faction were inclined to intimate to Elizabeth their warm diſſatisfaction with the terms of agreement which ſhe had propoſed to Mary; and Pitcairn abbot of *D*unfermline, who had been appointed ſecretary of Rate in the room of Maitland of Lethington, was de­puted to her upon this buſineſs. He exclaimed againſt the treaty as wild and impolitic; and contended, that no ſtipulations could bind Mary, whoſe religion taught her to keep no faith with heretics; that her claims to the Engliſh crown, and her reſentment againſt the queen of England, as well as her own ſubjects, would immediately upon her reſtoration, involve the two kingdoms in blood; and that no peace or quiet could be expected or enjoyed, but by adhering to the ſalutary maxim of detaining her in a ſure and cloſe captivity. Elizabeth did not diſcourage theſe inclement ſentiments; and Pitcairn was aſſured by her, that from her natural love to the king, and her regard to the nobles who upheld his authority, ſhe would faithfully provide for their ſecurity; and that if juſtice ſhould appear deciſively upon their ſide, ſhe would even ſtrenuouſly maintain their quarrel and their conſequence.

Mary had been carried to Sheffield, and was recovering from a feveriſh indiſpoſition. To this place the biſhop of Galloway and the lord Levingſton, who had been ſelected by her friends to be her acting deputies in England, repaired in order to impart to her the ſtate of affairs in Scotland, and to receive her com­mands. After repeated conferences on the ſubject of the approaching treaty, ſhe gave them her commiſſion and inſtructions, and joining them to the biſhop of Roſs, ſent them to Elizabeth. They claimed an audience of this princeſs, and were admitted to it at Hampton-court. Having preſented their credentials, they inform­ed her, that they were ready to conclude a treaty of concord and agreement, upon principles the molt extenſive and liberal; and, repreſenting to her the impoveriſhed and tumultuous ſtate of their country, they beg­ged her to proceed in the buſineſs with expedition. The orders, they ſaid, which they had received, and their own inclinations, diſpoſed them to follow her ad­vice and counſel in all points which were honourable and conſiſtent with reaſon; and as her protection was the only refuge of the adverſaries of their queen, they took the liberty to obſerve, that it was completely in her power to put a period to all diſturbances and animoſity, and to accompliſh an accord, which would not only confer upon her the higheſt reputation, but be of the moſt ſignal utility to the two kingdoms. Eliza­beth declared, that it would pleaſe and flatter her in no common degree to advance in the negociation; and that it was a pain to her that the regent, by his delay in lending commiſſioners, ſhould diſcover any averſion from it. This anſwer was deemed very favourable by the biſhop of Roſs and his aſſociates; and they obtained her authority to diſpatch a meſſenger to the regent to haften his operations.

In the mean time, Mary received diſpatches from the pope, the king of France, and the duke of Alva; and they concurred in recommending it to her to accept of the articles of accommodation which were offered by Elizabeth. The Turk was giving employment to the pope and the king of Spain; Charles IX. already en­feebled by the obſtinate valour of the Huguenots, was buſy in deceiving them with appearances of peace, and

in plotting their overthrow; and the duke of Alva felt himſelf inſecure in his government of the Netherlands. But while they ſtrongly adviſed Mary to conclude an agreement with the queen of England, they were yet laviſh to her of their expreſſions of a conſtant ami­ty; and if the treaty ſhould miſcarry, they promiſed to make the moſt ſtrenuous exertions in her behalf, and to aſſiſt her adherents with money, ammunition, and troops.

The earl of Morton, the abbot of Dunfermline, and Mr James Macgill, had been appointed by the regent and his faction to be their commiſſioners in the name of the king; and at length their arrival was announced to Elizabeth. Conforming to the ſpirit of their party, the earl of Morton and his colleagues took an early opportunity to juſtify to her the depoſition of the queen of Scots, and by this means to interrupt the progreſs of the treaty. In an elaborate memorial, they affected to conſider Mary as unworthy to reign, and aſſerted the conſtitutional power of the people to curb her ambi­tion, and to throw her down from royalty. They en­deavoured to intrench themſelves within the authority of laws, civil, canon, and municipal; and they recited opinions to her prejudice by many pious divines. But though the general poſition, that the people have **a** title to reſiſt the domination of the ſovereign is clear and undubitable; yet their application of it to the queen of Scots was wildly precarious and improper. To ſpeak of her tyranny, and her violation of the rights of her people, was even a wanton mockery of truth and juſtice; for inſtead of having aſſumed an illegal exorbi­tancy of power, ſhe had ſuffered in her own perſon and rights, and had been treated by her ſubjects with the moſt cruel and tyrannical inlolence. Elizabeth, who was unwilling and afraid to enter anew into the conduct of Mary, who was fully ſenſible of the inſolence of her adverſaries, and who did not approve of any maxims that preſſed againſt the majeſty ot princes, received their memorial with ſurpriſe and indignation. She perceived not, ſhe told them, any reaſon that could vindicate the ſeverity Which had been ſhown to the queen of Scots by her enemies; and adviſed them to conſider, that in the preſent negociation it was their proper buſineſs to conſult the ſecurity of the king and of their faction.

Upon the part of Elizabeth, the commiſſioners were the lord keeper Bacon, the earls of Suſſex and Leiceſter, the lord Clynton, the lord chamberlain, Sir Wil­liam Cecil, who about this time was created lord Bur­leigh, Sir Francis Knollys, Sir James Croft, Sir Walter Mildmay, and Sir Thomas Smith. The deputies of Mary were invited to meet with the Engliſh commiſſorters in the houſe of the lord keeper; and after he had ſtated the general purpoſes of the treaty, he inti­mated to them, that there were two points which re­quired a particular diſcuſſion. A proper ſecurity, he ſaid, ought to be given by the queen of Scots for her due performance of the ſtipulations of the agreement with Elizabeth; and it was expedient to concert the mode of the pardon and indemnity which ſhe was to extend to the ſubjects of Scotland who had offended her. As an aſſurance of the accommodation with his miſtreſs, he demanded, that the duke of Chatelherault, the earls of Huntley and Argyle, the lords Hume and Herries, with another perſon of high rank, ſhould be ſurrendered to