jury was now sworn, the indictment read once more and Ogilvie’s signed statements produced. Ogilvie was now informed that he might say what he could to the Jury in his own defence.
‘I am accused’, he said, ‘of treason but have done none offence, neither will I beg mercy.’

The Archbishop could not let this go unchallenged and replied:
‘This is strange, you have done none offence and yet you are come to his Majesty’s kingdom and have laboured to pervert his Highness’s subjects. Both of these are against the laws. In this have ye not offended?’

‘No’, answered Ogilvie. ‘I came by commandment and if I were even now forth of the kingdom I should return. Neither do I repent anything but that I have not been so busy as I should in that which ye call perverting. I hope to come to Glasgow again and to do more good in it. If all the hairs of mine head were priests they should all come into the Kingdom.’

The Archbishop was stirred to his Erastian depths by Ogilvie’s answer.

‘Do you not esteem it a fault to go against the King his commandment, especially in this point of discharging you his kingdom? If a king hath any power within his kingdom it seems he may rid himself and his country of those with whom he is offended and it savours of great rebellion to say otherwise.’

The Jesuit disposed of this point with the same reasoning as he had used during his examinations,

‘I am a subject as free as the King is a king. He cannot discharge me if I be not an offender which I am not.’

He was asked for what offences he thought he could be banished by the King.

‘In the cases of theft and murder,’ he replied.

Spottiswoode, finding the argument tedious, said:

‘All this while you come not to answer any thing to the points of your indictment. Why did you decline his Majesty’s authority and refuse to show your opinion anent the Pope, his power in deposing kings and loosing subjects from their oath of allegiance? And when it was asked you, if it were lawful to slay the King, being deposed and excommunicated by the Pope, which any loyal hearted subject will abhor to think of, why did you not simply condemn it as unlawful? For, in that you do not condemn it, you show yourself of the opinion of the rest of your sect who
in their books maintain that it is both lawful and commendable
to slay kings if the Pope's commission go forth once for it."

According to the Catholic account Ogilvie replied to this:

'Judge me by my words and my deeds; leave to God, to whom
it belongs, the tribunal of thoughts.'

The same version credits him with an important speech which
must have occurred about this stage of this examination:

'In every duty which I owe the King's Majesty I will show
myself a most obedient subject; for if any invade his temporal
rights I would shed my last drop of blood in his defence. But as
to those matters which the King unjustly claims, i.e. the
exercise of spiritual jurisdiction, I ought not to render him any
obedience, nor can I do so. Let the King take heed lest in seizing
the rights of another he lose his own. Therefore, I will not make
any answer to these questions lest I should seem to acknowledge
the spiritual jurisdiction of the King which is not his by right.
Perchance I would say otherwise if anyone should ask me
questions to get my advice.'

'Very well,' said one of the Jury, 'I ask your advice on these
difficult matters. What is your answer?'

'It seems to me folly', said Ogilvie, 'for you, a judge, to ask
advice of one who is accused criminally concerning these very
matters. I will not, therefore, make any answer to the judges on
these subjects until the Church has determined thereon. Your
only purpose is to trap me in talk and so find an excuse for your
cruelty which desires my death. You seem to me like a swarm of
flies who descend on a savoury dish, or like fishermen who with
their nets gather round a poor, worried little fish in a pond.'

The True Relation continues the narrative. When asked about
his declination of the King's authority, Ogilvie replied:

'For the declining of the King's authority I will still do it in
matters of religion for with such matters he hath nothing to do.
Neither have I done any other thing but that which the ministers
did at Dundee. They could not acknowledge his Majesty's
authority in spiritual matters more than I and the best mini-
sters of the land are still of that mind and, if they be wise, will
continue so.'
The Jesuit was referring here to the illegal Assembly of 1605, held at Aberdeen and not Dundee, as he states. Spottiswoode put him right on the point of geography, though he is a little dishonourous in the rest of his statement:

'You are mistaken both in the place and matter, for it was not at Dundee but Aberdeen where eight ministers meeting to a General Assembly contended not against the King's authority but that the Assembly called to that place and time could not be discharged by his Majesty's Commissioner. Neither should the fact of a few taken at the worst be esteemed the deed of the whole. These have been punished for their offences and some of them have confessed their error and been graciously pardoned by his Majesty. All good ministers profess otherwise and our religion teacheth us to acknowledge his Majesty our only supreme judge in all causes.

'The King is Keeper of both Tables and his place bears him not only to the ruling of his subjects in justice and preserving equity amongst them but even to maintain religion and God's pure worship of which he should have principal care. Your Lord the Pope hath not only denied this authority to kings, which God giveth them, but usurpeth to himself a power of deposing and killing when he is displeased, and it were less to be regarded if this his usurpation had gone no further than your pens but you have entered by this pretended right the throats of the greatest kings as your practice upon the last two Henries of France bears witness.'

Spottiswoode's reference was to the assassinations of Henry III and Henry IV of France and was a mere repetition of one of the many hoary slanders propagated against the Jesuits. Even Voltaire defended the Jesuits against the imputation of the murder of Henry IV, and a known enemy of the Society and keen student of their activities, J. Huber, held that 'it cannot be shown that the Jesuits were involved in the plot and it is not even likely'.

At any rate, the Archbishop takes the matter as proved and continues:

'You are not able to lay such imputation upon us nor our profession, which teaches us that, next unto God Almighty, all men are bound to fear, serve and honour their kings. But what
answer you, touching these demands? Hath the Pope power to depose the King? Or is it not murder to kill him being deposed by the Pope?'

'I refused before to answer such questions', Ogilvie replied, 'because in answering I should acknowledge you judges in controversies of religion, which I do not. I will not cast holy things to dogs.'

But Spottiswoode would not let the matter go:

'And is it a point of faith that the Pope may depose his Majesty? Or do you think it a controversy of religion whether his Majesty, whom God save, may be lawfully killed or not?'

The Jesuit dealt with this rather more carefully:

'It is a question amongst the Doctors of the Church and many hold the affirmative not improbably. A council hath not yet determined the point and if it shall be concluded by the Church that the Pope hath such power I will give my life in defence of it and if I had a thousand lives I would bestow them that way if they will make an article of faith of it.'

They asked him at this point to declare his own opinion on the matter but Ogilvie, sticking firmly to his guns, answered:

'I will not say it is unlawful even if I should save my life by it.'

He now followed this up with an exposition of the arguments in favour of the Papal supremacy and its implications, basing his arguments on the text, 'Feed my lambs, feed my sheep'.

'If the King', he continued, 'offends against the Catholic Church the Pope can punish him as well as a shepherd or the poorest fellow in the country. In abrogating the Pope's authority the estates of Parliament have gone beyond their limits, and the King, in usurping the Pope's right, has lost his own. Nam, qui rapit jus alienum perdit jus ad suum.'

They now turn to another point of the indictment and ask him why he had condemned the Oath of Allegiance, which they then read to him.

'It is a damnable oath,' he answered, 'against God and his truth and it is treason to swear it because it brings the King's person and state in danger. Since this kingdom was Christian the Pope's supreme power was always acknowledged. This being
cast off, as we see in the act of your Parliament, against all reason and conscience and subjects forced to swear to a matter so unlawful what marvel that attempts and dangerous courses should be taken against him.

'Justissima lex est, ut quae agit aliquis, talia patiatur. But if the King would leave off his usurping upon the Pope he could live without fear as well as the King of Spain or any other Christian prince.'

Ogilvie then retailed numerous services that the Jesuits had done for the King and concluded:

'Neither bishop nor minister nor all the bishops and ministers in his Majesty's kingdoms had done or could do the like.'

Spottiswoode, at last weary of the struggle, now ordered the Jesuit to keep silence while he summed up the case against him.

Addressing the Jury, the Archbishop said:

'Gentlemen and others, who are named upon this assize, though I minded to have said nothing but sit here as a witness to the proceedings, I have been forced by his proud and impudent speeches somewhat to reply and must, with your patience, say a little more. It is this same day, two and twenty weeks past, that this prisoner fell into mine hands. Since that time he hath had leisure to think enough what course was fittest for himself to take for satisfying his Majesty whom he had offended. Neither hath he lacked counsel and advice, the best we could give him. Besides he hath found on our part nothing but courteous dealing and better entertainment than (I must now say it) he hath deserved.

'Mine own hopes were that he would have followed another course than I see he hath taken and not stand to the answers which he made to those demands which were moved unto him by his Majesty's commissioners and you that have come.

'But, if his answers at the first were treasonable, they are now so little bettered as in all your hearings he hath uttered speeches, made a commentary worse than the text was, and showed himself to carry the mind of an arrant and desperate traitor. You perceive he obscures not his affection towards the King's Majesty, our sovereign, in all his speeches preferring the Pope to his Majesty. And, which is more intolerable, affirmeth the King's Majesty to
have lost the right to his kingdom by usurping upon the Pope. He will not say that it is unlawful to kill his Majesty. He sayeth it is treason for subjects to swear the Oath of Allegiance and meaneth so much in his last words as the King's Majesty's life and estate cannot be assured except he render himself the Pope's vassal.

'Thus he hath left you little to do. Except that his Majesty's pleasure is the ordinary form be kept with him, you should never need once to remove. All his speeches have been so stuffed with treason that I am sure the patience of the noblemen and others present hath been much provoked.

'In all that he hath said I can mark but two things alleged by him for the Pope's authority over kings, the words of Our Saviour to St. Peter, "Pasce oves meas, feed my sheep". And the subjection of kings, especially of our kings, since the kingdom became Christian, to the Pope. For the words of Our Saviour, how little they serve his purpose I have no need to tell you. To feed the sheep of Christ is not, I hope, to depose kings from their estates nor to inflame the hearts of subjects against princes, much less to kill and despatch them. We are better taught than to be deceived with such glosses. Saint Peter made never that sense of these words and teacheth us a far other doctrine in his first Epistle, fifth chapter and second and third verse.

'I will not spend time with such purpose, only this I must say, that whatsoever was Saint Peter's prerogative, the Pope of Rome hath nothing to do with it, for he cannot be Saint Peter's successor that hath forsaken his doctrine and gone against his practice directly both in that and other points of Christian faith. I may justly say that Master Ogilvie is not well seen in antiquity or then speaketh against his knowledge when he sayeth that this power of the Pope was ever acknowledged by Christian kings. The Bishops of Rome for many years made no such claim, neither did emperors or kings ever dream of such subjection. Long it was ere the Pope of Rome came to the height of commanding kings and not till he had oppressed the Church, under the pretext of Saint Peter's keys, bearing down all the bishops within Christendom, which, having done, then he made his invasion upon princes and that by degrees. The histories of all ages make
this plain and the resisting he found by kings in their kingdoms testifieth that they never acknowledged his superiority.

'Of our own, howbeit, as we lie far from his seat, so we had less business and fewer occasions of contradiction. Yet can I make it seem in divers particulars when any question fell out anent the provision of bishops and archbishops to their places, the Bulls of Rome were so little respected as the King's predecessors have always preferred and borne out their own choice and the interdictions made upon the realm by these occasions, not without some imputation of weakness to the See Apostolic, have been recalled.

'The superstitions of Rome were amongst us last embraced and with the first, by the mercies of God, shak'n off.

'Whatsoever you brag of your antiquity, both in this and all the points of your profession else, which I could clear if time or place were fitting. But to you of this Jury I have only this more to say, you are to enquire upon the verity of this indictment whether such and such things as are alleged to be committed by him, have been so or not. You have his subscription, which he acknowledgeth. You hear himself and how he hath most treasonably disavowed his Majesty's authority. It concerns you only to pronounce as you shall find verified by his speeches that you have heard and the testimonies produced. For the rest, the Justices know sufficiently what to do and will serve God and his Majesty, according to the Commission given to them.'

The bewildered bailies appeared to show no signs of resentment at this hanging speech by one whose rule was merely that of an assistant and, no doubt, noted carefully the not too delicate hint contained in the Archbishop's closing words. The Attorney-Depute addressed the Jury, telling them to weigh deeply the 'perverse and devilish disposition of the party accused'. He ended by protesting for wilful error if they should acquit Ogilvie of any point of the indictment.

With these encouraging words ringing in their ears, the fifteen 'discreet and substantial' men retired to the jury room in the upper storey of the Tolbooth and, under the direction of Sir George Elphinston, found the prisoner guilty of all the crimes contained in the indictment.
They filed back into the main courtroom and Sir George announced their verdict and the judges ordered the following sentence to be read:

'The said John Ogilvie for the treasons by him committed should be hanged and quartered.'

Spottiswoode, having now established his point, asked Ogilvie if he had anything to say.

'No, my Lord, but I give your Lordship thanks for your kindness and will desire your hand.'

To this the Archbishop answered somewhat churlishly:

'If you shall acknowledge your fault done to his Majesty and crave God and his Highness's pardon I will give you both hand and heart for I wish you to die a good Christian.'

The priest then asked if he should be allowed to address the people and this was accorded under rather stringent and prudent qualifications:

'If you will declare', said Spottiswoode, 'that you suffer according to the law justly for your offence and crave his Majesty pardon for your treasonable speeches you shall be licensed to speak what you please. Otherwise you ought not to be permitted.'

Ogilvie's reply to this graceless offer was merely, 'God have mercy on thee!'

According to the Catholic account he now forgave them all from the bottom of his heart as he hoped for forgiveness from God; this is omitted in the official version. Another small but important discrepancy in the two versions occurs in reporting Ogilvie's next speech.

The official account says that he cried out, 'If there be any hidden Catholics present, let them pray for me but the prayers of heretics I will not have'. The Catholic account says only that he commended himself 'to the prayers of hidden Catholics'.

It was now past one o'clock and the judges and jury, conscience satisfied and hunger stimulated by the morning's work, retired to dinner to fortify themselves for the grim proceedings of the evening.

Ogilvie, throwing himself to his knees, turned to the wall and prayed.
XII

CROWN OF PRECIOUS STONES

'O Lord thou hast set on his head a crown of precious stones. He asked life of thee and thou hast given it to him.'

From the Offertory of the Mass for the Common of a Martyr not a Bishop.

Three hours later they came for him. The priest, rising from his knees, noticed on the features of the hangman an oddly unprofessional discomposure, and, throwing his arms round him, bade him be of good heart for he had forgiven him. The sheriff issued his orders and, rosary clutched in hand, Ogilvie was led forth.

As the procession emerged into the Trongate it was joined by Mr. Robert Scott, who was determined that the Jesuit should lack nothing to bring him to a proper awareness of his iniquity and was perhaps a little hoping that the gaunt structure that now towered up against the lowering sky might procure some yielding in that obdurate heart. Scott mixed with his admonitions some promise that if Ogilvie would abandon his pernicious papist doctrines he could yet save himself.

Close by the prisoner's side walked John Brown, according to his promise, and a number of other Catholic gentlemen. These had been awaiting his appearance at the door of the Tolbooth and as he came forth they had struggled to his side through the densely packed throng that filled the narrow streets.

Amongst the thousands who had come to gape or pray, one at least was able to view the spectacle with the cool detachment of the sightseer, for in the vast multitude that stretched up High

---

1 This is very possibly the famous John M'Clelland, whose career formed the theme of T. M. Watson's play Johnnie Jouk the Gibbet. In September 1605 he was arrested in Glasgow for theft and was given his life on the promise that he would undertake the job of public hangman. If he forsook the office he was to be hanged without further trial.
Street, down the Saltmarket and along Trongate and Gallowgate, there was a young Hungarian nobleman, Jean de Eckersdorff, on a visit to Scotland as part of his Grand Tour. As a Calvinist it might be thought that his religious principles would be in no way offended by the hanging of a Catholic priest but it would appear that he was not so wholly given over to his religious views as to be blinded to the sad magnificence of the scene and, in this first glimpse of Ogilvie, a memory he was to carry with him to the grave, he could remark only his ‘proud and noble bearing as he went to his death’.

Amongst those who pressed round the platform in the square was a thirteen-year-old boy, James Heygate. For him the execution of the Jesuit was a highly personal matter, for his brother Robert had been deep in the treason for which the priest was now about to suffer and during the past few weeks life in his own household had been a curious mixture of remorse, compassion and dread apprehension, now in some degree mitigated by the remission of his brother’s sentence from hanging to banishment and forfeiture.

A sudden hush descended upon the spectators as Ogilvie, mounting the steps of the platform, appeared in full view and, walking towards the scaffold, embraced and kissed it. The two ministers, not yet reconciled to the situation, continued to press him with earnest exhortations to make a humble acknowledgment of his offence and begged him to relieve his overburdened conscience by a frank confession. They were not, they said, going to enter into matters of religion but admonished him to seek mercy from God through Jesus Christ and to resolve and settle his mind. Ogilvie answered that he was so resolved and, kneeling down at the foot of the ladder on the platform, occupied himself with prayer.

Mr. Scott took this opportunity to address the crowd, assuring them that Ogilvie had been condemned for treason and not religion. It is quite clear from the official account that the authorities were acutely aware that the general belief was otherwise and the priest’s demeanour on the scaffold was doing nothing to remove that simple-minded delusion.
He had been forbidden to speak but at these words of Scott he shook his head and said to those around him:

'He doeth me wrong.'

John Abercrombie, a Catholic friend of Ogilvie, had, with reckless daring, managed to insinuate himself amongst the group on the platform and at these words of the Jesuit, he cried out:

'No matter, John. The more wrongs the better.'

This insolence proved too much for the officials and they now seized Abercrombie and threw him off the platform into the arms of John Brown, who was standing just below, accompanying their action with the cry:

'Why should a traitor like you befriend another traitor?'

At the repetition of the slander Ogilvie broke into an indignant denial:

'I am astonished at your behaviour. You forbid me to speak in my defence and then slander both my cause and me to the people with your lies. You are not fair to me when you pretend that I have anything against the King. I have neither said nor done any such thing. I only maintained that the Pope had spiritual jurisdiction in the King's realms and in the whole world over Christians and that he can excommunicate a heretic king.

'If I have said anything else let it be shown to the people for I have written and signed all my statements and am ready to die for them. But you reported falsely of me to the King and now you would persuade the people similarly. Another Scotsman and I [he said he meant Father Crichton] did more for his Majesty abroad than you and all the ministers of Scotland can do and I am ready to give my life for him. But now I am sent to my death for religion alone.'

One of them asked him if he were not afraid to die.

'In so good a cause,' he replied, 'I am not more afraid to die than you are of the dishes when you go to supper.'

The priest had now risen from his knees and, as the executioner approached with the cord to pinion his arms, he threw his rosary into the crowd. Many anxious eyes watched the beads as they descended into the close packed throng around the platform. They struck Eckersdorff on the chest and as the young Hungarian
put out his hand to clutch them he was thrust aside by the eager Catholics who had rushed forward to possess this souvenir of the traitor.

Meanwhile, Ogilvie’s arms had been pinioned tightly behind his back. The Sheriff ordered him to mount the ladder and, as he moved forward, one of the preachers asked him if he still upheld the papist doctrine of the invocation of saints. The Jesuit said that he did most firmly believe the traditional teaching of the Catholic Church and while, deprived as he was of the use of his hands, he clumsily negotiated the rungs of the steep ladder, he began to recite in a clear and loud voice the great roll call of Christendom:

Sancta Maria, ora pro nobis,
Sancta Virgo virginum, ora pro nobis,
Sancta Dei Genitrix, ora pro nobis,
Sancte Michael, ora pro nobis,
Sancte Gabriel, ora pro nobis,
Omnès sancti Angeli et Archangeli, orate pro nobis. . . .

Then, for the sake of the crowd, he repeated it in English:

Holy Mary, pray for us,
Holy Virgin of virgins, pray for us,
Holy Mother of God, pray for us,
Saint Michael, pray for us. . . .

The hangman, his sense of compassion once more overcoming his official impassivity, spoke to him in words redolent of some Catholic past:

‘Say, John, Lord have mercy on me, Lord receive my soul.’

The priest, humbly and gratefully, repeated the prayer and, as he finished, the executioner pushed him off the ladder and Ogilvie swung free.

He was not yet dead but in the painful agonies of slow strangulation; quickly the hangman descended the ladder and running forward to the slowly rotating body grasped him by the legs, tugged sharply, and made an end.
EPILOGUE

The hangman's action, despite its apparent brutality, was actuated by feelings of compassion for the priest and was symbolic of the emotion that now swept the crowd. It was possibly a realization of the state of popular opinion that caused the authorities to make a last-minute revision of his sentence for, as Mr. William Struthers writes, 'His quartering, according to the judgment given, was for some respects not used'.

The body was cut down and, undesecrated by their knives and saws, placed in its coffin by the executioner and his assistants. Two hours later, under cover of darkness, they committed him to the grave.

The traditional place of his burial is on the north side of the Cathedral but there are some difficulties about accepting this view. Ogilvie's fellow-prisoners, who continued the Jesuit's own account of his imprisonment, write that he was buried 'outside the city in a place used for the sepulture of criminals'. The Cathedral kirk-yard was, of course, within the city and, if these contemporaries, with a deep interest in all that concerned him, are to be trusted, their account makes the traditional place of burial impossible. The genesis of the tradition lies in the fact that the north side of the Cathedral kirkyard was reserved for malefactors and both the Relatio Incarcerationis and the True Relation are also in agreement that he was buried in a place set aside for criminals.

Nevertheless, the evidence of the continuators of the Relatio as to his burial outside the city is strengthened by the fact that John Mayne in his sworn evidence before the Apostolic Tribunal at Wurzburg thirteen years later gave the same account. The evidence of James Heygate at this same Wurzburg Process introduces a variation which, however, can be reconciled with the account given by Mayne and the other Catholic prisoners.
Giving his testimony on oath, Heygate stated that, 'The body was buried two hours after his death in the burial ground where those who had died of the plague used to be interred. This was done out of hatred of the Catholic faith.'

Since plague victims were usually buried outside the city this would go far towards confirming Mayne's account. The place of Ogilvie's burial is, therefore, one that satisfies the following conditions: that it should be outside the city ports; that it should have been used for the burial of plague victims; that it should have been used for the burial of criminals.

There is one kirkyard conforming readily to two of these requirements. The constant visitations of the pest necessitated very severe regulations with regard to the victims and it was customary to put them outside the city walls on the common muir. Their material needs were attended to by the magistrates of the city and there was always a chapel on the muir whose chaplain was obliged by the terms of his appointment to look after their spiritual welfare.

The chapel in Glasgow dedicated to this charitable work was that of St. Roche, the patron of plague victims. This chapel had been founded in 1506 on the model of that already existing in Edinburgh and stood outside the city, north of the Stable Green Port. From the beginning the Town Council took a deep interest in the foundation though the events of the Reformation seem to have diminished their interest in the religious observances prescribed by its founder. In 1569 they feued the chapel and cemetery of St. Roche to Adam Walles and spouse, reserving to themselves, however, the right to bury the dead in the cemetery. Despite the decay of the institution as a religious foundation the officials of town and kirk continued to interest themselves in the kirkyard and as late as 1593 William Fleming had to appear before the Presbytery and give an undertaking that he 'should use the said kirkyards to no other use nor the same is used presently', and even so late as 1645, victims of the plague were buried in the kirkyard of St. Roche.

Although there is no positive evidence that it was ever used for criminals the fact that it belonged to the Town Council and was
used for public burials seems to suggest that, on occasion, they would utilize it for this purpose.

The evidence for his burial outside the city ports is rendered stronger by the rumour that circulated about the strange happenings later on that same night. According to the continuators of the Relatio, a mounted man was seen about two miles outside the city at the moment of Ogilvie's execution. When he learned that the priest's body had been handed over to the executioner he rode away in great haste to inform his friends. At dead of night forty mounted men were seen about his grave and were believed to have removed the body. The story coming to the ears of the magistrates, a party of them came to the grave on the following morning and ordered it to be probed with pickaxes. When the diggers reported the presence of some hard object, the magistrates professed themselves satisfied and announced publicly that the body was still there.

William Sinclair, giving evidence before the Roman Tribunal in 1629, describes this event somewhat more tentatively than the Glasgow prisoners, though, of course, he had not the same first-hand information of what was happening in Glasgow. He supplies the additional information that the men who are said to have carried away the body were under the command of the Earls of Abercorn and Semple. James Heygate, although in the best position of all to come by the facts, for he was living in Glasgow at the time and at liberty, says merely that 'a report later arose to the effect that the body was taken away from there'.

Whether rumour or positive fact, the story would seem to bear out the theory of his burial outside the city for not even Abercorn and Semple would have been daring enough to pass through the city ports at dead of night with forty armed men and it is unlikely that rumour would credit them with this feat.

In the days following the execution the foolish populace could not rid themselves of the memory of the limp body hanging from the rope. At the moment, indeed, they had expressed themselves loudly and indiscreetly, some weeping and others exclaiming against the cruelty of the ministers and the Archbishop, and 'praying God to take vengeance of the innocent blood on those
who gave the order, but to save the people from the guilt'. James Heygate bears out this account:

There were present several thousand people who had flocked there from Scotland, England and, indeed, all parts. Moreover, such cries of sorrow and expressions of sympathy were heard there that the minister mentioned above, Mr. Robert Scott, at a sermon preached on the following Sunday at which he [Heygate] was present upbraided the people for evincing such signs of grief on account of the death of a papist priest.

About this time, too, Mr. William Struthers, at the instigation of Spottiswoode, was preparing the pamphlet that was to illustrate the cowardice and pernicious treason of Ogilvie.

The Jesuit was dead, and so, also, was that intrepid confessor for her faith, Mareon Walker. She had not been imprisoned with the rest but was taken from her home and confined as a prisoner to a private house where she died shortly before Ogilvie's execution.

The rest of the Catholic prisoners had still to undergo their punishment. John Mayne, accompanied by Archibald Schilk and Robert Heygate, left Scotland shortly after the execution to begin their exile. Assisted by Ogilvie's recommendation, and carrying with them the account of his imprisonment, they made for Bordeaux, the headquarters of Father Huntly. They recounted to him the details of the priest's imprisonment and execution and handed over to him the manuscript of the Relatio Incarcerationis.

The Jesuit authorities in Rome had already heard of his arrest and imprisonment and also of that of Father James Moffat who had been taken at St. Andrews about the same time as Ogilvie. At this moment there was an interregnum in the Generalate of the Society and the Vicar-General, pending the election, was Ferdinand Albers.

In a letter to Huntly, dated 31st January 1615, he writes:

'I received your Reverence's letter of April 21st in which you inform me of Father Ogilvie's condemnation and that he had been taken elsewhere to be executed. However, I can learn nothing certain about the event. . . .'

Mayne was to supply that deficiency and Albers on receiving
the account of his trial and death, wrote again to Huntly, who was perhaps a little regretting that his last interview with Ogilvie had not been so cordial as it might: 'Blessed be the divine Providence which has deigned to take the Blessed Father Ogilvie into the company of the martyrs...'

John Mayne went eventually to Wurzburg where he joined the Order of St. Benedict and became a monk, taking the name in religion of Silvanus. It is not surprising that with the memory of such an exemplar as Ogilvie constantly in his thoughts he should have early considered employment on the Scottish mission, and between 1624 and 1628 the Congregation for the Propagation of the Faith were making arrangements to send to Scotland a party of Benedictines under Father Silvanus. In May 1628, he appeared in Wurzburg before two officials of the household of the Lord Bishop of Wurzburg to give sworn evidence on a list of questions submitted on the imprisonment, martyrdom and virtues of John Ogilvie.

Living also in the Benedictine monastery at Wurzburg was James Heygate, now also a monk of the Order of St. Benedict, and he, too, gave evidence before the same tribunal.

In the following year Father Virgil Cepari, Postulator of the Society of Jesus, charged with promoting the causes of the Jesuit martyrs, traced another important witness to Rome. This was William Sinclair, who had gone there after his sentence of death had been remitted to banishment. Now, on 16th January 1629, he made his appearance before his Lordship, Thomas Ximines, Bishop of Fiesole, in the Bishop's house in the Via Coronariorum to answer a very full interrogatory on the stirring events of fourteen years previously.

As a result of the combined evidence of Sinclair, Mayne and Heygate, Pope Urban VIII issued remissorial letters instituting the cause of John Ogilvie.

The penalties of treason had fallen with particular severity on the Heygates. Robert, who had been the ringleader, according to Spottiswoode, now turned his valorous disposition to account by joining the army of the Archduke Albert of Belgium where he had, as a comrade-in-arms, Thomas Forret.
Archibald Heygate, after the banishment of his son, could no longer apparently endure the climate of heresy and went to Rome, leaving behind him his wife, Elizabeth. She eventually became a convert to the Catholic faith and later set out for Rome, accompanied probably by her young son, James.

William Menteith and Mathew Adam had gone in 1616 to the court of the Archduke Albert and asked for assistance from the Treasury officials there, showing in proof of their good faith the letters of remission under the Great Seal which had been granted to them by the King. Their request appears to have been granted, for the Archduke expressed great indignation at James's severity to the Catholics.

Some of the other Catholics sought the easy and understandable way of apostasy, but it may be that their punishment, with its attendant humiliations, proved to be the worst of all.

On 10th April 1615, Sir James Cleland and his fellow-apostates appeared before the Presbytery and were given the following sentence:

That on Sunday they should stand at the High Kirk door from the first ringing of the bell to the end of the sermon in linen clothes and bareheaded and there crave the prayers of the people as they enter and, this being done, the first Sabbath in the Forenoon, ye shall go to the New Kirk in the afternoon in the manner foresaid. Next that ye enter to the public place of penance within the High Kirk on the two Sabbaths immediately following, all others having been discharged from the said place and after sermon descend to the pillar and give token of repentance before the congregation for this abominable act. . . .

It is pleasing to record that the generous-hearted Protestant, James Stewart, came well out of the matter and managed to remove the stigma by a useful life of public duty to become in 1637 Provost of Glasgow.

Years after the execution, Father Balbinus, s.j., fell in with a witness of the events of that February afternoon, the young Hungarian, Jean de Eckersdorff, now a convert Catholic and a
man of distinction. His testimony to Father Balbinus might serve fittingly as a commentary on the opinions then widespread in Europe concerning Ogilvie's death:

I attribute this happy conversion to the martyr's rosary (there is no other possible cause), to this rosary which, if I had it, I would not barter for the whole world and for which, if anyone would offer it to me, I would give any price which was asked.
APPENDIX I

THE APOSTOLIC PROCESS ON THE MARTYRDOM AND BEATIFICATION OF THE VENERABLE JOHN O'GILVIE, S.J.

I. Introduction

According to Catholic doctrine there is an intimate personal union between earth and Heaven and all those who have attained the Beatific Vision are capable of extending their help to those on earth. This doctrine is known as the Communion of Saints and is closely bound up with Catholic teaching on the Mystical Body of Christ.

All who attain Heaven are saints and anyone may give private veneration and seek the intercession of a person whom they believe to be a saint. The matter, however, becomes greatly more complicated when it is a question of public veneration, for this officially involves the Church and she will not allow such a public cult unless after the most stringent examination carried out according to the strict legal procedure laid down in the Codex of Canon Law.

The modern process dates from two decrees of Pope Urban VIII in 1625, confirmed and promulgated in the Constitution Coelestis Hierusalem of 1634. According to this no one may receive the designation Saint unless previously beatified, and the rules for the processes of beatification and canonization are generally laid down.

In a case of beatification the initiative usually comes from a person or society known as the ‘Actor’. The Actor appoints a Postulator, who must be resident in Rome, to petition the Bishop of the Diocese most closely connected with the case to open an enquiry, and the Postulator then appoints vice-postulators to act for him in any processes that take place outside Rome.

In the case of martyrdom the enquiry is largely concerned with proving the fact of martyrdom and the absence of unlawful cultus. In loose popular phraseology a martyr is someone who suffers death for an ideal or, in a very extended use of the term, someone who suffers unmerited pain. To the doctors of Canon Law, however, a martyr to rheumatism is a person who has voluntarily suffered death from rheumatism inflicted on him out of hatred for the faith or on account of the practice of some Christian virtue.

Where martyrdom is involved the rules laid down by Pope Benedict XIV (1740–1758) in his book, De Servorum Dei Beatificatione et Beatorum Canonizatione, are generally followed. It is necessary to prove not only that the person actually did suffer death but:

1. That this death was accepted with resignation.
2. That it was inflicted out of hatred for the faith or for the practice or defence of some virtue relating to God.

The proofs as to the fact of death are called proofs of ‘material martyrdom’. 

The proofs as to the cause of death are called proofs of 'formal martyrdom' and this is further divided with the intention of showing the mind of the victim and the mind of the persecutor.

When the Postulator has petitioned the Bishop an Ordinary Process is instituted and conducted under strict conditions, all witnesses being examined under oath. When this enquiry has been completed its findings are sent to Rome to be examined by the Sacred Congregation of Rites. If the Cardinals of this Congregation are satisfied they advise the Pope to authorize a Commission and the cause is then said to be introduced. The Pope signs in his baptismal name, not the name of his pontificate, a decree drawn up by the Cardinal Secretary to the Congregation of Rites and remissorial letters are then dispatched to the Bishop of the diocese authorizing him to open the second stage of the enquiry.

In the case of John Ogilvie two such Ordinary Processes took place, one at Wurzburg in 1628 and another at Rome in 1629. The reason for this early introduction of his cause was the zeal of Father Virgilio Cepari, S.J., Postulator of the Society of Jesus, who saw the importance of investigating immediately the evidence of three first-class witnesses, Fathers Sylvanus Mayne, O.S.B., and James Heygate, O.S.B., in Wurzburg, and William Sinclair in Rome.

As a result of these processes John Ogilvie's cause was introduced and he was now styled Venerable, the first of the Reformation martyrs in the British Isles to be so called. This, however, did not allow of official public veneration and this later, therefore, becomes a matter for investigation.

The remissorial letters, of course, were not dispatched, for the Archbishop of Glasgow at the time was that same James Law who had earlier assured the Presbyterians that he would see that the Papists should be so handled as they 'never were before in Scotland'. They arrived, however, in 1927 and his Grace the Archbishop of Glasgow acted upon their instructions.

This second process is known as the Apostolic Process for it is now very closely under the surveillance of the Pope.

Again, an enquiry is made, under the presidency of the Bishop, in a properly constituted court consisting of at least three delegated judges, two sub-promoters of the faith, and the vice-postulator; all witnesses are examined under oath according to an interrogatory drawn up by the Promoter of the Faith, popularly known as the 'Devil's Advocate', for his task is to bring up every possible objection to the cause. If miracles are involved some of the questions are set by medical experts.

The findings of this enquiry are sent to Rome and a book, known as the Positio, is compiled for the guidance of the Sacred Congregation of Rites, containing a brief statement of the facts, evidence that the rules have been complied with, the proofs of martyrdom from the material and formal point of view and that the witnesses have been properly examined; in addition the Positio contains the objections of the Promoter of the Faith and the reply to those objections given by the Advocate chosen by the Postulator.

The Positio is then discussed at an ordinary meeting of the Congregation and its validity confirmed; the Pope then issues a decree of validity. At this later stage, when the matter is being discussed by the Congregation, a Cardinal called the Relator or Ponens is appointed to place the facts before them.
APPENDIX I

On the question of proof of martyrdom three sessions take place:
1. The ante-preparatoria held in the house of the Cardinal Relator and attended only by the officials of the cause and the consultors.
2. The Preparatoria held at the Vatican under the Cardinal Prefect.
3. The final session including all the Cardinals in the presence of the Pope.

The present extract is concerned only with the earlier part of the Apostolic Process, that is, the statement of proofs, evidence of some of the witnesses, summary of documents, objections of the ‘Devil’s Advocate’ and the answers of the Patron, in short the material necessary for the Pope to issue a decree of validity, and a part of the material necessary to establish martyrdom.

The Diocesan Enquiry was held at Glasgow continuously between 12th July and 14th October 1927. The chief witness, whose evidence is too long to give here, was W. E. Brown, Lecturer in British History at the University of Glasgow, later a priest and chaplain to Glasgow University. Although his evidence is not given in full it will be apparent from the extract that he played the outstanding part in the whole process and a great deal of his testimony will be found at various stages throughout the following. In the preparation of documents he received great assistance from Dr. Patrick McGlynn, Lecturer in Humanities at Glasgow University.

The Actor in the case was the Scottish Martyrs’ Committee under the chairmanship of Rev. Father Cooksey, s.j.; the Postulator was the Rt. Rev. Mgr. William Clapperton, D.D., Rector of Scots College, Rome; the President of the Court was the Most Reverend Donald Mackintosh, Archbishop of Glasgow; the sub-promoter of the faith was the Rt. Rev. Mgr. Octavius Clays; the judges were Rev. P. O’Connor, Rev. Wm. McLaughlin, Rev. D. McBreaty; the Promoter of the Faith was His Eminence Cardinal Salotti and the Advocate of the Congregation was John Baptist Ferrata; the Ponens was His Eminence Francis Cardinal Ehrle, and the Pope was, of course, His Holiness Pope Pius XI.

The next and final process is canonization and, as in the case of Beatification, the initiative must come from the Actor. This process is naturally even more stringent than that of Beatification for it requires the evidence of at least two miracles.

II. PROOFS OF MARTYRDOM

The Patron explains that the cause in obedience to Canon 2026 is supported by two kinds of proofs, viz. the deposition of witnesses and documents.

Witnesses:
1. John Mayne and James Heygate at the Process at Wurzburg, 1628.
3. Twenty witnesses at the Apostolic Process at Glasgow, 1927.

Documents:
1. Catholic documents, particularly the Relatio Incarcerationis written by Father Ogilvie.
2. Non-Catholic documents, particularly the True Relation, written by William Struthers under the instigation of Archbishop Spottiswoode.
3. Two letters of Sir Robert Rait, Historiographer Royal of Scotland,
written in July 1925 to Reverend W. E. Brown and expressing the opinion that Father Ogilvie had died a martyr for his faith.

In all twenty documents were put forward including a collection of letters from the General of the Jesuits to Father Ogilvie.

III. CONCERNING MATERIAL MARTYRDOM

A description based mostly on the Relatio Incarcerationis, the True Relation, and the Wurzburg and Roman depositions, of the sufferings, trial and execution of Father Ogilvie, of his constancy to the Catholic religion and of his motives in coming to Scotland.

The evidence of William Sinclair at the Roman Process of 1629 is quoted extensively to show that Father Ogilvie's intention in coming to Scotland was to spread the Catholic faith and 'eradicate heresy', that he had great success in his missionary labours particularly in Renfrewshire.

'He entered the prisons at very great risk to his own life to comfort certain Catholics suffering there and in particular he entered Edinburgh Castle where Sir James Macdonald, a knight and a confessor of the Catholic faith, was held prisoner and comforted him with his pious counsels and words of encouragement. As regards Catholics he kept reminding them, in season and out of season, with regard to their duty; if they were lukewarm he fired their souls, if they were virtuous and steadfast he strengthened their zeal and urged them to persevere. In all these actions he displayed such earnestness, keenness and ardour that I could easily infer during the whole period of my association with him that his heart burned with a most fervent desire for spreading the faith. This was also the opinion expressed by everyone else.'

The Patron's account of his trials and imprisonment is drawn mostly from the Relatio and from the True Relation and describes also the torture undergone and the rewards promised if Father Ogilvie would go over to Protestantism.

The Patron illustrates from the True Relation and from Sinclair's evidence that Father Ogilvie was condemned on grounds of religion.

To prove the fact of execution and burial he quotes Sinclair and Heygate and mentions the reaction of the crowd and even of the executioner to Father Ogilvie's death.

IV. CONCERNING FORMAL MARTYRDOM

Quoting the dictum of Benedict XIV that 'Martyrdom is the voluntary suffering of death either for the faith of Christ or on account of some other virtue relating to God' the Patron proceeds to show:

1. That Father Ogilvie did consistently uphold the primacy of the Holy See and refused to admit the spiritual authority of the King.
2. That he condemned the Oath of Allegiance because it had been condemned by the Pope.
3. That his judges were actuated mainly by hatred of the Catholic faith and particularly by the doctrine of Papal authority.
4. That Father Ogilvie to the end displayed constancy in the faith and almost with his last breath recited the Litany of the Saints expressly to show his firmness in the faith.
To prove the hostility of his judges to the Catholic faith the Patron relies mainly upon:

1. Spottiswoode's letter to the King of 5th October 1614, quoted at pages 136-138 of the text.
2. The King's reply to Spottiswoode, quoted at page 138 of the text.
3. The Advocate-Depute's speech at the beginning of the trial.
4. Spottiswoode's speech at the end of the trial giving his views on the origins and validity of the Papal jurisdiction, quoted at pages 216-218 of the text.

As to his constancy in the Catholic faith the Patron relies particularly on the evidence of William Sinclair and James Heygate. For example, he quotes Sinclair as saying:

'I know for certain that he persevered in his Catholic faith up to the last moment of his life in a devout, pious and steadfast manner. As for the source of my knowledge, my answer is that I know this and have learned it first of all from his fellow-prisoners and others who witnessed his death. For they state that on the night before his death he devoted all the time that he possibly could to prayer and spiritual meditation and they further add that he did the same before ascending the steps of the scaffold and also while actually on the steps themselves, calling both God and his fellow-men to witness that he died in the Roman Catholic faith. His piety and also his constancy were proved by his readiness to forgive all those who had trespassed against him just as he prayed God to forgive him and by embracing and kissing the scaffold and finally by bidding the hangman be of good heart and by pardoning him also.'

V. CONCERNING THE FAME OF HIS MARTYRDOM AND SIGNS

The Patron describes the growth of devotion to Father Ogilvie from the time of his martyrdom to modern days and shows that it was not confined merely to Scotland but extended to other countries. In proof of this he cites William Sinclair:

'I know for certain that it is the common report and account that he died truly as a martyr and is considered as such by the Catholic community. Regarding the source of my knowledge, I answer that as far as the Catholics in Scotland are concerned (and they received the most reliable and trustworthy account of his imprisonment and death) they believe him to be nothing less than a martyr and they speak of him as such. In fact I myself have heard many people in various provinces of Scotland speak and talk of him in this way. Moreover, the same account and belief concerning him prevails among many people of other nations who hold him in the same esteem.'

At a later stage of his evidence Sinclair says:

'I myself can testify that this was the common report and account that prevailed concerning his reputation when I wandered as an exile through Germany, Italy, Belgium and France. Further, when the Catholics in Scotland read that other pamphlet written by the heretic minister, as I mentioned above, in justification and support of the sentence of death that was passed on Father Ogilvie, no one among them can fail to believe him to be a true martyr and to venerate him as such.'
The Patron quotes the views expressed in modern days and cites the evidence of Patrick McGlynn, M.A., D.Litt., in his appearance before the Court at Glasgow concerning the annual procession to the martyr's supposed burial place. He quotes also the evidence of some of the witnesses at the Glasgow Process who believed that they had received favours spiritual and temporal through the intercession of Father Ogilvie.

He ends by saying:

‘From these statements it would seem that the present cause is outstanding in its clear proofs and evidence both of his material and formal martyrdom. Wherefore, we cherish a firm hope that Your Eminences will make an affirmative reply to the Dubium and this hope we share with the Right Reverend William Clapperton, the most prudent Postulator of the cause, and the most noble people of Scotland who with us most earnestly desire it.’

The date is given as 28th January 1929 and the whole statement of proofs is signed by J. B. Ferrata, the Patron of the cause, and A. Sterbini.

VI. LIST OF WITNESSES

1. Patrick McGlynn, Lecturer in Humanities at the University of Glasgow.
2. Francis William Mohorke, S.J.
3. Hugh Kelly, Rector of St. Patrick’s, Dumbarton.
5. Mary McKeown, Third Order of St. Francis.
6. William E. Brown, Lecturer in British History in the University of Glasgow.
9. Mary Anne Campbell, Third Order of St. Francis.
10. Margaret Galbraith, schoolmistress.
13. Patrick Coggins, student of medicine.
14. Elizabeth Toner.
15. Nora O’Toole, schoolmistress.
16. Andrew Kelly.
17. Mary Doyle.
18. Anne Treanor.
19. Agnes Henderson.
20. Angus McIntosh, Rector of St. Paul’s, Whiteinch.

VII. EVIDENCE OF WITNESSES

1. *Patrick McGlynn*

I have been told and I have read about the Venerable Father Ogilvie. I read about him in a book by Father Conway and I was greatly moved by it. I was told about him when I was a pupil at St. Aloysius’s College, Glasgow, where
there was always a great devotion to his memory in my time. Father Conway's book inspired me with great devotion.

When I was translating documents in the book, *John Ogilvie*, written by Father Brown and myself, and was striving to concentrate on the proper translation of the text, I discovered that the account had made so powerful an impression on me that in the end I was convinced not merely that the Venerable John Ogilvie had died a martyr for the Catholic faith, but I was inspired by such zeal and ardour in reading the story of his sufferings that I dedicated myself with all the strength that I possessed to promote the cause of the Church in every possible way.

I read also a pamphlet by Father Robert Devitt, published by the Catholic Truth Society; from my own knowledge I can say that the books I have mentioned were much read by my Catholic friends and that they have encouraged many to render special private devotion to Father Ogilvie since they firmly believe that he suffered and died a true martyr.

I would add that I translated into English the Beatification Processes of 1628 and 1629 and checked also the translation of the *Relatio* made by Father William Brown. I understand that Father Ogilvie's account of his suffering was written while he was in prison and I collaborated with Father Brown in translating that account.

*Sub-Promoter of the Faith.* 'Do you declare yourself satisfied, from your investigations, as to the authenticity of this account said to have been written by Father Ogilvie while in prison?'

*A.* 'My reply is that when I was first asked to undertake this work I was given a copy of the book by Father Forbes which contained a Latin text of the *Relatio* as an appendix and also part of the Beatification Processes. Before we had gone very far, however, we discovered that the transcription was in certain places faulty and incomplete. Father Brown then procured for me a photographic facsimile of the original from Rome. So from then on I worked directly from the facsimile and, at the same time, compared it at all points with the transcription printed in Father Forbes' book.'

*S.-P. F.* 'Was the photostat from an original?'

*A.* 'It was from an original.'

*S.-P. F.* 'Was it authenticated by anyone?'

*A.* 'Father Brown gave me an assurance on that point that it was an authentic photograph from an original and practised as I was in working from photostats of manuscripts, I was confident that it was so. The document was handed to me as an authentic copy of the original at the Roman College, Rome.'

*S.-P. F.* The witness is now asked if he has any knowledge of the documents now contained in *John Ogilvie* by W. E. Brown.

*A.* 'I am acquainted with the documents in this edition of the book *John Ogilvie*.'

*S.-P. F.* 'Are you satisfied as to the authenticity of such documents?'

*A.* 'I am satisfied as to the authenticity of all the documents in the book *John Ogilvie*.'

*S.-P. F.* 'Have you seen the original of the letter from Spottiswoode requesting a bribe for the informer, kept at the Advocates' Library, Edinburgh?'
A. 'I have not seen that original.'

S.-P. F. Asks the witness if he has knowledge of any other documents not contained in the book by W. E. Brown.

A. 'I have no acquaintance with any documents whatsoever not contained in that book.'

S.-P. F. 'As to the documents from Dublin, can you give any reason why these should be awaited?'

A. 'I do not know anything that would lead me to believe that such documents should be awaited.'

S.-P. F. He asks the witness about his knowledge of Ogilvie's birth, parentage and religion.

A. 'I learned where Father Ogilvie was born from the book John Ogilvie by W. E. Brown and I agree with everything in that book. I am certain that his mother was not a Catholic who practised her religion. I have no explanation to offer as to why his notification of baptism should be missing. It was just as possible then as to-day. His ordination is proof of his baptism.'

S.-P. F. 'Is it your belief that Father Ogilvie was not brought up as a Catholic?'

A. 'Yes, that is my opinion.'

S.-P. F. 'With reference to those matters contained in the book, John Ogilvie, do you profess yourself satisfied having consideration to the oath that you have solemnly sworn?'

A. 'I rely on the arguments contained in that book, John Ogilvie, conscious of the solemnity of my sworn oath.'

S.-P. F. 'Do you agree with that book, John Ogilvie, as against the Articles, e.g. concerning the torture of the ‘Boot’?'

A. 'My reply is, that I agree with the book, John Ogilvie, conscious of the solemnity of my sworn oath.'

S.-P. F. 'Do you know anything about the mission to King James?'

A. 'I know nothing about that.' (It was believed by some that Ogilvie had met Sir James Cleland in London and the witness refers to this.) 'I should like to observe that I was told by Dr. Joseph Scanlan that there is still living in Glasgow to-day one of the Cleland family that sheltered John Ogilvie.'

S.-P. F. 'As to those matters that are in doubt, e.g. his leaving prison without authorization, do you agree with Father Brown to leave those unresolved?'

A. 'My reply is, that I leave all such matters unresolved.'

S.-P. F. 'If when we make the final report on these matters and insert the statements in John Ogilvie as your replies to the questions of the interrogatory, do you acknowledge these as evidence given under oath?'

A. 'I agree with them and acknowledge them as my own statements.'

(A number of formal questions follow.)

S.-P. F. 'Was there any devotion to John Ogilvie amongst the people or amongst the Fathers of the Society in the years that have elapsed since the beginning of the Process in 1629 to its revival in 1921?'

A. 'I have not investigated nor can I throw any light on the progress and development of the devotion from that time until now but in these days I have been greatly impressed by the readiness with which learned non-Catholic acquaintances of mine at the University, on reading the evidence
in that book, declare that, without any doubt, Father Ogilvie died a martyr for his faith.'

S.-P. F. 'Can you suggest any explanation of the long-continued silence about him other than that mentioned in the Articles, namely, the difficulties of the times?'

A. 'My reply is that in the light of my present knowledge I do not admit that silence. I only say that I have not investigated the subsequent history of the devotion nor done any positive research into the question of his reputation for holiness and martyrdom. So I am not prepared, without further investigation, to admit any such silence concerning the matter. Nevertheless, I would consider it reasonable to suppose that the weakness or strength of the fame of his holiness and martyrdom would depend at any time in Scotland, perhaps in some measure, on the weakness or strength of the Society of Jesus in this country at the time.'

S.-P. F. 'Would you be prepared to investigate this matter and appear again as a witness?'

A. 'Because of my immediate business I find that such investigations would take up too much time.'

S.-P. F. 'Have you anything to observe concerning the present stage of opinion about the fame of his holiness and martyrdom?'

A. 'I know that in Scotland to-day there is a widespread and ever-growing devotion to the memory of the Venerable John Ogilvie and this knowledge I base upon my own observation. I know many Catholic acquaintances of mine who make a novena to the Venerable John Ogilvie, and I have done this myself, and I know of many favours, especially spiritual, granted to these prayers.

'I have knowledge, also, of the great assembly that takes place every year at Glasgow Cross to commemorate his death and I know of the ardent devotion of the Catholics congregated there who believe that they are honouring the memory of a true martyr of the Church.'

S.-P. F. 'Have you yourself been present as a member of this crowd?'

A. 'I was once at Glasgow Cross but I was not able to remain for the whole of the proceedings, but many of my friends who certainly gathered there gave me their own account of what actually occurred. These matters also were reported widely even in non-Catholic papers and they very much impressed evidently the non-Catholic section of the community.'

S.-P. F. 'Do you attribute any importance to the numbers given in general newspapers for such gatherings?'

A. 'I accept the estimates of newspapers as reasonable judging from:

1. A regular practice of my own in calculating numbers in large public halls, e.g. St. Andrew's Hall.
2. My own experience and those of journalists in estimating crowds at football matches.
3. The fact that I was present myself for a time on one occasion.
4. From photographs I saw that were taken then.'

S.-P. F. 'Can we rely on newspaper reports, some of which may estimate numbers without serious investigation? Take, for instance, the numbers reported about Carfin.'
A. 'I should answer that in the question, as it was put to me, I noted particularly that the phrase used was “general newspapers” and my answer regarding reporters expert in such matters referred, therefore, to general newspapers. I have no knowledge of the experience of other newspapers in estimating crowds.'

S.-P. F. 'Would you allow that anything was done in arranging these demonstrations contrary to Canon Law?'

A. 'I should not think so for this reason, that many Catholics are glad to get warning of the day and also to know that there will be someone who will make himself more or less responsible for arranging the proceedings.'

S.-P. F. 'In your opinion would any such meetings take place without announcement by the clergy?'

A. 'I myself do not know who does arrange these meetings but I should think it as natural as inevitable that a spontaneous desire should arise among the laity to honour on his anniversary the memory of one whom they believe to have suffered martyrdom on that very spot.

'I do not know when these meetings began but I believe they have been in existence for some years.'

S.-P. F. 'How can you explain how such public devotion and demonstrations are limited to Glasgow and are not found elsewhere, e.g. Edinburgh, unless it had been arranged that way?'

A. 'That I should explain by saying that it is only natural that such an assembly should gather at the very spot of his martyrdom on the very day of his death. If he had suffered martyrdom at Edinburgh, I should expect the same occurrence there.'

S.-P. F. 'As to other places where no trace of such public demonstrations is to be found, is it not true that the Ordinaries and the Martyrs' Committee have finished their work and would not everyone expect some such result, e.g. especially at Edinburgh where he laboured so much?'

A. 'I would reply:

1. That the Catholics of Glasgow and neighbourhood are more numerous and perhaps more devout than elsewhere in Scotland.

2. Again, that it is natural that celebrations in the case of illustrious men, even of secular history, should take place at the spot where the death occurred.

3. That I hope that as devotion becomes more widespread and more intense groups of people from other districts will journey to Glasgow on that day.'

S.-P. F. 'If this impulse to celebrate is the desire of the Catholics of Scotland why, then, should it be confined to Glasgow? Has the witness any evidence that would prove this devotion towards John Ogilvie to exist throughout Scotland?'

A. 'As to the first question I stand by my previous statement; as to the second I do know of devotion elsewhere outside Glasgow, particularly from Catholic papers and through my travels in those areas in connection with my work in Catholic apologetics.'

S.-P. F. 'Have you any knowledge of people who live outside Glasgow being present at these assemblies?'
A. 'I have no such knowledge.'

S.-P. F. 'Could you give any proof of such devotion outside Glasgow?'

A. 'Chiefly this, that from time to time I spoke with Catholics in those places about the question of John Ogilvie, simply because the matter was in my mind, especially when I was engaged on the translation, and I often found that they seemed to have a knowledge of the details of his life and death and to venerate him as a martyr.'

S.-P. F. The witness is asked about his knowledge of signs in the case.

A. 'My experience is restricted to the granting of spiritual favours in the case of myself and my friends. I give my own experience; there were several occasions when I gave public testimony for the faith and it was explained to me by many of my friends that this would probably be materially detrimental to me. At such times I found great consolation and strength from my recollection and knowledge of the sufferings and death of the martyr.

'That I am able to be here to-day to give testimony is in itself a somewhat extraordinary thing. In any other year I would be absent at this time, not only from Glasgow but from Scotland, and would not be available for two or three months. This year, after much difficulty and negotiation, I was prevailed upon to spend fifteen days of my vacation in Glasgow to deliver a speech on 10th July at the First Convention of the Scottish Tertiaries of St. Francis. Even then, I had decided to set out on the following day—yesterday, 11th July—with two friends of mine for France, but I later cancelled this by telegram because I found that many unexpected difficulties and obstacles had arisen. Yet it was not until the afternoon of 9th July that Father Cooksey cited me to appear to-day as a witness.'

S.-P. F. The witness is asked if he has any knowledge of any uncanonical practices in connection with the devotion to the martyr.

A. 'I have no knowledge of any solemn or public cult towards John Ogilvie or the use towards him of those other things mentioned in the interrogatory. As to the use of the title "Blessed", if ever I have used or heard this title I have done so without meaning it in the proper canonical sense of the term.'

S.-P. F. 'You know of no cures attributed to John Ogilvie, do you?'

A. 'I know of none.'

S.-P. F. The witness is asked if he has anything further to say.

A. 'I make these additions to my deposition. I did not translate that work willingly. Indeed, I rather tried to avoid the task at that time because of the immense amount of other business in which I was involved. But when it was once undertaken and completed I was not merely satisfied but greatly elated that I had been granted this opportunity to help the cause of one whom I believe to be a true martyr.'

3. Hugh Kelly

S.-P. F. 'Do you know anything of what the common people of Scotland think about the death of John Ogilvie?'

A. 'I think they are of the opinion that he suffered for his faith.'

S.-P. F. 'What is your reason for this opinion?'

A. 'It arises from my experience as a boy. I spent part of my boyhood at St. Aloysius's College, Glasgow, and there it was always said that he had suffered
for the faith. We boys never called it in doubt but trusted to the general opinion which prevailed there.

* * *

S.-P. F. 'Do you recall the historical evidence for the martyrdom?'
A. 'My memory does not carry me back to such details but his life by Father Carslake was in circulation. We never doubted those particulars; we boys trusted to them.'

S.-P. F. 'Was there any devotion to John Ogilvie at that time?'
A. 'There was only the walk to the place where he was believed to be buried. There we recited the Rosary but whether this recitation was out of devotion to John Ogilvie or not, I have only the vaguest memory. I think we boys were intelligent enough to know that he was not a canonized saint and we said our prayers and left the rest to God. This refers to the year 1875.'

S.-P. F. 'So far as you recollect were the boys of the belief that John Ogilvie had died a martyr?'
A. 'We, as boys, believed that.'

S.-P. F. 'Was there ever any pressure applied by the superiors to imbue the pupils with this devotion?'
A. 'No, nothing of that kind.'

8. Joseph Scanlan

'I am not connected with him or with the Society of Jesus; nor am I constrained by any human motive to come here nor have I received any advice or suggestions as to how I should answer.'

Q. 'Can you tell us how your knowledge of Father Ogilvie first arose?'
A. 'From the study of local history, the history of the City of Glasgow.'

Q. 'Were you a pupil at a Jesuit College?'
A. 'No.'

Q. 'Have you any dealings with the Jesuit Fathers in Glasgow?'
A. 'Yes, I have some dealings with them.'

Q. 'Do you attribute your study of Father Ogilvie to any promptings on the part of the Jesuit Fathers?'
A. 'No. There was no such prompting.'

Q. 'Did your studies lead you to the belief that Father Ogilvie truly died for the Catholic faith, as is asserted?'
A. 'In Father Ogilvie's days it was difficult to say where religion ended and politics began. If you consider personal fidelity to the Pope as an essential of the Catholic faith then without doubt Father Ogilvie died for that. If you believe that the Scottish Covenanters were martyrs for faith or the English martyrs of that same period then Father Ogilvie was a true martyr for the faith.'

Q. 'Did your studies conduce to the belief that the case of Father Ogilvie was similar to that of the Scottish Covenanters?'
A. 'No. The case of Father Ogilvie is very much stronger. My studies led me to the belief that Father Ogilvie was a loyal subject of King James.'
Q. 'Have you any reason for believing that politics as such or questions merely of a political kind played any part in the events which led to the condemnation and death of Father Ogilvie?'

A. 'I do not consider myself capable of giving an opinion on that point.'

Q. 'Is it your opinion that he died for the faith?'

A. 'Yes. My opinion is that he died for the faith and this I maintain from my reading of those histories.'

14. Elizabeth Toner

'I have devotion to him because of the fact that when I was a girl I heard my mother speak of his martyrdom at Glasgow Cross. My mother probably learned of this from Father Peter Forbes of St. Mary's Church, Glasgow. As children we used to visit the Cathedral, although we did not know exactly where he was supposed to be buried, and we prayed for the repose of his soul. As a girl I got the impression from sermons that he was a martyr. My mother taught us that he was hanged at Glasgow Cross because he was a Catholic priest. This devotion, according to my knowledge, was confined within my own family. I learned about Father Ogilvie from the pamphlet by Father Carslake. I wish his Beatification.'

VIII. INDEX OF DOCUMENTS IN THE CAUSE OF THE VENERABLE SERVANT OF GOD, JOHN OGILVIE, PRIEST OF THE SOCIETY OF JESUS

The Index is divided into two classes, the first proving that he suffered out of hatred for the faith, the second proving the fame of his holiness; again, the first class is divided into documents written by Catholics and documents written by non-Catholics.

A. Proving him to have suffered out of hatred for the faith and written by Catholics:

1. Copy of letter written by John Ogilvie himself, 22nd February 1615, to Rev. Fr. Ferdinand Albers, the original of which is in England at the Jesuit College of Stonyhurst. This is lacking perhaps in extrinsic proof that it is an original.

2. The Account of the Imprisonment and Martyrdom of Father John Ogilvie, of the Scottish nation and priest of the Society of Jesus, written by the martyr himself a week before his death and continued thereafter by his fellow-prisoners who were present at his martyrdom. Of this there exist the following copies:

(a) The edition printed at Douai in 1615 at the press of the widow of Laurence Kellam, preserved in the British Museum.

(b) The edition printed at Mainz in 1616 at the press of John Albini, preserved in the British Museum.

(c) The edition printed at Ingolstadt at the press of Ederianis, at the house of Elizabeth Anger, widow, preserved at the British Museum.

(d) The edition printed at Wurzburg in 1616 at the press of Conrad Schwintlauff, preserved in the library of the Fathers of the Society of Jesus, Mount Street, London.
The authenticity of the Ingolstadt edition was testified to by Sylvanus Mayne in the Wurzburg Process of 1628.

The authenticity of the Douai edition was asserted by Thomas Dempster in his *Ecclesiastical History* published in 1627.

3. 'An account of the imprisonment of Fathers Ogilvie and Moffat. This account was written in Italian by the Rector of the Scots College, Rome, before he had received news of the death of Ogilvie. There exists a copy of this at the Vatican Library in the Barberini MSS. Lat. 8618, f. 23.

4. 'The testimony of Father Boleslaw Balbinus, given on his priestly honour, at Prague on 10th February 1671, concerning the account of Jan de Eckersdorf. The original of this exists in the Archives of St. Mary's College, Blairs, Scotland; the transcription was made by his Lordship the Bishop of Aberdeen.

5. 'The testimony of James Browne, s.j., written at Douai under his own hand on 23rd February 1672, concerning the account given by his father, Mr. John Browne. The original of this exists in the Archives at St. Mary's College, Blairs, Scotland; a photostatic copy is preserved in the Scots College, Rome.

B. *The following are by non-Catholics:*

6. 'The letter written by the pseudo-Archbishop of Glasgow, Spottiswoode, to King James on 5th October 1614 (O.S.), concerning the betrayal of John Ogilvie. It is printed in *Original Letters relating to the Ecclesiastical affairs of Scotland*, printed at Edinburgh in 1851 and taken from the Balfour MSS. in the Advocates' Library of the same city. This is a long letter.

7. 'The depositions of certain prisoners made at Glasgow on 5th October 1614.' Printed in the *Original Letters* mentioned above. This is a lengthy document.

8. *A True Relation of the proceedings against John Ogilvie, a Jesuit executed at Glasgow, the last of February 1615*. This was printed at Edinburgh at the press of Andrew Hart in 1615 and a copy exists at the British Museum.


C. *Many of the above documents relate to the fame of the holiness of John Ogilvie. The following prove the same:*

10. Letter written by William Chisholm, Bishop of Vaison, to His Eminence Cardinal Barberini on 13th August 1615. The original of this is in the Vatican Library amongst the Barberini MSS. Lat. 8628, f. 32.

11. *Chronological Table of the state of the Catholic Church from the birth of Christ to the year 1614*. This was printed at Paris in 1616 and was written by James Gaultier. A copy is preserved in Rome at the Gregorian Library. It contains certain notes on the year 1615 one of which, on p. 818, refers to the death of Ogilvie for the Christian faith and the authority of the Church.

12. Testimony of Father Gisbert Schenk, s.j., in the preface to the edition of the *Relatio Incarcerationis*, printed at Mainz in 1616. This is found in the copy at the British Museum mentioned above.

13. *Histoire Catholique ou sont d'esrites les vies, faits, et actions heroiques et signalées des Hommes et Dames illustres qui par leur piété ou saincteté de vie, se sont rendus recommandables dans le 16 et 17 siécles.* Written by Father Hilarion
APPENDIX I


16. Testimony of Cornelius a Lapide in his commentary on Isaiah c. 50, v. 7. It was written about the year 1637, the year of his death.

17. Firmamento Religioso por el P. Juan Eusebio Nieremberg, S.J. Published in Madrid at the press of Maria de Quinones in the year 1644. There is a copy in the British Museum containing, at pp. 70 ff., an account of the life and death of John Ogilvie.

18. Of the illustrious deaths and deeds of those members of the Society of Jesus who were killed by poison, fire, sword or other death or died from hardships. Written by Philip Alegambe and published at Rome in 1657. It contains on pp. 280–9 an account of the life and death of John Ogilvie. A copy is preserved at Rome in the Gregorian University.

19. In the Register of the Society of Jesus are certain letters written in the years 1611 to 1615 to John Ogilvie and others referring to him.

20. Two letters written by Professor Robert Rait (later Sir Robert), Professor of Scottish History at the University of Glasgow and Historiographer Royal of Scotland, on the cause of John Ogilvie. Professor Rait is not a Catholic. The English originals exist in the Archives of the Scots College, Rome.

IX. DECREES OF THE SACRED CONGREGATION OF RITES ON THE VALIDITY OF THE PROCESS AND THE ABSENCE OF CULTUS

At the instance of the Rt. Rev. William Clapperton, Rector of the Scots College, Rome, lawful postulator in the cause of the Servant of God, John Ogilvie, professed priest of the Society of Jesus, the Most Eminent and Reverend Lord, Francis Ehrle, Relator or Ponens in the same cause, proposed in the ordinary meetings of the Sacred Congregation of Rites, held at the Vatican on the undersubscribed day, that the following Dubia should be discussed:

1. Whether there is agreement on the validity of the Apostolic Process held in the Glasgow Curia; whether the witnesses were duly and properly examined, and the procedure used lawfully drawn up, in the case and to the purpose in hand?

2. Whether it is agreed that the decree of Pope Urban VIII was complied with and that no cultus was ever shown to the Servant of God?

And the same Sacred Congregation when they had heard the account given by the Most Eminent Ponens himself and when they had listened to and read the opinions on each of the Dubia by the Reverend Father in God, Carolus Salotti, Promoter-General of the Faith, and when they had weighed and
discussed all these matters, recommended that the following answer should be given: ‘Affirmatively to both’.

All these matters having been reported to our Most Holy Lord Pope Pius XI by the undersigned Prefect of the Sacred Congregation of Rites, His Holiness ratified and confirmed the rescript of the same Sacred Assembly on November 14th, 1928.

A. Cardinal Vico,
Prefect.
Angelus Mariani,
Secretary.

X. OBJECTIONS OF THE REVEREND FATHER PROMOTER-GENERAL OF THE FAITH ON THE DUBIUM

Whether there is agreement on the martyrdom and cause of martyrdom and of the signs or miracles in the case sufficient to the completion of the matter under discussion?

Most Blessed Father,

There is displayed for our consideration a most active soldier of Christ, John Ogilvie, born in the year 1579 of the noble Scottish nation. Having cast off heresy he turned to the true religion and later embraced the clerical state in the sodality of Ignatius; then, after being honoured with the priestly dignity in the city of Paris, he desired with all his heart to return to his native country to spread the faith there and win souls to Christ.

His wish being granted he came secretly to Scotland in the month of November 1613 and there laboured zealously for the Catholic faith; coming to Glasgow in order to reconcile certain heretics to the Catholic Church he was treacherously betrayed to the pseudo-Archbishop of that City on 14th October 1614, and thrown into prison.

He underwent examination before a tribunal in Glasgow and later before a court in Edinburgh, but this did not impose any final sentence and he was taken once more to Glasgow where, after undergoing several examinations, he was condemned to death and hanged on 10th March 1615, in the reign of James VI, son of Mary Stuart, who, under the title of James I, ruled all England.

To establish the martyrdom of the Servant of God three well-informed contemporary witnesses came forward, the first of whom appeared at the Ordinary Process held in Rome and the others in the Ordinary Process held at Würzburg. Twenty witnesses appeared at the Apostolic Process held at Glasgow, Scotland, in the year 1927 and to these might be applied the words, ‘Multiplicasti gentes sed non magnificasti laetitiam’. For with the exception of Witnesses Nos. 1 and 6, that is, Patrick McGlynn and William E. Brown, they added nothing or next to nothing to our knowledge of the martyrdom of the Servant of God. Therefore, it is of little consequence if they are ‘distinguished in knowledge and learning’, as the Patron has stated, if they cannot show, with regard to the martyrdom of the Venerable Father, those special circumstances which alone may establish martyrdom and the cause of martyrdom from a public point of view.

It is obvious that in cases of this kind which took place in former days
especially helpful proofs are those to be found in public documents which, if authentic and genuine, contribute greatly to establishing valid evidence on the matter. I think, however, that not all the documents relating to the Venerable John Ogilvie have been placed before us. By way of proof, Witness No. 6 of the Apostolic Process, William E. Brown, has listed twenty-five documents which he claims to have examined thoroughly.

Several of those we know but they are not all to be found in the Summary. At the same time, with regard to the index of documents in the Summary, divided into two classes, the first proving the Servant of God to have suffered out of hatred for the faith and the other showing his reputation for holiness, we acknowledge these to be most abundant, although they cannot all stand up to modern enquiry without their defects being observed, certainly by your Eminences.

Indeed, in what part of the Summary were the documents Nos. 12, 13, 14, 15, 16, 17, 18, even described? Why offer us a very full index of documents if, on the other hand, they are to be withheld from our consideration or certain gaps are not filled in which might illustrate the historical fact of the martyrdom or some details concerning it?

Nevertheless, from the general mass of documents and evidence, with which the Summary is enriched, it is sufficiently clear that Father Ogilvie suffered death for the Catholic faith. But several difficulties exist which, though they are of less consequence and do not destroy the truth and glory of his martyrdom, must, nevertheless, be analysed completely. For it is right that non-Catholics should know that we have examined all matters with great strictness before we decree the honours of the Blessed to this illustrious son of Scotland. Besides, the Promoter of the Faith sometimes intentionally puts forward objections to provide the Patrons of the cause with a better opportunity to illustrate and vindicate the heroism of the Servants of God either in relation to their virtues or their martyrdom.

Now Witness No. 6 in the Apostolic Process said this to the Court:
‘Letters of the General of the Society of Jesus written on 21st June 1611, 30th Jan. 1612, 6th Nov. 1612, all make mention of his desire to work for Scotland and say that his zeal had edified the General.’

Then the Witness was thus interrogated by the Sub-Promoter of the Faith:
‘Do not these letters quoted in Brown’s book and others of the same kind argue that he showed an immoderate zeal in urging his request to be sent to Scotland against the wishes of some of his Superiors?’

The Witness replied, ‘No, they showed a mistaken view on the part of Ogilvie’.

What, in fact, do these letters indicate? Whoever reads them is instantly won to the view that the Venerable Father was moved with an immoderate zeal of going to Scotland and perhaps against the wishes of his Superiors who seemed to think otherwise.

For in a letter of 21st June 1611 to the Servant of God we read:
‘Therefore in the meantime let Your Reverence remain where you are and let us know which of your Superiors ordered Your Reverence to go there (Scotland). It will be expedient, lest that Superior should wonder at your delay, that it should be made known to him that this, for the time being, is our wish
in the matter. Afterwards, the Lord willing, we shall see what can be done and we shall communicate what we have decided.’

In another letter of 30th Jan. 1612, ‘About Father Ogilvie we can decide nothing further’.

Again in another letter of the same day and year we find this:

‘Whether, indeed, it is wise to send any to Scotland is a difficult question for we know the danger to be very serious. Fathers Abercromby and Anderson had to leave when it was realized how very pressing the danger was. Nevertheless, we will write to others to take your opinion into consideration and thereafter we will decide in the Lord what it is best to do both as to methods and individuals.’

Similarly, in a letter of 26th Feb. the Servant of God is thus advised:

‘For which reason it is not easy to decide on these matters and accordingly we consider it better that Your Reverence should continue working where you are and should follow the instructions of your Superiors.’

Did our John obey these orders or rather did he disparage them when he returned to Scotland when the persecution was raging?

Again, the behaviour of the Servant of God in the presence of his persecutors is not altogether to be commended for he more than once, as if transported with fury, despised and provoked them. It may suffice to give one or two pieces of evidence.

(a) From the True Relation, ‘heat and choler was espyed much to over-rule him’.

(b) Ibid., Spottiswoode is said to have asked Ogilvie ‘to deliver his mind in a greater calm ... for he uttered those things in a vehement passion and as one transported with fury’.

I might add that he is then said to have replied, ‘he would take the advertisement and speak more coldly’.

(c) Ibid., ‘The further hee proceeded in speaking, his speeches still grew to bee the more intollerable’.

I would add that Spottiswoode described his speeches as ‘proud and impudent’.

Elsewhere (i.e. Relatio Incarcerationis):

(1) ‘Twenty-six hours had passed since I had tasted food and I was weak with fever. Although the heat of discussion had warmed me up I was now attacked by a shivering fit so they sent me down to the fire.’

(2) ‘The next day my supposed mother turned up. She did not recognize her son for, “I was not litchen and I was not dull-witted but rather too sharp”. So I had the laugh of those who had laughed at me.’

(3) ‘Wonderful hangman that you are! I pay no heed to you for all you do; act according to your heretic malice; I care nothing for you; I have asked nothing of anyone and never will; I have ever despised you; I can and will willingly suffer more for this cause than you and all yours can inflict. Stop bringing these things to me; put them rather before hysterical women. They spur me on, they do not frighten me. I laugh at them as at the cackling of so many geese!’

(4) ‘I replied, “I would prefer to follow the hangman to the gallows for you are going straight to the devil” ’.
"Do you talk to me in this fashion?" he said.
'I replied, "Your pardon, my Lord. I have not learned courtier phrases and we Jesuits say what we think. I will not flatter. I respect your secular rank and I honour your grey hairs being mindful of your age but I give nothing for your episcopal dignity. You are a layman and have no more spiritual jurisdiction than your stick. If you do not want me to say what I think about you, say the word and I will keep silence. If you would have me speak, I must say what I think, not what you want to hear."

"I am sorry", he said, "that bread and butter made you turn Papist."
'I replied: "You judge me by your own standard, you who abjured two articles of faith for two episcopates. I am my father's first-born and, even though I had not been educated, would have taken a gentleman's place by right of birth. If, like you, I was willing to change my religion, I should have the King's favour and revenues not to be sneezed at."

'He went away in a rage and I remained and laughed.'

All of this certainly does not show a man of gentle character who would have modelled himself wholly on the example of his Divine Master.

Moreover, the cause of his death does not appear to have been out of hatred for the faith but rather should be reckoned as being due to the personal hatred which the pseudo-Archbishop John Spottiswoode bore against the Servant of God.

For Witness No. 6 in the Apostolic Process, questioned about the character of that Protestant, replied:

'He is generally agreed to have been learned, strongly favourable to Erastianism but, except in the case of John Ogilvie, historians say that he was not known to be cruel.'

And again when he was questioned as to why Spottiswoode persecuted Ogilvie in this unusual manner he answered in these words which should be prudently and carefully considered:

'Spottiswoode's original motive was, as he himself said, because Ogilvie had converted some citizens; I derive this fact from the letter to King James dated 5th October 1614. Afterwards, perhaps, he was incensed by the arguments that he himself had with Ogilvie and this is suggested in the "Italian Narrative" which expressly says that the pseudo-Archbishop of Glasgow was provoked by Father Ogilvie to dispute on questions of faith and religion and was angry because he could not reply to the Father's arguments. Although this assertion is not probably exact it is likely that it is founded on a basis of fact.'

Although the Patron of the cause is completely taken up with vindicating his 'formal martyrdom from the side of the tyrant' as being due to that hatred of the faith by which Spottiswoode is said to have been influenced, there are several doubts involved in this.

For: 'Master Robert Scott in that while declaring to the people that his suffering was not for any matter of religion but for haynous treason against his Majestie which hee prayed God to forgive him.'

Again, it is asserted that the Venerable Father suffered death because 'he had disavowed his Majesties authority'.

Further, Witness No. 6 questioned by a judge of the Apostolic Tribunal: 'What, in your view, seems to have been the motive why Father Ogilvie was condemned for treason and not for his faith?' replied, 'It was the deliberate
policy and open claim of James I, as it had been of Elizabeth, that he would condemn no one for the practice of religion, e.g. the celebration of Mass, but for the denial of the King’s authority as laid down by the laws of the Kingdom. ... This policy is mentioned expressly by the King’s Advocate and in the indictment itself.’

And, indeed, the sentence passed upon the Servant of God did say, ‘That the said John Ogilvie for the treasons by him committed should be hanged and quartered’.

Therefore, it is necessary that the promoters of the cause should fully and clearly declare whether hatred of the Catholic faith is contained in that crime of treason; for, otherwise, it was a matter involving questions of politics rather than faith.

His constancy and fortitude in suffering punishment also in some degree seem to have wavered, and, indeed, it is our duty to quote these words from a certain document:

(d) ‘His hands being tied by the executioner his spirits were perceived much to faile him.’

(e) ‘Once he said, that he died for religion but uttered this so weakly as scarce he was heard by them that stood by upon the scaffold.’

(f) ‘Ogilvie ending his prayer rose to goe up the ladder, but strength and courage to the admiration of those who had scene him before did quite forsake him; he trembled and shaked saying he would fall and could hardly bee helped up on the top of the ladder.’

(g) ‘... then was hee turned off (his left foot for a space taking holde of the ladder as a man unwilling to die).’

(h) ‘What marvaile that men ... shewe a faint and cowardly minde at their last?’

As to the public fame of the martyrdom, the promoters claim that it was widespread in Scotland, Germany, France, Italy and Belgium not only amongst Catholics but amongst non-Catholics. But Witness No. 14, Elizabeth Toner, declares:

‘As children we used to visit the Cathedral, although we did not know exactly where he was supposed to be buried, and we prayed for the repose of his soul.’

Really, if Father John Ogilvie was considered a martyr I do not understand why prayers should have been poured out for the repose of his soul. For martyrs and saints, as most powerful suppliants in the presence of God, are invoked and prayers are certainly not said for the salvation of their souls.

What now of the signs in proof of the martyrdom which are set out in the Summary? Again these are of such slight consequence as scarcely to deserve the name of signs. Therefore, it is necessary that before the Supreme Pontiff be asked for a dispensation from signs in the case, the Patrons must, as far as they can, produce that evidence of martyrdom which by Canon 2116, par. 2, is required before the said dispensation can be granted.

CAROLUS SALOTTI,
S.Cons.Adv.
Promoter-General of the Holy Faith.

March 20th, 1929.
XI. Reply to the Objections of the Promoter-General of the Faith on the Dubium

Most Blessed Father,

Although on account of the vicissitudes of the Scottish nation this cause falls to be discussed about three centuries from that day on which John Ogilvie won the palm of martyrdom, nevertheless, since then the fame of his martyrdom has been very great and renowned not only amongst Catholic peoples but in Scotland where, under the sway of heresy, nothing was left unattempted to make the condemnation of Catholics appear as being due to some common crime rather than on account of their faith.

We have recently discovered new evidence that the fame of his martyrdom was widespread at that time in a report made to Paul V and the Sacred Congregation for the Promotion of the Faith by Scottish Franciscan missionaries written in the year 1623. In this we read:

'Friar John Stuart crossed into Scotland in disguise in 1613. The country was in an extremely disturbed state and a bitter persecution had arisen against the Catholics and in this persecution there perished the Venerable Father John Ogilvie, priest of the Society of Jesus, a zealous confessor, who sealed his witness to the faith by martyrdom.

It pleased Divine Providence that this marvellous fame, which is the first and chief sign of the holiness of his martyrdom, should remain unimpaired throughout the ages and that this canonical discussion should be held so far supported by valid proofs that the truth and excellence of his martyrdom might most evidently be apparent.

The Most Eminent Promoter of the Faith, whose acute intellect in formulating objections was clear to us all, himself conceded this point for His Eminence writes:

'Nevertheless, from the general mass of documents and evidence, with which the Summary is enriched, it is sufficiently clear that Father Ogilvie suffered death for the Catholic faith. But several difficulties exist which though they are of less consequence and do not destroy the truth and glory of his martyrdom, must, nevertheless, be analysed completely. For it is right that non-Catholics should know that we have examined all matters with great strictness before we decree the honours of the Blessed to this illustrious son of Scotland.'

Nor do we Patrons of the cause deplore such great strictness; for the excellence of our arguments, supported as they are by the Summary, makes welcome to us even the most searching discussion; for by reason of this, as the Promoter well remarks, the fame of the martyrdom of the Servant of God will go forth even more clearly vindicated.

The Promoter of the Faith, indeed, reviewing the proofs by which the cause is so well supported, rightly and properly conceded that in the Ordinary Processes the witnesses examined were both contemporary and well informed as to the facts. Rightly and properly, since the first of these three witnesses, namely William Sinclair, suffered imprisonment and other hardships on account of the Servant of God to whom he had extended hospitality to enable him to exercise his priestly duties; he was present at the tortures inflicted on the martyr or knew of them from the attendants and doctors who were present; and while he was not present at the martyr's final sufferings because he was himself a
prisoner, nevertheless, he knew of the sentence that had been passed on him from the lips of his judges themselves who read it to Sinclair in order to undermine his constancy.

The second and third witnesses, whose personal knowledge supports even more weightily, if that is possible, the details of his martyrdom and the cause of his martyrdom were present moreover at his material martyrdom; and the first of these because he was almost a hundred yards distant from the place of execution consulted friends of his who were present, both Catholics and non-Catholics, and all of these with complete unanimity reported the circumstances to him faithfully; the other, who was seven or eight yards away, saw him die, heard his profession of faith and also the last prayers that he uttered.

Rightly, therefore, the Promoter of the Faith has described these witnesses of the Ordinary Processes as thoroughly informed on the matter. But it seems to his Eminence that a similar phrase should not be used about the twenty witnesses in the Apostolic Process most of whom, as he says, have nothing or next to nothing to contribute about the martyrdom. Nor do I claim otherwise for the majority of the witnesses gave evidence, and indeed extensively, to the fame of the martyrdom and to the fact that no cult was ever shown, and only one or two, particularly Witnesses Nos. 1 and 6, testified concerning the martyrdom and cause of martyrdom.

On the other hand the deposition of Witness No. 6 in the Apostolic Process, namely William E. Brown, a learned lecturer in History at the University of Glasgow, author of the book *John Ogilvie*, supplies an accurate and conscientious account both of the imprisonment and martyrdom of our Venerable which, in respect of historical criticism, leaves nothing to be desired.

Again the Most Eminent Contradictor remarks rightly and aptly:

'It is obvious that in cases of this kind which took place in former days especially helpful proofs are those to be found in public documents which, if authentic and genuine, contribute greatly to establishing valid evidence on the matter.'

I acknowledge that I have made a collection of all documents (as I conceive it to be the duty of a Patron) which bear directly or indirectly on the cause so that Your Eminences who shall be voting on the matter might have everything in front of them pertaining to our discussion.

Actually the most Eminent Contradictor has admitted the historical value of the documents but has put two objections which it is my duty to rebut.

Firstly, His Eminence thinks, 'that not all the documents relating to the Venerable John Ogilvie have been placed before us. By way of proof Witness No. 6 of the Apostolic Process, William E. Brown, has listed twenty-five documents which he claims to have examined thoroughly. Several of those we know but they are not all to be found in the Summary.'

Actually there were omitted from the Summary the documents which the witness Brown refers to as Nos. 1-6-7-8, namely, the *Life of John Ogilvie* by Father Forbes, No. 1, the other *Life of John Ogilvie* by the witness Brown, No. 6, the review of Father Forbes' book in the *Acta Bollandiana*, No. 7, and the review of the book *John Ogilvie* by Brown in *The Times Literary Supplement*, No. 8.

In fact we omit journalistic reviews which from the point of view of
historical criticism have no influence and cannot be the subject of investigation; and I contend also that even the biographies of Father Forbes and of the witness himself, which, in any case, were too long to be used in the Summary, do not, properly speaking, constitute documents but are rather historical works based accurately on documents. These documents I have included in the Summary and they are referred to in the course of both those works. That is why I have omitted those biographies from the Summary.

Influenced by such considerations, with which, I believe, the Most Eminent Contradictor will agree, I have compiled an index to which His Eminence has made this objection.

'At the same time with regard to the index of documents in the Summary, divided into two classes, the first proving the Servant of God to have suffered out of hatred for the faith and the other showing his reputation for holiness, we acknowledge these to be most abundant, although they cannot all stand up to modern enquiry more especially when Your Eminences have no knowledge of them. For, indeed, in what part of the Summary were the documents Nos. 12, 13, 14, 15, 16, 17, 18, even described? Why offer us a very full index of documents if, on the other hand, they are to be withheld from our consideration or certain gaps are not filled in which might illustrate the historical fact of the martyrdom or some details concerning it?'

I regret that because of a typographical error in publishing the documents the Eminent Contradictor should have concluded that seven documents are missing in the Summary which are listed in the index. For, although the printer had so placed the documents that No. XIX seemed to follow immediately on No. XI, giving rise to the impression that the intermediate documents are missing, nevertheless they are not missing in the Summary.

For Document No. XII, namely, 'Testimony of the Rev. Fr. G. Schenk, S.J.', is described on page 183 of the Summary under No. XII; likewise, Document No. XIII, that is, 'Details of the death of Ogilvie', contained on page 446, Vol. II of the work Histoire Catholique, edited at Paris in 1625, is referred to on page 184 of the Summary as No. XII, and so on.

Briefly, Documents Nos. 12, 13, 14, 15, 16, 17, 18 are described in the Summary on pp. 183–188 under the numbers respectively, XII, XIII, XIV, XV, XVI, XVII, XVIII, although both titles and sources are left out.

The Most Eminent Contradictor who has admitted that the index of documents is most ample is most graciously prepared to overlook the typographical error and to concede freely that none of the Documents listed in the index is missing from the Summary and that consequently the series of documents that I have placed before Your Eminences is equally ample.

This matter of the proofs disposed of, we take steps now to explain those difficulties which the Eminent Contradictor has put forward concerning the virtues and martyrdom of our Venerable.

The first objection is taken from the letters which in the Summary come under No. XIX.

'Whoever reads them', His Eminence remarks, 'is instantly won to the view that the Venerable Father was moved with an immoderate zeal of going to Scotland and perhaps against the wishes of his Superiors who seemed to think otherwise.'
Now, on this point, as the Contradictor remarks, Witness No. 6 was interroga
ted in the Apostolic Process, and in the presence of the court asserted:

‘Letters of the General of the Society of Jesus written on 21st June 1611,
30th Jan. 1612, 6th Nov. 1612, all make mention of his desire to work for
Scotland and say that his zeal had edified the General.’

He was interrogated further: ‘Do not these letters quoted in Brown’s book
and others of the same kind argue that he showed an immoderate zeal in
urging his request to be sent to Scotland against the wishes of some of his
Superiors?’

He replied, ‘No. They showed a mistaken idea on the part of Ogilvie.’

‘What, in fact, do these letters indicate?’ asks the Eminent Contradictor.
I answer with Witness No. 6 that those letters indicate less an immoderate zeal
on the part of the Venerable Father in urging his request than a mistaken view
on Ogilvie’s part in thinking, at the time, that permission had been granted.

Indeed, the beginning of the letter, dated at Rome, 21st June 1611, reads:

‘We learn from Your Reverence’s letter of May 4th to Father Moffat that
you are getting ready, with the permission of your Superiors, to go to the
Scottish mission and that you are awaiting travelling expenses and letters which
will indicate to you when to set out. But because we do not know who has
chosen Your Reverence especially since Father Gordon senior has recently
written to us and said nothing. . . .’

It is most obvious that our John would not have expected travelling expenses
and letters from his Superiors nor urgently laid claim to them if he had not
believed in good faith that he had been chosen for the Scottish mission with
the permission of his Superiors. The assertion of Witness No. 6, quoted by the
Eminent Contradictor, remains, therefore, proved.

On the other hand, either from that letter or others that followed up to the
last day of July 1612 it would appear clearly that the General of the Society
of Jesus had not given permission for his journey to Scotland, wishing our
Venerable to remain in France under the direction of his Superiors.

The Eminent Contradictor asks, ‘Did our John obey these orders or rather
did he disparage them when he returned to Scotland when the persecution
was raging?’

The answer is obvious to anyone who considers the documents in support
of the cause. For there are innumerable documents and depositions which prove
that Ogilvie did not set out for Scotland without first having obtained per-
mission or, better still, that he was sent by his Superiors. With such an
abundance of proofs I think it is fitting that I should prove the matter from that
same collection of letters upon which the Eminent Contradictor founds his
objection.

Thus, the General who had always refused to give the desired permission
wrote on the last day of July 1612 to the Provincial, Father Huntly, ‘Let your
Reverences judge whether Ogilvie should go to Scotland or not’, and con-
sequently he advises our Venerable in a letter of 6th Nov. 1612: ‘As regards
your going to your own country, follow the instructions of Father Huntly
who will see what there is need to do.’

Although in a letter of 26th Feb. of the following year the General still seems
undecided, at length in a letter of 21st May to Father Huntly who, despite the
fact that he was an old man, had sought permission to go to Scotland and had been refused, he adds, 'Perhaps Father Anderson and Father Ogilvie could be sent with less danger. Your Reverence should consider this and, as I have said, communicate with me.'

Now from this it is clear that our Venerable did obey the orders of his Superiors for it would be useless for the General and Provincial to consult together on the mission of Father Ogilvie if he had, on his own account, already set out for Scotland.

Indeed, Father John's behaviour greatly pleased the General. Thus, for example, he writes in a letter of 30th Jan. 1612, '... your ready will has been most edifying'; and in another of 26th Feb. 1613, 'For the rest you must submit to the arrangements of your Superiors which I know has always been and will always be your heartfelt wish'.

But, over and above these, there is the letter of 20th May 1614 which the General wrote to the Venerable Father:

'I have had the letters which Your Reverence gave to be sent to us when you set out for your own country. Since then I have learnt of your safe passage by the last letters which arrived from Paris. These came as a pleasant surprise because of their news of things done and seen for the glory of God and also because of the hope which they held out of accomplishing better things still. What happened afterwards we will expect to hear another day. Meanwhile, I pray the Lord to give and increase strength, diligence and above all his divine grace to Your Reverence; may he deign to grant the salvation of the so great number who now perish in misery.'

When these things are considered can it be doubted at all that the Venerable Father went back to his native country with the consent of his Superiors for neither would the Venerable Father Ogilvie have, on his departure for his country, sent a letter to his General or would that General have answered so fully as in the letter quoted above if he had undertaken such a serious mission without lawful permission.

Undoubtedly, it is true that not once or twice, but probably repeatedly, our John sought this permission from his Superiors. Nevertheless, while this insistence displays his great zeal for the salvation of souls it does not by any means preclude his humility and obedience for he always humbly entreated permission from his lawful Superiors and always humbly submitted to their commands, remaining in Bordeaux when his Superiors ordered him to stay there and setting out for Scotland when lawful permission had been granted to him.

Finally, to this copious evidence we may add the testimony of Rev. Father Schenk, who knew our John well and had spoken with him shortly before his departure for Scotland, for this father tells us that the Venerable Father Ogilvie had been sent into his native Scotland.

We take steps now to clearing up those matters which were objected to concerning the behaviour of the martyr in the presence of his persecutors, which the Most Eminent Contradictor thinks are not wholly to be commended since 'the Servant of God more than once as if transported with fury despised and provoked his judges'.

His Eminence derives this information from the *True Relation*, written by that same pseudo-Archbishop Spottiswoode who, cruel in this case even beyond
his wont, as non-Catholic historians admit, like the wolf in Aesop’s fable put forward lying reports to excuse himself. Thus he describes the martyr as bitter and prone to anger, denounces his speeches as proud and insolent, but he did this in order to defend himself and the Court from the accusations at large in the city and also to defend the holiness of heresy.

Such, therefore, were the conclusions that the Bishop was bound to arrive at!

Moreover, it is clear that this was meant to be the official account as Witness No. 6 rightly explained when questioned at length on this point and to his testimony I take occasion to refer since it destroyed the objection completely.

‘Q. “Do the documents in your opinion give evidence of the Christian fortitude and heroic patience of Father Ogilvie throughout his trial and execution; and especially what weight do you attribute to the charges made by the writer of the True Relation?”

(See these at pages 248–50 of the ‘Objections of the Promoter’, that is, a, b, c, d, e, f, g and h.)

‘“Do you consider it sufficient to say as on page 202 of John Ogilvie that ‘possibly there was exaggeration when mention was made of the passion with which he defended himself’?”

‘A. “William Sinclair, under oath, replying to Article VIII of the Roman Process testifies that he had learned of the Christian fortitude and heroic patience of Father Ogilvie from the testimony of witnesses who were present.

‘“Father Mayne in reply to Articles IX, X and XI of the Wurzburg Process testified under oath that the account given in the continuation of the Relatio was that of witnesses. This account clearly demonstrates his fortitude and heroic patience.

‘“The sworn evidence of James Heygate in reply to Articles IX and XI of the Wurzburg Process supplies similar testimony.

‘“The account given by Jean de Eckersdorff speaks of Father Ogilvie in the same strain.

‘“These suffice, in my opinion, to establish the point.

‘“The True Relation is, as might be expected, obviously written to show Father Ogilvie in a bad light. On the other hand, it would seem improbable, in my opinion, that the writer invented facts whose falsehood would be apparent to many. Therefore, I expect to find in the True Relation an unjust interpretation of facts.

‘“As to points a, b and c, I should think that Father Ogilvie did speak spiritedly and he himself refers to this as his deliberate policy at the beginning of the Relatio. The writer of the True Relation, nevertheless, omits to mention that he was attacked not only by the King’s Advocate but by one whose duty it was to assist the judges and was interrogated also by the judges’ assessors. A species of anger under these circumstances might well be alleged against him by an enemy without any suggestion of lying. That Father Ogilvie accepted Spottiswoode’s rebuke I do not doubt. The words reported indicate probably that Father Ogilvie had come to the conclusion that his previous attempt to secure himself a hearing had turned out badly.

‘“The description of his speeches as intolerable, proud and impudent merely reflect Spottiswoode’s opinion about the doctrine of papal jurisdiction which Ogilvie had defended.
"As to (d), this is not confirmed by any other external evidence and probably signifies no more than, as is mentioned by the continuators of the Relatio, that he forgave the hangman.

"As to (e), the writer of the True Relation omits to mention that Father Ogilvie was forbidden to speak and then leave was later given during the proceedings near the scaffold. The weak speech, to which the True Relation refers, is probably the same incident as that mentioned by the continuators when they say that he shook his head when he was forbidden to speak.

"As to (f) and (g), the writer of the True Relation leaves out of his account the fact that Father Ogilvie was obliged to mount the scaffold with his hands tied behind his back so far as we can tell. The events of which it makes mention probably arose from the physical difficulty of such an action. That Father Ogilvie did not throw himself off the step but was turned off by the hangman is also reported by the continuators. If Father Ogilvie had done otherwise he would in my opinion have been committing suicide.

"As to (h), this is nothing more than an attempt to slander a Catholic and it confirms what was said by William Sinclair in his reply to Article IX of the Roman Process, that a pamphlet was written against Ogilvie because even the heretics believed that he had been cruelly and unjustly slain."

As I have already remarked the replies of the learned witness, whose authority in historical matters is known to all, are most clear and compelling and more than sufficiently demonstrate the heroic patience of the martyr and at the same time place in its true perspective the reliance that ought to be put on the True Relation.

Doubtless, however, the Eminent Contradictor will reply with the observation that he displayed the martyr's lack of patience not only from the English account but from the account written by the martyr himself and continued by his fellow-prisoners. For it is the martyr himself who writes:

'I pay no heed to you for all you do... I care nothing for you... I have ever despised you, I have asked nothing...'

But before all it should be remembered that the martyr writes at the beginning of his account:

'The risk of being discovered makes it impossible for me to rewrite, punctuate or correct: I must needs omit a great number of facts. I ask my brothers, therefore, to pardon any errors and to correct them in charity, to pray for John Ogilvie, for his fellow-captives and for the Catholic Faith.

'Since the matter is fresh in my memory I shall describe the disputes which were tedious enough for me but which will amuse the reader if I mistake not. Shouting had to be met with shouting: it was not against one but many that I strove and they gnashed their teeth at me; nothing but fiery zeal could quell the violence of their calumnies. By this method when they heard their own real faults made patent to all and compared with their lying slanders and suspicions against Catholics they were at last ashamed of having begun the attack.'

Further it should be carefully noted that the heretic judges intended one thing, namely, that the martyr should abjure the true faith and embrace heresy; for this reason they held daily debates, offered him great rewards, threatened him with bitter threats and at last substituted the torture of the 'Vigil' for the
torture of the ‘boots’. In this they were not prompted by clemency but by the desire to make the martyr, thus deprived of his faculties, accede more easily to their suggestions.

Indeed, the martyr observes in his own account:

‘... they talked of their clemency in trying me by the vigil instead of the boots. I replied that if they had indeed examined me by the boots I might still have been carried to church or lecture-room and so earned my bread by teaching or by exercising my priesthood in the confessional; but now the vigil had all but destroyed and killed my intelligence. What worse torture, indeed, save death, could they have inflicted since in my calling I need judgment and not limbs to serve Christ and the Church? They had tried to convert me but it was truly a preacher’s conversion they aimed at, to turn a sensible man to madness, a Jesuit to folly. Let them keep their provostship if it was to be won by such a conversion.’

Therefore, our John, although not devoid of the grace of Christ, had doubted whether after a long period of torture he might be able to give the same firm answers or whether he might not even let something slip which his hostile judges could cunningly interpret.

Thus he wished while in possession of his full faculties to testify to the Catholic faith in the firmest manner and to show his disdain for judges so numerous and of such a quality, lords and doctors who were busy trying to draw him to heresy by every means in their power. Who acts thus, acts prudently and not impatiently for it is the part of a prudent man to reject with straightforward and unequivocal words, importunate harangues, enticements, unjust accusations and invitations to heresy.

For the rest the heroic patience of the martyr in the midst of the most severe tortures shows more than sufficiently that he was neither bitter nor prone to anger. For such could not be the character of one who always with a calm and serene soul endured fasting, the vigil, prison, chains and ultimately death, a fact borne witness to by the attendants, doctors, fellow-prisoners and all who were present.

Now we must turn to the formal cause of martyrdom. As I have already remarked in the Informatio the formal cause of Our Venerable’s martyrdom is so far evident, the proofs so far abundant as to present no difficulty in the case except in the choice of arguments. The Eminent Vindicatore in order that the slightest difficulties might be analysed and the martyrdom shine forth more clearly has put forward two objections, the first of which is this:

‘Moreover the cause of his death does not appear to have been out of hatred for the faith but rather should be reckoned as being due to the personal hatred which the pseudo-Archbishop John Spottiswoode bore against the Servant of God. For Witness No. 6 in the Apostolic Process questioned about the character of that Protestant, replied, “He is generally agreed to have been learned, strongly favourable to Erastianism but, except in the case of John Ogilvie, historians say that he was not known to be cruel”’.

Carefully, indeed, let us weigh the words of this witness. Asked about the character and disposition of the pseudo-Archbishop he replied that he was not known to be cruel EXCEPT IN THIS CASE. Again interrogated about this unwonted cruelty and the motive for it he answered:
'Spottiswoode's original motive was simply, as he himself said, because Ogilvie had converted some citizens as given in the letter of 5th October 1614. Afterwards, perhaps, he was incensed by the arguments that he himself had with Ogilvie and this is suggested in the "Italian Narrative" which expressly says that the pseudo-Archbishop of Glasgow was challenged by Father Ogilvie to dispute on questions of faith and religion and was angry because he could not reply to the Father's arguments. Although this assertion is not probably exact it is likely that it is founded on a basis of fact.'

Very well then, neither the first nor second question appertains to the cause of martyrdom but rather to the manner in which Spottiswoode behaved himself with regard to the Venerable Father, which historians grant was cruel beyond his wont. It would appear clearly that this cruelty of mind should be taken as referring only to the procedure, if you like, to the use of torture against the martyr, to the interrogations, to the hardships of his imprisonment, to the vigil, etc., but not in the slightest degree to the sentence of death passed on him which was according to the laws then flourishing in Scotland.

If the pseudo-Bishop had condemned the Venerable Father to death not by laws more or less cruelly applied but from personal hatred, without motive, he would not be a cruel judge but rather a common murderer and consequently historians would not have spoken of the cruelty of the judge but rather of his most evident abuse of his office.

In fact, as I have said, the sentence passed was according to the laws flourishing in Scotland, as is evident from the English account itself; moreover, the sentence was not pronounced by Spottiswoode but (as the English account establishes) by the Jury who found the Father guilty of all the treasonable crimes contained in the indictment.

Therefore, the cruel behaviour of the Bishop does not in the least detract from the formal cause of martyrdom but rather illustrates more clearly the heroic virtue of the Venerable John.

Secondly, the Eminent Contradictor objects that John was condemned for the crime of treason, and on that account:

'It is necessary that the promoters of the cause should fully and clearly declare whether hatred of the Catholic faith is contained in that crime of treason; for, otherwise, it was a matter involving questions of politics rather than faith.'

The point has been fully discussed by me in the Informatio but I welcome the objection as providing an opportunity to elucidate the matter even more fully.

First, Your Eminences, it may be best to recall the arguments already put forward in the most noble cause of the 252 Servants of God which was recently discussed. For, referring to the third period of persecution, to that, namely, which took place in the reign of James I from 1605 to 1625, in which our martyr perished, the Promoter of the Faith objected:

'In the reign of James the Elizabethan laws were not repealed but Catholics were offered an opportunity to escape their rigour if they would take the oath called the Oath of Allegiance which in no way affirmed the spiritual supremacy of the King.'

In the answer I gave I admitted that the oath did not affirm the spiritual power
of the King but I proved that it was condemned by the Holy See and consequently Catholics could not take it. For in an Apostolic Brief of 21st September 1606, we read:

'Such being the case it ought to be obvious to you from these words that an oath of this kind cannot be taken without damage to the Catholic faith and the salvation of your souls because it contains many things openly opposed to faith and salvation.'

Since, then, Our Venerable was condemned to death in the reign of James I and also for refusing the Oath of Allegiance it appears that on this score he was a true martyr.

But the reports of the public proceedings, derived actually from heretical sources, supply even more weighty arguments which render the cause of martyrdom already evident even more obvious still.

For our Master, speaking of the methods by which we may prove that a tyrant inflicted death on a martyr out of hatred for the faith, instructs us:

'Firstly, it can be shown from the sentence passed by the tyrant if he decreed the death sentence by public authority.' (Vol. III, XIV–2).

So, in the English account we read, 'Verdict. The persons named upon the jurie removed to the higher house, which was prepared for them, and having elected Sir George Elphinstone, Chancellor, all in one voice found the prisoner Guiltie of the whole treasonable crimes contained in the Inditement. Which beeing reported by the saide Sir George Elphinstone and confirmed by the whole jurie, then returned into the court; judgement was given, by direction of the Justices. That the saide John Ogilvie, for the treasons by him committed, should bee hanged and quartered.'

From these words of the sentence we know, therefore, that the crime of treason was the 'treasonable crimes contained in the Inditement'. Therefore it is necessary only to examine the charges contained in the indictment to see therein that the Venerable Father was slain out of hatred for the faith.

It would be too long to give all the charges and we note only the chief of them.

Now, already it is apparent from the interrogations which the Venerable Father underwent that the case was concerned especially with questions pertaining to the faith.

For the first question was framed thus:

'Whether the Pope be judge and have power in spiritualibus over his Majesty and whether that power will reach over his Majesty even in temporalibus if it be in ordine ad spiritualia as Bellarmine affirmeth?'

To which John replied 'that he thought the Pope of Rome judge to his Majestie and to have power over him in spiritualibus if the King bee a Christian'.

Then the second question was:

'Whether the Pope have the power to excommunicate kings especially such as are not of his Church as his Majestie?'

To this he answered 'that the Pope hath power to excommunicate his Majestie; and where it is said the King is not of his Church he saieth that all who are baptized are under the Pope's power'.

But in the indictment it no less appears that the case concerned itself with matters of faith and not with political questions. For we read:
'John Ogilvie, a priest of the late execrable Order of the Jesuits you are indited ... ratified, approved and perpetually confirmed his Majesties royal power and authoritie over all estates as well spiritual as temporall within this Realme; and statuted and ordained that his Highnesse, his heyres and successors ... were and in all times coming should bee, judges, competent to all persons his Highnesse subjects, of whatsoever estate, degree, function or condition, that ever they be of, spiritual or temporall in all matters ... that none of them ... should presume or take in hand to decline the Judgement of his Highnesse under the pain of treason ... and by your conferences, intisements, auricular confessions, Masse saying and other subtle et craftie meanes indevoures yourselfe not onely to corrupt many of his Majesties lieges but also to pervert them from their duetifull obedience due to his Majestie till you were discovered and apprehended by the Archbishop of Glasgow ... you beeing demanded by them ... whether the Pope hath power to depose Kings, beeing excommunicated? And in particular if we have power to depose of Kings Majestie our soveraigne, being excommunicate by him? You answered reasonably that you would not declare your mind except to him that is judge in the controversys of Religion whom you declared to be the Pope or any having authoritie from him ... and thereby not onely declined reasonably his Majesties Jurisdiction allowing the Popes Jurisdiction, which is discharged by Acts of Parliament but hath committed most damnable and high treason in not acknowledging that the Pope hath no power to depose his Majestie.'

Afterwards, the Advocate-Depute explained the indictment and likewise declared that the Venerable Father had expressly avouched the jurisdiction of the Pope of Rome which by the laws of the realm had been long abolished and therefore had incurred the penalties of treason contained in the laws.

Then when the martyr was given an opportunity to defend himself it was shown even more clearly in his debate with the Archbishop that the case was concerned with spiritual matters.

For our John declared:

'For the declining of the King's authority I will doe it still in matters of religion for with such matters hee hath nothing to doe.'

To this the Bishop replied:

'The King is keeper of both Tables and his place beares him not onely to the ruling of his subjects in justice and preserving equitie amongst them; but even to maintain Religion and Gods pure worship of which he should have principal care. Your lord the Pope hath not onely denied this authoritie to Kings, which God giveth them, but usurpeth to himselfe a power of deposing and killing when he is displeased!'

Later when the usual questions concerning the papal power were again put to him the martyr once again affirmed:

'I refused of before to answere such questions because in answering I should acknowledge you judges in controversys of Religion, which I doe not. I will not cast holy things to dogges.'

Then questioned about the Oath of Allegiance (which the Pope had already condemned) when it had been read to him, he replied that it was a damnable oath, against God and his truth and that it was treason to swear it.
It was these things, therefore, that constituted the crime of treason; those were the treasonable crimes of which the Jury found John guilty; that was why he was condemned to death.

Our Master authoritatively teaches us:

'Proof that death was inflicted out of hatred for the faith may be said clearly to exist if from the public reports of the martyrdom it is shown conclusively, as is said, that it was inflicted on the Servant of God either for refusing to do something which implied a desertion of the Christian faith, or for refusing to do something forbidden by the Christian faith or which by reason of the circumstances might not agree with the teachings of the Christian faith or would work to the detriment of the Christian faith.' (Vol. III–XIV, 6.)

So our John could not grant the spiritual authority of the King without DESERTION OF THE CATHOLIC FAITH; he could not take the Oath of Allegiance or declare it lawful because this was FORBIDDEN; he could not recognize the King as a lawful judge in controversies of religion or that he was completely independent of the authority of the Supreme Pontiff without granting something that DID NOT AGREE WITH THE TEACHINGS OF THE CHRISTIAN FAITH and especially WOULD WORK TO THE DETRIMENT OF THE CHRISTIAN FAITH.

Therefore, since he was condemned to death for the foregoing reasons, it may well be said that proof is established in the case that death was inflicted out of hatred for the faith.

Similarly, the argument drawn from the sentence is so obviously clear and confirmatory that it might seem superfluous to have recourse to further arguments in order to strengthen it. Nevertheless, since these are, indeed, so numerous and of such great weight, I take this opportunity to mention them briefly.

Again, our Master teaches us how martyrdom can be proved.

'Secondly, it may be shown from controversies held between tyrants and martyrs described in public documents from which it clearly appears that death was inflicted by the tyrant out of hatred for the Catholic faith.'

We have already spoken at some length about the controversies in the trial, but in this case a speech deserving the greatest attention is that last speech of the Archbishop's immediately before the verdict or sentence, which is wholly directed against the primacy of the Roman Pontiff.

So the pseudo-Bishop takes it upon himself to show:

(a) St. Peter to have had no prerogative.

(b) Whatever prerogative St. Peter might have possessed pertained in no way to the Pope.

'... for he cannot bee St. Peters successour that hath forsaken his doctrine and gone against his practice directly'.

From this speech it appears clearly that the Archbishop demanded the condemnation by the jury because of hatred for the primacy of the Roman Pontiff, that is, out of hatred for the faith.

Formal martyrdom is proved also 'from benefices or gifts offered to the martyr by the tyrant before his death' also 'from the offer of impunity or liberty in the event of his forsaking the Christian faith'. (Vol. III–XIV, 4, 5.)
Actually, the promises held out to the Venerable Father are testified to:

(a) By the Father himself, 'unless I accept the King's gifts'.
(b) By his fellow prisoners and citizens, 'a provostship, a wife, royal gifts were offered to him'.
(c) By John Brown.

How could such promises be made to Ogilvie if the judges believed him guilty of treason? Later on, there is constantly included amongst them that church benefice which Ogilvie could not accept without going over to heresy. His judges, therefore, constantly had in mind matters of religion and sought only to bring him to heresy.

If we take account of all these arguments we can easily reach the conclusion that our John was slain only out of hatred for the faith.

The objection about the fortitude of the martyr in suffering punishment. I have more than sufficiently dealt with, referring to the evidence of the distinguished Dr. Brown who gives a full explanation of the various quotations brought up by the Eminent Contradictor.

Of his constancy in his faith, also, not even the heretics doubted, so far presuming to say, ' . . . in whose death any man that had eyes might see what a gracelesse and comfortlesse Religion Poperie is'. We overlook the insult for it is an outstanding affirmation of the martyr's constancy in the Catholic religion.

The public fame of the martyrdom which has been so widespread in all nations of Europe since the seventeenth century, is so obviously demonstrated that it might seem superfluous to spend any more time explaining it. The Eminent Contradictor has objected that a certain lady in the Apostolic Process testified thus:

"As children we used to visit the Cathedral, although we did not know exactly where he was supposed to be buried, and we prayed for the repose of his soul"; and martyrs as most powerful suppliants in the presence of God are invoked and prayers are certainly not said for the salvation of their souls.

But obviously this pious lady, who declares publicly her devotion to the martyr and desires his beatification, has merely spoken a little inappropriately. Yet considering the universal testimony to the fame of the martyrdom such inappropriate speech cannot in the slightest degree be considered detrimental.

Finally, about signs. In this case several signs are to be found, many of which are actually noteworthy, but we freely grant that they do not attain to the status of miracles. Nevertheless, when the evidence of the martyrdom is clearly established in the case we have not the slightest doubt that Your Eminences who are voting in the matter will be of the opinion that His Holiness should be advised to grant a dispensation.

We cherish a firm hope that Your Eminences will give an affirmative vote on the dubium proposed concerning the martyrdom and cause of martyrdom so that this unconquered servant of God, glory of the Scottish nation, of the Society of Jesus and of the Catholic family might be graced with the honours of the altar.

Sharing most fervently in this our desire is the Reverend Doctor William
Clapperton, the most vigilant postulator of this cause and also the whole Catholic people of Scotland.

J. B. FERRATA, ADV.
JOSEPH BELTRAMI.
ALPHONSUS STERBINI.

5th April 1929.

APPENDIX II

BEHIND THE SCENES

The Catholic prisoners who continued the Relatio Incarcerationis were inclined to lay the responsibility for the judicial cruelty shown to Ogilvie upon Archbishop Spottiswoode and there is no doubt that he showed an implacable malice in the affair that is not in accordance with his known character. As I have tried to show in the text, however, the King must bear the brunt of the responsibility.

Besides, the Archbishop’s letter of 5th October to the King in which he craves a free hand for himself with regard to Ogilvie there are two other letters extant indicating that in the pursuit of Jesuits the King had no more willing helpers than the Bishops of Scotland, particularly Spottiswoode.

One of these, partially quoted in the text, is from the Bishops of Scotland to John Murray of Lochmaben. It is interesting enough to quote more fully as an example of the governmental policy of making persecution pay for itself. The ‘gentleman’ mentioned is probably Adam Boyd who betrayed Ogilvie.

Right Assured Friend,

In the letter we wrote to his Majesty we referred two particulars to be by you communicat to his Highnes. The first is anent the offer ane gentleman had made for apprehending some Jesuits and Massing priests and presenting them to the Council. The offer was made of four but now ane of them is deceased; took sickness in the Laird of Gicht’s house and was carried first to ane of his Tennants and Burryed secretly; and the rest live quietly in the country and were never more bussy than at this present. The gentleman is ready to undertake the apprehension upon security of reward; but without this he will not hazard for any promise that can be given him. The A.B. of Glasgow told us from his Majesty that the man should surely be rewarded according as his services should be found worthy. But to indent for every man upon one particular sum beforehand could not be expedient and might turn to the prejudice of him that served seeing he might fall upon one that is worth ten thousand pounds. But nothing moves him. We have asked, we mean such of us as he treats with in this affair, what the men are alleging that they might be so vile bodies as it might fall his Majesty would not count them worth five shillings.

His answer is that they are men of as good account as any of the sect; and says that when he has apprehended them he will furnish probation of their receipt and entertainment in Noblemen and Gentlemen’s houses who by the law will be punishable and will be glad to compound for their remissions for a greater sum than he demands. For which that so good an occasion may not be let slip away whereof we do not understand what may be the event
APPENDIX II

and that his Majesty may not be put to greater charges nor is needful we have thought it good that his Majesty command the Thesauer Deput to confer with the gentleman and give him security of that which he craves; the service being done and he making good the resett which he offers to qualify; for this way the penalties of the Entertainers will refunded all and make much more than is craved.

This letter is dated 29th July 1614. On 12th November, Spottiswoode addresses another letter to John Murray in which he indicates something of the inflammatory effect upon his temper of Ogilvie’s obduracy and his anxiety that the trial should be at Glasgow in the face of attempts to have it transferred to Edinburgh. The letter contains also a number of dark hints as to the murderous proclivities of the Jesuits and a highly exaggerated account of their numbers and influence in Scotland.

Sir,

I received your letter for the Jesuit’s Tryall to the Council.

Now I must acquaint you with our state here that at the first occasion you may acquaint his Majesty therewith. Whereas his Majesty was graciously pleased to accept of my advice anent the proceedings with the Jesuit and the Mass holders and to give direction that the Tryall might be made at Glasgow; some here have made it their business to bring ye Tryall to Edinburgh; which, I understanding, came to the Council and not without difficulty by the assistance of the Secretary Sir Gideon and Clerk of Register obtained the Dyet should be kepted at Glasgow the 6th of December. The Clerk of Register is put in Commission for the advocate who could not be spared from the Council and Session. The course of Papistry has gone on so far here, by the negligence of our Ministers and the foolishness of some of ourselves whom his Majesty has placed to hold them to their duty and the favour born to them by some of the principall of our State that I assure you nothing keeps religion here but his Majesty’s countenance and favour to it.

And the boldness of the enemy and their preparation appears such as I am out of doubt that at this time they expected some mischief to have been wrought there against his Majesty’s life whom God preserve. I had some information that in this Kingdom are 27 Jesuits, two deputed for every Dioccy and one Father Bell, the Pope’s Legat, who directs them and takes account quarterly of their success and how they speed. The apprehension of this other called Moffat lately come from Rome at Saint Andrews serves to their business. When this fellow that I have shall be examined and put to the Torture, for otherwise he will answer nothing and boasts much of his confidence and courage against all torture, I hope somewhat of moment shall be found out. Alwise seeing the case Iyes upon me chiefly, I mean twitching the fellow that I have and his associates, I will humbly entreat his Majesty’s favour in the prosecution of their Tryall and his Highnes’ direction by letters in such a manner as I have set down and enclosed herewith which I hope his Majesty will approve as being the same in effect that was directed of before but altered in some circumstances for the greater terror of the enemies and the affraying of others to fall in the like offence.

Our Synod which met lately at Glasgow has penned a Supplication for
suppressing Papists which, because of my hasty coming from Glasgow I could not have to send with this. I am not able to express to you our danger nor would you believe it. But for their lives dare they not appear while his Majesty lives to protect us; therefore, we cannot but continually pray for his Highnes' safety and beseech you and others who have the honour to attend his Majesty's sacred person to be careful and observant of all such as haunt court or come towards his Highnes that his life in whom consists all our lives and the life of religion itself be not in hazard through their treacherous desperate attempts. I will expect the answer of these before the 4th of December or sooner as ye may. I have sent back your letters as ye desired. God almighty watch over his Majesty to his preservation and be with you for ever.

The text of these two letters is given in full in Gordon's Scotichronicon, Vol. III, pp. 410-414.

INDEX

Abercorn, Earl of, 80-1, 226
Abercorn, Countess of, 81, 102-3
Abercrombie, John, 222
Abercromby, Robert (S.J.), 25, 60-3, 65, 248
Adam, Mathew, 86-8, 229
A Lapide, Cornelius (S.J.), 13, 38-9, 44, 165, 245
Albers, Ferdinand (S.J.), 48, 65, 114, 202, 227, 243
Allen, William, Cardinal, 56
Anderson, Patrick (S.J.), 1, 13, 37-8, 54, 63-70, 92, 137, 198, 248, 255
Andrewes, Launcelot, 134, 187
Angus, Earl of, 59, 61, 63, 131
Anne of Denmark, Queen, 61, 132
Aquaviva, Claude (S.J.), General, 51, 63-7, 72, 114, 189, 200, 202, 247-8, 254-5
Argyll, Earl of, 34, 61
Balbinus, Boleslaw (S.J.), 230, 244
Balcanqual, Walter, 31
Beaton, David, Cardinal, 5, 26, 130
Beaton, James, Abp of Glasgow, 56, 78, 79, 83, 102
Bellarmine, Robert (S.J.), Cardinal, 35, 44, 47, 63, 118, 134, 170, 176-90
Benedict XIV, 231, 234, 260, 262
Black, David, 132
Boleyn, Anne, Queen, 4, 53
Boyd, Adam, informer, 88-90, 102, 264-5
Boyd, James, tulchan Abp of Glasgow, 101-2, 108
Boyd, Robert, 5th Lord, 100-2
Boyd, Robert, 7th Lord, 89, 90, 100, 103, 113, 206
Boyd, Thomas, 6th Lord, 102
Brown, John, 204, 220, 222
Bruce, Robert, 130, 133
Buchanan, George, 1, 108, 120, 181, 183
Burd, John, priest, 70-1
Calvin, John, 28-9, 35, 84, 151, 181
Campbell, John (O.F.M.Cap.), 73
Campbell of Kinzeaneleigh, 20
Campion, Edmund (S.J.), 36, 41, 45, 48-9, 52, 53, 152, 154, 173
Canisius, Peter (S.J.), 45
Cardinal Relator, 232-3, 245
Carey, Sir Robert, 1, 75
Cecil, Robert, Earl of Salisbury, 59, 129, 146, 172
Cecil, Wm, Lord Burghley, 55, 96-7, 136
Cepari, Virgilio (S.J.), 228, 232
Chatelherault, Duke of, 81, 103
Clapperton, Mgr Wm, 233, 236, 245, 263
Cleland, Sir James, 87, 229
Clement VIII, 35, 45, 126, 177, 185
Crawford, Hugh, 105, 210
Crawford, Thomas, 104-5
Crichton, Wm (S.J.), 13, 14, 25, 38, 39, 54-60, 62, 189, 222
Cruikshanks, Robert, 76
Darnley, Lord Henry, 10, 75, 79, 99
De Gouda, Nicholas (S.J.), 22-5, 27
Dickson, David, 111
Douglas, Archibald, 99, 100, 105
Douglas, John, tulchan Abp of St Andrews, 99
Douglas, Lady Margaret, 29
Douglas, Lady Mary, 12
D'Oultremann, Père (S.J.), 39, 74
INDEX

Dunbar, Earl of, 65, 197
Dunblane, Bishop of, 24, 98
Dury, John (S.J.), 63
Eckersdorff, Jan de, 221, 222, 229-30
Elizabeth I, Queen, 1-4, 7, 24, 52, 53, 55, 57, 58, 59, 61, 94, 95, 132, 139, 146, 182, 184, 193, 248, 250
Elphinstone, Agnes, 11-12
Elphinstone, George (S.J.), 12, 51, 64, 65
Elphinstone, Sir George, 77, 108, 113, 218
Elphinstone, William (S.J.), 12
Errol, Earl of, 34, 59, 61, 131
Faith, Promoter of (Cardinal Salotti), 232-3, 245, 246-250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 263
Faith, Sub-Promoter of (Mgr Clays), 233, 236-242, 245
Ferguson, David, 100
Ferrata, John Baptist, 233-6, 246, 247-9, 250, 251-64
Fleming, 5th Lord, 104
Fleming, 6th Lord and 1st Earl of Wigtown, 91, 104, 113
Forret, James, 86-8
Forret, Thomas, 86-8, 228
Garnett, Henry (S.J.), 128-9, 133-4, 171
Glencain, Earl of, 29, 96
Gordon, Patrick, of Auchendoun, 34
Gowrie, Earl of, 32, 57, 130
Grant of Ballindalloch, 69
Grynæus, Peter (S.J.), 66
Hamilton, 1st Marquis of, 104
Hamilton, 2nd Marquis of, 103-4, 130, 206
Hamilton, Lord Claud, 2, 61, 80, 104
Hamilton, James, Provost of Glasgow, 90, 91, 113, 202, 206
Hamilton, John, Abp of St Andrews, 16, 98
Hamilton, John, priest, 105-6
Hamilton, Patrick, 26
Hamilton, Thomas, Lord Binning, 105-108, 144, 198
Hangman, 220, 222-4, 234, 235, 250, 257
Hay, Andrew, 90
Hay, Edmund (S.J.), 106
Hay, John (S.J.), 25
Hay, Wm. of Baro, Attorney-Depute, 206-9, 210, 218, 235, 250, 256, 261
Henrietta Maria, Queen, 70
Henry VIII, 4, 7, 97
Heygate, Archibald, 83-6, 147, 229
Heygate, Elizabeth, 141, 229
Heygate, James (O.S.B.), 147, 221, 224, 226-7, 228, 232, 233, 234, 235, 252, 256
Heygate, Robert, 83, 86-8, 141, 221, 227, 228
Heygate, William, 79, 83
Holt, William (S.J.), 58
Hunalty, Earl of, 10-11, 34, 54, 59, 61, 68, 131, 193
Hunalty, James Gordon (S.J.), 54, 58, 59, 61, 62, 63, 64-7, 72, 73, 227, 254
Ignatius Loyola (S.J.), 55, 39, 43, 46, 47, 50, 137, 246
Jury, names of, 210
Kelly, Mgr Hugh, 236, 241-2
Kerr of Faudonside, 75
Kerr, George, 103
Kerr, Mark, Commendator of Newbottle, 103
Kershaw, Dom (O.S.B.), 40
Kingsley, Charles, 46
Kiricaly of Grange, 6
Knox, Andrew, Bp of the Isles and of Raphoe, 163-9
Knox, John, 3, 4, 5, 15, 17, 20-2, 25, 26, 27, 29-30, 56, 70, 75, 94, 97-9, 101, 105, 116, 120, 132, 151, 166, 181
Law, James, Protestant Bp of Orkney and Abp of Glasgow, 198, 232
Laynez, James (S.J.), General, 22, 44
Lennox, Regent of Scotland, 99, 100
Logan, John, 70-7
Lothian, 1st Earl of, 103
Lothian, 2nd Earl of, 103, 203, 206
Luther, Martin, 25, 35, 84
Macaulay, Lord, 42, 48
Macdonald, Sir James, 74
McGlynn, Patrick, 233, 236-41, 246, 252
McWhirrie, Alexander (S.J.), 62, 63
Mary of Guise, 5, 24, 30, 95, 100, 120, 130, 181
Mary, Queen of Scots, 1-7, 11, 18, 20, 22-4, 49, 50, 55, 57, 58, 75, 78, 79, 79, 100, 103, 104, 120, 132, 246
Maxwell, David, 82, 87
Maxwell, Lady, of Pollok, 87
Mayne, Blessed Cuthbert, 154
Mayne, John (Silvanus) (O.S.B.), 86-8, 169, 200, 201-2, 224, 227, 228, 232, 233, 244, 252, 256
Melville, Andrew, 59, 109, 166, 187, 198
Melville, James, diplomat, 183
Melville, James, minister, 33, 186, 198
INDEX

Menteith, William, 86-8, 229
Mercurianus, Everard (S.J.), General, 53, 57
Moffat, James (S.J.), 63, 65, 73, 144, 227, 244, 251, 265
Moray, Earl of, Regent of Scotland, 10, 11, 29, 56, 81, 96, 99
More, St Thomas, 7, 176, 195
Morton, Regent, 10, 30, 99, 101
Murdoch, William (S.J.), 25, 69, 92
Mure, Archibald, 87
Murray, Sir Gideon, Lord Elibank, 107-8, 144
Murray, John, of Lochmaben, 68, 89, 137
Myln, Walter, 26
Novarella, Father (S.J.), 50, 114
Ochiltree, Lord, 20, 96
Ogilvie, Lord, of Airlie, 9
Ogilvie, James, of Cardell, 10
Ogilvie, Blessed John (S.J.), 8, 12, 13, 14, 17; goes abroad, 33-7; Louvain, 38-40; Ratisbon, 41, 42, 48; Austrian Province, 48-51; French Province, 63-7; missionary labours, 68-88; capture, 89-93; judges, 100-112; first examination, 113-34, 135-41 passim; second examination, 144-55; vigil, 156-60; third examination, 160-3; disputations, 164-169, 170-1 passim; King's questions, 188-94, 195, 196, 199; letters from prison, 200-2, 203-5; indictment, 206-9; trial, 206-19; execution, 220-3; place of burial, 224-6, 227, 228, 229, 230; beatification, 231-64
Ogilvie, Sir John, of Craigie, 9
Ogilvie, Sir Walter, 9, 11-14, 33, 169
Ogilvie, William (S.J.), 63
Olyphant, Sir William, 144, 206
Paul III, Pope, 43
Paul V, Pope, 180, 251
 Persons, Robert (S.J.), 52-5, 56, 57, 60, 172, 178, 180, 181-3, 186
Philp, Robert, priest, 70, 71
Pius IV, Pope, 22
Pius XI, Pope, 233, 246
Porterfield, John, tulchan Abp of Glasgow, 99, 100
Ralt, Sir Robert, 233, 245
Riccio, Matteo (S.J.), 44
Rizzio, David, 10, 75, 99, 130
Robb, Thomas (S.J.), 204-5
Robison, Thomas, priest, 30
Scanlan, Joseph, 236, 238, 242-3
Schenk, Gisbert (S.J.), 74, 244, 253, 255
Schilk, Archibald, 87, 227
Schmidl, Father (S.J.), 39, 40
Scott, Robert, 74, 192, 220-2, 227, 249
Semple, Duncan, 87
Semple, Earl of, 61, 80, 226
Semple, Hugh (S.J.), 73, 81, 82
Seton, Alexander (S.J.), 65
Sinclair, Robert, 74
Sinclair, Roger, 74
Sinclair, Wm, 69, 73, 74-5, 142, 158, 226, 228, 232, 233, 234, 235, 251, 256, 257
Somerset, Duke of (Earl of Hertford), 20, 76
Southwell, Bd Robert (S.J.), 154, 173
Spottiswoode, Isabel, 109, 200
Stewart, James, 87, 90, 229
Stewart, Sir Walter, of Minto, 108-9, 113, 115, 135, 206
Struthers, Wm, 158, 203, 209, 224, 227
Stuart, Archibald, 82
Stuart, James, 'of Jerusalem', 70-2
Stuart, John, Friar, 251
Suarez, Francisco (S.J.), 44, 118, 155, 170, 187-8, 190
Summer, Andrew, 87
Tarbat, James, priest, 30
Toner, Elizabeth, 236, 243, 250, 263
Turnbull, Wm, Bp of Glasgow, 78, 101
Tyríe, James (S.J.), 25, 81
Urban VIII, Pope, 228, 231, 245
Urie, Robert, 87
Vallance, Robert (S.J.), 72
Walker, Mareon, 78-80, 86-7, 133, 154, 227
Walker, William, 78, 79, 83
Wallace, John, of Corsfalt, 87
Welsh, John, 105, 133, 196
Wigton, Countess of, 104
Wigton, Earl of, 104
Wilkie, Robert, 76
William of Orange, 52, 179
Wilson, Stephen, priest, 82
Winzet, Ninian, 6, 16, 21, 47, 42, 167
Wischard, Robert, Bp of Glasgow, 101
Wishart, George, 26